

**Before the
CALIFORNIA ENERGY COMMISSION
Sacramento, California**

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| California Energy Commission DOCKETED 12-AAER-2A |
| TN 73025 MAY 15 2014 |

In the Matter of

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| Rulemaking on Appliance Efficiency |) | |
| Standards Regulations; Request for |) | |
| Additional Information Regarding |) | Title 20 CCR §§1601 – 1608 |
| Network Equipment |) | |
| |) | |
| Docket No. 12-AAER-2A |) | |

**COMMENTS OF THE
CONSUMER ELECTRONICS ASSOCIATION**

The Consumer Electronics Association (CEA) appreciates the opportunity as an interested stakeholder to submit comments with respect to the Commission staff’s request for additional information regarding network equipment energy efficiency as announced in the December 30, 2013, Commission notice and pursuant to the subsequent Commission staff webinar on January 15, 2014. CEA is the preeminent trade association promoting growth in the \$208 billion U.S. consumer electronics industry. CEA represents more than 2,000 companies across the consumer electronics industry, including a wide range of set-top box and small network equipment manufacturers, component manufacturers and service providers in a number of sectors.

For many years, CEA has been on the vanguard of energy efficiency initiatives related to the consumer electronics industry and has supported and advanced energy efficiency as part of the industry’s broader commitment to environmental sustainability. CEA’s comprehensive approach to energy efficiency includes initiatives relating to public policy, consumer education, research and analysis, and industry standards. CEA supports the U.S. Environmental Protection Agency’s (EPA’s) ENERGY STAR program, and our members’ cooperation and participation in this successful program goes back more than 20 years.

We recognize the Energy Commission’s interest, shared by policy makers at the federal and international levels, in programs to improve the energy efficiency of small network equipment (SNE) such as modems and routers. We also fully support the concerns expressed in this pre-rulemaking proceeding by other stakeholders that limits on energy use mandated through regulation could hamper innovation, product development, competition and consumer choice in this evolving product category.

Given these interests and concerns, the best approach to advancing energy efficiency in small network equipment is not through a regulatory mandate as proposed by the Pacific Gas & Electric Company (PG&E) and other California utilities, but rather through a voluntary, industry-wide approach similar to the recent Voluntary Agreement for Ongoing Improvement to the Energy Efficiency of Set-top Boxes¹, which is supported by energy efficiency advocates and industry, and with which the Commission is already familiar. In fact, the Voluntary Agreement for set-top boxes includes a provision² whereby the Signatories commence “joint efforts to develop energy efficiency measures for application to small networking equipment (e.g., residential modems, routers, etc.),” and this process has begun. Since a voluntary approach to SNE would cover both leased and retail devices, CEA has engaged its members focused on the retail SNE market.

In conjunction with the pursuit of a voluntary agreement for SNE energy efficiency, CEA recently established a standards-setting working group to develop an up-to-date, consensus standard for measuring power consumption of SNE. CEA is accredited by the American National Standards Institute (ANSI) to facilitate the development of American National Standards (ANSs). ANSI-accredited Standards Development Organizations such as CEA work cooperatively to develop voluntary national consensus standards. Accreditation by ANSI signifies that CEA consistently follows a set of requirements or procedures known as the “ANSI Essential Requirements,” which govern the consensus standards development process. Due process is the key to ensuring that ANSs are developed in an environment that is equitable, accessible and responsive to the requirements of various stakeholders. The open and fair ANS process ensures that all interested and affected parties have an opportunity to participate in development of the standard, including federal and state agencies. It also serves and protects the public interest since standards organizations accredited by ANSI must meet ANSI requirements for openness, balance, consensus and other due process safeguards. The working group,

¹ Amendment No. 1 to the Voluntary Agreement for Ongoing Improvement to the Energy Efficiency of Set-top Boxes, <https://www.ncta.com/sites/prod/files/VOLUNTARY-AGREEMENT-ENERGY-EFFICIENCY-OF-SET-TOP-BOXES.pdf>.

² Ibid., Section 2.2.

known as R7WG15, Network Device Energy Consumption Working Group, already has active participation from service providers, device manufactures, and ENERGY STAR program representatives.

Finally, in response to the Commission staff's interest in additional data regarding network equipment, CEA looks forward to sharing its latest consumer electronics energy use study which is due to be released shortly and is currently undergoing peer review. This comprehensive study covers SNE technology trends and includes data relevant to power consumption in this device category, such as current installed base, power draw by operating mode, unit energy consumption and annual energy consumption.

In light of these considerations and initiatives, the Commission should not proceed with rulemaking activity regarding network equipment.

Respectfully submitted,

CONSUMER ELECTRONICS ASSOCIATION

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