

ITEM 8

# Portable Air Conditioners

December 10, 2018

Energy Commission Business Meeting



Patrick Saxton  
Appliances Office  
Efficiency Division  
California Energy Commission



# California Environmental Quality Act (CEQA)

- Standard will reduce electricity consumption, criteria pollutants, and other particulates
- No significant change to materials or manufacturing
- Staff finds no significant adverse effect on environment
- No comments received
- Request approval of the proposed negative declaration



# Standard – Background

- U.S. Department of Energy (DOE)
  - Pre-publication final rule on December 28, 2016
- In Scope: single- and dual-duct portable air conditioners attached to an adjustable window bracket





# Standard – Background

- Spot air conditioners are out of scope
  - Have existing test and list requirements

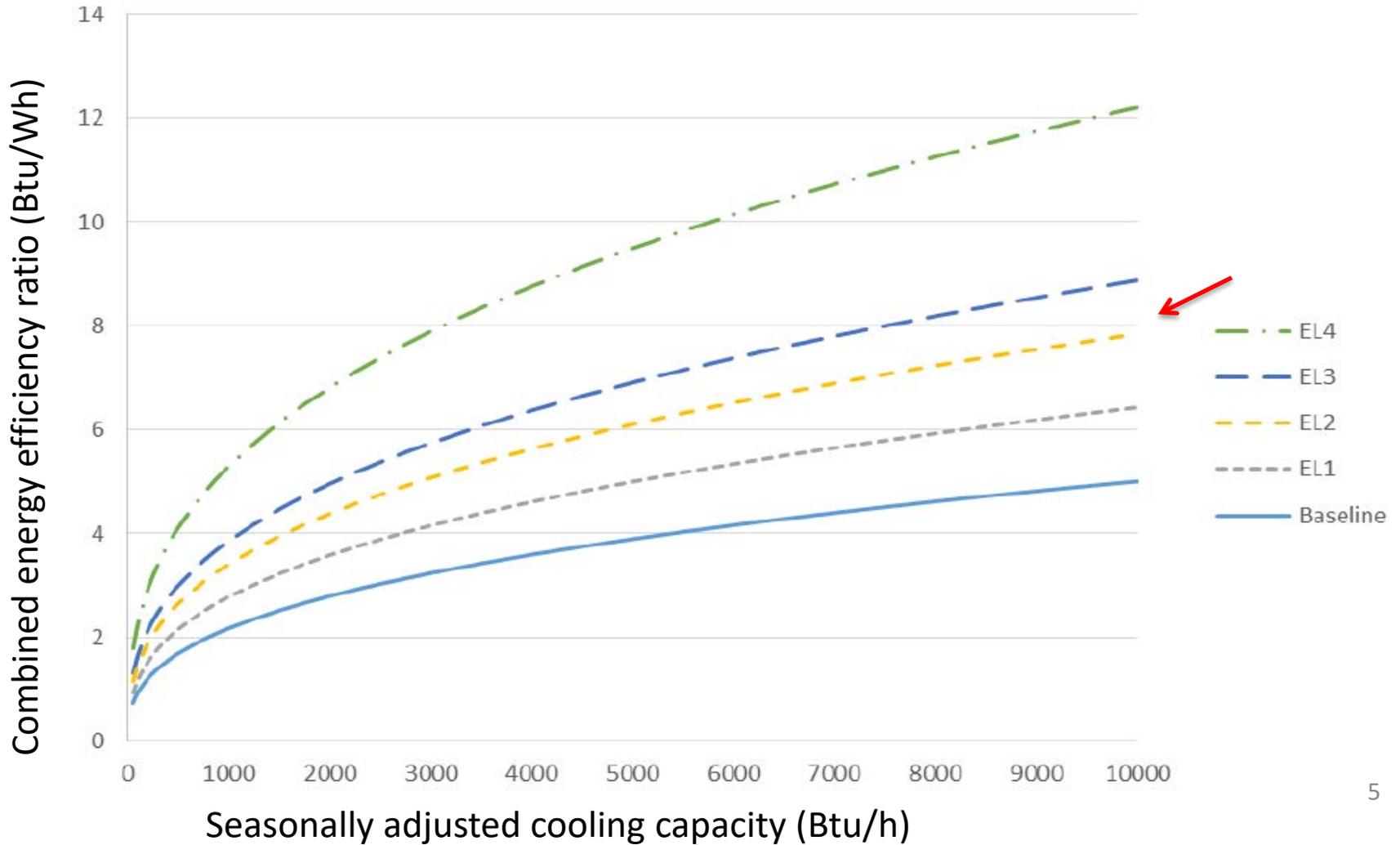
  
**-N-OUT**





# Standard – Proposed

Proposed effective for products manufactured on or after February 1, 2020

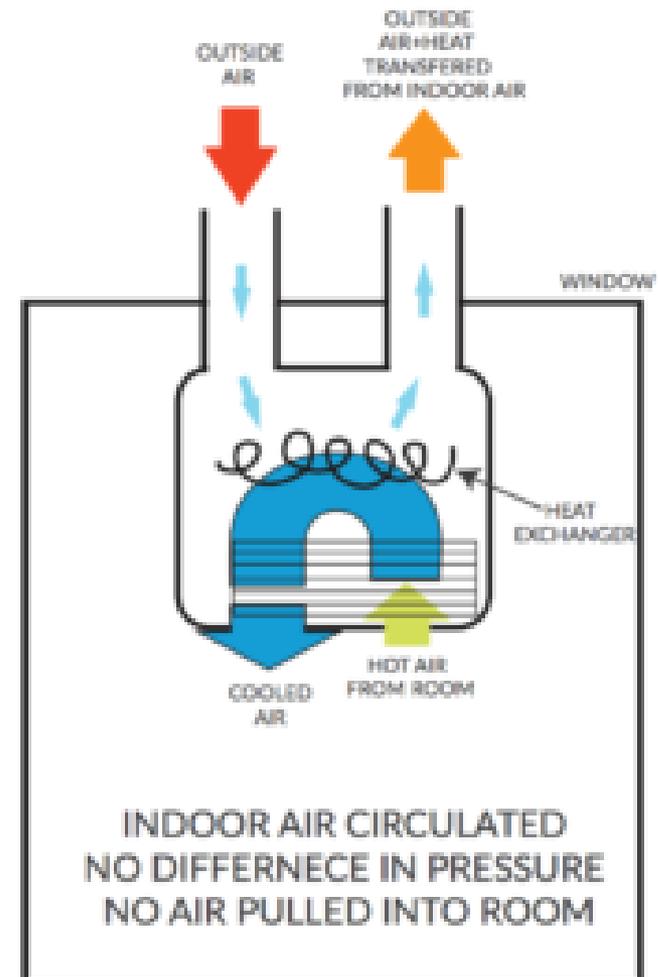




# Standard - Technical Feasibility

- Increase size of heat exchanger
- Improved compressor
- Improved fan motor
- Lower standby power
- 13% of PAC models meet EL 2

## Dual Hose





# Standard – Estimated Savings

	<b>First Year Electricity Savings</b>	<b>First Year Monetary Savings (\$)*</b>	<b>Lifecycle Annual Electricity Savings</b>	<b>Lifecycle Annual Net Monetary Savings (\$)**</b>
Per Unit	223 kWh	\$30	2,230 kWh	\$224
Statewide	36.9 GWh	\$4.97 M	369 GWh	\$49.7 M

Incremental retail price \$76

Benefit cost ratio 2.95:1

\* National average price of electricity

\*\* Undiscounted



# Standard – Conclusion

- Three written comments received
  - Two support the standard
  - One opposes the effective date but not the standard
- Staff finds the proposed standard is
  - Technically feasible
  - Cost-effective over the lifetime of the appliance
- Request approval of the proposed regulations

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**DOCKETED**

<b>Docket Number:</b>	18-AAER-04
<b>Project Title:</b>	Portable Air Conditioners
<b>TN #:</b>	224956
<b>Document Title:</b>	Proposed Regulatory Language - Portable Air Conditioners Appliance Efficiency Rulemaking
<b>Description:</b>	Proposed Regulatory Language - Portable Air Conditioners Appliance Efficiency Rulemaking
<b>Filer:</b>	Patrick Saxton
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	10/11/2018 12:12:06 PM
