

February 4, 2014

California Energy Commission  
Docket No. 13-AAER-1  
Docket Unit  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5504

California Energy Commission

**DOCKETED**

**13-AAER-01**

**TN 72518**

**FEB 09 2014**

Docket Number: 13-AAER-1

RE: Appliance Efficiency Regulations: Joint Comments of California Investor Owned Utilities on Proposed Amendments to Title 20

Dear Commission:

This letter comprises the comments of the Pacific Gas and Electric Company (PG&E), Southern California Gas Company (SCGC), San Diego Gas and Electric (SDG&E), and Southern California Edison (SCE) in response to the California Energy Commission's (CEC) Notice of Proposed Action regarding Proposed Amendments to Appliance Efficiency Regulations, California Code of Regulations, Title 20, Section 1601 through 1608.

The signatories to this letter, collectively referred to herein as the California Investor Owned Utilities (CA IOUs), represent some of the largest utility companies in the Western United States, serving over 35 million customers. As energy companies, we understand the potential of appliance efficiency standards to cut costs and reduce consumption while maintaining or increasing consumer utility of the products. We have a responsibility to our customers to advocate for standards that accurately reflect the climate and conditions of our respective service areas, so as to maximize these positive effects.

We appreciate this opportunity to provide the following comments about the 45-Day Language announced on December 20, 2013. We commend CEC for maintaining the Title 20 Document to accurately reflect federal standards. We strongly urge CEC to consider the following comments. In summary, those points include:

- The CEC should not delete the Energy Design Standard prohibiting constant burning pilot lights for natural gas pool heaters
- The CEC should not delete "Residential Pool Pump and Motor Combinations" from the Two-, Multi- or Variable Speed Capacity requirement.
- Additional modifications should be made to the 45-day language to appropriately reflect the federal standards as written.

# **1. No Modifications Should be Made to the Existing Energy Design Standard for Prohibiting Constant Burning Pilot Lights for Natural Gas Pool Heaters**

We recommend that CEC not delete the Energy Design Standard prohibiting constant burning pilot lights for natural gas pool heaters and the respective reporting requirement as federal preemption law

specifically allows states to prohibit constant burning pilot light pool heaters. Additionally, DOE's most recent final rule specifically states that pool heaters with constant burning pilot lights will still be allowed with new standards.

In the Initial Statement of Reasons the CEC states that "the purpose of this change is to remove obsolete language since the implementation of federal standards for pool heaters." Upon further examination of DOE's rulemaking documents and examination of models currently offered for sale, we conclude the Energy Design Standard is still functional, and not obsolete.

DOE recently updated their pool heater standards, which have been effective since 1990, to 82% thermal efficiency which took effect on April 16, 2013. In the Final Rule, DOE explicitly states that pool heaters with standing pilot ignition systems can achieve up to 82 percent thermal efficiency, and therefore some models can still meet the updated standard.<sup>1</sup>

Moreover, the current federal standard metric of thermal efficiency does not address the standby mode, further demonstrating the importance of this Energy Design Standard. DOE notes "Electronic ignition can be used to replace the standing pilot and reduce the overall energy consumption of the pool heater. However, the thermal efficiency descriptor specified by EPCA and measured by DOE's test procedure, does not take into account the energy efficiency benefits of ignition sources that are alternatives to standing pilots (e.g., electronic ignition)."<sup>2</sup>

Additionally, Federal Preemption law specifically cites "no State regulation, or revision thereof, concerning the energy efficiency, energy use, or water use of the covered product shall be effective with respect to such covered product, unless the State regulation or revision... 4) is a regulation prohibiting the use in pool heaters of a constant burning pilot" (42 U.S. CODE § 6297(b)(4)).

In conclusion, there is no reason for the CEC to remove this Energy Design Standard from Title 20 and we encourage the CEC to leave the language as is currently written:

*Proposed CEC changes to 45-Day Language (pg. 125):*

(g) Pool Heaters, Portable Electric Spas, Residential Pool Pump and Motor Combinations, and Replacement Residential Pool Pump Motors.

~~(1) Energy Design Standard for Natural Gas Pool Heaters. Natural gas pool heaters shall not be equipped with constant burning pilots.~~

*In Table X – Data Submittal Requirement, "Other Pool Heaters" (pg. 206)*

<b>Required Information</b>	<b>Permissible Answers</b>
Constant Burning Pilot Light (for gas models)	Yes, No

*Proposed CA IOU changes to 45-Day Language: (no changes) (pg. 125)*

(g) Pool Heaters, Portable Electric Spas, Residential Pool Pump and Motor Combinations, and Replacement Residential Pool Pump Motors.

(1) Energy Design Standard for Natural Gas Pool Heaters. Natural gas pool heaters shall not be equipped with constant burning pilots.

<sup>1</sup> DOE Pool Heater Technical Support Document, EE-2006-BT-STD-0129, published 11-29-2009; pg 5-26

<sup>2</sup> DOE Pool Heater Technical Support Document, EE-2006-BT-STD-0129, published 11-29-2009; pg 3-77

*In Table X – Data Submittal Requirement, “Other Pool Heaters” (pg. 206)*

<b>Required Information</b>	<b>Permissible Answers</b>
Constant Burning Pilot Light (for gas models)	Yes, No

**2. Residential Pool Pump and Motor Combinations should remain in the Two-, Multi- or Variable Speed Capacity Requirement**

We recommend the CEC not delete “Residential Pool Pump and Motor Combinations” from the Two-, Multi- or Variable Speed Capacity requirement. While technically, the Section 1602 definition of “residential pool pump motor” includes residential pool pump and motor combinations, this proposed change will create ambiguity around what is covered and what is not covered. Instead, we encourage the CEC to improve the clarity in this section to make the standards clear and understandable to all users.

