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09-AAER-2

DATE May 31 2011

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California Energy Commission
Dockets Office, MS-4
Re: Docket No. 09-AAER-2
1516 Ninth Street
Sacramento, CA 95814-5512

RE: 2011 Rulemaking Proceedings Phase II on Appliance Efficiency Regulations (Docket No. 09-AAER-2)

This letter constitutes the comments of the Appliance Standards Awareness Project (ASAP) in response to the California Energy Commission (CEC) request for comments on appliance efficiency standards for battery chargers. ASAP is a coalition group dedicated to advancing cost-effective energy efficiency standards for appliances and equipment. ASAP works at both the state and federal levels and is led by a steering committee with representatives from consumer groups, utilities, state government, environmental groups, and energy-efficiency groups. We appreciate the opportunity to provide input into this important process, and we strongly support the CEC moving forward with this rulemaking. Energy efficiency standards for battery chargers have the potential to yield significant energy savings and electricity bill savings and to influence the outcome of the U.S. Department of Energy (DOE) battery charger rulemaking. Below we outline the significance of this rulemaking in the context of the DOE rulemaking.

The scope of coverage of the CEC rulemaking is broader than the scope of the DOE rulemaking. The proposed CEC scope of coverage includes battery chargers for both consumer and non-consumer products while DOE only has the authority to set standards for battery chargers for consumer products. Non-consumer battery chargers include chargers for lift trucks, handheld barcode scanners, and two-way radios. Standards for battery chargers for non-consumer products will achieve long-term energy savings for California.

California has the opportunity to accrue savings from standards for battery chargers for consumer products before the DOE standards take effect. California has established aggressive goals for reducing energy consumption and greenhouse gas emissions. The 2008 update to the Energy Action Plan notes that meeting the AB 32 goals will require “unprecedented levels of energy efficiency investment” and that next steps in the action area of energy efficiency include “additional, more stringent, codes and standards for appliances and buildings and the associated technology and design research and development to support them.”¹

¹ 2008 Update: Energy Action Plan. <http://www.energy.ca.gov/2008publications/CEC-100-2008-001/CEC-100-2008-001.PDF>.

The Public Utilities Commission (PUC) and the CEC also aim to achieve zero-net-energy homes by 2020 and zero-net-energy commercial buildings by 2030.

Plug loads represent a growing portion of residential and commercial energy use. Therefore, strategies to reduce energy use from plug loads, including battery chargers, will become increasingly important for meeting the zero-net-energy goals and the statewide goals for reducing energy consumption and greenhouse gas emissions. Based on the proposed effective date for consumer battery chargers, California would accrue at least one year of savings before the effective date of the DOE standards. The savings from the first-year sales of consumer battery chargers will continue to accrue for the life of the products, which is as long as 10 years for products such as golf carts and portable lighting.

It is also important to consider that while DOE is required by statute to publish a final rule for standards for battery chargers by July 1, 2011, DOE has yet to publish a proposed rule.² DOE has recently missed its statutory deadline for publishing amended standards for residential refrigerators and freezers. The final rule deadline for refrigerators was December 31, 2010, and as of May 31, 2011 a final rule has still not been published. We encourage the CEC to proceed with this rulemaking for both consumer and non-consumer battery chargers as the timeline and outcome of the DOE rulemaking are still uncertain.

A strong California standard for consumer battery chargers could potentially result in a stronger national standard than what might otherwise be achieved. Historically, DOE has often followed California's lead in establishing appliance efficiency standards. The proposed CEC metrics would ensure energy savings regardless of how a particular product is operated in the field by requiring battery chargers to operate efficiently in all three modes—charge, maintenance, and no-battery. The combination of a 24-hour charge and maintenance efficiency standard and a limit on the sum of maintenance and no-battery power for consumer battery chargers would ensure that energy savings from more-efficient chargers are realized in the field regardless of how an individual consumer uses any given product.

In contrast to the proposed CEC efficiency metrics, in the preliminary analysis released by DOE in September 2010, DOE used an annual energy use metric to evaluate candidate standard levels (CSLs).³ Assumptions about duty cycles are clearly necessary for evaluating the cost-effectiveness of proposed standards and potential savings, and the analysis conducted by CEC staff has applied duty cycles in these calculations. However, a standard based on annual energy use where the metric itself incorporates duty cycles is not appropriate for a product like battery chargers given the tremendous variation in duty cycles among different products and among different users of a given product. DOE could follow the CEC approach and establish efficiency metrics that would at least more closely resemble the proposed CEC metrics to better ensure

² According to the website of the Office of Management and Budget (OMB), as of May 31, 2011, OMB had yet to receive a proposed rule for review.

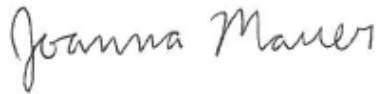
³ U.S. Department of Energy. 2010. Preliminary Technical Support Document: Energy Efficiency Program for Consumer Products and Commercial and Industrial Equipment: Battery Chargers and External Power Supplies. http://www1.eere.energy.gov/buildings/appliance_standards/residential/pdfs/bceps_preanalysis_tsd.pdf.

energy savings in the field. We, along with other stakeholders, proposed an approach to DOE in written comments last fall that would more closely resemble the CEC approach.⁴

We would hope that if California sets standards for battery chargers that achieve significant cost-effective energy savings using readily-available technology, DOE would establish standards that are no less stringent. Therefore, California standards would not only achieve long-term energy savings for the State from non-consumer battery chargers, but could also yield additional long-term energy savings for both California and the nation beyond what otherwise might be achieved due to the potential for California standards to positively influence the outcome of the DOE rulemaking. In addition, California standards for consumer battery chargers would likely spur efficiency improvements in the market that could have long-term energy-saving benefits regardless of the ultimate DOE standards.

Thank you very much for considering these comments.

Sincerely,

A handwritten signature in dark ink that reads "Joanna Mauer". The script is cursive and fluid, with the first name "Joanna" and last name "Mauer" clearly distinguishable.

Joanna Mauer
Technical Advocacy Coordinator

⁴ Comment ID: EERE-2008-BT-STD-0005-0047.1.
<http://www.regulations.gov/#!docketDetail;dct=FR+PR+N+O+SR+PS;rpp=10;po=70;D=EERE-2008-BT-STD-0005>.