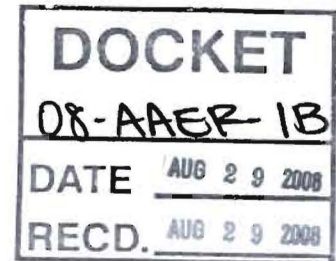


**CALIFORNIA ENERGY COMMISSION** 1516 Ninth Street Sacramento, California 95814Main website: [www.energy.ca.gov](http://www.energy.ca.gov)**NOTICE OF PROPOSED ACTION****PROPOSED AMENDMENTS TO APPLIANCE EFFICIENCY REGULATIONS****California Code of Regulations, Title 20,  
Sections 1601 Through 1608****CALIFORNIA ENERGY COMMISSION  
Docket Number 08-AAER-1B****August 29, 2008****INTRODUCTION**

The California Energy Commission (Energy Commission) proposes to amend its Appliance Efficiency Regulations. The purpose of this rulemaking is to adopt efficiency standards for metal halide lighting fixtures (luminaires), a comprehensive voluntary test procedure for battery charger systems, clarification of the current regulations for residential pool pumps (including clarification of the current test method for portable electric spas), requirement that replacement motors for existing residential pool pump equipment must be two-speed or multispeed motors, and necessary updates and revisions to the overall Appliance Efficiency Regulations for consistency with current federal laws.

Improved lighting standards for metal halide luminaires address the Energy Commission's expressed priority to carry out the mandates established in Assembly Bill 1109 (Huffman, Chapter 534, Statutes of 2007) (AB 1109). AB 1109 requires the Energy Commission to adopt minimum energy efficiency standards for general purpose lighting that, in combination with other programs and activities, reduce average statewide electrical energy consumption by not less than 50 percent from 2007 levels for indoor residential lighting and not less than 25 percent from the 2007 levels for indoor commercial and outdoor lighting by 2018. Additional savings from improved efficiency of metal halide luminaires will contribute toward reductions in commercial indoor lighting and outdoor lighting. In a parallel and separate rulemaking (Docket 08-AAER-1A) the Energy Commission intends to adopt lighting efficiency standards for general service lamps and for portable lighting fixtures as part of the AB 1109 mandate to set new efficiency standards for general purpose lighting by December 31, 2008.

At the federal level, the Energy Independence and Security Act of 2007 (EISA 2007) was signed into law December of 2007 and includes new and revised energy efficiency standards and other requirements related to lighting efficiency, power supplies and many other appliance categories currently included in California's Appliance Efficiency Regulations. The EISA 2007 included specific provisions for California to update its standards for metal halide luminaires

and direction to the U.S. Department of Energy regarding battery charger systems test procedures and standards development. Given that federal laws preempt California's standards for federally regulated appliances, the broad revisions contained in the EISA 2007 require a comprehensive updating of California's Appliance Efficiency Regulations, including reference definitions, test methods, performance and prescriptive efficiency requirements, and data reporting.

The Energy Commission has prepared this Notice of Proposed Action (NOPA) and an Initial Statement of Reasons (ISOR) regarding the need for the proposed amendments. The Energy Commission has also published the Express Terms (45-Day Language) of the proposed amendment language. These documents can be obtained from the contact persons designated below or from the Energy Commission website at:  
[\[http://www.energy.ca.gov/appliances\]](http://www.energy.ca.gov/appliances).

### **PUBLIC HEARINGS**

The Energy Commission's Energy Efficiency Committee (Committee) will hold a public hearing on the following date to receive public comment on the Express Terms:

**WEDNESDAY, SEPTEMBER 17, 2008**

9:00 a.m.

**CALIFORNIA ENERGY COMMISSION**

1516 Ninth Street

First Floor, Hearing Room A

Sacramento, California

(Wheelchair Accessible)

Audio for the September 17, 2008, Committee hearing will be broadcast over the Internet. Details regarding the Energy Commission's webcast can be found at:  
[\[www.energy.ca.gov/webcast\]](http://www.energy.ca.gov/webcast).

At this hearing any person may present statements or arguments relevant to the proposed action. Interested persons may also submit written comments. If possible, please provide written comments to be considered at the Committee hearing by **September 15, 2008**. The Energy Commission appreciates receiving written comments at the earliest possible date.

