

**DOCKETED**

<b>Docket Number:</b>	15-AAER-02
<b>Project Title:</b>	Pool Pumps and Spa Labeling
<b>TN #:</b>	226220
<b>Document Title:</b>	Hayward Industries, Inc Comments Hayward Industries Comments on 15-AAER-02
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Hayward Industries, Inc
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	1/4/2019 2:21:25 PM
<b>Docketed Date:</b>	1/4/2019

*Comment Received From: Hayward Industries, Inc*  
*Submitted On: 1/4/2019*  
*Docket Number: 15-AAER-02*

## **Hayward Industries Comments on 15-AAER-02**

Hayward Industries respectfully submits the attached comments in response to CEC Docket # 15-AAER-02

*Additional submitted attachment is included below.*



HAYWARD INDUSTRIES, INC.  
One Hayward Industrial Drive  
Clemmons, NC 27012  
1.336.712.9900  
www.hayward.com

January 4, 2019

California Energy Commission  
Docket Unit, MS-4  
Docket No. 15-AAER-02  
1516 9th Street  
Sacramento, CA 95814-5512

**RE: Docket No. 15-AAER-02, Appliance Efficiency Regulations for Replacement Pool Pump Motors**

To Whom It May Concern:

Hayward Industries would like to thank the California Energy Commission (Commission) and its staff for the opportunity to review and comment on the ***Third Revised Staff Analysis of Efficiency Standards for Replacement Pool Pump Motors*** that was published on November 14, 2018.

**BACKGROUND**

Hayward Industries, Inc. is a leading global manufacturer of residential and commercial pool equipment and industrial flow control products. Headquartered in Elizabeth, New Jersey with over 1,500 US-based employees, Hayward designs, manufactures, distributes, and markets a complete line of residential pool equipment including pumps, filters, heaters, automatic cleaners, sanitizers, automation, and lights. Hayward is a strong advocate of energy saving products as witnessed by its leading portfolio of energy efficient equipment, including a broad range of ENERGY STAR® approved variable speed pumps.

As a leading equipment manufacturer, representing thousands of employees and, in turn, thousands more pool professional partners and their customers, we request your thorough evaluation of this issue.

Hayward has a long history of working with the Commission and appreciates the opportunity to continue a positive collaboration to ensure the citizens of California are provided energy regulations for pool pump motors that balance energy savings with other critical factors important to consumers and industry. We also have worked with the Commission and other stakeholders over the last few years on taking the good work started here in California and encouraging federal regulations for both pool pumps and motors that would ensure savings nationwide and eliminate a patchwork approach to regulation that is neither in the consumer's best interest nor our industry members.

Hayward participated in the Department of Energy (DOE) Appliance Standard and Rulemaking Federal Advisory Committee (ASRAC) negotiated workgroup on dedicated purpose pool pumps (DP3), which resulted in a unanimous agreement and a direct final rule (DFR) for pool pumps. We were pleased to see this occur in 2017 and are continuing to prepare for the July 19, 2021, compliance date. Hayward shared concerns with the DOE that DP3 motors must also be addressed; otherwise, a significant loophole would occur. Over the past year and a half, we have continued work with stakeholders that include the Commission to request a DFR for dedicated purpose pool pump motors. That work resulted in a unanimous agreed to joint petition being submitted to the DOE on August 14, 2018 by stakeholders that included motor and pump manufacturers, consumer advocates, pool service professionals, states, efficiency advocates, utilities, and others.

Hayward stands behind that joint petition to the DOE and all stakeholders continue to work towards the goal of seeing the DOE issue a DFR based on the joint petition.

### **COMMENTS ON THE THIRD REVISED STAFF ANALYSIS**

Although we appreciate the fact this third revised analysis from Commission staff captures much of the joint petition submitted to the DOE, it still runs counter to that agreement and we would urge that if the Commission intends to move forward with this proposed rulemaking while it waits for the DOE to act, they align their proposal to ensure consistency with the approach agreed to by all interested stakeholders that was submitted to the DOE for consideration. Otherwise, having two different approaches will cause disruption and market confusion that will adversely affect consumers and industry. Alignment across all 50 States is of utmost importance and we believe the approach provided to the DOE should also be considered by the Commission and not run counter to that agreement.

Industry has spent significant resources to prepare for the DP3 pump rule and will do the same for the motor rule and in an expedited fashion if a DFR is issued with the same July 19, 2021 compliance date (which is our intent and goal). To be required to also prepare for a Commission rule that takes albeit a similar but different approach will require additional financial and resource commitment. Therefore, if the end goal is the joint petition submitted to the DOE, we believe California should follow that proposal – in doing so, the State would simply be ahead of the federal action and would not have to make changes when that rule went into effect. Motor manufacturers can then prepare for both without having to make significant adjustments if they were to have to prepare for two different approaches.

In addition to the overarching concerns the industry has with the approach being considered, it is important to point out that Chapter 6 of “Staff proposed standards,” first paragraph states that the proposed standard is Alternative 4, which is in fact the joint stakeholder proposal that was submitted to DOE. However, the explanation then details Alternative 5 instead of Alternative 4. The charter goal of the joint stakeholder group was to align the DP3 motor standard as closely as possible with the DP3 standard however Alternative 5 deviates from this as follows:

- The breakpoint for dedicated purpose pool pumps for standard size and small size is 0.711 HHP and it was discussed at length in the joint stakeholders’ meetings with a consensus being reached that the motor breakpoint should be 1.15 HP. The staff analysis proposes to extend the breakpoint to 0.5HP. This would cause significant hardship for manufacturers and consumers. Further the DOE data shows that there are very little energy savings to be realized in motors less than 1.15 HP.


- The minimum motor efficiency requirement for various categories of motors in Alternative 5 is set at significantly higher levels than those discussed and agreed upon in previous joint stakeholder meetings. The WEF metric for DP3 is heavily weighted towards a low flow condition whereas the proposed metric based on the small motors' regulation is based on a single full speed condition. This creates another inconsistency with the DP3 regulation.

In closing, we appreciate the Commission recognizing the importance of addressing the replacement motor side. As we have noted to the DOE, if a DP3 motor standard is not put in place, an enormous loophole will occur to drive nearly all replacement business to the lower cost, unregulated motors. This will have a significant and detrimental impact on the pool industry and consumers, as well as the anticipated energy savings from the DP3 final rule.

Therefore, we would encourage the Commission to continue supporting the joint stakeholder proposal for which they were signatories of and that was unanimously agreed to by all parties, as DOE has yet to make a final decision on that petition. Hayward believes a federal regulation is the best course of action and we continue to support this effort with DOE. Further, we recommend that the CEC either wait for DOE action or align with what was presented to DOE verbatim, to eliminate any development efforts based on requirements that would likely no longer be enforceable upon adoption of a federal requirement.

Hayward thanks the Commission for its time and consideration and looks forward to an ongoing dialogue on this important topic.

Respectfully submitted,



Scott Petty  
Global Product Manager  
Pumps and Filters  
(336) 712-9900  
spetty@hayward.com