<b>Docketed Date:</b>	10/11/2018

# Proposed Regulatory Language

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## California Code of Regulations

### Title 20. Public Utilities and Energy

#### Division 2. State Energy Resources Conservation and Development Commission

#### Chapter 4. Energy Conservation

#### Article 4. Appliance Efficiency Regulations, Portable Air Conditioners

#### Sections 1602, 1605, 1605.1, 1605.2, 1605.3, 1606, and 1608

October 12, 2018

Proposed new language appears as underline (example) and proposed deletions appear as strikeout (~~example~~). Existing language appears as plain text. Three dots or “...” represents the substance of the regulations that exists between the proposed language and current language. The proposed regulatory language includes changes recently made to the Appliance Efficiency Regulations, approved September 26, 2018, and which became effective October 1, 2018. These changes are available <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224840>.

#### **§ 1601. Scope.** [No changes]

#### **§ 1602. Definitions.**

...[skipping (a) through (c)]

#### **(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.**

“Adjusted cooling capacity at 83°F conditions” means the adjusted cooling capacity of a single-duct or dual-duct portable air conditioner tested at the 83°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Adjusted cooling capacity at 95°F conditions” means the adjusted cooling capacity of a single-duct or dual-duct portable air conditioner tested at the 95°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Airflow”]

“Annual energy consumption in cooling mode” means the annual energy consumption of a single-duct portable air conditioner in cooling mode, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in cooling mode at 83°F conditions” means the annual energy consumption of a dual-duct portable air conditioner in cooling mode tested at the 83°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in cooling mode at 95°F conditions” means the annual energy consumption of a dual-duct portable air conditioner in cooling mode tested at the 95°F dry-bulb outdoor conditions, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in inactive or off mode” means the annual energy consumption of a single-duct or dual-duct portable air conditioner in inactive or off mode, as determined using the test method specified in section 1604(d) of this Article.

