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CALIFORNIA ENERGY COMMISSION

In the matter of:

Commercial and Industrial)
Fans and Blowers)
_____)

Docket No. 22-AAER-01

PUBLIC HEARING

2022 APPLIANCE EFFICIENCY RULEMAKING FOR
COMMERCIAL AND INDUSTRIAL FANS AND BLOWERS

Remote Public Hearing via Zoom

TUESDAY, APRIL 12, 2022

10:00 A.M.

Reported by:

Peter Petty

APPEARANCES

COMMISSIONER

Andrew McAllister, Lead Commissioner

CEC STAFF

Alejandro Galdamez, Mechanical Engineer

Michael Murza, Senior Attorney

PUBLIC COMMENT

Jeremy Dunklin, Appliance Standards Awareness Project

Michael Ivanovich, AMCA International

Laura Petrillo-Groh, AHRI

Tom Catania, Consultant to AMCA

Armin Hauer, ebm-papst Group

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1 PROCEEDINGS

2 10:04 A.M.

3 TUESDAY, APRIL 12, 2022

4 HEARING OFFICER GALDAMEZ: Good morning
5 everybody. I'm Alejandro Galdamez. I'm a Mechanical
6 Engineer. Welcome to the hearing, to the public hearing, for
7 Commercial and Industrial Fans and Blowers.

8 I would like to welcome Commissioner McAllister and
9 let him make some opening remarks.

10 COMMISSIONER MCALLISTER: Oh, yes, sir. Well,
11 thanks Alejandro. I really appreciate it. Thanks to you,
12 particularly, and the broader team at the Energy Commission,
13 but you, particularly, for your persistence and doggedness on
14 this particular rulemaking. It's been a few years in the making.
15 And that just, I think, is emblematic of the fact that it's
16 important and that we wanted to get the details right.

17 So anyway, excited to formally introduce the
18 regulatory language for this new commercial and industrial fans
19 and blowers category. These are the first of their kind because
20 no federal standards or test procedures or other state
21 regulations exist for this product category. So we're doing
22 something new, which is why we wanted to take the time to get
23 it right.

24 So in California, an estimated 2 million commercial

1 and industrial fans and blowers are used in a variety of
2 applications, including commercial building ventilation, kitchen
3 exhaust systems, industrial processes, and agricultural
4 ventilation.

5 And we estimate and Alex and the team have
6 estimated that after the first year of these regulations, after
7 they take effect, California will save around 61 gigawatt hours
8 of electricity, and about 1,700 gigawatt hours per year after full
9 stock turnover in 2052. So the total cumulative net benefit at
10 full stock turnover equates to about \$5 billion in savings for
11 California businesses and industries.

12 Today's proposed regulatory language is the
13 culmination of work since 2018, as I said, when the CEC's OIR,
14 Order Instituting Rulemaking, was first issued. And since then
15 we've worked with stakeholders to identify the right categories
16 of fans to include in the regulation, as well as the right test
17 procedure and metric to use during -- for these products. So I'll
18 let Alex talk about the details of both of those, the regulation
19 and the test procedure.

20 The labeling of compliant fans is required by the
21 proposed regulation and will help consumers quickly recognize
22 the product specifications that fit their needs.

23 And the public comment period is currently open and
24 it will close on April 29. And that's already been extended in

1 response to comments from stakeholders, so we're happy to
2 extend that when it provides value and people really need it.
3 Look forward to any verbal comments presented here today and,
4 obviously, encourage all the stakeholders in attendance or
5 otherwise to submit written comments on the docket by April
6 29th.

7 But we really appreciated the back and forth over the
8 last few years. certainly, there have been a few, you know,
9 significant modifications in our approach over that time. And I
10 want to, just again, thanks to -- send thanks to the industry
11 stakeholders that have helped us navigate, and also to Alex,
12 again, for managing that whole process and for his not only
13 stakeholder management but, also, his technical expertise.

