DOCKETED	
Docket Number:	18-AAER-04
Project Title:	Portable Air Conditioners
TN #:	227397
Document Title:	Written Public Comments
Description:	Written public comments received and responses.
Filer:	Corrine Fishman
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	3/21/2019 1:45:07 PM
Docketed Date:	3/21/2019

Comments on Proposed Portable Air Conditioner Regulations
Title 20, Division 2, Chapter 4, Article 4, Sections 1601-1609, California Code of Regulations
45-Day Public Comment Period
October 12, 2018 – November 26, 2018

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General	Northeast Energy Efficiency Partnership (NEEP)	Letter of Support	Comment Acknowledged. General Comment.
General	The Statewide Case Team	The Statewide CASE Team strongly supports the Energy Commission's proposal to adopt a Title 20 Standard for portable air conditioners.	Comment Acknowledged. General Comment.
General	Association of Home Appliance Manufacturers (AHAM)	**Codes and Standards (CASE) Enhancement Initiative Study – Portable Air Conditioners.** AHAM would like to highlight a number of differences between the CASE study and the DOE Technical Support Document (TSD) analysis. CASE recommended a more stringent standard to CEC based on its analysis. While the CASE study does tailor its analysis to the state of California, a number of assumptions made result in generalized cost and payback periods. The CASE study also supports a number of technology options to improve efficiency; however, DOE provides adequate reasons to abandon these options. Referenced in Appendix A are differences between the CASE study and the DOE TSD and these differences highlight a lack of support for the more stringent level DOE proposed. AHAM supports CEC in referencing the DOE test procedure and use of the DOE TSD in determining an appropriate standards level should CEC move forward with its proposed regulation. EL / TSL 2 aligns with the DOE final rule. Moreover, CEC's proposed level aligns with the levels promulgated by Vermont in HB 410. CEC should not impose stricter standards than another state and cause a patchwork of state standards. Not only will this be	Comment Acknowledged. General Comment. The Energy Commission (Commission) primarily used information from the Department of Energy (DOE) rulemaking to support the proposed regulation. The standard is proposed at Efficiency Level 2, which is the same as DOE's pre-publication final rule. EL 2 represents the efficiency level where DOE determined the ratio of measured CEER to nominal CEER corresponds to the maximum available efficiency across a full range of portable air conditioner cooling capacities. EL 2 represents a middle ground between the existing market and the maximum level of technical feasibility.

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		burdensome for manufacturers, but because manufacturers may not be able to meet the more stringent levels and the levels would differ from other areas of the country, it could lead to a lack of availability of these products in California, or at a minimum, decreased choices for Californians. It would be particularly troubling for CEC to adopt more stringent levels than Vermont and DOE because CEC has proposed a significantly earlier compliance date than DOE's compliance date would have been even if published in 2016. This date is also out of alignment with the compliance date provisions in the Vermont law. If CEC moves forward with the proposed standards, it must not require levels that are more stringent and an abbreviated timeframe. This would put it entirely out-of-synch with the Federal determination, other state laws already promulgated.	The adopted regulations for portable air conditioners are based on feasible and attainable efficiencies and do not result in any added total costs for consumers over the designed life of the appliance as required in the Warren-Alquist Act, Public Resource Code Section 25402 (c)(1), and will yield significant energy savings in California.
Section 1602. Definitions	Association of Home Appliance Manufacturers (AHAM)	**The inclusion of additional definitions are already in the Test Procedure and are unnecessary for the standard.** AHAM opposes the inclusion of the below definitions into any eventual CEC standard. These definitions are all test procedure related. Reporting this data to CEC would be burdensome and not provide any substantive benefit. If CEC proposes to require data to be submitted, then there should be supporting evidence that people actually use this data enough to justify the cost, time and resources of CEC and manufacturers to keep this data updated. a) "Adjusted cooling capacity at 83F conditions" b) "Adjusted cooling capacity at 95F conditions" c) "Annual energy consumption in cooling mode" d) "Annual energy consumption in cooling mode at 83F" e) "Annual energy consumption in cooling mode at 95F" f) "Annual energy consumption in inactive or off mode" g) "Annual energy consumption in off-cycle mode"	Comment Acknowledged. No change. The additional definitions are related to the test procedure and provide added clarity to ensure the regulations will have clear and unambiguous meaning to readers, including the public, and particularly to those persons and organizations affected by these regulations.

