

## DOCKETED

<b>Docket Number:</b>	16-AAER-02
<b>Project Title:</b>	Appliance Efficiency Rulemaking for Computers, Computer Monitors, and Signage Displays
<b>TN #:</b>	217579
<b>Document Title:</b>	Resolution Adopting Regulations
<b>Description:</b>	Resolution No: 17-0510-4 adopted at the May 10, 2017 Business Meeting
<b>Filer:</b>	Cody Goldthrite
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	5/12/2017 1:01:56 PM
<b>Docketed Date:</b>	5/12/2017

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**, on April 24, 2017, the Commission published a Notice of Availability of Additional 15-Day Language to propose changes to the Express Terms in response to comments and for clarity (Additional Notice); and

**WHEREAS**, the Additional Notice designated May 10, 2017, as the date for the hearing to consider re-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 re-adoption with the proposed changes and did so re-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

**WHEREAS**, the Commission has reviewed and considered the Initial Study and Negative Declaration adopted on December 14, 2016, and other related documents in the record before it; and

**WHEREAS**, the Commission has no information indicating that the environmental documentation is inadequate as it pertains to the changes to the regulations published on April 24, 2017.

**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 April 24, 2017.

**THEREFORE BE IT RESOLVED**, that the Commission finds, on the basis of the entire record before it, that since the Negative Declaration was adopted on December 14, 2016, there have been no substantial changes to the project and no substantial changes in project circumstances that would require major revisions to the Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Negative Declaration, nor has the Energy Commission identified any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect approving the regulations would have on the environment; and

**BE IT FURTHER RESOLVED**, 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 April 24, 2017 (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; and

**BE IT FURTHER RESOLVED**, 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); and making any changes to the rulemaking file required by OAL; and

**BE IT FURTHER RESOLVED**, 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 May 10, 2017.

AYE: Weisenmiller, Douglas, McAllister, Hochschild, Scott

NAY: None

ABSENT: None

ABSTAIN: None

Original Signed by:

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Cody Goldthrite  
Secretariat