### **PROPOSED ADOPTION DATE**

The Energy Commission will hold a public hearing for consideration and possible adoption of the 45-Day Language on the following date unless the Energy Commission decides to modify the Express Terms through issuance of 15-Day language.

**WEDNESDAY, OCTOBER 22, 2008**

10 a.m.

California Energy Commission  
1516 Ninth Street  
First Floor, Hearing Room A  
Sacramento, California  
(Wheelchair accessible)

Audio for the October 22, 2008, adoption hearing will be broadcast over the internet.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

At the hearings any person may present written or oral comments on the proposed amendments. Interested persons may also submit written comments. If possible, please provide written comments to be considered at the Committee hearing by **October 21, 2008**. The Energy Commission appreciates receiving written comments at the earliest possible date.

#### **PUBLIC COMMENT PERIOD/WRITTEN COMMENTS**

The public comment period for this NOPA will be from **August 29, 2008** through **October 13, 2008**. Any interested person may submit written comments on the proposed amendments. Written comments will still be accepted at the public Committee hearing and for the Energy Commission adoption hearing if they are received by 10:00 a.m. on **October 22, 2008**. Written comments shall be e-mailed to [[Docket@energy.state.ca.us](mailto:Docket@energy.state.ca.us)], or mailed or delivered to the following address (e-mailing is preferred):

California Energy Commission  
Docket No. 08-AAER-1B  
Docket Unit  
1516 Ninth Street, Mail Station 4  
Sacramento, California 95814-5504

All written comments must indicate **Docket No. 08-AAER-1B**. When comments are e-mailed on behalf of an organization, the comments should be a scanned copy of the original on the organization's letterhead and include a signature of an authorized representative.

#### **AUTHORITY AND REFERENCE**

The Energy Commission proposes to adopt the amendments under the authority of Public Resources Code sections 25213, 25218(e), 25402(c)(1) and 25402.5.4. The proposed amendments implement, interpret, and make specific Public Resources Code sections 25402(c)(1).

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Existing law [Public Resources Code § 25402(c)] requires the Energy Commission to adopt regulations that prescribe minimum efficiency levels for appliances. The Energy Commission first adopted appliance efficiency regulations in 1976 and has periodically revised them since then. The current regulations include provisions on testing of appliances to determine their efficiency, reporting of data by manufacturers to the Energy Commission, standards establishing mandatory efficiency levels, and compliance and enforcement procedures, as well as general provisions on the scope of the regulations and definitions.

In the rulemaking proceeding that is the subject of this NOPA, the Energy Commission is proposing to amend the Appliance Efficiency Regulations to adopt improved efficiency standards for metal halide (MH) luminaires, clarify the existing regulations for residential pool pump appliances, require that replacement motors for existing residential pool pump equipment must be two-speed or multispeed motors, clarify test method specifications for portable electric spas, add a voluntary comprehensive test procedure for battery charger systems, and revise and update the regulations as necessary for consistency with current federal law.

### **Metal Halide Luminaires**

Public Resources Code section 25402.5.4 (added by AB 1109) expressly requires the Energy Commission to adopt statewide lighting efficiency standards to reduce residential and commercial lighting energy consumption by December 31, 2008. In AB 1109, the Legislature found energy consumption for lighting accounts for nearly 20 percent of the state's electricity demand. The energy efficiencies of existing lighting technologies vary significantly. The purpose of the efficiency standards for MH luminaires is to address the mandates for indoor commercial and outdoor lighting energy efficiency reduction requirements established by AB 1109. In a parallel and separate rulemaking (Docket 08-AAER-1A) the Energy Commission intends to adopt lighting efficiency standards for specified general purpose lighting and for portable lighting fixtures as part of the AB 1109.

The EISA 2007 established federal standards for metal halide fixtures that explicitly excludes California's existing MH fixture standards from preemption and provides the opportunity for the Energy Commission to adopt revised efficiency standards by January 1, 2011. The proposed standards for MH luminaires will require manufacturers to meet specific minimum ballast efficiency percentages on or after January 1, 2010 through a set of compliance options. The Energy Commission has found these standards to be technically feasible, necessary and cost effective.

