

December 26, 2011

California Energy Commission
Docket No. 11-AAER-2
Docket Unit
1516 Ninth Street
Sacramento, CA 95814

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| DOCKET | |
| 11-AAER-2 | |
| DATE | Dec. 26 2011 |
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RE: TECH INDUSTRY COMMENTS TO THE CALIFORNIA ENERGY COMMISSION REGARDING 15-DAY LANGUAGE ON PROPOSED APPLIANCE EFFICIENCY REGULATIONS (BATTERY CHARGER SYSTEMS) -- [Docket Number 11-AAER-2]

The Technology Association of America (TechAmerica) and TechNet welcome the opportunity to comment on the recently released 15-day language of the California Energy Commission's (CEC) proposed amendments to its Appliance Efficiency regulations (Title 20, California Code of Regulations, Section 1601 through Section 1608) to create efficiency standards for battery charger systems.

First, we appreciate and support the recent changes made to the proposed regulation regarding USB charger systems. We believe that the amendments will properly allow for the continued growth of mobile technology products that utilize USB external power supplies and the associated environmental benefits of such charging systems.

Additionally, we appreciate and support the added flexibility in compliance options for companies with regard to labeling.

However, we continue to have significant concerns over several issues identified in our previous letter to the CEC (dated November 21, 2011) that were not addressed by the 15-day language released on December 14, 2011. We feel these issues continue to merit serious consideration by the CEC. To that end, we have identified several changes which address these concerns, which would improve the regulation, and enable innovation in the areas of battery charging and battery technology.

Inductive Charging

We continue to believe that it is critical that the CEC exempt from the proposed regulations loosely-coupled wireless charging systems that are under active development by a number of our member companies. We respectfully request that this exemption be implemented by limiting the regulation of inductive charging systems to the only type of wireless charging systems that the CEC considered during its rulemaking process, namely, tightly-coupled inductive charging systems.

New loosely-coupled wireless charging systems offer many public interest benefits for they will allow a consumer to simultaneously and independently charge multiple devices, such as a cell phone, a handheld gaming device, and a pair of hearing aids, by placing them in any position on a charging pad or some other properly equipped surface. In this way, these new systems will eliminate the need to have

separate power adapters for each device and will help to ensure that electronic devices will function when they are needed most, such as during emergency situations.

Without the requested relief, the CEC would effectively delay the introduction of these new, highly useful systems in California or, even worse, prevent them from ever being sold in California. The requested exemption is essential because the proposed regulations broadly cover all types of inductive charging systems, including loosely-coupled wireless charging systems that are not yet on the market. Accordingly, we request that the CEC limit its rules for wireless charging systems to tightly-coupled inductive charging systems in order to allow continued development of loosely-coupled wireless charging technology.

Network Backup Batteries

We also seek clarification that network backup batteries are exempt from these rules. While we believe the CEC's intent was to exempt backup batteries based on the existing 6 exemptions listed – we request clarification on this point. Such backup batteries are critical and have to be able to operate at full capacity at a moment's notice, thus they cannot be put into deep sleep mode.

Below are two proposed alternatives that would alleviate this concern. First, the CEC could revise exclusion (4) as follows (new language in red):

(4) battery charger systems with input that is three phase of line-to-line 300 volts root mean square or more and is designed for a stationary power application **or any one phase battery charger system supporting communications, telecommunications, broadband and/or other information services, and/or video equipment employed by service providers, whether within their networks or on customer premises.**

Alternatively, the CEC could add exclusion (7):

(7) Battery charging and back-up battery power equipment supporting communications, telecommunications, broadband and/or other information services, and/or video equipment employed by service providers, whether within their networks or on customer premises.

While three phase battery charger systems are often used, there are situations where their use is impracticable (e.g. because of the smaller size of the facility, such as a cell tower). In these scenarios, the providers still have the same need for constant power in order to be prepared for emergencies. Therefore, the distinction between three phase and single phase chargers is unnecessary and the exclusion should be broadened accordingly. Either one of the above options would satisfy this concern.

We believe the exemption fits the intent of the CEC's 6 listed exemptions because communications infrastructure, including broadband and video, are deemed critical facilities by the federal government and the state and are part of emergency communications: the existing 911 system, the Next Generation 911 system and the emergency alert systems. As such, they need to operate at 100% capacity at a moment's notice during an emergency situation.

Labeling

As mentioned above, we appreciate the added flexibility provided by the 15-day language with regard to labeling. However, we would still strongly urge that greater flexibility be provided beyond the physical labeling options identified. This could be accomplished by giving companies the option of providing the

label via alternative but similarly effective means, such as electronically or on the user manual, so that the information is still available to consumers and regulators.

Implementation Timeline

The timeline for implementation laid out in the draft regulations remains too ambitious. Supply chains in our industries are increasingly complex and such major changes cannot be made within such a short period of time. Products in today's world often have design and production phases that are 2-3 years or longer. Changes that affect battery technology, such as the present regulations demand, tend to take even longer. Forcing those changes to occur during a one-year window is overly burdensome, runs the risk of vastly increasing transition costs associated with adoption of new charging technologies, and may lead manufacturers to pull products from the distribution line. The implementation date for the regulations should be pushed back at least one year, to February 2014.

Efficiency Formula

As mentioned in our previous comment letters, we believe the efficiency formula remains too strict for mobile computing devices. We continue to believe that a reasonable alternative that strikes a more practical balance is to adjust the formula to increase the battery capacity multiplier. Increasing the multiplier from 1.6 to 1.85 would address many of the concerns our members have regarding current and future devices. This has the added benefit of directly addressing the problem of the formula not being able to keep up with increases in battery capacity.

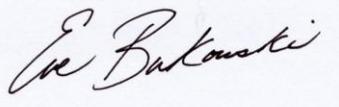
And as a final and broader point, as the CEC begins consideration next year of potential new categories of products via its Scoping Order, we believe that double-regulation needs to be avoided for those products whose energy efficiency has already been addressed via the battery chargers regulation. One example of this would be notebook PCs. While this may already be the intent of the CEC, clarification of this point would be helpful.

We thank the CEC for the opportunity to provide written comments and look forward to continuing to work with you to achieve the shared goal of greater energy savings in California. For any questions or comments, please do not hesitate to contact me at (916) 443-9088 or robert.callahan@techamerica.org.

Sincerely,



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TechAmerica



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cc: Harinder Singh, California Energy Commission
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