To improve the clarity of the Residential Pool Pump and Motor Combinations, Section 1605.3(g)(54)(B)1, we propose replacing the words *pool pump motor* with *residential pool pump and motor combinations*. This will leave no ambiguity as to whether the two-, multi-, or variable-speed capability applies to residential pool pump and motor combinations.

Furthermore, we support the CEC’s removal of the last sentence of both Section 1605.3(g)(54)(B)1 and 1605.3(g)(54)(B)2 which define the effective dates as they are repetitive and unnecessary.

*Proposed CEC Changes to 45-Day Language (pg. 167):*

(54) Residential Pool Pump and Motor Combinations, and Replacement Residential Pool Pump Motors.

(A) Motor Efficiency. Pool pump motors manufactured on or after January 1, 2006 may not be split-phase or capacitor start - induction run type.

(B) Two-, Multi-, or Variable-Speed Capability.

**1. Residential Pool Pump and Motor Combinations.** ~~Pool pump motors with a capacity of 1 HP or more which are manufactured on or after January 1, 2008, shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate. Section 1605.3(g)(54)(B)1. applies to models manufactured prior to January 1, 2010.~~

**2. Residential Pool Pump Motors.** Residential pool pump motors with a pool pump motor capacity of 1 HP or greater which are manufactured on or after January 1, 2010, shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate. The pump motor must be operated with a pump control that shall have the capability of operating the pump at least at two speeds. ~~Section 1605.3(g)(5)(B)2. applies to models manufactured on or after January 1, 2010.~~

*Proposed IOU Changes to 45-Day Language (pg. 167):*

(54) Residential Pool Pump and Motor Combinations, and Replacement Residential Pool Pump Motors.

(A) Motor Efficiency. Pool pump motors manufactured on or after January 1, 2006 may not be split-phase or capacitor start - induction run type.

(B) Two-, Multi-, or Variable-Speed Capability.

**1. Residential Pool Pump and Motor Combinations.** ~~Residential pool pump and motor combinations~~ Pool pump motors with a capacity of 1 HP or more which are manufactured on or after January 1, 2008, shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate. ~~Section 1605.3(g)(54)(B)1. applies to models manufactured prior to January 1, 2010.~~

**2. Residential Pool Pump Motors.** Residential pool pump motors with a pool pump motor capacity of 1 HP or greater which are manufactured on or after January 1, 2010, shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate. The pump motor must be operated with a pump control that shall have the capability of operating the pump at least at two speeds. ~~Section 1605.3(g)(5)(B)2. applies to models manufactured on or after January 1, 2010.~~

### **3. The 45-day Language Should Be Modified to Accurately Reflect Current Federal Standards**

We recommend CEC modify the 45-day language to accurately reflect federal standards as written, with the following changes:

- a. On pg. 53, in the definition of Standby Mode, *main* should be *mains*.
- b. On pg. 90, for (p) Clothes Washers, two test procedures should be listed as follows:  
  
*Before March 7, 2015, the test method for clothes washers that are consumer products and commercial clothes in 10 C.F.R section 430.23(j) (Appendix J1 to Subpart B of part 430)*  
  
*After March 7, 2015, the test method for clothes washers that are consumer products and commercial clothes was in 10 C.F.R section 430.23(j) (Appendix J2 to Subpart B of part 430)*
- c. On pg. 91, for the television test procedure, the federal compliance date should read *April 24, 2014* not *April 23, 2014*.
- d. On pg. 118, in Table C-6, Standards Computer Room Air Conditioners, in the bottom row, Glycol-Cooled with a fluid economizer for cooling capacity < 65,000, the Minimum SCOP efficiencies for downflow unit for should read 2.40, instead of 2.45.
- e. On pg. 126, the final sentence that currently reads, *Showerheads shall also meet the requirements of ASME/ANSI Standard A112.18.1M-1996, 7.4.4(a)* should be revised to:  
  
*When used as a component of any such showerhead, the flow-restricting insert shall be mechanically retained at the point of manufacture such that a force of 8.0 pounds force (36 Newtons) or more is required to remove the flow-restricting insert, except that this requirement shall not apply to showerheads for which removal of the flow-restricting insert would cause water to leak significantly from areas other than the spray face.*

This effectively removes all reference to the old ANSI/ASME standard (ANSI/ASME A112.18.1M-1996 Plumbing Fixture Fittings), and aligns T20 with Federal language.

- f. On pg. 132, we recommend that CEC re-examine section (k) Lamps, to verify whether or not the exemptions previously included in Table K3 should in fact be maintained in Table K4 as well.
- g. On pg. 214, in Table X, row P, for both rows “Clothes Washers that are federally regulated consumer products,” and “Clothes Washers that not federally-regulated consumer products,” *Energy Factor* should read *Modified Energy Factor required only before January 1, 2015* and a new row should be added below with *Integrated Modified Energy Factor required only after January 1, 2015*. Also, *Water Factor* should read *Water Factor required only before January 1, 2015* and a new row should be added below with *Integrated Water Factor required only after January 1, 2015*. Also, we recommend CEC re-examine whether or not required information for “suds-saving” for “Clothes Washers that are federally regulated consumer products,” should include a foot note that reads *applies to standard-size front-loading clothes washers only*.

In conclusion, we would like to reiterate our support to CEC for maintaining the pool heater pilot light design standard and pool pump and motor combinations language, and modifying the state standards to reflect federal regulation, where applicable. We thank CEC for the opportunity to be involved in this process and encourage CEC to carefully consider the recommendations outlined in this letter.

Sincerely,



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