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**DOCKET**

**09-AAER-1C**

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October 21, 2009

Arthur Rosenfeld, Commissioner  
Julie Levin, Commissioner

California Energy Commission  
1516 Ninth Street, M/S 4  
Sacramento, CA 95814.5504

Re: Docket No. 09-AAER-1C, Television Efficiency Standards.

Dear Mr. Rosenfeld & Ms. Levin,

I appreciate the opportunity to submit the following comments regarding the California Energy Commission's proposal to regulate televisions sold in this state starting in 2011.

As the Principal and VP of Technical Programs at Advocates for Responsible Energy Consumption, and with nine years of experience in the fast paced, high volume, cost sensitive, consumer electronics industry, I have followed and contributed to energy efficiency proposals and standards, specifically for Set Top Box products. I am now concerned that regulations proposed by the California Energy Commission pertaining to television energy efficiency, while having good intentions to reduce the consumption of electricity, will most likely result in a broad negative impact on future technology innovation and consumer choice.

One favorite argument I hear, that is used by supporters of this regulation, is to compare the proposed television regulations to the current situation with refrigerators, and how regulations have not impacted this segment of the consumer market. I suggest otherwise. This is an example of how technology innovation has not aggressively advanced to the benefit of the consumer. While there are improvements to making refrigerators more energy efficient and environmentally friendly, no alternate technology breakthroughs are available for the consumer, except for niche markets such as wine coolers. I ask, where are the full-size solid-state and/or alternative technology refrigerators?

Regulation is one good reason why meaningful innovation for televisions will likely follow a similar path to refrigerators. In fact, a valid point presented by the Consumer Electronics Association at the hearing on October 13, 2009, is to consider display technologies that would be around today if energy consumption regulations were in effect 8 years ago. Most likely we would not have large-screen Plasma, LCD, or LED televisions in our homes, with advantages of saving space and improved video

performance. We would still be watching programs on energy efficient rear projection or cathode ray tube type televisions!

Another key aspect of the proposed regulation is that it does not support responsible consumer choice. Having **mandatory** regulations, as proposed by the California Energy Commission, potentially undermines efforts of the **voluntary** ENERGY STAR® program, by setting limits for all televisions to a more relaxed level compared to those defined for ENERGY STAR® 4.0 and 5.0 standards. Will this have a negative effect on market dynamics by tacitly encouraging retail outlets to not sell ENERGY STAR® labeled TVs, if the product only has to meet the California limits? Perhaps this needs to be investigated, or could it prove there is no advantage to the proposed regulations in allowing voluntary mechanisms to take place?

We do need to change our energy consumption behaviors by considering other simple daily choices, such as switching off unused appliances and lighting in our homes and offices. I realize that having mandatory regulations for televisions is an easy and attractive approach, supporting the commission's belief in potential savings, but I really suggest there will be a market dynamic that has not yet been considered.

As an advocate for consumer responsibility in regard to energy consumption, I fully support **voluntary** standards such as the ENERGY STAR® program by using effective and proactive consumer education. This would allow the State of California to champion a consumer friendly position for the residents of this State, as well as support the television manufacturer in driving future technology innovations, and still achieve the goal of reducing energy consumption for California.

Sincerely,

*Robert E Newell*

Robert E. Newell

Principal and VP of Technical Programs,  
Advocates for Responsible Energy Consumption