### **Residential Pool Pumps and Portable Electric Spas**

The Energy Commission adopted standards for residential pool pumps motors that became effective January 1, 2006, with increased stringency effective January 1, 2008. The standards require that pool pump motors be either two-speed or multi-speed motors and be operated using a multi-speed controller. The standards were drafted in such a way that the

requirements only applied to new residential pool pump and motor combinations, but not to replacement residential pool pump motors installed on existing pumps. At the time the standards were originally proposed and adopted, the anticipated energy savings included replacing residential pool pump motors on existing pumps.

The Energy Commission is now proposing to amend the Appliance Efficiency Regulations to specify that existing residential pool pump motors be replaced with either two-speed or multi-speed pump motors on existing pumps and that multi-speed controllers be used. The Energy Commission is also amending the Residential Pool Pump data collection requirements to help facilitate showing of compliance with the residential pool installation. In addition, a new marking requirement will be established stating on the two-speed or multi-speed motor that a multi-speed controller is required to help insure that the energy savings from the efficient pump cannot be lost through use of a single speed controller.

The explicit adoption of pool pump replacement motors in the scope of regulations is necessary to achieve the expected energy savings of 2004 rulemaking. Additional savings and compliance will be achieved by clarification of motor capacity and the addition of labeling requirements.

The Energy Commission has found these standards to be technically feasible, necessary and cost effective.

The Energy Commission is also proposing to amend its test method for portable electric spas. The suggested changes would: eliminate requirements for manufacturers to report the R (insulation) ratings of spa covers, define tolerances for ambient air temperature and water temperature, and alter the four hour stabilization period to be four or more hours. These amendments will provide manufacturers and test laboratories with superior test instructions and eliminate unnecessary testing expenses.

### **Battery Charger System Test Procedures**

The Energy Commission has helped develop a test method for battery charging systems for small and medium sized battery chargers through the Public Interest Energy Research (PIER) Program. Ecos Consulting and the Electric Power Research Institute, funded by PIER and Pacific Gas and Electric Company (PG&E), completed a draft of this comprehensive test method for California in late 2007, after four years of research, drafting, stakeholder meetings, and public comments. Most recently, this test method has been further revised and a test method specifically for larger “motive” battery charger systems (e.g., electric vehicles and industrial type battery chargers) has been developed.

Currently, California’s Appliance Efficiency Regulations do not include test procedures or efficiency standards for battery charger systems. The U.S. Environmental Protection Agency (EPA) has a test method for battery chargers that only measures standby and maintenance energy use, and does not include efficiency measurements during the charging mode. The Energy Commission’s proposed battery charger test procedures differ from the federal test procedures because it includes the requirement to measure efficiency during the charging

mode. The Energy Commission has found that this addition to the test method is a significant data parameter that could lead to a new efficient battery charging standard that has the potential to yield significant energy savings and that is both feasible and cost effective. Also, the proposed test procedure includes test methods for both small and medium sized battery chargers and for larger, motive battery charger systems. The scope of the test procedure includes a wide range of products from cell phones and toothbrushes to power tools and golf carts.

The Energy Commission proposes to adopt the “Energy Efficiency Battery Charger System Test Procedure, Version 2.1.4,” August 1, 2008, as submitted by PG&E/Ecos Consulting (see Staff Report, 2008 Appliance Efficiency Rulemaking, Phase 1, Part B). The proposed battery charger test procedure will be a voluntary program that the Energy Commission believes will lead to new battery charging efficiency standards that has the potential to produce significant energy savings in California.

### **Revisions and Updates Necessary for Consistency With Federal Law**

The Energy Commission’s Appliance Efficiency Regulations include standards, definitions, test methods, and other requirements for federally regulated appliances and adopts reference to those standards that originate from the federal regulations that are located in the Code of Federal Regulations (CFR). Since the CFR underwent a major update in 2005, federal standards, definitions, test methods, and other requirements have been added or changed and incorporated into various sections of federal regulations located in 10 CFR 430 and 10 CFR 431. These and other changes have been included in EISA 2007, signed into law December 2007. Because of the wide ranging additions and changes to federal laws and regulations, the Energy Commission’s Appliance Efficiency Regulations no longer reflect current federal standards and need updating.

To maintain consistency with federal standards and regulations, a thorough review of updated federal standards and regulations was necessary. Since these changes are already federal law, or will be on a specific date in the near future, corrections to California regulations must be made to be consistent with the federal law in order for California’s regulations to be valid and enforceable. The proposed changes are considered revisions for consistency with federal law and, under the California Administrative Procedures Act, are considered “changes without regulatory effect.”

