PHILIPS

Philips Electronics North America Corporation

March 15, 2011

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09-AAER-2	
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California Energy Commission
Docket Office, MS-4
Re: Docket No. 09-AAER-2
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5504

RE: Docket No. 09-AAER-2

Dear Commissioners:

Philips Electronics sells personal care, consumer electronic, emergency lighting and medical products that use battery chargers. We have provided comments for a number of CEC rulemakings regarding battery chargers and external power supplies. Philips is a member of AHAM. CEA, NEMA, Advamed and the Wireless Power Consortium. We want to emphasize a few attached comments that are of particular importance to Philips Electronics.

Thank you for consideration of our comments. Please let me know if you have any questions concerning them.

Sincerely,

Ric Erdheim

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Emergency Lighting

The staff proposal would establish a separate category for emergency signs although other types of emergency lighting would continue to fall under the general staff proposal for small products.

There are three preliminary issues to consider regarding emergency lighting.

1. Unlike many if not most of the other products that the staff recommendation would regulate, emergency lighting products are heavily regulated life safety products. As such, the CEC should be overly cautious in proposing a regulation without a thorough understanding of the products and the potential impacts of the proposal on life safety.
2. Unlike most of the other CEC proposed regulated products, the Department of Energy regulation of battery chargers will not cover emergency lighting products. As such any DOE action will not preempt the CEC from issuing its own regulations. This means that the CEC does not face the same time constraints for emergency lighting as it feels it has for other products.
3. At the March 3 workshop the CEC staff provided information about the cooperative process it had with the National Electrical Manufacturers Association and its members to address a lighting controls regulation. This is just one of numerous examples of such cooperation. We believe that the CEC should use a similar process to work with NEMA in a separate process to address emergency lighting and remove the proposal to regulate emergency lighting from this rulemaking.

As a result NEMA has contacted the CEC to further discuss the technical merits of this issue. We would note that we don't believe that the CEC has responded to most of our previous comments regarding the effect of the proposal on emergency lighting. We would hope that having a separate dialogue would allow the CEC time to understand the scope of emergency lighting products.

Inductive Charge

We believe that the proposed standard for inductively charged products in a wet environment found on page 25 of the draft staff report requiring limiting energy use to 1 watt in charge, maintenance and no battery power and not establishing a power factor is achievable within the proposed time frame for products tested at 120 volts but we have significant reservations regarding the achievability of this standard for products tested at 230 volts. The EU has horizontal requirements going into effect in 2013 that regulate standby and off mode energy use. We are currently making changes to our chargers to meet the 2013 European standby power requirements (.5W in standby). This change may result in our products complying with the proposed CEC regulations. However, we need to test per the CEC test procedure to determine if we meet the requirements at 230 volts.

Since no products will be sold in California using 230 volts, this CEC requirement may result in our inability to sell product in the state because of the voltage system used in Europe. We strongly encourage the CEC to limit the standard for inductive charge to products tested at 120 volts.

Medical Products

Philips supports the CEC staff proposal to exempt products regulated by FDA from the scope of the rulemaking for the reasons we provided in our November 2010 comments.

Wireless Power

In our November comments we said the following:

"Wireless power is a new technology for which technology standards are being developed to provide for a common platform. This proposed standard addresses standby power. We understand that because this is a new technology the study does not address. We are concerned, however, that the CEC might inadvertently take regulatory action that could have the unintended effect of stifling this new technology. Complicating the issue is that we do not believe that a wireless charger is either an external power supply or a battery charger but we understand that others might be some confusion on this issue."

We do not see anything in the staff report or presentation that addresses the comments we made at that time. As a result we reiterate our concerns and urge the CEC to provide a response.

Usage Patterns

We continue to raise our concern that the CEC needs to consider that many products are infrequently charged and as a result have little power for energy savings resulting in an unfavorable payback period. The Department of Energy has developed proposed usage patterns for close to sixty products with battery chargers. According to DOE data eighteen of these products are plugged into the mains on average 1 hour or less a day. Another eight are plugged into the mains on average less than half a day and only nineteen are plugged in all the time.

The CASE study, however, would propose to regulate infrequently charged products to the same extent as continuously charged products. The CEC staff report continues to quote an old study that says personal grooming products are connected to the mains 100% of the time. This makes no sense. ECOS staff says that data does not exist to distinguish these products. In other words, its proposed approach is to have the CEC stick its head in the sand and ignore common sense and existing DOE data.

Philips continues to urge the CEC to treat infrequently charged products in a separate class or classes to reflect the lack of energy savings potential for these products and the resulting long payback to increase the efficiency of these products.

Product Categories

During the workshop I raised the issue that the CEC staff proposal arbitrarily and inappropriately lumps almost all small products together in one product category notwithstanding the differences in the products. On page 9 of the CEC Staff Report the CEC contrasts the CEC's proposed three categories to the draft DOE ten category system. But this comparison is highly misleading. One of the three CEC proposed categories is large non consumer products not addressed by the DOE. A second category, inductive charge, is found in both the DOE and CEC proposals. While the DOE proposed eight to nine categories to regulate non inductively charged small consumer products, and AHAM and Philips argued that even this was not adequate, the CEC proposes one category for all non inductively charged consumer products. Such a lumping of such a wide variety of products with extensive differences results in averaging that will have an unacceptable affect on certain products. A person can drown in a river with an average depth of one foot if they are in the part of the river where the depth is ten feet. We urge the CEC to group products into appropriate categories, not just lump all small non inductive products into one category.