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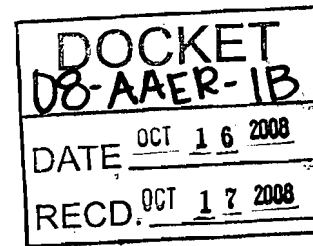
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October 16, 2008

Honorable Karen Douglas  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814



Re: Docket# 08-AAER-1B

Dear Commissioner Douglas:

Pillsbury represents ADT Security Services, Inc., Sensormatic Electronics Corporation, and Tyco Safety Products Canada, Ltd. All three companies are market leaders in the security, surveillance, and life safety industries. We support and are compliant with federal and California standards with respect to external power supplies and are participating in the Department of Energy Rulemaking on Test Procedures for Battery Chargers and External Power Supplies.

On October 22, 2008, the Commission is proposing to vote on amending its Appliance Efficiency Regulations. According to the Notice of Proposed Action issued August 29, 2008, one reason for the proposed changes was the passage of the Energy Independence and Security Act of 2007 (EISA 2007) which was signed into law in December 2007. As the Notice of Proposed Action noted, "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."

Among the changes necessitated by the passage of EISA 2007 are numerous provisions relating to external power supplies. Among other things, the new proposed regulations include (1) a definition of Class A external power supply (which is identical to that in EISA 2007), (2) standards for external power supplies, and (3) test procedures for external power supplies. However, the proposed regulations are not consistent with federal law to the extent that they do not include a definition of external power supply. This may simply have been an oversight, since the federal

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definition of external power supply was amended not by EISA 2007 but by the Energy Policy Act of 2005:

“The term external power supply means an external power supply circuit that is used to convert household electric current into DC current or lower-voltage AC current to operate a consumer product.”

42 U.S.C. § 6291(36)(A).

The term “consumer product” means any article which “is distributed in commerce for personal use or consumption by individuals . . .” 42 U.S.C. § 6291(1).

We have observed that California is a leader in energy efficiency and closely aligned to federal energy efficiency and independence goals. Though the definition of “consumer” is included in the California code with the same wording as in the federal act, it is not tied to external power supplies as it is in the federal act. We believe this is an oversight and would like California to include this clarifying language in the update.

Accordingly, in order to be consistent with federal law, we urge that the Commission amend the proposed regulations by including the definition of external power supply quoted above.

Very truly yours,



Michael S. Hindus

cc: William Chamberlain  
Betty Chrisman