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March 1, 2011

Mr. Robert B. Weisenmiller, Ph.D.  
Chairman  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: **CEC's Rulemaking on Battery Chargers**

Dear Chairman Weisenmiller:

We, the undersigned organizations, are writing as a follow up to the comments we submitted to the Energy Commission on November 4, 2010, regarding the Commission's proposed appliance efficiency standards rulemaking for battery chargers. Collectively, we represent more than 34,000 companies and businesses in several industry sectors which design, make or sell battery chargers for a wide range of consumer and commercial products and systems.

Just a few days ago, the Commission announced another workshop regarding battery chargers scheduled March 3, 2011. This action suggests that the Commission is continuing its pursuit of regulations for battery chargers despite outstanding stakeholder questions and concerns. We would like to reinforce several of our key issues and concerns, which are described in further detail in our November 2010 comments to the Commission:

- **The Energy Commission's broad pursuit of battery charger regulations is unnecessary and wasteful given U.S. Department of Energy's rulemaking on battery charger systems already underway.** The Commission's pursuit of regulations for battery chargers is unnecessary in light of the federal rulemaking, and it is also wasteful to the extent that California taxpayer and ratepayer money would be spent on the development of superfluous California regulations.
- **The Energy Commission's development of regulations which are already being developed at the federal level would create unnecessary cost and compliance burdens for the marketplace and could negatively impact product usage and technology choices.** The Commission's approach suggests the potential for re-regulation, or double-regulation, of external power supplies that are already covered by energy efficiency regulations at the national level due to the Energy Independence and Security Act of 2007. For manufacturers to meet two sets of regulatory requirements within a narrow time frame is unnecessarily disruptive to the marketplace and would present serious cost impacts on a variety of businesses within our industries and presumably others.
- **The Energy Commission is relying on a Pacific Gas and Electric Company (PG&E)/Ecos Consulting CASE (Codes and Standards Enhancement Initiative) report that lacks technological and economic rigor and suffers from many of the shortcomings present in similar reports used to advance other regulations before the Commission, including stale and out-of-date data.** Moreover, the Commission's pursuit of regulations for battery chargers based on outdated data artificially inflates the estimated energy "savings" from regulation, which in turn would present misleading claims to policy makers and the public regarding the Commission's contributions to California's energy savings and greenhouse gas emissions reduction goals.
- **Answers to questions presented during the Energy Commission's conference call on October 26, 2010, are needed to inform further comments on the PG&E/Ecos Consulting CASE report.** Many of these questions were included in a list submitted to the Commission by the Association of Home Appliance Manufacturers on November 1, 2010. To date, neither the Commission nor the consultants it is relying upon have responded.
- **The Energy Commission's reliance on information from biased interests continues to be a concern, in addition to the lack of openness and transparency regarding documents that were the subject of the Commission's public workshop on October 11, 2010.** As witnessed in recent appliance efficiency standards rulemakings, the Commission is again relying on information from parties with a biased advocacy interest to steer the Commission's energy efficiency policy activities, including the Commission's actions regarding battery chargers. In addition, we continue to be

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concerned about the lack of openness and transparency surrounding the CASE report, which began with Commission's October 2010 workshop, and continues with the lack of response to stakeholder questions regarding the CASE report. For example, when asked about the lack of response by PG&E and its consultant, the Commission stated that it did not control PG&E and thus was incapable of getting answers to questions.

We reiterate that the U.S. Department of Energy (DOE) is already engaged in a rulemaking on battery chargers which it must complete by July 2011. We are mindful of the need to save energy in California and across the United States. But the most cost-effective and efficient way to accomplish that goal in this case is through a thorough a federal rulemaking, and not through two parallel rulemakings at the state and federal level on essentially the same timeline for the same products. Dedicating taxpayer and ratepayer money and other resources to a California rulemaking that will soon be superseded by DOE is not a prudent use of the Commission's (or anyone's) resources, especially as we struggle to improve the economy. Therefore, the Commission should not continue with this rulemaking process for battery chargers that are the subject of the DOE rulemaking.

Sincerely,

**Association of Home Appliance Manufacturers**

**California Manufacturers and Technology Association**

**California Retailers Association**

**Consumer Electronics Association**

**Consumer Electronics Retailers Coalition**

**CTIA - The Wireless Association®**

**Power Tool Institute**

**PRBA - The Rechargeable Battery Association**

**TechAmerica**

**Toy Industry Association**

cc: Senator Darrell Steinberg, Senate President pro Tem  
Senator Alex Padilla, Chair, Energy, Senate Utilities and Communications Committee  
Assemblymember Steven Bradford, Chair, Assembly Utilities and Commerce Committee  
Commissioner Karen Douglas  
Commissioner Anthony Eggert