



Consumer Electronics Association
1919 South Eads Street
Arlington, VA
22202 USA
(866) 858-1555 toll free
(703) 907-7600 main
(703) 907-7601 fax
www.CE.org

March 14, 2008

Ms. Jackalyne Pfannenstiel
Chair
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: Preemption of Energy Standards for “Class A” External Power Supplies

Dear Commissioner Pfannenstiel:

As you might know, the “Energy Independence and Security Act of 2007” (EISA 2007), passed by Congress and signed by the President in December 2007, contains several provisions relevant to state energy efficiency policy activities. On behalf of the Consumer Electronics Association (CEA), I would like to inform you of a provision in the Act relative to external power supplies that effectively preempts state activity by establishing a national standard.

Section 301 of EISA 2007, a copy of which is attached, concerns external power supplies (EPSs), also known as single-voltage external AC-to-DC power supplies. This section provides a sub-definition of “Class A External Power Supply” that aligns with the definition of EPSs used by states to establish state energy efficiency standards for this device category.

Class A EPSs are designed to convert line voltage AC input into lower voltage AC or DC output; are able to convert to only one AC or DC output voltage at a time; are sold with, or intended to be used with, a separate end-use product; are connected to the end-use product via a wired connection; and have a nameplate output voltage less than or equal to 250 watts. Class A EPSs are used with a wide range of consumer electronics manufactured by CEA members, including camcorders, computer monitors, cordless phones digital cameras, laptop and notebook computers, mobile phones, personal digital assistants, printers, scanners, and two-way radios.

Section 301 establishes, effective July 1, 2008, a national energy efficiency standard for Class A EPSs, with power output and required efficiency levels set forth in amendments to 42 U.S.C. 6295. Section 301 also includes requirements for the marking of devices conforming to the standard. Importantly, the new federal law also sets forth a timetable for review and possible amendment of the standard by the U.S. Department of Energy in future

years. This significant achievement at the federal level relieves states of administrative burdens associated with any existing laws or regulations concerning Class A EPSs. At the same time, it establishes a national energy efficiency standard covering all 50 states.

Preemption of state activity relative to Class A EPSs arguably is in effect now (and certainly no later than July 1st), and any preexisting, pending or future state standards are inapplicable with respect to Class A EPSs. We understand that the U.S. Department of Energy will provide formal public notification of several provisions contained in EISA 2007, including the Section 301 provisions, with a notice in the *Federal Register* in the near future. In the meantime, and on behalf of the consumer electronics industry, we wanted you to be aware of the recent federal action.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Johnson", with a long horizontal flourish extending to the right.

Douglas Johnson
Senior Director, Technology Policy & International Affairs

Enclosure: EISA 2007 (Public Law 110-140), Section 301

CC: Mr. Dan Dunmoyer, Office of the Governor
Mr. Darren Bouton, Office of the Governor