With few exceptions, the majority of the changes proposed for this category are the result of a thorough review of 10 CFR 430 (2008), 10 CFR 431 (2008), and the EISA 2007. The remaining changes are incorporated to make the Appliance Efficiency Regulations internally consistent, complete and correct.

## **LIST OF DOCUMENTS INCORPORATED BY REFERENCE**

### **FEDERAL TEST METHODS**

CFR, Title 10, Part 430, Subpart B (2008)

CFR, Title 10, Part 430, Appendix B to Subpart F (2008)

CFR, Title 10, Part 431, Subparts B through W (2008)

CFR, Title 10, Part 431, Appendix A to Subpart K (2008)

### **AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)**

ANSI Z21.56-1994	Standard for Gas-Fired Pool Heaters
ANSI C78.21-1989	Incandescent Lamps – PAR and R Shapes
ANSI C78.21-2003	Incandescent Lamps – PAR and R Shapes
ANSI C78.81-2003	American National Standard for Electric Lamp Bases
ANSI C79.1-1994	Nomenclature for Glass Bulbs – Intended for Use with Electric Lamps
ANSI C79.1-2002	Nomenclature for Glass Bulbs – Intended for Use with Electric Lamps
ANSI-IEC C81.61-2003	American National Standard for Electric Lamp Bases
ANSI C81.61-2006	Specifications for Electric Bases
ANSI C82.2-1984	Fluorescent Lamp Ballasts, Methods of Measurement

### **ASSOCIATION OF HOME APPLIANCE MANUFACTURERS (AHAM)**

ANSI/AHAM HRF-1-2004	Energy Performance and Capacity of Household Refrigerators, Refrigerator-Freezers, and Household Freezers
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<b>ECOS CONSULTING</b>	Energy Efficiency Battery Charger System Test Procedure Version 2.1.4 dated August 1, 2008
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## **ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA)**

IESNA LM-16-1999

IES Practical Guide to Colorimetry of Light Sources

## **INTERNATIONAL COMMISSION ON ILLUMINATION (CIE)**

CIE Publication 13.3 1995

Method of Measuring and Specifying Colour Rendering Properties of Light Sources

## **NATIONAL ELECTRIC CODE (NEC)**

ANSI/NFPA 70 2002

National Electric Code 2002

NEC 410.4(A)

National Electric Code 2002

## **NATIONAL ELECTRIC MANUFACTURERS ASSOCIATION (NEMA)**

NEMA MG1-2006

Motors and Generators

NEMA Standard TP-1-2002,  
Table 4-2

Guide for Determining Energy Efficiency of Distribution Transformers

## **NSF INTERNATIONAL**

NSF/ANSI 51

Food Equipment Materials

## **OPTICAL SOCIETY OF AMERICA (OSA)**

Journal of Optical Society of America, Volume 58 (1986)

## **UNDERWRITERS LABORATORIES, INC. (UL)**

UL-1029(2001)

High-Intensity-Discharge Lamp Ballasts

## **FEDERAL LAW**

The proposed amendments do not conflict with federal law.

The proposed amendments are not mandated by federal law.

There are extensive federal regulations regarding appliance efficiency adopted by the Department of Energy that preempt similar regulations adopted by the Energy Commission. (See 42 U.S.C. Section 6291 et seq.; 10 CFR Parts 430, 441.) The proposed amendments regulate appliances that are not covered by these federal regulations.

Federal law has established tests procedures for battery chargers pursuant to 42 U.S.C. 6293, which is located in 10 CFR Section 430.23. Because such a federal test procedure exists, the Energy Commission is preempted from adopting and enforcing a test procedure for battery chargers. Therefore, the Energy Commission is proposing the adoption of voluntary test procedures in the Appliance Efficiency Regulations which will be used to collect data for incorporation in developing possible efficiency standards for battery charger systems at a future date, if found cost effective and feasible pursuant to Public Resource Code section 25402(c)(1).

## **OTHER STATUTORY REQUIREMENTS**

California law requires that the Energy Commission's appliance efficiency standards (1) apply to appliances that use a significant amount of energy on a statewide basis, (2) be based on feasible and attainable efficiencies or feasible improved efficiencies, and (3) be cost-effective based on a reasonable use pattern (i.e., not result in added total costs to the consumer, considering both any increased costs of the efficiency improvement and the reduced utility bill costs resulting from the improved efficiency, over the design life of the appliance). [Public Resources Code § 25402(c)(1).]