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		The Federal test procedure requires the measurements these definitions describe to complete certain measurements that determine the seasonally adjusted cooling capacity (SACC) and combined energy efficiency ratio (CEER). These definitions exist in the test procedure for that reason. And reporting of these individually is unnecessary as they are simply inputs to the final measurement. It appears that CEC is only including the above definitions in order to require manufacturers to report this additional information in the MAEDbS under Section 1606. Inclusion of these additional definitions can also create a misalignment within the CEC in the future. The current version of the DOE test procedure cites these definitions; however, it may be the case that future iterations of this test procedure require edits or the replacing of these definitions. CEC will have an issue where definitions will not be consistent and as a result will have to go through the regulatory process to update definitions. Moreover, CEC and DOE have been discussing ways to minimize reporting burdens for manufacturers who must submit compliance reports to both DOE and CEC. One way CEC can work toward that goal is not to require additional data points. Different reporting requirements for California and DOE adds burden—manufacturers must keep track of different data points, which can require different internal databases. Accordingly, AHAM urges CEC remove these definitions if it finalizes a rule on standards for PACs. AHAM also recognizes that CEC is updating the SACC definition to acknowledge product classes and referencing the DOE test procedure in Section 1604(d). AHAM does not oppose this update so long as the definition and test procedure remain aligned with the DOE regulations.	As provided in Public Resource Code Section 25402 (c)(1), manufacturers of products covered by the regulations must certify to the Commission that their product is in compliance with the regulations, in order to lawfully sell or offer for sale, their product in California. The Commission collects product data as part of this certification, in order to ensure the manufacturers are meeting the required standard. In addition, data collection allows the public to research compliant products. The Commission primarily used information from the DOE rulemaking to support the proposed regulation.

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			The proposed regulations reflect the same standard efficiency level that the DOE issued in its pre-publication final rule and aligns with DOE's published test procedure.
Section 1602(d) Definitions. "Combined energy efficiency ratio (CEER)" of a single-duct or dual-duct portable air conditioner means ~~is~~ the energy efficiency of a portable air conditioner in Btu per watt -hours (Btu/Wh), as determined using the test method specified in section 1604(d) of this Article.	The Statewide CASE Team	The Statewide CASE Team recommends revising the definition of "Combined energy efficiency ratio" with grammatical edits and additional detail. Suggested revisions follow. "Combined energy efficiency ratio (CEER)" of a single-duct or dual-duct portable air conditioner means the energy efficiency of a portable air conditioner ~~in Btu per watt -hours (Btu/Wh)~~ measured as the seasonally adjusted cooling capacity of the portable air conditioner divided by its weighted average annual energy consumption allocated over the unit's annual cooling mode hours, expressed in Btu/watt-hour, as determined using the test method specified in ~~s~~Section 1604(d) of this Article.	Comment Acknowledged. No change. Maintaining a consistent definition with the federal test procedure ensures the regulations will have clear and unambiguous meaning to readers, including the public, and particularly to those persons and organizations affected by these regulations.
Section 1602(d) Definitions. "Portable air conditioner" means a portable encased assembly, other than a "packaged terminal air conditioner," "room air conditioner," or "dehumidifier," that delivers cooled, conditioned air to an	The Statewide CASE Team	Many portable air conditioners have a dehumidification mode. The Statewide CASE Team suggests adding language to ensure that portable air conditioners and standalone dehumidifiers are properly categorized and comply with applicable standards. The language should recognize that portable air conditioner devices may also have dehumidification features, and these devices should not be inadvertently excluded from portable air conditioner standards due to the existence of this feature. Additionally, to facilitate reader understanding the Statewide CASE Team suggests using the more common term "single-phase electric power" instead of "single-phase electric current". Suggested revisions follow.	Comment Acknowledged. No change. Considering efficiency standards for the dehumidification mode of a portable air conditioner was not in the scope of this rulemaking. No change. Maintaining a consistent definition with the federal definition of portable air conditioner ensures the regulations will have clear and

