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Appliance Efficiency )
Regulations Rulemaking )
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PUBLIC HEARING

PROPOSED ACTION FOR THE 2020 REPEAL OF SELF-CONTAINED LIGHTING CONTROLS AND OTHER AMENDMENTS RULEMAKING

REMOTE VIA ZOOM

THURSDAY, DECEMBER 3, 2020
10:00 A.M.

Reported by:

Martha Nelson
APPEARANCES

CEC STAFF

Corrine Fishman, Efficiency Division

Carlos Baez, Appliances Office
AGENDA

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MS. FISHMAN: Good morning everyone. My name is Corrine Fishman and I’m the Regulations Manager for the Efficiency Division. And I want to welcome you all to the Energy Commission’s Public Hearing for the 2020 Repeal of Self-Contained Lighting Controls and Other Amendments.

I will start by going over some general information and housekeeping.

The public hearing is being held pursuant to California Administrative Procedures Act, Government Code Section 11346.8. The public hearing is online only due to the COVID-19 public health order. The purpose of the public hearing is to collect oral comments for review and consideration. However, we will not be responding to comments during the public hearing.

Copies of the Initial Statement of Reasons, Notice of Proposed Action, and Proposed Text are available on the CEC website, Docket 20-AAER-01.

This public hearing is being recorded by a Court Reporter and on Zoom. And all statements...
today become part of the public record.

We are proposing adoption by the Commission on December 9th.

Next slide please.

All lines are currently muted until after the presentation. Following the presentation, we will be taking public comments. To provide a comment related to the proposed regulations, you can ask your question in chat -- the Q&A section is not available today but you can still ask your question in chat and we will read it out loud so that it goes into the record -- or you can use the raise-hand feature to speak.

If you’re online you can raise your hand. The host will give you the ability to speak. And then the caller can push un-mute and enter their comment.

If you’re on a cell phone you raise your hand by pushing the star nine. The host will give you the ability to speak. Then the caller must push star six to mute and un-mute.

As we are recording the work -- the public hearing, please state your name and affiliation when speaking.

I will now and it over to Carlos Baez,
who will provide the presentation.

MR. BAEZ: Good morning everyone. My name is Carlos Baez and I work in the Appliances Office here at the Energy Commission.

Thank you, Corrine, for starting off the meeting today.

Here’s the agenda for today’s public hearing. First we will provide an overview of the proposed changes in this rulemaking. Next we will go over the rulemaking timeline. And finally, we will have an opportunity for public comment.

Again, this rulemaking is the 2020 Repeal of Self-Contained Lighting Controls and Other Amendments.

The Appliance Efficiency Regulations contain mandatory requirements for both federally regulated and state regulated appliances to provide manufacturers, distributors, retailers, and consumers of appliances with a clear and comprehensive set of requirements in a single location. This rulemaking includes several types of amendments to the Title 20 Appliance Efficiency Regulations and covers Sections 1601 through 1607.
The proposed changes do not include new energy or water efficiency standards, new testing or marking requirements, or changes to the general certification process regarding certification to the Appliance Database. The Appliance Database refers to the Modernized Appliance Efficiency Database System called MAEDbS for short. Manufacturers are required to certify the regulated appliance models to MAEDbS in order to demonstrate that their models comply with Title 20.

These are the types of proposed changes involved. The repeal of self-contained lighting controls as a regulated appliance type. The removal of the outdated minimum lumen output requirement for portable luminaires. Updates to data submittal requirements for certain appliances. This refers to the data fields found in Table X of the regulations. Also, are updates to reflect current federal law, and other miscellaneous changes to approve the readability of the Title 20 regulations.

Most of the changes involved in this rulemaking involve self-contained lighting controls. We are proposing to remove this
appliance type from the scope of the Title 20 regulations. This includes the removal of all definitions, energy performance and design standards, and testing, marking and certification requirements related to this appliance. Removal of this appliance type is appropriate since lighting controls are covered under the 2019 Title 24 Building Energy Efficiency Standards, specifically in Section 110.9 of Title 24.

During development of these 2019 Building Energy Efficiency Standards the CEC included requirements for lighting control devices whether they worked as a system or independently. These requirements became effective January 1, 2020 and supersede those in the Title 20 Appliance Efficiency Regulations. Therefore, the CEC is proposing to repeal self-contained lighting controls in Title 20 to avoid duplicative regulation.

If this rulemaking is adopted and approved, this appliance will not longer have to comply with Title 20 or be certified to MAEDbS, the Appliance Database, in order to be sold or offered for sale in California.