14 So with that, I'll pass the mike back to you, Alex, so
15 we can get started with the presentation. Thank you.

16 MR. GALDAMEZ: Thank you, Commissioner. Thank
17 you so much for coming and opening remarks.

18 So with that, all related documents and comments
19 received can be found online in Docket 22-AAER-01 for
20 Commercial and Industrial Fans and Blowers. The document
21 available for stakeholders and public to comment during this
22 period is the proposed regulation language, or expressed terms
23 document. We will not make decisions or respond to comments
24 during this hearing. However, we will provide responses to all

1 the comments letter.

2 This public hearing is being recorded by a court
3 reporter and on Zoom. And all the statements made today will
4 be part of the public comment -- public record.

5 All lines are muted right now. Comments will be
6 taken at the end of the presentation. For general
7 clarification/questions, type your questions in the Q&A section
8 and we will try to answer it.

9 To comment, raise your hand to speak. Once you
10 raise your hand, we will give you the mike and you can make
11 your comment. For the online, raise your hand and the host will
12 give you the ability to speak. Remember, also, to unmute
13 yourself.

14 On the phone, you can raise your hand by pushing
15 star nine and then the host will give you the ability to speak.
16 Remember, star six unmutes and mutes yourself.

17 Please make sure to state your name and affiliation
18 prior to providing your comment. This is really important for the
19 -- for our records and the recorder.

20 We are going to start the hearing by explaining the
21 rulemaking process governed by the California Administrative
22 Procedures Act, or APA. We will then explain the proposed
23 language for commercial and industrial fans and blowers. And,
24 finally, we will accept public comments orally.

1 So let's start with where we are in the regulatory
2 process. We are in this blue square, as you can see. We have
3 started the formal rulemaking and currently in the public
4 comment period. Due to the petitions received to extend the
5 public comment period, the CEC extended the deadline to April
6 29th of this year. After that, we will analyze the comments and
7 proceed accordingly for the rest of the process.

8 So let's discuss the proposed regulation for fans and
9 blowers. The scope of the regulation is for commercial and
10 industrial fans and blowers as defined under the proposed
11 regulation.

12 The proposed regulation defines a commercial and
13 industrial fan and blower as a rotary-bladed machine used to
14 convert mechanical power to air power with a specific work limit
15 set to 25 kilojoule per kilogram or less and have a rated fan
16 shaft power greater than or equal to one horsepower.

17 For fans with that rated shaft input power, an electric
18 input power greater than or equal to one kilo, on the upper end,
19 the fan output power of less than or equal to 150 horsepower.
20 They consist of an impellor, shaft, bearings, and a structure of
21 housing, including any transmission, driver and/or controls if
22 integrated, assembled or packaged by the manufacturer at the
23 time of sale.

24 Commercial and industrial fans and blowers do not

1 include safety fans, ceiling fans, circulating fans, induced
2 (phonetic) flow fans, jet fans, pressed (phonetic) flow fans,
3 embedded fans, fans mounted in or on motor vehicles or other
4 mobile equipment, fans that create a vacuum of 30-inch water
5 gage or greater in their currents (phonetic). Additional
6 definitions relevant to the requirements and test procedures are
7 found in section 1602 of the proposed regulations.

8 The proposed test procedure is AMCA 214-21 Test
9 Procedure for Index for Commercial and Industrial Fans and
10 Blowers, developed by AMCA. The proposed language also
11 requires that lab reports and calculated results used for
12 certification and marking shall be maintained by the
13 manufacturer per requirements of Annex J (phonetic) of the
14 proposed test procedure as per requirements of section
15 1608(c)(1) of the proposed language.

16 Although there are more fields listed in Table X,
17 these are the values that will be collected for certification. The
18 maximum compliant airflow at FEI equal to 1.0, the maximum
19 pressure at FEI equal to 1.0, and the maximum fan speed at FEI
20 equal to 1.0 will set the boundaries for certification. These
21 boundaries will also be part of the labeling requirement. This is
22 the proposal.