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enclosed space, and is powered by single phase electric current. It includes a source of refrigeration and may include additional means for air circulation and heating. ~~A portable air conditioner is typically mounted on wheels for moving from place to place within a building or structure.~~		"Portable air conditioner" means a portable encased assembly, other than a "packaged terminal air conditioner," "room air conditioner," or "dehumidifier," that delivers cooled, conditioned air to an enclosed space, and is powered by single-phase electric ~~current~~ power. It includes a source of refrigeration and may include additional means for air circulation, dehumidification, and heating.	unambiguous meaning to readers, including the public, and particularly to those persons and organizations affected by these regulations.
Section 1602(d) Definitions. "Portable or Spot Evaporative Cooler" means ~~an~~ spot air conditioner that uses evaporative cooling~~er that is non-ducted, not designed for permanent installation,~~ and can be plugged into a standard mains outlet.	The Statewide CASE Team	The Statewide CASE Team suggests clarifying the definition of "Spot evaporative cooler" to improve readability. Suggested revisions follow. "~~Portable or~~ Spot ~~E~~evaporative ~~C~~cooler" means a spot air conditioner that uses evaporative cooling and can be plugged into a standard mains outlet.	Comment Acknowledged. No change. The definition for a *Portable or Spot Evaporative Cooler* was amended to make it consistent with the definition for spot air conditioner. Change is unnecessary as it does not provide further clarification or benefit.
Section 1602(d) Definitions. "Seasonally adjusted cooling capacity (SACC)" of a single-duct or dual-duct portable air	The Statewide CASE Team	The Statewide CASE Team recommends revising the definition of "Seasonally adjusted cooling capacity" to add additional detail. Suggested revisions follow. "Seasonally adjusted cooling capacity (SACC)" of a single-duct or dual-duct portable air conditioner means the temperature-weighted measure of the ability of a portable air conditioner to remove heat	Comment Acknowledged. No Change. Maintaining a consistent definition with the federal test procedure ensures the regulations will have clear and unambiguous meaning to readers, including the public, and particularly to those

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conditioner means the amount of cooling, measured in Btu/h, provided to the indoor conditioned space, ~~measured under the specified ambient conditions~~ as determined using the test method specified in section 1604(d) of this Article.		from an enclosed space corrected for duct heat transfer and infiltration air heat transfer ~~amount of cooling, measured~~ expressed in Btu/hour, ~~provided to the indoor conditioned space,~~ as determined using the test method specified in ~~s~~Section 1604(d) of this Article.	persons and organizations affected by these regulations.
Section 1602(d) Definitions. "Spot air conditioner" means a~~n~~ portable air conditioner that discharges cool air into a space and discharges rejected heat back into that space, where there is no physical boundary separating the discharges. ~~*Spot air conditioners are considered a subset of portable air conditioners*~~	The Statewide CASE Team	The Statewide CASE Team suggests revising the definition for spot air conditioners. The Statewide CASE Team recommends using the word "delivers" instead of "discharges" to indicate that the delivery of cooled air is the desired outcome and not a byproduct of operation. Additionally, the Statewide CASE Team suggests using the word "cooled" instead of the word "cool" to more accurately specify that the output air is mechanically cooled and that the spot cooler is not just providing ventilation. Furthermore, the definition proposed does not define "space" – without a clear definition of space, the proposed definition could be interpreted as discharging both cooled air and condenser outlet air into the same spot, which is not true. Spot air conditioners usually discharge the condenser outlet air in the opposite direction from the cooled air. Moreover, the term "physical boundary" is also vague, so the Statewide CASE Team suggests striking that description. U.S. DOE did suggest a definition for "spot cooler" in the February 2015 Notice of Proposed Rulemaking for the Portable Air Conditioners Test Procedure. However, since U.S. DOE did not propose a standard for spot air conditioners, the definition was ultimately not adopted since it was deemed unnecessary for the purposes of product testing or classification. That definition is shown below for reference. U.S. DOE	Comment Acknowledged. No Change. Change is unnecessary as it does not provide further clarification or benefit.