The California Lighting Efficiency and Toxics Reduction Act of 2007 (AB 1109) requires: "On or before December 31, 2008, the Energy Commission shall adopt minimum energy efficiency standards for all general purpose lights on a schedule specified in the regulations. The regulations, in combination with other programs and activities affecting lighting use in the state, shall be structured to reduce average statewide electrical energy consumption by not less than 50 percent from the 2007 levels for indoor residential lighting and by not less than 25 percent from the 2007 levels for indoor commercial and outdoor lighting, by 2018." [Public Resources Code § 25402.5.4]

## **LOCAL MANDATE**

The proposed amendments will not impose a mandate on state or local agencies or districts.

## **ECONOMIC AND FISCAL IMPACTS**

The Energy Commission has made the following initial determinations.

### **FISCAL IMPACT**

Costs Requiring Reimbursement. The proposed amendments will not impose on local agencies or school districts any costs for which Government Code sections 17500 - 17630 require reimbursement.

Other Non-Discretionary Costs or Savings for Local Agencies. Local agencies that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always recovered by reductions in electricity bills.

Costs or Savings for State Agencies. State agencies that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always recovered by reductions in electricity bills.

Cost or Savings in Federal Funding to the State. The proposed amendments will not result in any costs or savings in federal funding to the state.

### **EFFECT ON HOUSING COSTS**

There will be no significant effect on housing costs. The costs of owning and operating a home will decrease slightly as a result of lower electricity costs. Homeowners that purchase appliances subject to the proposed efficiency standards will have to pay increased purchase costs for those appliances; however, those costs will be more than made up by reductions in electricity bills.

### **SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE WITH BUSINESSES IN OTHER STATES**

The Energy Commission has made an initial determination that there will be no significant (or insignificant) statewide adverse economic, fiscal, or environmental impact directly affecting businesses, including small businesses, as a result of the proposed amendments, including the ability of California businesses to compete with businesses in other states.

Nevertheless, the Energy Commission invites interested persons to submit alternative proposals to lessen any adverse economic impact on business that might exist, which may include the following considerations:

- (i) Establishment of differing compliance or reporting requirements, or timetables that take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) Use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

### **IMPACTS ON THE CREATION OR ELIMINATION OF JOBS WITHIN THE STATE, THE CREATION OF NEW BUSINESSES OR THE ELIMINATION OF EXISTING BUSINESSES, OR THE EXPANSION OF BUSINESSES IN CALIFORNIA**

The proposed amendments will have no impact on the creation or elimination of jobs within the State, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California.

## **COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS**

Businesses and individuals that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always more than made up by reductions in electricity bills. The Energy Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

## **BUSINESS REPORTS**

The proposed amendments to Appliance Efficiency Regulations would require mandatory data submittal of energy efficiency data for manufacturers (i.e., Business Reports) to the Energy Commission about the appliances that they manufacture. (In California, there are few manufacturers of the appliances that would be added to the regulations by the proposed amendments.) The Energy Commission estimates that the annual reporting cost would be \$400 per manufacturer.

It is necessary for the health, safety, or welfare of the people of the state that the proposed regulations apply to business, for two basic reasons. First, the Legislature has required the Energy Commission to adopt efficiency standards, and the submittal of data is necessary to determine compliance with the standards. Second, the data required to be submitted will be used to increase consumer awareness, to complement utility efficiency programs, and for research, all of which will foster additional efficiency, which, in turn, will lead to economic, energy reliability, and environmental benefits.

## **SMALL BUSINESS**

Like all businesses, small businesses benefit from appliance regulations. Small businesses that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always more than made up by reductions in electricity bills.

## **ALTERNATIVES**

Before it adopts the proposed amendments, the Energy Commission must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective as and less burdensome to affected private persons than the proposed amendments. To date, the Energy Commission has found no alternatives to the proposed action that would be more effective, or as effective and less burdensome.