23 For more -- did I skip one? Excuse me. Sorry.
24 Yeah, I did. Here we go. Sorry about that.

1 The regulation proposes that the fan shall be marked
2 with a fixed permanent label. The listed information proposed
3 on the label shall include manufacturers name, brand name or
4 code, model number, serial number, date of manufacture, FEP
5 referenced at FEI equal to 1.0, the maximum airflow in standard
6 cubic feet per minute at FEI equal to 1.0, the maximum fan
7 speed in revolutions per minute at FEI equal to 1.0, and the
8 maximum pressure in inches water gage at FEI equal to 1.0.

9 The proposed regulation also requires that no
10 marketing or catalog information shall provide performance for
11 any duty point where the FEI is less than 1.0. Performance
12 data provided to consumers shall be provided only for the
13 operation of the fan where the FEI is equal or greater than 1.0.

14 For more information or questions, please feel free
15 to contact me. And for the process, you can contact, also,
16 Corrine Fishman. I'm going to -- this presentation is in the
17 docket, so this information is available to you, and you can
18 reach me at any time.

19 So because this is short and sweet, I hope that the
20 information provides and clarifies any questions you may have.
21 We understand that there may be questions today which will be
22 answered later in the rulemaking process, as explained in the
23 previous slide. The public comment period will end on April
24 29th.

1 And we will now open to accept comments.

2 Thank you so much for all the work. Thank you all to
3 all the stakeholders that have provided all the comments and
4 guidance on this. I really appreciate it. AMCA, thank you so
5 much, also, for developing the test procedure. That was
6 instrumental for this.

7 And with that, I open, now, the hearing for
8 comments. So I guess, let's see, I've got three.

9 So Jeremy Dunklin, here we go, you're unmuted or
10 you've just go to unmute yourself. Go ahead.

11 MR. DUNKLIN: Hi. Can you hear me?

12 MR. GALDAMEZ: Yes. Just state your name and
13 affiliation and then you can comment, please. Thank you.

14 MR. DUNKLIN: Thank you. This is Jeremy Dunklin
15 with the Application Standards Awareness Project. We are
16 pleased CEC has moved forward with proposed regulations for
17 commercial and industrial fans and blowers. CEC's staff report
18 estimates that the proposed regulations will result in energy
19 savings of nearly 1,800 gigawatt hours per year after full stock
20 turnover and will result in a net benefit of over \$5 billion for
21 California businesses and indus.

22 CEC's proposal is generally consistent with the 2017
23 joint proposal we submitted along with AMCA and other
24 efficiency advocates. We support CEC's approach that focus is

1 primarily on improved fan selection to increase efficiency. We
2 will provide more specific comments and any recommended
3 edits to the regulatory language in our written comments.

4 Thank you.

5 MR. GALDAMEZ: And with that, the next one in line
6 will be Michael Invanovich.

7 There you go. You're unmuted. Just make sure to
8 unmute yourself. There you go.

9 MR. IVANOVICH: Okay. Thank you very much,
10 Alex. On behalf of the Air Movement and Control Association
11 International --

12 MR. GALDAMEZ: Oh, could you say your name and
13 -- sorry to interrupt you.

14 MR. IVANOVICH: Yeah, I -- no, that's okay.

15 MR. GALDAMEZ: If you could state your name?

16 MR. IVANOVICH: Hey, this is --

17 MR. GALDAMEZ: Sorry about that.

18 MR. IVANOVICH: All right. This is Michael
19 Ivanovich, Senior Director of Global Relations for AMCA
20 International. And on behalf of AMCA international, I thank the
21 California Energy Commission for many things. But first, since
22 it's been a while since we've had a chance to meet together,
23 allow me to introduce AMCA.

