

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**RULEMAKING TO MODIFY PORTABLE
ELECTRIC SPAS APPLIANCE EFFICIENCY
REGULATIONS**

Docket No. 20-AAER-04

**ORDER INSTITUTING
RULEMAKING**

I. PURPOSE OF THE PROCEEDING

The California Energy Commission (CEC) hereby institutes a rulemaking proceeding; the purpose of which is to consider amendments to the CEC's Appliance Efficiency Regulations (Title 20, Cal. Code Regs., §§ 1601 - 1609). This action is taken under the authority of the California Public Resources Code Sections 25213, 25218(e), and 25402(c), and Sections 1220 – 1225 of Title 20 of the California Code of Regulations.

On April 11, 2018, the CEC adopted changes to Title 20, Sections 1602-1607 amending the existing appliance efficiency regulations for portable electric spas. The amended regulations for portable electric spas included scope clarifications, more stringent efficiency standards for standard, exercise, and combination spas, a separate efficiency standard for inflatable spas to encourage the design and development of more efficient inflatable spas, test procedure modifications to accommodate exercise spas and combination spas, additional test lab report requirements to verify compliance, and a labeling requirement to help consumers make informed choices. The test procedure and label design requirements are derived from ANSI/APSP/ICC-14 (APSP-14), *American National Standard for Portable Electric Spa Energy Efficiency*, version 2014.

On November 19, 2019, the American National Standard Institute published the revised APSP-14, version 2019. The revised APSP-14 aligns with all of California's efficiency standards, label requirements, and test procedure requirements for portable electric spas adopted in 2018. Other changes adopted in the revised APSP-14, outside of California requirements, include modifications to simplify test lab qualification and label application clarifications. Since publishing, several states began to issue proposals to add or amend their regulations to adopt APSP-14, version 2019.

II. SCOPE OF THE PROCEEDING

In this proceeding, the CEC will consider modifying the existing regulations found in Title 20 including, but not limited to, updating the test procedure and labeling requirements for portable electric spas with the latest industry standard. Additional changes to the CEC's appliance efficiency regulations may also be considered as necessary.

III. DELEGATION OF AUTHORITY

Commissioner McAllister is Lead Commissioner for this proceeding. The CEC delegates the authority to staff, under the direction of the Lead Commissioner, to take all actions reasonably necessary to present proposed regulations to the CEC for final adoption, including but not limited to, complying with requirements of the Administrative Procedure Act, and the California Environmental Quality Act. Adoption of any changes to the CEC 's regulations pursuant to this OIR will be by vote of the full Commission at a noticed Business Meeting.

IV. PUBLIC PARTICIPATION

The CEC encourages public participation in this proceeding. Any person participating in a hearing or workshop shall be afforded reasonable opportunity to make comments. Petitions to intervene are not necessary. Information will also be posted on the CEC' webpage: <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20>.

Anyone who would like to participate in this proceeding, should please register with the CEC Appliances List Server at: <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings>. All who are registered will receive automated email messages with information regarding hearings, workshops, and updated documents.

To foster public participation in these proceedings, the Executive Director, in conjunction with the Public Advisor, shall ensure that information regarding this order and notices of hearings and workshops are distributed to all interested persons via the Appliances list server and posted on the CEC website. The Executive Director shall also ensure sufficient advance public notice prior to consideration or adoption of final regulations by the CEC.

For additional information, please contact the CEC Public Advisor at (800) 822-6228, or via email at publicadvisor@energy.ca.gov.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on August 12, 2020.

AYE:

NAY:

ABSENT:

ABSTAIN:

Cody Goldthrite
Secretariat