

**DOCKETED**

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*Comment Received From: Zodiac Pool Systems, LLC*  
*Submitted On: 1/4/2019*  
*Docket Number: 15-AAER-02*

**Comments regarding CEC third revised analysis on replacement pool pump motors**

Please see our attached comments on the issue of replacement pool pump motors.

*Additional submitted attachment is included below.*

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**

**1. Introductory comments**

Zodiac Pool Systems LLC, based in Vista, California, is one of the largest manufacturers of premium quality swimming pool equipment, including, but not limited to swimming pool pumps. Globally the organization consists of approximately 5500 employees, about 300+ of which are based in the North American headquarters in Vista, California.

Zodiac staff, in conjunction with other industry members along with the Association of Pool and Spa Professionals (APSP), has enjoyed a strong, cooperative working relationship with the California Energy Commission (CEC). We appreciate the opportunity to continue such a collaborative relationship to work towards ensuring that citizens of California, and those of the rest of the United States, are provided with energy regulations for pool pump motors that balance energy savings with other factors which both consumers and the industry consider as being important. We have also worked with the Commission and other stakeholders over the last few years on promoting good efforts, which likely started here in California, to support federal regulations for both pool pumps and motors which would ensure savings nationwide. More importantly, such efforts would help avoid a potential patchwork of inconsistent rules and regulations which we strongly believe is neither in the consumer's best interest nor in the interest of the entire industry.

We have also actively participated in the Department of Energy (DOE) 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 happy to see this occur in 2017 and we are now aggressively preparing for the July 19, 2021, compliance date. During our participation in the DPPP negotiations, we, along with our industry colleagues, raised concerns that DPPP motors must also be addressed. If they weren't properly addressed, a significant loophole would exist in the current Federal pump regulation since motors, as integral parts of the pump, would be subject to complying with the requirements, but replacement motors would not. To address this, over the past year and a half, we have continued work with stakeholders, which include the CEC, to request a DFR for dedicated purpose pool pump motors. That effort resulted in a unanimously agreed upon joint petition, submitted to DOE on August 14, 2018 by stakeholders which consisted of motor and pump manufacturers, consumer advocates, pool service professionals, states, efficiency advocates, utilities, and others. Zodiac and other stakeholders have continued to engage with DOE since August, and remain optimistic that DOE will move forward to address this loophole.

Zodiac Pool Systems, along with our industry colleagues, stands behind that joint petition to DOE. As such we, along with all the aforementioned stakeholders, continue to work towards the goal of seeing that the DOE issues a rule, based on the joint petition, addressing pool pump motors.

## 2. COMMENTS ON THE CEC THIRD REVISED STAFF ANALYSIS

While we appreciate the fact the latest (third) revised analysis from CEC staff captures a significant portion of the joint petition submitted to the DOE in August 2018, we believe that it still is inconsistent with that agreement. As such, we would submit that if the CEC intends to move forward with this proposed rulemaking, they align their proposal to ensure consistency with the approach agreed upon by all interested stakeholders and subsequently presented to the DOE in 2018 for consideration. Otherwise, having two inconsistent rules will certainly create disruption and market confusion that will have adverse effects on both consumers and industry. Alignment across all 50 States is critical and therefore we believe the approach provided to the DOE should be seriously considered and adopted by the CEC rather than taking a path which is inconsistent with that agreement.

We, along with our industry colleagues, have already expended significant resources in preparation for complying with the Federal DPPP pump rule, which goes into effect in July 2021. We will do the same for the motor rule, but with much less time and therefore with much more aggressive efforts if the Federal rule is issued with the same July 19, 2021, compliance date -- which is what we would like to see as an effective date. A separate, different California rule would require us to also prepare for two different rules; this will require significant additional financial commitment, in addition to more development and staffing resources. Therefore, if the logical and reasonable end goal is the joint petition submitted to the DOE, we sincerely and humbly urge the CEC to remain fully aligned with that proposal. By doing so, the CEC and California would simply be ahead of the federal action and would likely not have to be concerned with possibly having to revise a rule that may already be in effect at the time when the DOE decides to issue a ruling. Motor manufacturers can then prepare for both, hopefully consistent, rules without having to make varying products/skus for different markets, which they would otherwise have to do if they were forced to prepare for two different rules.

To summarize, let us reiterate that we appreciate the CEC recognizing the importance of addressing the replacement motor concerns. As we have already made clear to the DOE, if a DPPP motor rule is not put in place, a clear loophole will exist. This will drive nearly all replacement motor business to lower cost, lower quality, potentially unsafe and unregulated motors. This in turn will have a detrimental impact on both the pool industry and consumers; it will also hijack the expected energy savings from the DPPP final rule. Therefore, while we applaud the fact that California wants to move forward as we wait on DOE to act, we believe the best approach is to remain fully consistent -- without any deviations -- with the joint petition that was unanimously agreed upon by all those who participated, including the CEC, in its development.

We appreciate the opportunity to comment and provide input towards this important issue. If there are any questions regarding our comments, please feel free to contact the undersigned via email at [shajee.siddiqui@zodiac.com](mailto:shajee.siddiqui@zodiac.com) or via telephone at 760-734-7035.

Sincerely,



Shajee Siddiqui  
Director, Product Safety & Compliance