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Docket No. 04-AAER-01
Docket Office
California Energy Commission
1516 Ninth Street, Mail Station 4
Sacramento, CA 95814-5512

Dear Sir or Madam:

I am writing this letter on behalf of Hewlett-Packard Company (HP) in response to the "15-Day Language" under the proposed Appliance Efficiency Regulations for external power supplies (EPS). HP is a technology solutions provider to consumers, businesses and institutions globally. The company's offerings span IT infrastructure, global services, business and home computing, and imaging and printing. Many HP products use EPS that would be covered by the proposed regulation.

HP designs its products to be energy efficient and we have been an active participant in the ENERGY STAR® program of the U.S. Environmental Protection Agency. As reported in our Global Citizenship Report, in 2003 more than 1,000 HP products are ENERGY STAR qualified. One hundred percent of eligible products from our Personal Systems Group (computers and monitors) and 98.5 percent of eligible products from our Imaging and Printing Group meet ENERGY STAR criteria. As part of our efforts to promote energy conservation, HP was among the first signatories to the European Union's Code of Conduct on EPS.

HP submits these comments to address two narrow but important implementation issues relating to the 15-Day Language:

1. HP recommends the Commission add language to the regulations for external power supplies (EPS) that further clarifies the range of EPS being considered. Specifically, the Commission should define that EPS only of nominal 115 volts and 60 hertz are covered by the new regulations. This clarification is needed because the proposed regulations require EPS testing in compliance with the ENERGY STAR test procedure, and given the international nature of the ENERGY STAR program, the ENERGY STAR rules accommodate the EPS voltage and frequency ranges of different worldwide regions. Therefore, the ENERGY STAR rules require EPS testing at both 115V/60Hz and 230V/50hz. California's requirements are different, where virtually 100 percent of EPS coming into the State will be used at the nominal 115V/60 Hz level. Clarifying this in the regulations will help avoid significant confusion in the future.

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2. The proposed regulations do not appear to address the needs of consumers and manufacturers with regard to spare parts or servicing of products sold prior to the effective date of the new rule. Some EPS of products sold before the effective date of the regulation may need to be replaced, because they have been lost, broken, found to be defective, or for other reasons. To address this future customer need, and to enable manufacturers to address this need, the Commission should provide a limited exemption from the regulation by allowing equipment manufacturers to sell or otherwise replace non-complying EPS to California customers for products that are sold prior to the effective date of the new EPS rules. While it is impossible to calculate the number of such replacement EPS that would be sold or provided to customers after the effective date of the regulation, we believe this number would be limited. We recommend the Commission provide an exemption for the relatively few EPS that would need to be replaced on products sold before the effective date of the EPS rules.

HP appreciates the opportunity to provide our comments. We look forward to obtaining clarification on the two issues raised above.

Sincerely,

Marty Marzinelli

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