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*Comment Received From: Sam Dose
Submitted On: 7/10/2023
Docket Number: 23-FDAS-01*

Comments on Flexible Demand Appliance Standard

Additional submitted attachment is included below.



We Build Better.™

POOL PRODUCTS
One Hayward Industrial Dr.
Clemmons, NC 27012
1.336.712.9900
www.hayward-pool.com

July 10, 2023

Submitted via: Docket Log 23-FDAS-01

Commissioner J. Andrew McAllister, Ph.D.
California Energy Commission
Dockets Office, MS-4
1516 9th Street
Sacramento, CA 95814

Re: Pool Controls, 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 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. and look forward to an outcome that meets our expectations. If you have any questions on these comments, please contact Sam Dose of Hayward Industries at sdose@hayward.com.

Sincerely,

Sam Dose
Legislative and Energy Consultant
Hayward Industries, Inc.

Hayward Industries, Inc. Comments Re. Pool Controls, 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 the following additional comments for your consideration:

Section 1691. Definitions

Open Standards

Hayward supports PHTA comments and suggestions to align with the existing Energy Star definition as well as the inclusion of additional specific language with examples that would be beneficial to all parties. As referenced by the email clarification from the CEC to PHTA received on June 29, 2023, examples would include, but not be limited to, Wi-Fi, Zigbee, and Bluetooth.

Pool Control Definition

Hayward is in agreement with the CEC proposed revisions to the Pool Control Definition. We believe it adds the needed clarity to the products the CEC would consider to be defined as a pool control and support the inclusion and adoption into this regulation.

Section 1693. Appliance Specific Standards.

Radio Broadcast Data System Receivers

We agree with PHTA that this is an area of the 15-day proposed language that marks a substantial new requirement that previously did not exist in prior proposed language nor was requested by industry or the California Investor-Owned Utilities. Simply put, this came as a surprise to industry considering the February 23, 2023, staff report determined not to include FM connectivity. The change appears based on one stakeholder comment, without inquiring from industry if this was something currently done or could be achieved.

There are too many unknowns with the application of this technology to make a January 1, 2027, compliance requirement practical or feasible. As noted by PHTA, no industry manufacturer currently produces products with a radio broadcast data system receiver.

Hayward agrees with the PHTA suggestion that the CEC remove this requirement in the final regulation.

Conclusion

Hayward supports the PHTA comments and urge the CEC to not rush a rulemaking that in this latest 15-day language has substantive new requirements and many areas that are unclear and could cause interpretation issues. This in turn will negatively affect the program itself, the consumers and the manufacturers who are trying to comply with an ambiguous rule.

The suggested PHTA modifications to the latest proposed regulatory language are opportunities for further improvement that we strongly urge the Commission consider before issuing a final rule.