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March 23, 2018

Chairman Christopher Bray
Chairman
Vermont Senate
Committee on Natural Resources and Energy

Dear Chairman Bray,

On behalf of the Association of Home Appliance Manufacturers (AHAM), I write to respectfully request that residential ventilation fans for kitchen range hoods be removed from HB 410, and that the provisions related to portable air conditioners be modified to address the possibility of federal actions on this product. AHAM and the Appliance Standard Awareness Project (ASAP) have cooperatively worked together to address these issues, which balances manufacturer certainty with consumer's needs as well as important energy efficiency goals.

AHAM's concerns with residential ventilation fan is that HB 410 would require that ventilating fans for home cooking (ventilation range hoods) meet an out-of-date ENERGY STAR 3.2 specification. ENERGY STAR is a voluntary federal program and is meant for products that meet the top 20-30 percent most efficient in a product category. Mandating ENERGY STAR as a state standard for every product completely undercuts and dilutes the successful ENERGY STAR brand and logo as a distinguishing label. What is more, there are a number of issues that the ENERGY STAR 3.2 specification brings to the table where residential ventilation fans for cooking are concerned, which is why the specification has been updated and is undergoing another update right now.

Regarding portable air conditioners, AHAM supports the publication of the U.S. Department of Energy's (DOE) portable air conditioner final rule establishing an energy standard. This action will ensure national energy savings and a national marketplace. Because this is the first time DOE is setting an energy conservation standard for portable air conditioners, manufacturers have been planning for the five year timeframe that allows for re-design and retooling of products and manufacturing process for this new mandatory limit. HB 410 is not consistent with the DOE rule's five-year lead-in period to allow manufacturers to make the necessary modifications as described above. There has been broad industry support for DOE to publish the rule even before the court ruling and recent agency appeal. AHAM would like to work with the bill sponsors and the Senate Committee to identify an appropriate solution to addressing this product category without creating unnecessary duplication or conflict with the federal standard. Balancing the benefits of certainty and supporting our efforts at DOE to publish the federal standard, we suggest that the effective date for a Vermont standard on portable air conditioners be consistent with the federal standard both for the level and the time. The DOE standard will have a compliance date five years after it is published in the Federal Register. We all agree that this is

the best path forward on this product. However, understanding that some have concern that there is a risk that the portable air conditioner standard would not be published by the end of the year, we would not oppose the committee including a provision that established the federal level on February 1, 2022, if, and only if, the federal standard is not published in the Federal Register on or before December 31, 2018. We have attached some suggested language for your consideration.

Thank you for your consideration of our views and for listening to our concerns.

Sincerely,

Sarah F Pierce

Sarah Faye Pierce
Director, Government Relations