24 Can you hear me okay?

1 MR. GALDAMEZ: Yes.

2 MR. IVANOVICH: Great. Thank you.

3 So AMCA International is a not-for-profit association
4 of manufacturers of fans, dampers, louvers, air curtains, and
5 other air system components for commercial and industrial
6 applications, which programs such as certified ratings,
7 laboratory testing and accreditation, industry education, and
8 international standards development, AMCA lives by its mission
9 which is to advance the knowledge of air systems and uphold
10 industry integrity on behalf of its approximately 400-member
11 companies worldwide.

12 AMCA acknowledges the timing of the CEC
13 regulation for fans. There's a universal realization that the role
14 of indoor air systems is paramount in mitigating COVID and
15 other airborne pathogens on the built environment. And in
16 efforts to decarbonize the built environment, reducing fan
17 energy consumption plays a pivotal role as California's
18 assessment well documents.

19 AMCA's expertise in fans is exemplified by our
20 library of a dozen ANSI-accredited testing and rating standards
21 for fans that are used worldwide, and the AMCA Certified
22 Ratings Program that has been in existence for more than 50
23 years. Today, the AMCA Certified Ratings Program covers over
24 4,100 certifications for more than 4,200 products of which 2,500

1 are fans, and more than 300 manufacturers are participating in
2 the program globally of which 217 manufacturer fans.

3 So back to my list of thank yous. The first is for the
4 extension of the 45-day comment period for the review of the
5 draft regulatory language. We greatly appreciate the extra time
6 to work our consensus processes in our committees and
7 governance and to coordinate with California IOUs, ACEEE,
8 NRDC, and other stakeholders in the program.

9 We'd also like to thank you for considering the
10 comments to the 2018 Draft Staff Report that were jointly
11 developed and submitted by AMCA, California IOUs, ASAP,
12 NRDC, NEEA and others. Throughout a decade of federal and
13 California rulemaking activity on commercial and industrial fans,
14 our diverse organizations have coordinated on the development
15 and review of regulatory language. And AMCA is very proud of
16 the relationships that we've built over this time.

17 Lastly, AMCA wishes to thank the CEC for docketing
18 the fan energy index metric, or FEI, and integrating the ANSI-
19 AMCA Standard 214 into the regulatory language. AMCA 214 is
20 product of a technical committee that include Alejandro
21 Galdamez as a non-voting member, as well as representatives
22 of energy efficiency organizations, Lawrence Berkeley National
23 Lab, and AMCA-member companies and staff. It truly is an
24 effort that exemplified the relationships that we've developed

1 over the decade of fan rulemakings.

2 AMCA has been carefully reviewing the draft
3 regulatory language. And although we are not ready to submit
4 comments, we would like to make a few clarifications for the
5 record and mention a few areas that we believe need some
6 additional work.

7 The clarifications are that the staff report refers to
8 two and possibly three labels that could be required in the
9 regulation. However, the draft clearly requires one label and
10 that is what we call a nameplate or a permanent label. We ask
11 that CEC clarify that only the nameplate or its equivalent are
12 needed.

13 Another minor clarification is in the requirement that
14 manufacturers provide test reports for a subject fan to the
15 Commissioner [sic] within five days of being asked. Because
16 the regulated language will allow calculated ratings per Annex E
17 of AMCA 214, it would be helpful for CEC to stipulate that for
18 calculated ratings, documentation of the calculations would be
19 permissible.

20 In addition to these clarifications, AMCA believes
21 there is still some work to be done on the parameters specified
22 for compliance filing and name-plating.

23 Another part of the regulation that AMCA will
24 comment on is the requirement that

1 language -- is a requirement that language that prohibits
2 manufacturers from providing performance data for any duty
3 point where the FEI is less than one. The ability to see the
4 entire curve allows the engineer to answer important questions
5 about the fan selection with respect to the other air system
6 components, such as dampers and ducts, with respect to
7 maximum pressure and how close is the design operating point
8 to the stall point?

9 Stall points are a safety issue because if the
10 installed operating pressure is greater than the designed
11 operating pressure the fan could shift operation into stall,
12 resulting in increased sound, unstable operation, or even
13 catastrophic failure of the fan. AMCA understands the intent of
14 the provision and is working with its members and other
15 stakeholders to develop solutions.

