

**DOCKETED**

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Submitted On: 1/4/2019  
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**APSP Response to 3rd Revised Staff Analysis of Efficiency Standards for Replacement Pool Pump Motors**

*Additional submitted attachment is included below.*



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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:

The Association of Pool and Spa Professionals (APSP) 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.

**1. BACKGROUND**

The APSP represents over 3,100 company members, including over 225-member companies in California. APSP is the world's oldest and largest association representing swimming pool, hot tub, and spa manufacturers, distributors, manufacturers' agents, designers, builders, installers, suppliers, retailers, and service professionals. Dedicated to the growth and development of its members' businesses and to promoting the enjoyment and safety of pools and spas, APSP offers a range of services, from professional development to advancing key legislation and regulation at the federal and local levels, to consumer outreach and public safety.

APSP is the only industry organization recognized by the American National Standards Institute (ANSI) to develop and promote national standards for pools, hot tubs, and spas. Since 1983, APSP has been accredited by ANSI as the Standards Development Organization for the nation's pool and spa standards. These national consensus standards establish voluntary minimum guidelines that, when adopted by governments and agencies, have the force of law. These standards are used in the design, operation, and maintenance of swimming pools.

APSP and its members have a long history of working with the Commission and appreciate 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 not in the consumers best interest nor our industry members.

APSP members participated in the Department of Energy (DOE) Appliance Standard and Rulemaking Federal Advisory Committee (ASRAC) negotiated workgroup on dedicated purpose pool pumps (DPPP), 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 our members continue to prepare for the July 19, 2021, compliance date. APSP members who participated in the DPPP negotiations voiced concerns that DPPP 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.

APSP and our industry members stand 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.

## **2. 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 DPPP 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 have to also prepare for a Commission rule that takes albeit a similar but different approach, will require additional financial 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 DPPP motors standard as closely as possible with the DPPP standard and Alternative 5 deviates from this as follows:

- The breakpoint for dedicated purpose pool pumps for standard size and small size is 0.711 HHP (Hydraulic Horse Power) and it was discussed at length in the joint stakeholders’ meetings with a consensus being reached that the motor breakpoint should be 1.15 THP (Total Horse Power). The staff analysis chooses to extend the breakpoint to 0.5 THP. This causes significant hardship for manufacturers and consumers and the DOE data shows that there are very little energy savings to be realized in motors less than 1.15 THP.
- The minimum motor efficiency requirement for various categories of motors in Alternative 5 are set at very high levels. Aligning with the small motor regulation is not the correct approach for variable speed pool pump motors because of different operating conditions. This was also

discussed in the joint stakeholder meetings and the values chosen in the staff analysis are much higher than the agreed upon values by the stakeholder group. The WEF metric for DPPP 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 DPPP regulation.

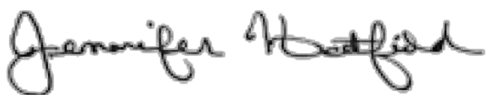
In closing, we appreciate the Commission recognizing the importance of addressing the replacement motor side. As we have noted to the DOE, if a DPPP motor standard is not put in place, an enormous loophole will occur to drive nearly all replacement business to the lower cost, unregulated motors. This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

Therefore, we would encourage the Commission to continue supporting the joint stakeholder proposal that they were signatories to and that was unanimously agreed to by all parties, as DOE has yet to make a final decision on the petition. APSP believes a federal regulation is the best course of action and we continue to feverishly pursue this course of action with DOE. Further, either waiting for DOE action or aligning with what was presented to DOE verbatim, would eliminate any requirement that the Commission have to change any conflicting regulation when a DOE rule goes into effect.

If California still feels it is necessary to move forward and deviate from the joint stakeholder proposal, as we await action by DOE, then APSP and our members believe that there are other options for a performance-based metric. Possibilities include Alternative 2 or a hybrid approach of Alternatives 2 and 5, which the industry would like to explore in more detail if Alternate 4 (the joint stakeholder proposal) is not the preferred path chosen by the Commission.

On behalf of all our members, including our pool pump and motor manufacturers, we thank the Commission for its time and consideration and look forward to an ongoing dialogue on this important topic.

Respectfully submitted,

A handwritten signature in black ink that reads "Jennifer Hatfield". The signature is written in a cursive, flowing style.

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