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DOCKET

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California Energy Commission
Docket No. 11-AAER-2
Docket Unit
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5504

Re: WattStopper Comments for Docket No. 11-AAER-2: Proposed Amendments to Appliance Efficiency Regulations

WattStopper respectfully submits its comments for Docket No. 11-AAER-2. Our comments are specific to the 45-day Title 20 language for self-contained lighting controls. As noted in the Docket, the purpose of the lighting controls language is to ensure that only self-contained lighting controls that comply with applicable standards are sold or offered for sale in California. Overall, we support shifting the device requirements from Title 24 to Title 20. WattStopper commends the Commission for making this change, and we recognize that it was not a trivial task. Our comments are as follows:

Comment 1. Section 1602.I. Definitions.

The proposed Title 20 definition section introduces five product categories for “Occupant Sensing Devices” that include Occupancy Sensor, Vacancy Sensor, Motion Sensor, Partial-on, and Partial-off. The first four types (Occupancy Sensor, Vacancy Sensor, Motion Sensor, Partial-on) are all existing product types currently made by many manufacturers, and certifiable for sale in California. We’re assuming that the Partial-on device is actually the “Multi-Level Occupancy Sensor” that can be used in Title 24 for a Power Adjustment Factor. We have no issues with these definitions, or with listing them as sub-categories under the Occupant Sensing Devices. We do, however, disagree that the “Partial-off” subcategory warrants its own definition as a product category.

It’s WattStopper’s position that Partial-off is not an individual, self-contained lighting control product, but is a description of specific sequences of operation required by Title 24. These sequences of operation are mandatory and described in Title 24 Section 130.1(c.6) and 130.1(c.7) for specific applications. Partial-off operation is described in Section 130.1(c.6) for warehouse aisle ways and open areas, library stack aisles, corridors, and stairwells; and in Section 130.1(c.7) for stairwells, parking garages, and common area corridors for multi-family and hospitality. The requirements in Section 130.1(c.6) require partial-off operation together with automatic shut-off, and those in 130.1(c.7) require partial-off operation without automatic lighting shut-off. As written, these requirements are performance-based and define specific required sequences of operation and control functionality for specific applications.

By listing performance requirements as definitions for partial-off, we believe that the Commission has unwittingly defined a product that doesn’t exist. In our opinion, this will cause confusion in the market when designers are specifying products, and when manufacturers certify. Our preference is to see this



language modified; and if not, we hope that anomalies are addressed as exceptions in Title 24, and that the User's Manual contains specific guidance for applications of these subcategories.

Comment 2. Section 1605.3(l)(2.G.1.f) Self Contained Lighting Controls. Occupant Sensing Devices.

Section 1605.3(l)(2.G.f) requires that "Occupant sensing devices that are certified as having manual-on functionality shall not be capable of conversion by the user between manual and automatic on/off functionality and shall not incorporate DIP switches or other manual means of conversion between manual and automatic functionality." This language should only refer to vacancy sensors. Meeting this requirement will not be a problem for existing residential vacancy sensors because they were designed to meet these specific criteria, as required in the current Title 24 language.

Meeting these criteria will be problematic, however, for most existing devices that are commonly used in commercial applications, because commercial sensors are commonly designed to be field or factory configurable to meet a variety of customer and code needs. If this language is not revised and remains broadly applicable, then existing field-configurable devices (i.e. those that can be configured to be an "occupancy sensor," "vacancy sensor," or a Partial-on sensor), could only be certified as occupancy sensors, and therefore could not legally be used as a partial-on or complete manual-on occupant sensor, or sold as such, in the State. This means that every manufacturer who makes products that are factory or field configurable will be forced to offer wall switch occupancy sensors that are manual-on only, and ones that are auto-on only, just to meet the requirements for California. Since the rest of the country still allows configurable devices, manufacturers will need to add specific "California-compliant" products to their product lines, rather than re-certifying existing products as compliant. This will be a significant burden to place on the manufacturers.

If the decision is made to keep the language as-is, then the language should be written to make it absolutely clear that dip switches can still be used to convert a pole that is auto-on to manual-on, so that a two-pole occupancy sensor could be configured as automatic-on to 100%, 50%, or as completely manual-on. The user of these devices should always have the option of being able to increase their energy efficiency (by turning less light on automatically) if they so choose. Also, it should be made clear that the phrase "dip switches or other manual means" applies only to elements on the device itself, and not to elements allowing the device to be programmed remotely.

Comment 3. 1605.3.I.2.G.1.g. Occupant Sensing Devices incorporating Dimming

The 45-day language requires any "Occupant Sensing Device" incorporating dimming to automatically turn on to no more than 50% of the full lighting load. This requirement should only be applied to products used to meet the "Partial-on" requirement, not to all 'occupant sensing devices.' For example, a wall switch dimming occupancy sensor providing automatic-on, automatic-off, and dimming, should be able to automatically return the lighting to its previously set level when the occupant re-enters the room. If left unchanged, then existing occupancy sensors such as those incorporating a linear slide dimmer control cannot be used to meet this requirement, cannot be certified, and cannot be sold in the State.

Comment 4. Consideration of Impact on Utility Rebate Program Offerings and SB454

California SB454 authorizes the Commission to establish an administrative enforcement process, which includes the possibility of petitioning the court to assess civil penalties for violations of the Appliance Efficiency Standards. It also prohibits utilities from offering rebates or incentives for products that don't meet the Standards. As pointed out in Comments 2 and 3, we believe that some of the proposed changes will result in limiting the re-certification of current Title 24 compliant products; thereby reducing the product



options for rebate programs. We ask that as the Commission considers our comments, that they also consider the resultant impact on product choices for utility market transformation and rebate programs.

Overall, WattStopper supports the Title 20 intent. We are concerned that items discussed above will have problematic unintended consequences impacting manufacturer's product lines, and will redefine industry-accepted definitions for lighting controls. If these issues aren't addressed, manufacturers will need to change their product lines to meet these new California requirements. We believe this is overreaching and can be remedied with simple revisions to the proposed language.

Respectfully submitted,

A handwritten signature in black ink that reads "Dorene Maniccia". The signature is fluid and cursive.

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