16 So, again, thank you for the comment deadline
17 extension. We're making good use of it. And thank you for the
18 opportunity to participate in the Title 20 rulemaking.

19 Thank you.

20 MR. GALDAMEZ: Thank you, Mike -- Michael.

21 Let me see here. And next we will have Laura
22 Pretrillo-Groh. I'm going to unmute you right now. Go ahead.

23 MR. PETRILLO-GROH: Thanks Alex.

24 MR. GALDAMEZ: If you can state your name and

1 affiliation please, and then your comment?

2 MR. PETRILLO-GROH: Of course. Good morning or
3 afternoon, depending on where you are. I'm Laura Petrillo-
4 Groh, Senior Regulatory Advisor at the Air-Conditioning,
5 Heating, and Refrigeration Institute. AHRI is a trade
6 association representing over 300 manufacturers of commercial
7 refrigeration equipment, water heaters, heating, ventilating, and
8 air-conditioning equipment, many of which use fans under the
9 scope of these regulations.

10 We appreciate staff's considerable efforts in
11 enhancing this incredibly complex appliance standard as
12 recognized by the other stakeholders who have already spoken
13 here today and by Commissioner McAllister. This effort has
14 been going on for over a decade. And you know, by and large,
15 we think that this proposal threads just about every needle that
16 you could have gone through with this with these products.

17 So, you know, thank you for the responsiveness to
18 comments and for staff listening to, you know, the many
19 complex issues that a company regulating products which are --
20 can be standalone or embedded and have very different
21 characteristics in those situations.

22 You know, we, like AMCA, have some minor
23 improvements. And you know, I do support what Michael
24 Ivanovich recommended as his improvements as well. And just

1 as a particular note for the, you know, not publishing FEIs
2 below one, I will say that there are the products that will be sold
3 as -- the products that are sold as standalone and, also,
4 embedded, we do understand and recognize that it's appropriate
5 for those to be included in the scope of the -- of this regulation.
6 But for those situations, it is helpful to have information on --
7 that may be below FEI of one as it relates to the operation and
8 safety of equipment, so -- and, also, I think it helps for the
9 same literature to be more broadly used across the country. So
10 we would support that publication for FEI below one.

11 And then I think that, you know, staff had very
12 excellent insight in the report, noting that replacement
13 embedded fans would also need to be able to continue to be
14 installed in products that are in the field, so, you know -- and
15 that those are intended within the staff report to be excluded
16 from the regulation. And we would like to see the regulatory
17 language also reflect that situation as well.

18 So I think that that would be the one significant area
19 that we could see improvement on. And we are happy to
20 provide that more detailed feedback in our comments.

21 And I do also appreciate the extension. It has
22 helped stakeholders to really fully understand the full scope
23 and, hopefully, will help California move forward in regulating
24 these products, so thank you. I appreciate your efforts today.

1 Bye.

2 MR. GALDAMEZ: Thank you, Laura. Let me mute
3 here. Oh, you're muted already. Okay.

4 So next we'll have Tom Catania. Let
5 me -- there we go.

6 Did I say your name right, I hope?

7 MR. CATANIA: Yes.

8 MR. GALDAMEZ: Okay.

9 MR. CATANIA: And nice to see you again, Alex.

10 MR. GALDAMEZ: Nice to see you. If you can state
11 your name and affiliation --

12 MR. CATANIA: Yes.

13 MR. GALDAMEZ: -- and make your comment,
14 please? Thank you.

15 MR. CATANIA: Yeah. Tom Catania. And I'm a
16 consultant to AMCA.

17 And I just wanted to -- I really appreciate the
18 Commissioner joining us to kick off this meeting. And my
19 message is as much to the Commission itself as it is to this
20 well-handled and well-run regulatory process, but California has
21 always been a leader in robust solutions that marry mandatory
22 regulations with market transformation programs. And I would
23 encourage California, in this case, to continue that same
24 practice.