One notable change in this rulemaking
involves the appliance type called portable luminaires. These are products like table lamps and desk lamps. The proposed change is to remove the minimum light output requirement for LED luminaires. This requirement is found in Table N-3 in Section 1605.3(n)(3)(A) of the regulations.

The current requirement states that these products must produce a light output of at least 200 lumens. The issue is that this requirement leads to the creation of some products that produce more light than is necessary, like directional reading lamps, for example, which only need a small amount of light for their intended use. This leads to higher energy use in some products. Because the regulations are intended to reduce energy use, removal of this requirement is appropriate.

The requirement was originally put in place to prevent portable luminaires from being sold with LED bulbs that were extremely dim. However, after adoption of separate standards for LED bulbs under Title 20 back in 2016, and recent market transformation for LEDs, this is no longer a concern. The requirement was intended to be
removed as part of that rulemaking for LED bulbs that was adopted January 2016. This is the only proposed change for portable luminaires. The remaining standards ensure that the portable luminaire is energy efficient.

Here’s what the change looks like in the Express Terms document. We’re striking out the requirements for light output from Table N-3. As you can see, the other requirements will remain in place for portable luminaires.

The next type of changes are data submittal updates. Table X in Section 1606 of Title 20 has all required data needed for certification to MAEDbs for each regulated appliance. The changes include adding, removing, or modifying specific data fields for certain appliances. These changes are necessary to align with the standards and/or testing requirements that are currently in effect for those appliances.

Ceiling fans are an example of an appliance where we’re making these updates. Ceiling fans are federally regulated and had new federal standards that went into effect on January 21st, 2020. These federal standards are
already shown in Title 20 but we are updating Table X in this rulemaking to align with those new standards. For this appliance, we’re adding a new field and modifying some existing fields.

Next are changes regarding federal updates. Title 20 includes both state standards and federal standards for appliances. When requirements from the Department of Energy go into effect they are in effect nationally, regardless if they are shown in Title 20.

Rulemakings, like this one, are needed in order to incorporate federal requirements into Title 20. The proposed changes involve edits in Title 20 to certain federally-regulated appliances in order to match exactly what is shown in federal law.

The other changes involved in this rulemaking involve clarification edits, numbering and cross-reference updates, typo fixes, and other edits to ensure consistent formatting and terminology throughout Title 20.

The timeline of this rulemaking is a little shorter than traditional appliance rulemakings since we’re not proposing any new performance standards or testing requirements.
There is no pre-rulemaking period needed which is usually where data collection and other research is done.

The rulemaking officially began with the publishing of a Notice of Proposed Action, Initial Statement of Reasons, and proposed regulations, also called Express Terms. The publishing of these documents initiated the 45-day written comment period. This comment period ended on November 23rd, 2020.

Next is the public hearing which is this event today. This is another opportunity for CEC Staff to receive comments on this rulemaking.

Following this public hearing this rulemaking will be presented at an Energy Commission business meeting for adoption. This business meeting is on Wednesday of next week, December 9th, 2020. If adopted the rulemaking package will be sent to the Office of Administrative Law, OAL, for review. If approved by OAL the rulemaking will take effect and the proposed changes will be incorporated into Title 20.

The 45-day comment period, public hearing, and business meeting are all
opportunities for the public to comment.

Thank you all for joining us today. Here is my contact information on the screen, along with the docket number for this rulemaking. Please note that these presentation slides will be posted to the docket within the next few days, along with a transcript of today’s public hearing.

We are now available to take comments. As mentioned earlier, please raise your hand in Zoom if you’d like to comment and we will give you the ability to speak. Please state your name and affiliation when speaking.

Also, if you are not able to comment verbally, please type your comment into the chat section of this Zoom for all panelists to see. We will read your comment out loud so that it is properly recorded. Thank you.

I don’t see any hands raised at this time but, yes, again, if you’d like to speak, just raise your hand and we’ll un-mute you.

(Pause)

MR. BAEZ: Okay. Still not seeing anything but we’ll leave this -- we’ll leave it open for a few more minutes. So, yeah, if you’d
like to comment, please raise your hand or type
your question into the chat box.

(Pause)

MS. FISHMAN: Good morning. This is
Corrine Fishman again. I see no hands raised to
offer a comment and I see no comments in our
chat, so at this time, we will close the public
record.

Thank you everyone for your participation
and for attending our public hearing.

(The public hearing concluded at 10:17 a.m.)
CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of December, 2020.

[Signature]

MARTHA L. NELSON, CERT**367
CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

__________________________
MARTHA L. NELSON, CERT**367

December 11, 2020