

# DOCKET

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THOMAS ASSOCIATES, INC. EXECUTIVE MANAGER



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February 25, 2011

Via E-Mail

Mr. Harinder Singh  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

[hsingh@energy.state.ca.us](mailto:hsingh@energy.state.ca.us)

Re: Docket No. 09-AAER-02; Battery Charger Proceeding Data Request

Dear Mr. Singh:

The Power Tool Institute, a trade association representing North American power tool manufacturers is providing comment to you as directed by the letter dated January 31, 2011 from Michael Leason, requesting additional information to guide the commission. In an effort to meet this request, PTI is willing to share data from our members with the CEC with a few considerations:

1. Data will be collected from member companies and de-identified before being submitted to Commission staff.
2. To insure that the data meets the needs of Commission staff, we would require a meeting with staff to discuss the format and assumptions of the data. Since one of the elements requested is manufacturer cost data, it is very important that the intended application of this data is clearly understood, so that we can provide meaningful information.

We believe that the foregoing are essential in providing meaningful manufacturer input while assuring confidentiality to sensitive information. PTI members have a continuing history of supporting battery charger energy efficiency rulemaking in California as well as other jurisdictions through responsible advocacy that we intend to continue.

We realize that our method of collecting data may not support the Commission's aggressive timeline for promulgating a rule, but we believe the resulting regulation would

be greatly improved by careful consideration of this information. Developing a rule based upon incorrect information does not serve the interests of the public or other stakeholders. We believe if the commission is truly interested in obtaining and reviewing manufacturer data, then they should be willing to expend the necessary time and care to insure that all their assumptions are correct.

We recognize that the CASE document provides recommendations for both “large” industrial chargers and smaller consumer chargers. The larger chargers do not represent PTI products and therefore we cannot comment responsibly on this category. However, as Commission staff knows, the US Department of Energy is in the final phase of developing regulations for the energy efficiency of the smaller chargers. As we have commented in the past, there seems to be no benefit in generating a California regulation to cover those very chargers that will be shortly preempted by a federal rule. Commission staff rationale for pursuing this course of action, i.e. “to inform the DOE” seems to be unrelated to any public benefit. Moreover the CASE document fails to consider the limited consumer payback over the brief period of this rule’s existence. Since the CASE proposal is fundamentally different then the proposal advanced in the DOE TSD, there is no assurance that manufacturers, in pursuing one standard, would necessarily fulfill the other.

During the staff workshop where the CASE document was first presented, stakeholders raised a number of important questions that were not answered at that time by the Ecos/PG&E representative or Commission staff. Stakeholders were promised responses to these questions in sufficient time for this information to be digested and incorporated into Stakeholder comments. Both AHAM and PTI followed up on these questions with written requests to no avail. Many of these questions were related to Ecos’s and PG&E’s contention that their proposal fulfills the California requirements for consumer benefit, for example, that the proposed standard could be met with a “five-cent part”. We note that there have been some responses to stakeholder comments in the Draft Staff Report published a few days ago, but this still leaves many important questions unanswered that were brought up at the staff workshop.

In short, Commission has not provided sufficient time for meaningful stakeholder participation in developing an appropriate energy efficiency standard for consumer battery charging systems. By depriving competent, responsible stakeholders of the opportunity to participate, the Commission also ultimately deprives the residents of California with realizable, cost effective energy benefit.

Thank you for affording us the opportunity to comment on this important issue.

Sincerely,

Larry Albert