



Consumer Federation of America

1620 I Street, N.W., Suite 200 * Washington, DC 20006

consumer action

Education and advocacy since 1971

September 17, 2014

Contact: Mark Cooper
(301)384-220
markcooper@aol.com

CONSUMER GROUPS URGE CA GOVERNOR TO VETO AB 2581

Bill Hurts California's Energy Efficiency Standards Setting Process

San Francisco -- Consumer Action and the Consumer Federation of America, who opposed the Bradford bill in the legislature, have urged Governor Brown not to sign the bill as passed by the legislature because "it would undermine California's ability to continue the leadership role it has played in setting efficiency standards for over a quarter of a century."

The letter to Governor Brown and a link to the earlier letter outlining the reasons for the consumer group opposition follow below.

September 15, 2014

The Honorable Jerry Brown
Governor, State of California
State Capitol
Sacramento, California 95814

RE: AB 2581 (BRADFORD) – Veto Request

Dear Governor Brown:

The Consumer Federation of America (CFA) and Consumer Action are writing to request that you veto AB 2581 (Bradford), because it would unnecessarily undermine the California Energy Commission's (CEC) ability to set appliance standards, making it harder for the state to meet its energy and climate goals and impacting California consumers in the form of higher energy bills.

The Consumer Federation of America is a non-profit association of more than 260 consumer groups from across the country, including California, that was established in 1968 to advance the consumer interest through research, education, and advocacy. We have long supported cost-effective energy efficiency measures as they save consumers money through lower energy bills over the long run. We are currently engaged in the California Energy Commission's Title 20 appliance efficiency rulemaking process. Consumer Action, established in 1971, is a non-profit organization based in San Francisco that focuses on consumer education that empowers low- and moderate-income and limited-English-speaking consumers to financially prosper.

CFA and Consumer Action continue to oppose AB 2581 despite the amendments adopted by the

Legislature, because it is unnecessary and counterproductive. The bill contains provisions ((c)(1) (7)) that could interfere with the implementation of state and federal law. The CEC already has the authority to repeal or change standards – the legislative language would open the door to challenges because a law is “duplicative... of federal or state law,” and, it would undermine California’s ability to continue the leadership role it has played in setting efficiency standards for over a quarter of a century.

The clause requiring the commission to consider the most current data is unnecessary and would give the industry a powerful tool to undermine the standard setting process as it could first withhold data and then claim the CEC data is out of date. The most recent data is not necessarily the best data. Data gathering and analysis take time to ensure it is sound. The CEC should not be bound by an arbitrary timeframe, it should have the discretion to use the data that is the most appropriate to develop quality standards.

The bill also contains provisions that relax efficiency labeling standards, reducing the commission’s ability to enforce standards and reducing their effectiveness. The decision to allow electronic labeling instead of physical labeling on the product or on the package should remain under the commission’s authority. Electronic labeling makes standards enforcement more difficult in many cases. Giving manufacturers the ability to opt for electronic labeling effectively reduces CEC’s enforcement capability.

Overall, CFA and Consumer Action believe that the negative impact of the bill on California’s leadership in reducing consumer costs through appliance efficiency standards will outweigh any potential benefits that may result from the bill.

For these reasons, we urge you to veto AB 2581 when it comes before you.

Sincerely,

Mark Cooper
Director of Research
Consumer Federation of America

Joe Ridout
California Legislative Coordinator
Consumer Action

cc: State Assemblyman Steven Bradford

Earlier press release and letter sent on June 19 to California state legislators in opposition to AB 2581 can be found at <http://www.consumerfed.org/news/800>.

CFA is an association of more than 260 nonprofit consumer groups that was established in 1968 to advance the consumer interest through research, advocacy, and education.