1 You know, the president announced a month ago, I
2 believe, the Clean Air in Buildings Challenge. And we've
3 participated actively and created white papers describing the
4 important role that air movement plays in healthy buildings.

5 And we would hope that California would help to lead
6 the way in the process of developing not only a national but a
7 statewide strategy in doing the retrofits, and also adjusting
8 building codes to continue to drive as much air movement as
9 possible to not only make the buildings efficient and the
10 systems that are attached to them, which this regulation
11 addresses, but also as healthy as possible.

12 California, obviously, led the way on some things
13 like the economizer systems, bringing in outdoor air, and so
14 forth. And you know, to the extent that federal or state
15 resources might be available for closer monitoring of those
16 systems, ensuring that they're effective, and then bringing in
17 new systems that make our buildings healthier, as well as more
18 efficient, we think that's a real win-win.

19 So I just wanted to inject that and thank the
20 Commission for putting that on their agenda.

21 MR. GALDAMEZ: Thank you, Tom. Will that be it?

22 MR. CATANIA: Yeah, that's it for me.

23 MR. GALDAMEZ: Okay. Thank you so much. I
24 appreciate it.

1 And then we have Armin Hauer. I'm going to -- I
2 hope I pronounced your last name correctly. If not, please state
3 your name and affiliation and your comment, please. Thank
4 you.

5 MR. HAUER: Good morning. Can you hear me well?

6 MR. GALDAMEZ: Yes.

7 MR. HAUER: Thank you. So my name is Armin
8 Hauer of ebm-papst. ebm-papst is a manufacturer of motorized
9 fans. Our global headquarters is in Germany. Locations of our
10 factories include Connecticut and Tennessee.

11 Broadly speaking, we are in favor of CEC's approach
12 to the application regulation for commercial and industrial fans.
13 I agree with Mike Ivanovich's explanations and talk earlier
14 today. We agree to using the fan energy index, FEI, as a metric
15 for regulation.

16 But there's an elephant in this room. We have to
17 point out that the manufacturer's expectation is that CEC adopts
18 fan performance tolerance allowances according to established
19 standards. We encourage the CEC to acknowledge Standard
20 13348 of the International Standards Organization, ISO, or
21 AMCA Publication 211. AMCA 211 is especially helpful because
22 it specifies how tolerance limits of fan output performance and
23 tolerance limits for fan electrical power are intertwined. The
24 draft regulatory language does not touch that subject at all.

1 Thank you.

2 MR. GALDAMEZ: Thank you so much.

3 Now it's open for anybody who would like to talk or
4 have comments. Okay.

5 MR. IVANOVICH: So, Alex, Michael Ivanovich here.

6 MR. GALDAMEZ: Yes.

7 MR. IVANOVICH: Just to be clear, is the CEC not
8 going to be presenting any information at this time, this is just a
9 matter of an opportunity for people to provide comments?

10 MR. GALDAMEZ: That's correct. It's a public
11 hearing for verbal comments, to accept verbal comments, in
12 regards to the regulation, the proposed regulation.

13 MR. IVANOVICH: Okay. Gotcha. I think the one
14 thing I could offer at this point, if this is an opportunity for any
15 kind of discussion on this topic at all, beyond the regulation
16 itself that was in the regulatory language, AMCA and its
17 members, we've had several meetings and always the question
18 arises, you know, since this is our first time being regulated,
19 you know, as an industry for commercial and industrial fans,
20 we're not certain of what we know. We don't know what we
21 don't know sort of thing.

22 And we were wondering if the CEC has resources
23 that they could provide on some kind of organized scheduled
24 basis to work with AMCA staff and members to help let us know

1 about what's in Title 20 that, you know, that's not in the draft or
2 the regulatory language that we have in front of us? You know,
3 we can read it, but that doesn't necessarily mean we know
4 exactly what it means or how to comply with the regulation once
5 it's enforced. Does CEC have those kinds of resources that
6 they could make available to AMCA?

