

DOCKETED

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Comments on Flexible Demand Appliance Standard

Additional submitted attachment is included below.



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September 18, 2023

Submitted via: Docket Log 23-FDAS-01

Commissioner J. Andrew McAllister, Ph.D.
California Energy Commission
Docket Unit
Docket No. 23-FDAS-01
715 P Street, MS-4
Sacramento, CA 95814

Re: Pool Controls, second 15-day Proposed Regulatory Language, Docket # 23-FDAS-01

Dear Commissioner McAllister:

Hayward Pool Products is a division of Hayward Industries, a North Carolina based company, and is one of the world's leading manufacturers of swimming pool equipment including pumps, filters, heaters, automatic cleaners, sanitizers, automation, and lights. We have been an active participant in the California Energy Commission efforts to establish regulations on Pool Equipment and appreciate the opportunity to participate in the development of this new Flexible Demand Appliance Standard.

We submit the following responses to the proposed 15-day regulatory language and welcome your careful consideration of these comments. If you have any questions on these comments, please contact Sam Dose of Hayward Industries at [**sdose@hayward.com**](mailto:sdose@hayward.com).

Sincerely,

Sam Dose

Sam Dose
Legislative and Energy Consultant
Hayward Industries, Inc.

Hayward Industries, Inc. Comments Re. Pool Controls, second 15-day Proposed Regulatory Language, Docket # 23-FDAS-01

Hayward Industries supports the comments submitted by the Pool and Hot Tub Alliance, (PHTA), and offer some additional comments for your consideration:

Section 1691. Definitions

Connected Device

Hayward agrees and supports the PHTA comments and suggests that the term “wireless” be removed from the “Connected Device” definition below. Removal of “wireless” maintains the intent of the device being able to communicate via open standards without the constraints on the method of communication that could restrict other current, such as ethernet and potential future technologies that are capable of otherwise meeting the “Connected Device” requirements.

“Connected Device” means any device that can ~~wirelessly~~ communicate via open standards with entities outside the device by means of integrated or separate communicated hardware or software. A device that is able to receive but not send communications is not a connected device.

Pool Control

Hayward agrees and supports the PHTA comments which includes an additional exclusion for manually operated switching devices. We also support the need to add a definition for Safety Interlock or Shutoff Control

In addition, Hayward supports the CEC direction to remove “independently” from the Pool Control definition. If independently were to remain, controls that the CEC intends to include in this regulation could possibly be excluded.

Section 1693. Appliance Specific Standards.

Effective and Compliance Dates

Hayward agrees and supports the PHTA comments and encourages that the Commission does not tie the effective or compliance date of this regulation to publication of the Department of Energy’s (DOE) dedicated purpose pool pump motor (DPPPM) rule. The DOE rule and this CEC proposed rule are separate business streams and there are no significant substantive links between the two regulations to justify an alignment of effective or compliance date or an appreciable benefit to manufacturers of such a link. Manufacturers cannot commit design resources to developing compliant products until the final FDAS regulation has been published. If this regulation were tied to the DOE rule and that rule issues prior to the CEC regulation, manufacturers would not be provided the complete time allotted by the CEC to design, test, and manufacture compliant products.

Hayward recommends that the effective and compliance date for this regulation be based on the date the Commission adopts the final rule for the Flexible Demand Appliance Standards for Pool Controls.

Conclusion

Hayward supports the PHTA comments and strongly urges the CEC to consider the PHTA and Hayward’s opportunities for further improvement before issuing a final rule.