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DOCKET

11-AAER-2

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

Sent via E-Mail: docket@energy.state.ca.us; hsingh@energy.state.ca.us

Re: Docket Number: 11-AAER-2 (Proposed Amendments to Appliance Efficiency Regulations, 15-Day Language)

Dear Sir or Madam:

I am writing on behalf of Shogo Suzuki, General Manager of Electronic System Development Department for Brother Industries, Ltd. ("Brother"), to provide comments on Docket Number: 11-AAER-2 - the Proposed Amendments to Appliance Efficiency Regulations, 15-Day Language. Brother manufactures, markets and sells products for various locations, including the home, home office and office.

As a producer of electronic devices that will be impacted by this proposed rule, Brother is providing these comments to the California Energy Commission ("CEC") in the hope that the CEC will continue its efforts to make the rule more workable. Brother is committed to designing its products to be energy efficient; however regulators need to ensure that such limits do not undermine functionality and consumer choice in the marketplace.

Rechargeable Batteries that Provide Back-Up Power to Secondary Functions Should be Excluded from Proposed Amendments

Brother urges the CEC to exclude products that contain rechargeable batteries that are used to power non-primary product functions during back-up power conditions from the proposed amendments. For example, some multi-function devices ("MFDs") contain rechargeable batteries that are used to maintain computer memory or an internal clock ("Secondary Functions") in such devices in the case of power loss. These rechargeable batteries do not operate as a primary power source for the MFDs' printing, scanning and/or faxing functions ("Primary Functions"). Rather, they are used to provide back-up battery power to

maintain the MFD's Secondary Functions when the main power source is not available for the device. A subsequent (but not primary) effect of such main power source is to recharge the rechargeable battery used to run the MFD's Secondary Functions. Such equipment should not be considered a "battery charger" and should be excluded from the proposed amendments, since the rechargeable battery is merely used to power the Secondary Functions of the MFDs. Imposing California's appliance regulations on such devices simply because they, in addition to powering the product's Primary Functions, also provide charge to the rechargeable batteries that power the product's Secondary Functions would create significant regulatory burdens and produce insignificant energy savings.

Proposed Amendments Should Exclude Devices that are Covered by Existing Federal and California Energy Efficiency Limits

Brother manufactures and sells some products, such as mobile printers, that use AC adapters as their main power source. These AC adapters are covered by existing federal energy efficiency limits for Class A External Power Supplies ("EPSs"). Since the AC adapters are already regulated by federal efficiency standards, they should not be classified as "battery charging systems" under the proposed amendments. Rather, they should be solely classified as external power supplies.

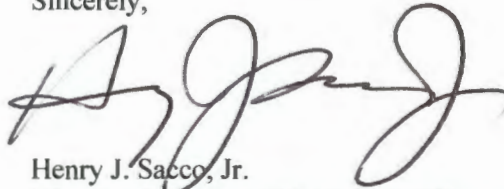
Brother urges the CEC to exclude such products from the proposed amendments. Products that are already regulated under federal energy efficiency requirements should not undergo additional regulation. To double regulate such products would represent a significant burden on product designers, engineers and manufacturers and result in considerable compliance uncertainty.

Conclusion

Based on the foregoing, Brother strongly urges the CEC to limit the definition of "Battery Charger System" to only cover "all rechargeable batteries or devices incorporating a rechargeable battery and the chargers used with them, *which are not covered by an existing product-specific energy efficiency standard contained in the Appliance Efficiency Regulations or federal law, or whose primary purpose is to power the primary functions of the complete device in which such battery and battery charger system are contained.*" The addition of this language would establish clear boundaries for covered manufacturers and help them focus their design, engineering, and compliance resources in the most effective and productive manner.

In closing, Brother appreciates this opportunity to provide its comments to the CEC and urges the CEC to make two changes: (1) exclude products that contain rechargeable batteries for back-up power to Secondary Functions from the proposed amendments and (2) exclude products that utilize AC adapters that are already covered by the existing Appliance Efficiency Regulations or federal law from the proposed amendments. If you have any questions related to these comments, please contact Melody Culton at melody.culton@brother.com or (908)252-3055.

Sincerely,



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BROTHER INTERNATIONAL CORPORATION