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November 2, 2004

Docket No. 04-AAER-1
Docket Office
California Energy Commission
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5512

Re: Proposed regulations—Single Voltage External Power Supplies;
Battery supplies; procedures; Docket No. 04-AAER-1

To the Members of the California Energy Commission:

The Royal Appliance Manufacturing Company first began manufacturing metal vacuum cleaners in 1905 in Cleveland, Ohio. In 1984, our company developed the **Dirt Devil® Hand Vac**, which is the single largest hand-held vacuum cleaner sold in the United States. Royal's line of products include upright, stick, canister, hand held, and rechargeable vacuum cleaners as well as carpet shampoos, and are sold through major retailers such as K-mart and Wal-mart nationwide.

I am writing to you today regarding the Commission's proposed regulations for single voltage external power supplies (ESPs), battery charger units, and the proposed procedures that the California Energy Commission intends to follow regarding these regulations. We understand that these regulations will be considered by the CEC at a public hearing beginning at 10:00 a.m. on Wednesday November 3, 2004. Royal Appliance Manufacturing Company is a member of the Association of Home Appliance Manufacturers ("AHAM"). Royal Appliance Manufacturing Company agrees with AHAM's analysis of CEC's proposed regulations. We believe that the proposed regulations will harm businesses in the United States, and will not significantly reduce energy consumption. As such, today, we write on our own behalf, and request CEC adopt the following changes:

1. In section 1602(s), Title 20 of the California Code or Regulations, CEC should adopt the *same definition* that the U.S. EPA Energy Star program proposes to use in the final version of the Energy Star Program for Single Voltage External Power Supplies.

2. In section 1602(s), Title 20, California Code of Regulations, CEC should exempt certain appliance battery chargers from these regulations until an appropriate test procedure can be developed.
3. In section 1604(u)(1), Title 20, California Code of Regulations, CEC should adopt the latest version of the EPA Energy Star test procedure, and not the version proposed on February 13, 2004.

The regulations proposed by the California Energy Commission will certainly apply to many of our company's products. This is true for even our appliances which do not utilize EPS, but instead use Battery Chargers for our cord/cordless products. If CEC implements these regulations on January 1, 2006, as currently written, the program will have a significant adverse impact on Royal Appliance Manufacturing Company, and the company's 340 employees nationwide.

The current draft of the CEC inappropriately includes certain types of Battery Chargers. As currently drafted, the program's test procedure would measure the efficiency of a Battery Charger on the same scale as an External Power Supply even though they are not the same type of product. The result is that the draft program is biased against one class of products – Battery Chargers, and if the regulation is adopted in its current form, the regulation will effectively eliminate a whole class of products from the California market. As a result, the only way for companies like ours to comply with this new regulation would be to use a more expensive Battery Charger (also known as Switch Mode chargers). We estimate that changing the Battery Charger to comply with the CEC regulation as written would result in a nearly 80% increase in charger costs to Royal Appliance. The result would be an increased cost per unit to consumers with very minimal energy savings overall.

In summary, we believe that CEC's current "one size fits all" approach is not appropriate for Battery Chargers. As such, we urge CEC to change the scope of its draft test procedure so that these products are properly exempted from the program. At a later date, Royal Appliance, through AHAM, is happy to assist in developing an appropriate test procedure for Battery Chargers, if needed. We are confident that the interested parties could develop a fair program for battery chargers that would not eliminate an entire class of transformers, drive up the cost of products to consumers, but still accomplish the laudable goal of the CEC which is to reduce energy consumption.

Thank you for your serious consideration of our comments in this matter. If you have any questions or would like to some additional information from our company, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David Brickner". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Brickner
Executive Vice President of Operations
Royal Appliance Mfg. Co.

C: Wayne Morris, Executive Director,
Association of Home Appliance Manufacturers

R. Michael Martin, Mechanical Engineer, California Energy Commission