## **DESIGNATED CONTACT PERSONS**

Please contact the following person, preferably by e-mail, for general information about the proceeding or to obtain any document relevant to the proceeding, including the Express Terms, the Initial Statement of Reasons, the Form 399, and any other document in the rulemaking file:

Linda Franklin  
California Energy Commission  
1516 Ninth Street, Mail Station 25  
Sacramento, California 95814-5512  
Telephone: 916-654-4064 Fax: 916-654-4304  
E-mail: [lfrankli@energy.state.ca.us](mailto:lfrankli@energy.state.ca.us)

Please contact the following person, preferably by e-mail, for substantive questions:

Harinder Singh  
California Energy Commission  
1516 Ninth Street, Mail Station 25  
Sacramento, California 95814-5512  
Telephone: 916-654-4091  
Fax: 916-654-4304  
E-mail: [hsingh@energy.state.ca.us](mailto:hsingh@energy.state.ca.us)

The backup contact person for substantive questions is:

Melinda Merritt  
California Energy Commission  
1516 Ninth Street, Mail Station 25  
Sacramento, California 95814-5512  
Telephone: 916-654-4536  
Fax: 916-654-4304  
E-mail: [mmerritt@energy.state.ca.us](mailto:mmerritt@energy.state.ca.us)

Mr. Singh and Ms. Merritt also can assist in obtaining documents and in answering general questions.

### **PUBLIC ADVISER**

The Energy Commission has a Public Adviser whose function it is to assist the public in participating in Energy Commission proceedings. Please contact her if you have general questions about how to function effectively in the rulemaking:

Elena Miller, Public Adviser  
California Energy Commission  
1516 Ninth Street, Mail Station 12  
Sacramento, California 95814-5512  
Telephone: 916-654-4489  
Fax: 916-654-4493  
E-mail: [pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)

## **NEWS MEDIA INQUIRIES**

News media inquiries should be directed to Media and Public Communications Office at (916) 654-4989, or by e-mail at [[mediaoffice@energy.state.ca.us](mailto:mediaoffice@energy.state.ca.us)].

## **AVAILABILITY OF THE TEXT OF THE PROPOSED AMENDMENTS (EXPRESS TERMS), THE INITIAL STATEMENT OF REASONS (ISOR), AND THE INFORMATION UPON WHICH THE PROPOSAL IS BASED (RULEMAKING FILE)**

The first action to take to obtain documents in this rulemaking proceeding is to visit the Energy Commission's appliance efficiency website at [[www.energy.ca.gov/appliances](http://www.energy.ca.gov/appliances)].

The website will have all of the documents prepared by the Energy Commission, including the Express Terms of the proposed amendments (written in plain English and set forth in a format that indicates both the existing text and the proposed text), the Initial Statement of Reasons, and all documents relied upon by the Energy Commission, as well as most of the other documents in the rulemaking file.

The Express Terms and the Initial Statement of Reasons are also available at no cost from the contact person, Linda Franklin (see above).

The Energy Commission's Docket Office has available all of the documents in the rulemaking file; for copies, please contact:

Docket Office  
California Energy Commission  
1516 Ninth Street, MS 4  
Sacramento, California 95814-5504  
916-654-5076

## **AVAILABILITY OF MODIFIED AMENDMENTS (15-DAY LANGUAGE)**

At the **October 22, 2008** adoption hearing, the Energy Commission may adopt the proposed amendments substantially as described in this NOPA. If modifications are made, and they are sufficiently related to the originally-proposed amendments, the full modified text with changes clearly indicated will be made available to the public at least 15 days before the Energy Commission adopts the amendments. A notice of the availability of any such text will be placed on the Energy Commission's website and will be mailed to all persons to whom this notice is being mailed, who submitted written or oral comments at any hearing, who submitted written comments during the public comment period, or who requested to receive such modifications. In addition, copies may be requested from the contact person named above and from the Docket Office. The Energy Commission will accept written comments on any such modified text for at least 15 days after the text is made available to the public. Adoption of the 15-Day language will be considered at a public hearing scheduled in the notice of availability.

## **FINAL STATEMENT OF REASONS**

The Energy Commission will prepare a Final Statement of Reasons on the amendments, responding to all relevant comments made during the proceeding. The Final Statement of Reasons will be available from the contact person named above and from the Docket Office, and will be posted on the Energy Commission's website.

## **INTERNET ACCESS**

Documents prepared by the Energy Commission for this rulemaking, including this NOPA, the Express Terms, the ISOR, and most other documents in the rulemaking file, will be posted on the Energy Commission's website, [<http://www.energy.ca.gov/appliances>].

**Note:** The California Energy Commission's formal name is the State Energy Resources Conservation and Development Commission.