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		2015: "Spot cooler means a portable air conditioner that draws condenser inlet air from and discharges condenser outlet air to the conditioned space, and draws evaporator inlet air from and discharges evaporator outlet air to a localized zone within the conditioned space." The Statewide CASE Team suggests the following revisions to this definition: "Spot air conditioner" means a portable air conditioner that delivers ~~discharges~~ cooled air into a space and discharges ~~rejected heat~~ the condenser outlet air back into another area within that same space~~, where there is no physical boundary separating the discharges.~~	
Section 1605(g) Energy Performance, Energy Design, Water Performance, and Water Design Standards: In General.	The Statewide CASE Team	The Statewide CASE Team notes that per section 1605(f), if an appliance serves multiple functions and is not a federally-regulated appliance, both the primary and secondary functions of the appliance shall meet the applicable standards in Title 20. Although the primary function of portable air conditioners is cooling, in reviewing the product literature of top-selling portable air conditioners in the California market, the Statewide CASE Team found that nearly all products offer a dehumidification mode. Even though portable air conditioners are explicitly not classified as dehumidifiers, this mode serves as a secondary function, and therefore, the dehumidification mode of portable air conditioners could also be compelled to comply with dehumidifier regulations. U.S. DOE opted to exclude dehumidification mode from their proposed rule based on reported low operating hours in this mode from a metering study with less than twenty participants that were informed of the study scope in advance. However, the Statewide CASE Team disagrees with this assessment and believes that requiring the dehumidification mode of portable air conditioners to comply with dehumidifier standards would ensure the efficiency of portable air conditioners used in	Comment Acknowledged. No change. Considering efficiency standards for the dehumidification mode of a portable air conditioner was not in the scope of this rulemaking.

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		this mode and prevent dehumidifier standards from being circumvented by multi-functional units like portable air conditioners. The Statewide CASE Team suggests the following addition to address this point: **Portable Air Conditioners.** If a model of portable air conditioner sold or offered for sale in California has both single-duct and dual-duct configuration options, both configurations must meet the applicable standard in section 1605.3. If a model of portable air conditioner sold or offered for sale in California has a dehumidification option, the model must meet the applicable dehumidifier standard in Section 1605.1 per 1605(f).	
Section 1605.3 (d) State Standards for Non-Federally Regulated Appliances	The Statewide CASE Team	In their rulemaking on portable air conditioners, U.S. DOE proposed a minimum CEER standard for portable air conditioners corresponding to efficiency level (EL) 2 from the rulemaking and with a performance ratio (PR) of 1.04. At the time of the rulemaking, U.S. DOE found that EL 3 was not cost-effective, primarily due to the increased burden on manufacturers and limited availability of qualified products across all capacities. Given California-specific market considerations, the Statewide CASE Team believes that U.S. DOE estimates were overly conservative in estimating what efficiency improvements could be applied to portable air conditioners. For example, due to lack of data on products currently utilizing alternative refrigerants, U.S. DOE did not consider efficiency improvements from switching from R-410A to R-32 or other alternative refrigerants. This assumption is not necessarily realistic for California, and the use of alternative refrigerants could be a feasible technical pathway for efficiency improvements in the California market. Additionally, although at the time of the U.S. DOE rulemaking, components such as high-efficiency compressors may not have been available across the full range of portable air conditioner capacities, recent energy conservation standards for related products,	Comment Acknowledged. No Change. The Commission primarily used information from the DOE rulemaking to support the proposed regulations. The standard is proposed at Efficiency Level 2, which is the same as DOE's pre-publication final rule. EL 2 represents the efficiency level where DOE determined the ratio of measured CEER to nominal CEER corresponds to the maximum available efficiency across a full range of portable air conditioner cooling capacities. EL 2 represents a middle ground between the existing market and the maximum level of technical feasibility.

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		such as standalone dehumidifiers and room air conditioners, may drive the increased production of these high-efficiency components across a wide range of capacities, making them available for portable air conditioner manufacturing in the near future. Therefore, the Statewide CASE Team supports the adoption of a standard at EL 3, with a PR of 1.18 to maximize the cost-effective savings to the consumer. A suggested revision follows. (1) Energy Efficiency Standards for Portable Air Conditioners. The combined energy efficiency ratio (CEER) of single-duct and dual-duct portable air conditioners manufactured on or after February 1, 2020, shall not be less than the value calculated in the following equation, where SACC is the seasonally adjusted cooling capacity of a portable air conditioner: Minimum CEER = ~~1.04~~ 1.18 × $\frac{SACC}{3.7117 \times SACC^{0.6384}}$	The adopted regulations for portable air conditioners are based on feasible and attainable efficiencies and do not result in any added total costs for consumers over the designed life of the appliance as required in the Warren-Alquist Act, Public Resource Code Section 25402 (c)(1), and will yield significant energy savings in California.
Section 1605.3. State Standards for Non-Federally Regulated Appliances	Association of Home Appliance Manufacturers (AHAM)	**The effective date of February 1, 2020 conflicts with the Energy Policy Conservation Act (EPCA) and (pre -published) Federal Energy Standard** AHAM strongly opposes the proposed effective date of February 1, 2020. This date conflicts with the Federal statutory requirement that provides a 5-year "lead-in" period for manufacturers to comply with a new standard. This lead-in time provides an adequate timeframe to transition existing product models, through redesign or component upgrades, to meet a brand new standard in a cost effective way. For newly covered products, Federal law requires that newly established Federal energy conservation standards not apply to products manufactured within 5 years after the publication date of the final rule (42	Comment Acknowledged. No Change. DOE statutory requirements come from the Energy Policy and Conservation Act (EPCA), which provides for a five-year phase-in period for a new standard. However, the Commission's statutory requirements come from the Warren-Alquist Act, Public Resource Code Section 25402 (c)(1), which requires the standards become effective no sooner

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		U.S.C. 6295(1) (2)). As such, the DOE final energy conservation standards for PACs issued on December 28, 2016, states "in accordance with this requirement, compliance with the energy conservation standards established in a final rule will be required 5 years after the date of publication of a standards final rule in the Federal Register." DOE discusses the intention for the 5-year period is to provide manufacturers with time to assess their product designs and implement any necessary modifications to meet new standards. AHAM is rigorously working to have the DOE final rule published in the Federal Register, making the PAC energy conservation standard a Federal requirement. AHAM supports Federal energy conservation standards in lieu of state standards. A single, uniform standard throughout the U.S., and even throughout US and Canada, is vastly preferable to a patchwork of disconnected state-by-state standards. Federal appliance standards based on data-driven decisions is a path to more responsible regulations and protection of consumer interest in a full diversity of products by manufacturer, brand, features and price points. Rational standards with sufficient lead-time, when coupled with incentive programs, can also minimize the damage to U.S. employment. Even if the final DOE rule were published in February 2017, as originally planned, this would have given manufacturers a compliance date in February 2022. **Yet CEC is proposing an earlier compliance date despite having only recently proposed its state standard for these products**. The 5-year lead-in period is necessary considering the complexity manufacturers face using the DOE test procedure to meet the standard. The development of the PAC test procedure proved to be ambiguous and strenuous for manufacturers. Among its numerous flaws, were incorrect data sources, inconsistent calculations, and fundamental repeatability and	than one year after the date of adoption. The adopted regulations for portable air conditioners are based on feasible and attainable efficiencies and do not result in any added total costs for consumers over the designed life of the appliance as required in the Warren-Alquist Act, Public Resource Code Section 25402 (c)(1), and will yield significant energy savings in California. A mandatory compliance date for products manufactured on or after February 1, 2020, is both technically feasible and cost-effective. In the DOE technical support document (page 5-8), efficiency level 2 (EL2) corresponded to the maximum *available* (emphasis added) efficiency across a full range of capacities, in other words, portable air conditioners that achieve the EL2 efficiency level were available at the time of the DOE's 2016 analysis. Additionally, Mr. Del Negro, GE, stated (page 51 of transcript) at the adoption hearing that production of portable air conditioners starts in September or October of the year prior to the seasonal year. Because the regulations are applicable based on the date of

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		reproducibility issues. The DOE rushed through the entire regulatory process and did not provide key stakeholders with adequate time to evaluate the test procedure and provide feedback. Supplemental comments by AHAM requesting guidance on test procedure interpretation remain unanswered. A majority of AHAM members source PACs from other overseas manufacturers. Communicating the specifics of a new final test procedure is a complex process, especially one that is as complicated and involved as the PAC test procedure. Additionally, most PAC testing occurs in lab facilities outside the U.S. Third party labs outside the U.S. have little interest or incentive to invest in changes to their labs before a standards rule is finalized. Some manufacturers are still building lab capability; others are seeking third party labs with sufficient expertise or capability to conduct the test and have yet to find any that are sufficiently up to speed to conduct reliable testing. An assumption that manufacturers "know this is coming" and should have been making the transition is a flawed assumption based on a complete lack of understanding of how for-profit companies operate in a competitive environment with fiduciary responsibilities to their shareholders. An effective date that is too soon could result in the discontinuation of certain product model offerings in the state until their transition can occur in a responsibly cost effective manner. This could include basic models, which California residents purchase because no other cooling system is feasible for their dwelling. Additionally, DOE's own analysis demonstrates the significant burden on manufacturers. At TSL 2 / EL 2, the projected change in industry net present value (INPV) ranges from a decrease of 30.6 percent and	manufacture, portable air conditioners produced in the fall of 2019 do not need to comply with the regulations and can continue to be sold or offered for sale in California after February 1, 2020. Manufactures can continue supplying status quo portable air conditioners for the summer 2020 market as long as they are manufactured prior to February 1, 2020.

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		28.1 percent. DOE estimated that only about 23 percent of available platforms and 21 percent of shipments will meet the proposed levels by 2020 and, thus, manufacturers would need to upgrade 77 percent of platforms by their projected compliance date. A redesign of this magnitude will take manufacturers time and such redesign likely has not yet fully begun, given that DOE's standard has not yet been published and manufacturers have been expecting a five-year lead in period to comply with an eventual PAC energy conservation standard. Importantly, in the pending *NRDC v. Perry*, the Petitioners, including California, have taken the position that DOE's energy conservation standards for PACs were final as of the issuance date. Inherent in that position is that those standards also preempt state standards under 42 U.S.C. § 6297. Thus, it is inconsistent for CEC to propose to impose its own PAC energy conservation standards with a different, much earlier, compliance date than the Federal standards. Instead, it would be prudent for CEC to wait for the Ninth Circuit to decide the case, particularly given that oral argument has already taken place and a decision should be imminent, before moving forward with regulating PACs. AHAM recommends CEC implement an effective date of five years after the standard is final.	The proposed standards are performance standards and do not prescribe specific methods of improving the efficiency of portable air conditioners. Manufacturers have several technically feasible options to improve the efficiency of their products

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			The Commission's participation as a plaintiff in *NRDC v. Perry* is relevant to potential national efficiency standards for portable air conditioners. It is not relevant to, nor does it limit, the Commission's ability to pursue state efficiency standards for portable air conditioners.
	Alberto Aloisi The De'Longhi Group	De' Longhi respectfully submits the following comments to the California Energy Commission. De' Longhi is a manufacturer of household appliances, which has been producing portable air conditioners for more than 25 years, and we support a reasonable efficiency regulations for portable air conditioners (PACs). Nevertheless, we believe that the proposed effective date (February 2020) is absolutely unrealistic as most of the PACs actually on the market do not fulfil the proposed requirements and manufacturers do not have enough time to redesign, retool, and retest according to the new procedure and new standards for all the PAC models they offer for sale in California. We ask the CEC to wait for the publication of the DOE standard or at least to postpone the effective date to 2022. De' Longhi appreciates the opportunity to submit these comments to CEC and would be glad to discuss these matters in more detail on your request.	Comment Acknowledged No Change This comment was received via email on December 10, 2018. The public comment period closed on November 26, 2018. The proposed standards are performance standards and do not prescribe specific methods of improving the efficiency of portable air conditioners. Manufacturers have several technically feasible options to improve the efficiency of their products The adopted regulations for portable air conditioners are based on feasible and

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			attainable efficiencies and do not result in any added total costs for consumers over the designed life of the appliances, as required by Public Resources Code section 25402(c)(1) , and will yield significant energy savings in California.
Section 1606. Filing by Manufacturers; Listing Appliances in Database.	Association of Home Appliance Manufacturers (AHAM)	**Filing by Manufacturers; Listing Appliances in the MAEDbS – Reporting of Adjusted Cooling Capacity** In connection to the above comments on definitions, AHAM strongly opposes the new reporting requirements proposed under Section 1606 regarding cooling capacity and annual energy consumption at 83°F and 95°F. This reporting requirement will misrepresent the true performance and energy savings of PAC models. The measurements taken at these set ambient temperatures are ancillary and are only part of the recorded result that demonstrates a product's performance. It is the determination of both SACC and CEER that accurately represent the performance of a PAC, which use the cooling capacity results measured at these temperatures. It is likely that in the future, manufacturers will be required to affix an Energy Guide label to PACs in order to show consumers the annual cost to operate each model and allow consumers to compare PACs on the basis of energy efficiency. This could include displaying both the SACC and CEER ratings. SACC is a rating in BTU/hour that represents the weighted average performance of a unit in a number of test conditions, some of which may be more than the average use case. CEER takes into account the energy used while the air conditioner is running, as well as the standby power used when the unit is not running but	Comment Acknowledged. No Change. As provided in Public Resource Code Section 25402 (c)(1), manufacturers of products covered by the regulations must certify to the Commission that their product is in compliance with the regulations, in order to lawfully sell or offer for sale, their product in California. The Commission collects product data as part of this certification, in order to ensure the manufacturers are meeting the required standard. In addition, data collection allows the public to research compliant products.

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		still on. Both of these final ratings depict the proper overall performance of a PAC, not the ratings at various test procedure set temperatures. Requiring manufacturers to report cooling capacity values at 83°F and 95°F indirectly forces confusing representation of energy use of their products. AHAM understands the possibility of reporting of SACC, as this information is useful to consumers and users of the database and aligns with DOE requirements.	
Section 1606. Filing by Manufacturers; Listing Appliances Database. Table X	The Statewide CASE Team	The Statewide CASE Team suggests adding "Nominal Cooling Capacity" to the information required in Table X – Data Submittal Requirements. The suggested revisions follow. D | Single-Duct and Dual-Duct Portable Air | Nominal Cooling Capacity (Btu/h) |	Comment Acknowledged. No Change. Change is unnecessary as it does not provide further clarification or benefit.
Section 1607. Marking of Appliances.	The State Wide Case Team	The Statewide CASE Team recommends reporting product SACC and CEER values either labeled on the product directly, or in product literature to facilitate review of products for compliance. Additionally, the Statewide CASE Team recommends that product labeling clearly indicates that portable air conditioner units are meant to be used with ducting, and that product literature includes clear instructions on proper product ducting use. The Statewide CASE Team recommends the following additions to the proposed regulatory language. ( ) Single-Duct Portable Air Conditioners and Dual-Duct Portable Air Conditioners. Each single-duct or dual-duct portable air conditioner unit and each package containing a unit shall be labeled,	Comment Acknowledged. No change. Change is unnecessary as it does not provide further clarification or benefit.

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		permanently and legibly on an accessible and conspicuous place on the unit, in characters no less than 1/8" on the unit, and 1/4" on the packaging, with the following energy performance information: cooling capacity, seasonally adjusted cooling capacity, and combined energy efficiency ratio, and with the following statement "UNIT TO BE USED WITH DUCTS – PORTABLE AIR CONDITIONER IS NON-COMPLIANT IF IT IS USED WITHOUT DUCTS."	