7 MR. GALDAMEZ: Yeah. My understanding is when
8 we do the outreach and -- education and outreach, we have
9 that, that we can work with you. I'm also available to answer
10 any questions. And we also have a legal department if there
11 are any questions in regards to other sections of Title 20.

12 Like if you guys have clarification questions in
13 regards to Title 20, we -- I think, if you can provide the
14 comment, we'll be more than happy to answer it. And if we can
15 clarify it right now, I think we can, but you know, it depends on
16 the extent of the question and the grasp of it; right?

17 MR. IVANOVICH: Yeah.

18 MR. GALDAMEZ: Thank you, Mike.

19 MR. IVANOVICH: Thank you.

20 And I guess one thing I could add to that, really, is
21 that if CEC regularly develops educational materials for its
22 citizens that are going to be evolving in the regulations at all,
23 you know, AMCA would be more than happy to help provide
24 educational resources that we've developed around FEI and

1 other things about fans. You know, we'd be happy to share our
2 information towards developing -- CEC developing information,
3 as well, so a two-way street, basically.

4 MR. GALDAMEZ: Oops. Go ahead, Laura. Did I --
5 yeah, there you go.

6 MR. PETRILLO-GROH: Okay. Laura Petrillo-Groh
7 with AHRI.

8 So I think, just to sort of supplement Mike's question
9 on education for not only the trade organizations that regularly
10 work with members to help certify and, in some cases, submit
11 ratings on their behalf, I think understanding CEC's -- you know,
12 for stakeholders to understand CEC's expectations regarding
13 compliance with Title 20 may be particularly helpful for an
14 industry, you know, where the significant portion has not
15 experienced regulations before, so really going through those
16 educational aspects of, you know, what manufacturers are
17 expected to retain in terms of data, submit to CEC, the schedule
18 on which they submit, what the templates/data templates look
19 like might be something that would be -- that I can see being
20 helpful.

21 And I would just want to offer that suggestion, that if
22 CEC would hold additional compliance sessions, that I think that
23 there would be manufacturers that would be interested in
24 attending since, you know, fans are a global commodity and,

1 you know, it is.

2 And the associations will certainly do all we can to
3 help with our members' compliance to these rules. However,
4 not all manufacturers are members and not all of our members
5 use to certify equipment through us. So making sure, broadly,
6 manufacturers have the accessibility to that information would
7 be helpful as you finalize this rule.

8 Thank you.

9 MR. GALDAMEZ: So I just want to remind
10 everybody, this regulation, although it is considered there's no
11 standard in this specific section, it will be applicable a year --
12 about a year after it becomes -- it's adopted by the Commission.
13 So we understand, there's a lot of work that you guys have to
14 do in order to comply with it but just remind everybody, the
15 effective date will be a year after adoption of the regulation.
16 Okay.

17 Go ahead, Mike -- Michael. Oh, sorry. Oh, sorry.
18 Did I --

19 MR. IVANOVICH: Wait. There we go. Okay.

20 MR. GALDAMEZ: Okay. Sorry.

21 MR. IVANOVICH: It's okay. And just to be clear,
22 you know, the point of adoption means when the business
23 meeting convenes and they vote the language out as final?

24 MR. GALDAMEZ: That is correct, yes --

1 MR. IVANOVICH: Okay.

2 MR. GALDAMEZ: -- at the business meeting by the
3 Commissioners.

4 MR. IVANOVICH: Very good. Thank you.

5 The other thing, Armin mentioned tolerances. Can
6 you explain how tolerances are considered in the CEC
7 Compliance Program?

8 MR. GALDAMEZ: Tolerances in regards to this
9 regulation?

10 MR. IVANOVICH: AMCA tolerances, right. You
11 know, maybe we can add Armin in a little bit to describe how
12 the AMCA tolerances work in the new -- we have a new addition
13 of the AMCA 211 document that I'll send you.

