



GAMA-An Association of Appliance & Equipment Manufacturers

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DOCKET	
07-AAER-1	
DATE	DEC 18 2006
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Product Divisions
and Groups

- Burner
- Controls
- Corrugated
Stainless Steel
Tubing
- Direct Fired
Heater
- Direct Heating
- Fuel Cell
- Furnace
- Gas Appliance
Connector
- Gas Detection
and Analysis
- Gas Equipment
& Service
- Gas Venting
Products
- General Products
- Hydronics
Institute
- Industrial Forced-
Air Heating
- Infrared
- Motor & Blower
- Power
Generation
- Vent Free Gas
Products
- Water Heater

December 18, 2006

California Energy Commission
Docket No. 07-AAER-1
Docket Unit
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5504

Re: Docket No. 07-AAER-1; Comments of the
Gas Appliance Manufacturers Association

Dear Sir or Madam:

The Gas Appliance Manufacturers Association (GAMA), the national trade association of the U.S. space heating and water heating industries, appreciates the opportunity to comment on the California Energy Commission's (CEC) proposed amendments to its Title 20 appliance efficiency regulations. Our comments concern proposed changes to the data submittal requirements set forth in Section 1606, Table V, of the Title 20 regulations.

In compliance with the "federal Court Order" referenced in the CEC's Notice of Proposed Action, the CEC proposes to make some of the data submittal requirements of Section 1606 voluntary. GAMA agrees with these proposals and commends the CEC for taking prompt action to implement the federal Court Order.

Leading up to the issuance of the federal Court Order, GAMA staff and CEC staff had very cordial and constructive discussions about changing from mandatory to voluntary submission of data that is not generated during the conduct of the applicable federal efficiency test procedure or that is otherwise inapposite to the particular product. The results of these discussions were incorporated in an agreement which, in turn, was incorporated in the federal Court Order.

During these discussions, CEC staff asked us to raise all of the information items we thought were still problematical, and we thought we did. The CEC had previously resolved some of our concerns by adopting an emergency rule in March 2003 making certain Section 1606 data submittal items voluntary. We assumed that reporting of these items would continue to be on a voluntary basis, and so we saw no reason to address them in our discussions with CEC staff. The CEC's subsequent proposal to make reporting of these information items mandatory very much surprised us. We regret that CEC staff did not inform us during our discussions of this intention because we could have discussed these items as well at that time.

Some of the previously voluntary data that the CEC now proposes to make mandatory would violate the CEC's principle that none of the Section 1606 mandatory data submittal requirements should require manufacturers to submit data that is not part of the federal testing requirements for the specified appliance. This is the case for the following information items that the CEC proposes to make mandatory:

Furnaces

Fan Motor Power Factor (furnaces with variable-speed motors only)

Boilers

Pump Motor Power Factor (boilers with variable-speed motors only)

Input at Minimum Capacity

Output at Minimum Capacity

Thermal Efficiency (for models with inputs greater than 2,500,000 btu/hr.)

Room Heaters, Floor Furnaces and Wall Furnaces

Average Annual Auxiliary Electrical Energy Consumption (fan-type heaters only)

Fan Motor Power Factor is not part of the U.S. Department of Energy (DOE) testing requirements for furnaces, nor is this information readily available to furnace manufacturers. This information is not provided on the motor name plate, and there is no standard test procedure for calculating this information. Unanswered questions include the airflow and static pressure to be used in testing. One furnace manufacturer reports that it would take two days of testing for each model (totaling 8 months of testing) to calculate this data, assuming the manufacturer knew what the appropriate test factors are. We also note that one of the items that the federal Court Order ordered the Commission to consider eliminating or making voluntary for residential (i.e. < 65,000 Btu/h) air-cooled central air conditioners is Fan Motor Power Factor.

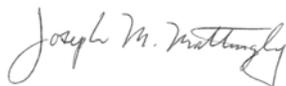
Respecting boilers, none of the information items listed above are part of the federal testing requirements for these products. With the exception of Input at Minimum Capacity, none of the information is readily available to boiler manufacturers. It is not clear if the Output at Minimum Capacity is required for both residential and commercial boilers. In either case, submission of Output at Minimum Capacity would require boiler

manufacturers to do substantial additional testing that is not required for compliance with federal law. Furthermore, we can find no CEC regulation that requires this value. Input at Minimum Capacity is information that can be obtained without additional testing, but the CEC should not make this a mandatory reporting item since it is part and parcel of the illegitimate requirement to provide Output at Minimum Capacity. The federal efficiency descriptor for boilers having inputs greater than 2,500,000 btu/hr. is Combustion Efficiency, not Thermal Efficiency. Manufacturers of these products would have to do substantial additional testing not required by federal law in order to comply with this requirement. As is the case above, there is no CEC regulation that requires this value. The Commission also should be aware that the revised minimum efficiency requirements for commercial gas and oil hot water boilers proposed for ASHRAE Standard 90.1 continue to specify combustion efficiency for models having inputs greater than 2,500,000 btu/hr.

There is a provision in the DOE efficiency test procedure for fan-type room heaters, floor furnaces and wall furnaces for calculation of Average Annual Auxiliary Electrical Energy Consumption; however, manufacturers of these products do not make this calculation because there is no federal requirement to do so. Since this information is not generated in the normal course of running the test procedure for these products, the CEC should not mandate the reporting of this information to the CEC.

Again, GAMA appreciates the opportunity to comment on the proposed amendments to the CEC's Title 20 data submission provisions. We look forward to a continuing cooperative working relationship between CEC staff and GAMA Certification Services as an effective way to facilitate compliance with the CEC's regulations.

Respectfully submitted,



Joseph M. Mattingly
Vice President, Secretary
and General Counsel