

**Appliance Standards Awareness Project
Northeast Energy Efficiency Partnerships
Alliance to Save Energy
Consumer Federation of America
American Council for an Energy-Efficient Economy
Northwest Energy Efficiency Alliance**

September 17, 2018

Commissioner Andrew McAllister
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Dear Commissioner McAllister,

The Appliance Standards Awareness Project, Northeast Energy Efficiency Partnerships, Alliance to Save Energy, Consumer Federation of America, American Council for an Energy-Efficient Economy, and Northwest Energy Efficiency Alliance respectfully submit the following comments on the California Energy Commission (CEC) Draft Staff Report “Analysis of General Service Lamps (Expanded Scope)” as part of Docket No. 17-AAER-07. These comments follow on earlier comments to the Phase II Pre-rulemaking for general service lamps (GSL) submitted on June 16 and September 17, 2017.

The co-signers to these comments strongly support the CEC staff’s proposed amendments to the definition of GSLs in California’s lighting energy efficiency standards, and include one suggestion for a small change to improve them further. The proposed amendments will yield significant energy savings for Californians by roughly doubling the volume of annual GSL sales affected by the standards. By adopting the expanded definition for GSLs that the US Department of Energy (DOE) issued in Final Rules published on January 19, 2017 California will also help efforts to resist the attempted roll-back of the federal definition currently underway. Other states are following California’s work on light bulb standards. Vermont has already adopted the backstop standard with the expanded GSL definition into state law and we expect other states will seriously consider doing the same. We applaud the CEC for undertaking this docket, and for the opportunity to provide comments.

1. We support the CEC’s proposal to adopt the expanded federal definition for GSLs as published on January 19, 2017 into California’s Title 20 appliance regulations.

The expanded federal GSL definition comes into effect on January 1, 2020, significantly increasing projected savings from national GSL energy conservation standards. When DOE was finalizing the expanded definition for GSLs in late 2016 and early 2017, the agency provided ample justification for including additional types of lamps that provide general service illumination. Now DOE has submitted a notice of proposed rulemaking to the Office of Management and Budget that appears designed to roll

back the expanded GSL definition before it has a chance to come into effect. By adopting the expanded GSL definition, the CEC will both realize significant energy savings for Californians, and support efforts to prevent the roll-back at the federal level. The CEC's proposed changes will ensure that 12% of the national light bulb market, represented by California's lighting consumers, will remain covered by the expanded GSL definition including most light bulbs used for general illumination, regardless of changes to the federal GSL definition. The proposed changes will also make it easier for other states to adopt GSL standards using the expanded GSL definition, and will accelerate the transition of the national light bulb market away from inefficient incandescent lighting technology.

2. We support the CEC's proposal to further align the California standards for GSLs with the federal standards by applying the expanded definition to GSLs *sold* on or after January 1, 2020.

We agree with the CEC Draft Staff Report (page 15) that "Because DOE has not completed a rule meeting the four criteria listed above¹, the backstop standard established by the EISA has been triggered and, in accordance with the statute, 'effective beginning January 1, 2020, the Secretary shall prohibit the sale of any general service lamp that does not meet a minimum efficacy standard of 45 lumens per watt.'" To align the California standard for GSLs with the expanded federal standard, the CEC's new GSL definition should also come into effect for product sold in the state of California on or after January 1, 2020, as opposed to product manufactured or imported on or after this date.

3. We support the CEC's proposal to extend the California definition for GSLs beyond the expanded federal definition to include light bulbs rated from 150 to 2,600 lumens light output.

We reiterate our September 2017 comments to this docket and recommend that the CEC extend the California GSL definition to include "low lumen" light bulbs, rated from 150 to 310 lumens light output, not covered by the expanded federal GSL definition. This addition to the California GSL definition will make it consistent with the lumen output range covered by current California standards for LEDs.

¹ From the Energy Independence and Security Act of 2007

"(i) IN GENERAL.—Not later than January 1, 2014, the Secretary shall initiate a rulemaking procedure to determine whether—

“(I) standards in effect for general service lamps should be amended to establish more stringent standards than the standards specified in paragraph (1)(A); and

“(II) the exemptions for certain incandescent lamps should be maintained or discontinued based, in part, on exempted lamp sales collected by the Secretary from manufacturers.

"(ii) SCOPE.—The rulemaking—

“(I) shall not be limited to incandescent lamp technologies; and

“(II) shall include consideration of a minimum standard of 45 lumens per watt for general service lamps.

"(iii) AMENDED STANDARDS.—If the Secretary determines that the standards in effect for general service incandescent lamps should be amended, the Secretary shall publish a final rule not later than January 1, 2017, with an effective date that is not earlier than 3 years after the date on which the final rule is published.

"(iv) PHASED-IN EFFECTIVE DATES.—The Secretary shall consider phased-in effective dates under this subparagraph after considering—

“(I) the impact of any amendment on manufacturers, retiring and repurposing existing equipment, stranded investments, labor contracts, workers, and raw materials; and

“(II) the time needed to work with retailers and lighting designers to revise sales and marketing strategies.

4. We support the CEC’s proposal to include low-lumen light bulbs *manufactured* on or after January 1, 2020 in the definition for GSLs.

Because the expanded federal GSL standards do not apply to such low lumen light bulbs, it is unnecessary to apply the sales prohibition in the federal standard to these products as discussed under comment number 2.

5. We support the CEC’s proposal to harmonize the California state definition of “designed and marketed” as applied to GSLs with DOE’s federal definition.

Making the CEC’s definition for “designed and marketed” as applied to GSLs identical to the DOE’s definition will avoid confusion and reduce burden on manufacturers.

6. We are concerned that CEC’s proposal not to require manufacturers to certify all compliant GSLs could raise barriers to other states that wish to follow California’s lead. We recommend that CEC require manufacturers to certify all GSLs covered by CEC energy efficiency standards.

Manufacturers must already certify federally regulated medium screw base CFLs, state regulated LEDs, and state regulated small diameter directional lamps with the state of California. We believe that if CEC expands the definition of GSLs subject to California energy efficiency standards and thereby brings additional types of light bulbs under CEC standards, that manufacturers should also certify these additional light bulb types. Under the CEC staff proposal LED lamps rated above 2,600 but lower than 3,300 lumen output with E26 bases would be GSLs but are neither state-regulated LED lamps nor state-regulated small diameter directional lamps and would not need to be certified. Directional LED lamps with a diameter less than 2.25 inches but greater than or equal to 2 inches and some pin-based LED lamps would also not be covered by existing lamp definitions in Title 20 and would not need to be certified.

Although such lamps may not account for a significant share of overall sales, inconsistent certification requirements could be confusing for manufacturers and also could make it more difficult for other states to set standards for GSLs. California has generously made the Modernized Appliance Efficiency Database System (MAEDBS) available to other states interested in adopting energy efficiency standards similar to California’s. Access to a comprehensive database of standards compliant product was an important factor in convincing Vermont legislators to adopt a 45 lpm GSL standard and the expanded federal definition for GSLs in 2017.

Thank you for the opportunity to comment on this Draft Staff Report. We commend the CEC and participants on this collaborative process and look forward to its conclusion in the near future.

Sincerely,



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