14 MR. GALDAMEZ: Okay.

15 MR. IVANOVICH: But Armin -- maybe you can give
16 Armin a little air time here and he could explain how the
17 tolerances work? And then, perhaps, you can comment as to
18 how that tolerance plays out with CEC?

19 MR. GALDAMEZ: That I would suggest to -- I mean,
20 I'm not saying don't do it, by all means, express what you guys
21 want to communicate. At this moment, I will have to read and
22 understand the issue to give you a good answer, so I might
23 have to respond to it at a later date.

24 MR. IVANOVICH: Okay.

1 MR. GALDAMEZ: I don't think I can --

2 MR. IVANOVICH: That's okay.

3 MR. GALDAMEZ: -- go at it today --

4 MR. IVANOVICH: Yeah. Good.

5 MR. GALDAMEZ: -- just because it's a little more
6 technical and I don't want to say something on the record that
7 might be --

8 MR. IVANOVICH: Oh, totally understand.

9 MR. GALDAMEZ: -- contradicted in the language, so
10 --

11 MR. IVANOVICH: I mean, when Armin explains it,
12 you'll see that I --

13 MR. GALDAMEZ: Yeah.

14 MR. IVANOVICH: -- agree with you completely.

15 MR. GALDAMEZ: Yeah.

16 MR. IVANOVICH: So, Armin, are you ready to talk a
17 little bit about tolerances, please? Armin? Well, perhaps he's
18 not able to do that, so let me skip that for now. Thank you.

19 MR. HAUER: Correct.

20 MR. IVANOVICH: There he is.

21 MR. HAUER: Michael, I'm not ready to talk on the
22 phone like that. I need graphs. You know, an image is worth a
23 thousand words.

24 MR. GALDAMEZ: Okay, so we'll leave it for written

1 comment and go --

2 MR. IVANOVICH: Sure.

3 MR. GALDAMEZ: -- or we can discuss it later and
4 that's okay.

5 So with that, are there any more questions, anybody
6 would like to make a comment?

7 Oh, Armin, did you raise your hand?

8 MR. HAUER: Yes, sir. Thank you. A little bit on a
9 topic that Michael already touched on.

10 How do we deal with international catalogs? You
11 know, there might be some people operating on a Canadian
12 catalog or like a British-English catalog. How would California
13 be able to control information in the state that's coming from
14 abroad or somewhere?

15 MR. GALDAMEZ: So the catalogs, I don't know how
16 -- my understanding is that the jurisdiction that we have is only
17 for California. So if the catalogs are within California, they
18 should comply with the requirements of the regulation. And that
19 will be something that we'll need to work with enforcement on
20 how we're going to go about reviewing or so the information that
21 is being presented in the catalog; right?

22 But if Mike could -- Mike Murza, he might have a
23 better answer in regards to the jurisdiction and how we go about
24 that.

1 MR. MURZA: We'll have to review that internally and
2 respond formally in comments.

3 MR. GALDAMEZ: Okay. That's all right.

4 But it will be great if you can include that in your
5 comments, in your written comments, so that we can respond to
6 it. It's already included in this conversation but, you know, in
7 addition to.

8 So, again, one more time, any last comments that
9 anybody would like to provide or -- okay, I see none.

10 So with that, I would like to conclude this hearing.
11 Thank you so much for the participation. Again, thank you for --
12 so much for the guidance. And I can't wait to see all the
13 comments that we're going to get, written, in the docket.
14 Remember, the deadline is April 29th, the end of the day, so
15 you know, don't wait until midnight, of course, but that's up to
16 you.

17 And with that, I say thank you so much and have a
18 great week, rest of the week, everybody. Thank you for
19 participating.

20

21

22 (Off the record at 10:40 a.m.)

23

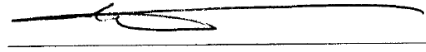
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REPORTER'S CERTIFICATE

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 14th day of April, 2022.



PETER PETTY
CER**D-493
Notary Public

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

April 14, 2022