

December 29, 2022

Ms. Katharine Kaplan
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Ms. Kaplan:

The Consortium for Energy Efficiency (CEE) respectfully submits the following comments in response to the ENERGY STAR® Version 5.0 Room Air Conditioner Draft 2 and Version 6.0 Specifications, released by the US Environmental Protection Agency (EPA) on November 17, 2022.

CEE is the binational organization of energy efficiency program administrators and a staunch supporter of the ENERGY STAR Program. CEE members are responsible for ratepayer-funded efficiency programs in 38 US states, the District of Columbia, and four Canadian provinces. In 2020, CEE members directed over 63 percent of the \$8.5 billion in energy efficiency and demand response program expenditures in the two countries. These comments are offered in support of the local activities CEE members carry out to actively leverage the ENERGY STAR brand. CEE consensus comments are offered in the spirit of strengthening ENERGY STAR so it may continue to serve as the national marketing platform for energy efficiency.

CEE highly values the role ENERGY STAR plays in differentiating energy efficient products and services that the CEE membership supports locally throughout the US and Canada. We appreciate the opportunity to provide these comments.

Product Availability is a Critical Prerequisite for CEE Members to Effectively Administer Programs

CEE appreciates EPA's proposal to set somewhat less stringent efficiency levels across several room air conditioner product classes in the ENERGY STAR Room Air Conditioner

Version 5.0 Draft 2 Specification in response to stakeholder feedback regarding limited market availability of qualifying products at the proposed Draft 1 levels. However, CEE remains concerned about limited product availability, should the proposed Version 5.0 Draft 2 levels go into effect October 2023. The [data and analysis package](#) provided by EPA shows that, for 14 out of 18 defined room air conditioner product classes, there are no models that currently meet the proposed ENERGY STAR Version 5.0 Draft 2 efficiency criteria. During the December 1 webinar to discuss the Draft 2 Specification proposal, EPA staff stated that product classes 1, 2, 3, 4, 5a, and 5b constitute the largest portion of the room air conditioner market, and product classes 6, 7, 8a, 8b, 9, and 10 constitute the second largest portion of the room air conditioner market. For nine out of 12 of these defined product classes, there are no models that would currently qualify for the proposed Draft 2 efficiency criteria. The lack of qualifying models in the range of <6,000 to 7,999 Btu/h (product classes 1, 2, 6, and 7) raises additional concern, as it is our understanding that room air conditioners in the smallest capacity range are commonly purchased by price sensitive and space constrained customers.

We maintain the view that a limited number of qualifying units in the market is an undesirable condition for CEE member programs to run effective programs and is in conflict with the ENERGY STAR guiding principle is that qualifying products are broadly available and offered by more than one manufacturer. CEE continues to seek EPA's assurance as to the expected market conditions prior to the effective date of the Version 5.0 ENERGY STAR Room Air Conditioner Specification, as well as additional insight and transparency from EPA's discussions with manufacturers regarding technology development plans and anticipated product time to market, as this information is critical to help determine whether CEE members can support ENERGY STAR certified room air conditioners in the future.

ENERGY STAR Version Criteria Should be Based on Current Market Conditions

CEE supports EPA's efforts to increase ENERGY STAR efficiency criteria for room air conditioners in light of the US Department of Energy's (DOE's) [Notice of Proposed Rulemaking \(NPR\)](#) to revise the federal minimum efficiency standards for room air conditioners with proposed levels that exceed those of the current ENERGY STAR Version 4.0 requirements. For the ENERGY STAR brand to remain relevant and provide meaningful market differentiation, CEE acknowledges that it is appropriate for ENERGY STAR criteria to reflect a considerable efficiency improvement over the relevant federal efficiency standards. CEE appreciates the notion of sending a longer-term market signal to support

manufacturers as they undergo product redesign and development to meet new DOE standards (effective 2026) with the release of ENERGY STAR Version 6.0 Draft 1, where EPA is proposing efficiency requirements that equal or outperform new DOE federal minimum standards by 10% for all product classes. However, CEE cautions EPA about prematurely dictating efficiency levels, as the new DOE federal minimum standards are not yet finalized. In order for CEE members to continue to successfully administer programs, EPA should retain the ability to be nimble and responsive to future developments, and revisit predictive efficiency levels for Version 6.0 once market conditions are codified. With limited foresight into product efficiencies and model availability once new DOE standards are finalized, and to avoid potential stakeholder confusion with two ENERGY STAR specifications in the market, CEE recommends that EPA consider holding off formal establishment of a Version 6.0 Room Air Conditioner Specification at least until federal minimum standards are settled; alternatively, set the proposed Version 6.0 levels as draft, and plan to revisit 6 to 12 months in advance to confirm the market is performing as predicted. In the interim, CEE encourages EPA to work closely with manufacturers to prepare them for impending federal standard changes, seek additional information regarding their product development timelines, and share this information with stakeholders as appropriate.

Direct On-Premise Modular Interface Supports Demand Response Programs, Provides Grid Benefit, and Improves Customer Amenity

For the past decade, CEE and its members have been supportive of ENERGY STAR specifying connectivity requirements that enable direct, on-premise, open standards connectivity using an industry-accepted, modular communication interface such as CTA-2045. As stated in previous CEE comment letters, there are several reasons why members value a modular port approach, including the flexibility to swap out the communication module installed in the port to match local infrastructure, as well as the ability for demand side management (DSM) program administrators to remain connected to devices in the case of internet disruption. The latter is a particularly important consideration in the room air conditioner market where it is likely that a portion of customers will not have reliable, wireless internet access in their residence.

The current EPA proposal to require either CTA-2045 or OpenADR creates a bifurcation and opens the door for potential market confusion, as CTA-2045 allows for incorporation of OpenADR (a room air conditioner could have a CTA-2045 port configured to receive

signals from a range of application layers, including OpenADR). While there are no room air conditioners in the market that currently incorporate this solution, CTA-2045 is readily available for HVAC and water heating equipment, and we have no reason to believe the application is not feasible for room air conditioner manufacturers to incorporate into their products today. Further, members have indicated that they are interested in pursuing room air conditioner demand response programs in the near future, and that having a CTA-2045 socket would make it a much easier consideration from a program perspective. EPA's requirement of CTA-2045 at this time could send an important and impactful message to the market, encouraging manufacturer development of CTA-2045 enabled room air conditioners that meet the diverse grid conditions and program administration needs across the United States and Canada. CEE recommends that EPA require CTA-2045 within the optional connected criteria, as this will help ensure room air conditioners manufactured for sale in North America may be able to contribute to a more reliable, lower cost, and efficient utility system now and into the future.

CEE would once again like to thank EPA for the opportunity to comment on the ENERGY STAR Version 5.0 Room Air Conditioner Draft 2 and Version 6.0 Specifications. Please contact Chloe Mayhew at cmayhew@cee1.org or 978-972-5511 with any questions about these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "John Taylor". The signature is written in a cursive, flowing style.

John Taylor
Deputy Director