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CALIFORNIA ENERGY COMMISSION

In the matter of:

Amendments to the Title 20) Docket No. 20-AAER-01
Appliance Efficiency)
Regulations Rulemaking)
_____)

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

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P R O C E E D I N G S

10:02 A.M.

THURSDAY, DECEMBER 3, 2020

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

1 today become part of the public record.

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

4 Next slide please.

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

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

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

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

25 I will now and it over to Carlos Baez,

1 who will provide the presentation.

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

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

7 Here's the agenda for today's public
8 hearing. First we will provide an overview of
9 the proposed changes in this rulemaking. Next we
10 will go over the rulemaking timeline. And
11 finally, we will have an opportunity for public
12 comment.

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

16 The Appliance Efficiency Regulations
17 contain mandatory requirements for both federally
18 regulated and state regulated appliances to
19 provide manufacturers, distributors, retailers,
20 and consumers of appliances with a clear and
21 comprehensive set of requirements in a single
22 location. This rulemaking includes several types
23 of amendments to the Title 20 Appliance
24 Efficiency Regulations and covers Sections 1601
25 through 1607.

1 The proposed changes do not include new
2 energy or water efficiency standards, new testing
3 or marking requirements, or changes to the
4 general certification process regarding
5 certification to the Appliance Database. The
6 Appliance Database refers to the Modernized
7 Appliance Efficiency Database System called
8 MAEDbS for short. Manufacturers are required to
9 certify the regulated appliance models to MAEDbS
10 in order to demonstrate that their models comply
11 with Title 20.

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

23 Most of the changes involved in this
24 rulemaking involve self-contained lighting
25 controls. We are proposing to remove this

1 appliance type from the scope of the Title 20
2 regulations. This includes the removal of all
3 definitions, energy performance and design
4 standards, and testing, marking and certification
5 requirements related to this appliance. Removal
6 of this appliance type is appropriate since
7 lighting controls are covered under the 2019
8 Title 24 Building Energy Efficiency Standards,
9 specifically in Section 110.9 of Title 24.

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

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

25 One notable change in this rulemaking

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

8 The current requirement states that these
9 products must produce a light output of at least
10 200 lumens. The issue is that this requirement
11 leads to the creation of some products that
12 produce more light than is necessary, like
13 directional reading lamps, for example, which
14 only need a small amount of light for their
15 intended use. This leads to higher energy use in
16 some products. Because the regulations are
17 intended to reduce energy use, removal of this
18 requirement is appropriate.

19 The requirement was originally put in
20 place to prevent portable luminaires from being
21 sold with LED bulbs that were extremely dim.
22 However, after adoption of separate standards for
23 LED bulbs under Title 20 back in 2016, and recent
24 market transformation for LEDs, this is no longer
25 a concern. The requirement was intended to be

1 removed as part of that rulemaking for LED bulbs
2 that was adopted January 2016. This is the only
3 proposed change for portable luminaires. The
4 remaining standards ensure that the portable
5 luminaire is energy efficient.

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

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

21 Ceiling fans are an example of an
22 appliance where we're making these updates.
23 Ceiling fans are federally regulated and had new
24 federal standards that went into effect on
25 January 21st, 2020. These federal standards are

1 already shown in Title 20 but we are updating
2 Table X in this rulemaking to align with those
3 new standards. For this appliance, we're adding
4 a new field and modifying some existing fields.

5 Next are changes regarding federal
6 updates. Title 20 includes both state standards
7 and federal standards for appliances. When
8 requirements from the Department of Energy go
9 into effect they are in effect nationally,
10 regardless if they are shown in Title 20.
11 Rulemakings, like this one, are needed in order
12 to incorporate federal requirements into Title
13 20. The proposed changes involve edits in Title
14 20 to certain federally-regulated appliances in
15 order to match exactly what is shown in federal
16 law.

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

22 The timeline of this rulemaking is a
23 little shorter than traditional appliance
24 rulemakings since we're not proposing any new
25 performance standards or testing requirements.

1 There is no pre-rulemaking period needed which is
2 usually where data collection and other research
3 is done.

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

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

14 Following this public hearing this
15 rulemaking will be presented at an Energy
16 Commission business meeting for adoption. This
17 business meeting is on Wednesday of next week,
18 December 9th, 2020. If adopted the rulemaking
19 package will be sent to the Office of
20 Administrative Law, OAL, for review. If approved
21 by OAL the rulemaking will take effect and the
22 proposed changes will be incorporated into Title
23 20.

24 The 45-day comment period, public
25 hearing, and business meeting are all

1 opportunities for the public to comment.

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

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

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

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

22 (Pause)

23 MR. BAEZ: Okay. Still not seeing
24 anything but we'll leave this -- we'll leave it
25 open for a few more minutes. So, yeah, if you'd

1 like to comment, please raise your hand or type
2 your question into the chat box.

3 (Pause)

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

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

11 (The public hearing concluded at 10:17 a.m.)

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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.



MARTHA L. NELSON, CERT**367

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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