

DOCKETED

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Project Title:	Appliance Efficiency Rulemaking for Computers, Computer Monitors, and Signage Displays
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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:

**Computers, Computer Monitors, and Signage
Displays Appliance Efficiency Rulemaking**

**Docket No. 16-AAER-02
RESOLUTION ADOPTING
REGULATIONS**

WHEREAS, on July 1, 2016 the Commission published a Standardized Regulatory Impact Assessment (SRIA) analyzing the potential economic effects of the proposed regulations and on August 26, 2016, published a Revised SRIA in response to comments received; and

WHEREAS, on September 9, 2016 the Commission published a Notice of Proposed Action (NOPA) concerning the potential modification of existing regulations, the Express Terms of the proposed regulations, the staff report Final Analysis of Computers, Computer Monitors, and Signage Displays, and an Initial Statement of Reasons (ISOR) describing the rationale for the proposal; and

WHEREAS, on September 14, 2016, the Commission published an Initial Study and Proposed Negative Declaration for Amendments to the Appliance Efficiency Standards (Computers, Computer Monitors, and Signage Displays) and a Notice of Availability, concluding that the proposed regulations would result in energy savings and reductions in statewide greenhouse gas emissions, and there would be no significant adverse impacts to the environment as a result; and

WHEREAS, on October 10, 2016, the Commission held a Lead Commissioner's Meeting to hear comments on the proposed regulations; and

WHEREAS, on November 23, 2016 the Commission published a Notice of Availability of 15-Day Language, which included proposed changes to the Express Terms (Notice); and

WHEREAS, the Notice designated December 14, 2016, as the date for the hearing to consider adoption of the proposed regulations and on this date the Commission held a

public hearing to receive comments on the proposed regulations and to consider their adoption and did so adopt the regulations; and

WHEREAS, each of these documents and notices was provided to every person on the Energy Commission's Appliances list server and to every person who had requested notice of such matters, and was posted to the Commission's website; and

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

The California Energy Commission has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed energy efficiency regulations for computers, computer monitors, and signage displays will not have any significant adverse effect on the environment; and

The proposed regulations will reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy for appliances that require a significant amount of energy on a statewide basis; and

The proposed regulations are technologically feasible and attainable; and

The proposed regulations do not result in any added total costs to the consumer over the designed life of the appliances concerned; and

The proposed regulations will not create new businesses, eliminate existing businesses, or have an effect on the expansion of businesses in California and will not result in a significant statewide adverse impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and

The proposed regulations will not create or eliminate a significant number of jobs within California; and

The proposed regulations will impose no direct costs, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code; and

The proposed regulations will result in no costs or savings in federal funding to the State of California; and

The proposed regulations will not result in cost or savings to any state agency in reasonable compliance with these regulations; and

The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and

The proposed regulations will have no impact on housing costs; and

The proposed regulations will have no significant, statewide adverse effect on businesses in general or small businesses in particular; and

The proposed regulations will impose no net costs on private persons when savings from reduced electricity use are taken into account; and

The proposed regulations will result in costs that a representative business would necessarily incur in reasonable compliance with the regulations, but any costs will be passed on to consumers and outweighed by savings resulting from reduced electricity use; and

The proposed regulations will result in non-economic benefits, on a statewide level, such as reduction in pollution, greenhouse gas emissions, and energy generation demand; and

The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the Warren-Alquist Act, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and

The proposed regulations require completion of certain reports regarding the efficiency and performance of the regulated appliances; this information is necessary for consumers and the Energy Commission to confirm that the standards are met and that the appliances consume no more energy than allowed, so that the anticipated energy, environmental and cost benefits will actually be achieved. Accordingly, it is necessary that these reporting requirements apply to businesses in order to protect the health, safety and welfare of the people of California, as required by Government Code section 11346.3, subdivision (d); and

None of the comments received during the comment period or at the adoption hearing, and nothing else in the record, justified any changes to the proposed amendments as published on November 23, 2016.

THEREFORE BE IT RESOLVED, after considering the Initial Study, and all related materials in the record, the Energy Commission finds that (1) there is no substantial evidence that the adoption of the proposed amendments to the Appliance Efficiency Regulations will have a significant effect on the environment, and (2) the Negative Declaration reflects the Commission's independent judgment and analysis. The Commission hereby adopts the Negative Declaration and Initial Study published September 14, 2016. Documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based can be found at the California Energy Commission, 1516 9th Street, Sacramento, California, 95814 in the custody of the Docket Unit.

Additionally, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the California Energy Commission hereby adopts the amendments to its appliance efficiency regulations, as set forth in the express terms that were published on November 23, 2016 (Cal. Code of Regs., tit. 20, §§ 1601-1606). We take this action under the authority of, and to implement, interpret, and make specific, sections 25213, 25218(e), and 25402 of the Public Resources Code.

The Energy Commission delegates the authority and directs Commission staff to take, on behalf of the Commission, all actions reasonably necessary to have the adopted regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Determination with the State Clearinghouse.


The market for computers and monitors is evolving and changing rapidly due to new technologies and innovations; therefore, in order to ensure that the Appliance Efficiency Regulations adopted today do not unduly restrict the computers and monitors market, and also to ensure that the regulations achieve the energy savings projected for that market, the Energy Commission hereby directs staff to:

1. Conduct rigorous market monitoring of specific features and types of computers and monitors through reporting to the Modernized Appliance Efficiency Database System (MAEDBS). Staff shall consider proposing revisions to the computer and monitor regulations if the market monitoring demonstrates that products utilizing the adders, allowances, and exemptions for computers and monitors, respectively, are obtaining rapidly increasing marketshare and may significantly reduce the energy savings projected during this rulemaking.
2. Present to the Commission for adoption proposed changes to these regulations within six months in response to a petition for rulemaking proceeding submitted under section 1221 of Title 20 of the California Code of Regulations that is granted by the Energy Commission for the purpose of addressing a new technology, interface, or feature that was not considered at the time of this rulemaking.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on December 14, 2016.

AYE: Weisenmiller, Douglas, McAllister, Hochschild, Scott
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat