

DOCKETED

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CALIFORNIA ENERGY COMMISSION

In the matter of:

Notice of Proposed Action) Docket No. 22-AAER-02
Energy)
_____)

2022 APPLIANCE EFFICIENCY RULEMAKING FOR REPEAL OF
PORTABLE LUMINAIRES REGULATIONS

TRANSCRIPT OF PROCEEDINGS

REMOTE VIA ZOOM

WEDNESDAY, JANUARY 18, 2023

10:00 A.M.

Reported by:

Martha Nelson

APPEARANCESCEC STAFF

Carlos Baez, Efficiency Division

PUBLIC COMMENT

Michael Weems, American Lighting Association

P R O C E E D I N G S

10:02 a.m.

WEDNESDAY, JANUARY 18, 2023

MR. BAEZ: Hi. Good morning. I'm Carlos Baez and I work in the Appliances Branch at the California Energy Commission. Welcome to the Public Hearing for the Portable Luminaire Repeal Rulemaking.

The purpose of this public hearing is to receive verbal comments on the proposed regulatory language. All documents related to this rulemaking can be found on the Energy Commission's website in Docket Number 22-AAER-02. No decisions will be made today at this public hearing.

This public hearing is being recorded by a court reporter and on Zoom, and all the statements made today will become part of the public record.

All comments that are received today, and previous comments that were received during the written comment, period will be reviewed by the CEC. Responses to all comments will be made available to the public in the final rulemaking package.

Here's some of the general rules for this public hearing.

All lines are muted. Comments will be taken at the end of the presentation.

For general clarifying questions, please type

1 your question in the Q&A section rather than making a
2 verbal comment. To comment verbally, please use the raise
3 hand function to speak. To those online, raise your hand
4 and the host will give you the ability to speak. Please
5 remember to unmute yourself. For those joining on phone,
6 you can raise your hand by pushing star 9 and the host will
7 give you the ability to speak. Remember that pressing star
8 6 unmutes and mutes yourself. Please make sure to state
9 your name and affiliation at the beginning of your comment.

10 Here's a short agenda for today's public hearing.
11 We'll start by providing a brief overview of the Portable
12 Luminaire Repeal rulemaking, including the main components
13 of the proposed changes. Next, we'll discuss the
14 rulemaking timeline and what comes after this public
15 hearing. And lastly, we'll open it for public comments.

16 The goal of this rulemaking is to remove portable
17 luminaires as a regulated appliance type from the Title 20
18 Appliance Efficiency Regulations. If adopted, portable
19 luminaires would no longer need to comply with any Title 20
20 requirements before being sold or offered for sale in
21 California.

22 The justification for this repeal is the fact
23 that the requirements are now redundant due to more recent
24 lighting regulations under Title 20. Today, almost all
25 portable luminaires are already energy-efficient, which has

1 eliminated the need for these performance standards. In
2 this rulemaking, there are no changes to any other
3 appliance types in Title 20.

4 The proposed changes are the removal of all
5 definitions, testing requirements, performance standards,
6 including the bulb-in-box requirement that requires that
7 certain luminaires be packaged with a bulb, removal of all
8 the marking requirements, and data submittal requirements
9 related to portable luminaires. Again, besides portable
10 luminaires, no other appliance type in Title 20 will be
11 affected by these changes.

12 We'll now briefly discuss what this means for
13 certification.

14 If this rulemaking were to be adopted, portable
15 luminaires would no longer need to appear in MAEDbS, which
16 is the Modernized Appliance Efficiency Database System.
17 This database is used to verify compliance with Title 20.
18 Future submissions of portable luminaires would not be
19 possible. All currently certified portable luminaire
20 models in MAEDbS would be moved to the archived -- would be
21 moved to the archive database for historical purposes.

22 The individual light bulbs, also called lamps,
23 used with portable luminaires, will continue to be
24 regulated under Title 20. These requirements will not be
25 changed. In order to be sold or offered for sale in

1 California, the regulated lamps need to meet the relevant
2 requirements in Title 20. The three appliance types
3 applicable to lamps are state-regulated LED lamps, state-
4 regulated small diameter directional lamps, and general
5 service lamps.

6 Here's a brief overview of the rulemaking
7 timeline. Since this rulemaking does not propose any new
8 performance standards or testing requirements, the timeline
9 is a little shorter than traditional appliance rulemakings.

10 The rulemaking officially began with the
11 publishing of the Notice of Proposed Action, Initial
12 Statement of Reasons, and Proposed Regulations, also called
13 express terms. The publishing of these documents initiated
14 the 45-day written public comment period. This comment
15 period ended yesterday on January 17th.

16 Next is the public hearing, which is this event
17 today. This is another opportunity for CEC staff to
18 receive comments on this rulemaking.

19 Following this public hearing, this rulemaking
20 will be presented at an Energy Commission business meeting
21 for adoption. It's anticipated that this item will be
22 presented at the February 28th business meeting. We will
23 be sending out a notice on the docket to confirm the date.

24 If adopted, the rulemaking package will be sent
25 to the Office of Administrative Law, OAL, for review. If

1 approved by OAL, we anticipate the rulemaking will take
2 effect on July 1st, and the proposed changes will be
3 incorporated into Title 20.

4 The 45-day comment period, public hearing, and
5 business meeting are all opportunities for the public to
6 comment. For more information or questions, please feel
7 free to contact me or Corrine Fishman, who is our
8 Regulations Manager.

9 Thank you for your time today. We hope this
10 presentation was helpful.

11 Please note that this slide deck is already in
12 the docket if you'd like to view it again. Also, a
13 transcript of today's hearing will be posted to the docket
14 later.

15 That concludes the presentation.

16 We'll now open for formal comments. As stated
17 earlier, to comment verbally, please use the raise-hand
18 function to speak. For those online, raise your hand, and
19 the host will give you the ability to speak. Please
20 remember to unmute yourself. For those joining on phone,
21 you can raise your hand by pushing star 9 and the host will
22 give you the ability to speak. Remember that pressing star
23 6 un-mutes and mutes yourself. Please make sure to state
24 your name and affiliation at the beginning of your comment.

25 For general clarifying questions, please type

1 your question in the Q&A section rather than making a
2 verbal comment.

3 And lastly, for anyone who would like to comment
4 but does not have access to a microphone, please type out
5 your comment and state that you are unable to speak. We
6 will read your name and affiliation at the beginning of
7 your comment. We will read your comment out loud for you.

8 Thank you. We will now remain online for any
9 comments. Don't see any hand raises or comments. Oh,
10 there we go, one from Michael Weems. I believe I just gave
11 you the ability to unmute yourself. So, yeah, whenever
12 ready, please make your comment.

13 MR. WEEMS: Hi, Carlos. Can you hear me?

14 MR. BAEZ: Yes, we can hear you. Thanks.

15 MR. WEEMS: Hi. Michael Weems with the American
16 Lighting Association. Carlos, thank you for the time and
17 for the presentation today.

18 ALA supports the proposal discussed today and
19 appreciates CEC's consideration to end the bulb-in-the-box
20 requirements for portable luminaires. Years ago, ALA
21 worked with the California Energy Commission to develop the
22 bulb-in-the-box concept. The goal then was to eliminate
23 certain products from the California marketplace. In the
24 time since, you know, at ALA, we feel that bulb-in-the-box
25 was a success, but we also feel that technology has since

1 passed the bulb-in-the-box regulation and that it no longer
2 makes sense.

3 So, again, we appreciate this. We think that
4 this is a trend we're seeing, you know, here at the
5 California Energy Commission. We're seeing it a ENERGY
6 STAR. And we think we're going to see it, maybe with
7 ceiling fan light kits, with Congress and the Department of
8 Energy at the federal level.

9 So, again, thank you. We support this and we
10 look forward to working with the commission as it hopefully
11 finalizes this change.

12 Thank you.

13 MR. BAEZ: Thank you, Michael.

14 If anyone else has any comments, please feel free
15 to raise your hand or type it into the comment box if
16 you're unable to speak. We're not seeing anyone else at
17 this time, but we will stay online for a few more minutes
18 in case any other comments come up.

19 (Pause)

20 MR. BAEZ: Still no new raised hands or comments
21 that have come in but, yeah, we'll stay online for just a
22 few more seconds.

23 (Pause)

24 MR. BAEZ: Okay, still no more comments or raised
25 hands at this time.

1 I do see one attendee that joined. Again, if you
2 have a comment, please raise your hand or type it into the
3 Q&A or comment box.

4 (Pause)

5 MR. BAEZ:

6 Okay, still no more comments. We'll go ahead and
7 officially close the public hearing then.

8 Thank you all for joining and have a good rest of
9 your day. Bye.

10 (Off the record at 10:17 a.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of March, 2023.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

March 3, 2023