“Annual energy consumption in off-cycle mode” means the annual energy consumption of a single-duct or dual-duct portable air conditioner in off-cycle mode, as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Basic model” through “Centrifugal ceiling fan”]

“Combined energy efficiency ratio (CEER)” of a single-duct or dual-duct portable air conditioner means is the energy efficiency of a portable air conditioner in Btu per watt-hours (Btu/Wh), as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Cooling efficiency ratio (CER)” through “Packaged indirect/direct evaporative cooler”]

“Portable air conditioner” means a portable encased assembly, other than a “packaged terminal air conditioner,” “room air conditioner,” or “dehumidifier,” that delivers cooled, conditioned air to an enclosed space, and is powered by single-phase electric current. It includes a source of refrigeration and may include additional means for air circulation and heating. ~~A portable air conditioner is typically mounted on wheels for moving from place to place within a building or structure.~~

...[skipping “Portable dehumidifier”]

“Portable or Spot Evaporative Cooler” means a ~~spot~~ spot air conditioner that uses evaporative cooler that is non-ducted, not designed for permanent installation, and can be plugged into a standard mains outlet.

...[skipping “Product capacity for dehumidifiers” through “Residential exhaust fan”]

“Seasonally adjusted cooling capacity (SACC)” of a single-duct or dual-duct portable air conditioner means the amount of cooling, measured in Btu/h, provided to the indoor conditioned space, ~~measured under the specified ambient conditions~~ as determined using the test method specified in section 1604(d) of this Article.

...[skipping “Single-duct portable air conditioner” through “Small-diameter ceiling fan”]

“Spot air conditioner” means a portable air conditioner that discharges cool air into a space and discharges rejected heat back into that space, where there is no physical boundary separating the discharges. ~~Spot air conditioners are considered a subset of portable air conditioners.~~

...[skipping “Standard ceiling fan” through end of section 1602]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), 25402.5.4, and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

**§ 1602.1. Rules of Construction.** [No changes]

**§ 1603. Testing: All Appliances.** [No changes]

**§ 1604. Test Methods for Specific Appliances.** [No changes]

**§ 1605. Energy Performance, Energy Design, Water Performance, and Water Design Standards: In General.**

...[skipping (a) through (f)]

**(g) Portable Air Conditioners.** If a model of portable air conditioner sold or offered for sale in California has both single-duct and dual-duct configuration options, both configurations must meet the applicable standard in section 1605.3.

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-(c), and 25960, Public Resources Code.

Reference: Sections 25216.5(d), 25402(a)-(c), and 25960, Public Resources Code.

**§ 1605.1. Federal and State Standards for Federally Regulated Appliances.**

...[skipping (a) through (c)]

**(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.**

...[skipping (1) through (4)]

(5) See section 1605.3(d) of this Article for energy efficiency standards for portable air conditioners.

(6) There are no energy efficiency standards or energy design standards for portable spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.1]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

## **§ 1605.2. State Standards for Federally Regulated Appliances**

...[skipping (a) through (c)]

**(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.**

...[skipping (1)]

(2) **Portable Air Conditioners.** See section 1605.3(d) of this Article for energy efficiency standards for portable air conditioners.

(3) There are no energy efficiency standards or energy design standards for portable spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no energy efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.2]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

## **§ 1605.3. State Standards for Non-Federally Regulated Appliances.**

...[skipping (a) through (c)]

**(d) Portable Air Conditioners, Evaporative Coolers, Ceiling Fans, Ceiling Fan Light Kits, Whole House Fans, Residential Exhaust Fans, Dehumidifiers, and Residential Furnace Fans.**

(1) **Energy Efficiency Standards for Portable Air Conditioners.** The combined energy efficiency ratio (CEER) of single-duct and dual-duct portable air conditioners manufactured on or after February 1, 2020, shall not be less than the value calculated

in the following equation, where SACC is the seasonally adjusted cooling capacity of a portable air conditioner:

$$CEER = 1.04 \times \frac{SACC}{(3.7117 \times SACC^{0.6384})}$$

(12) See section 1605.1(d) of this Article for energy efficiency standards for ceiling fan light kits, dehumidifiers, and residential furnace fans.

(23) See section 1605.1(d) of this Article for energy design standards for ceiling fans.

(34) There are no energy efficiency standards or energy design standards for ~~portable~~ spot air conditioners, evaporative coolers, whole house fans, or residential exhaust fans. There are no efficiency standards for ceiling fans.

...[skipping (e) through end of section 1605.3]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

## **§ 1606. Filing by Manufacturers; Listing of Appliances in the MAEDbS.**

### **(a) Filing of Statements.**

Each manufacturer shall electronically file with the Executive Director through the MAEDbS a statement for each appliance that is sold or offered for sale in California. The statement shall contain all of the information described in paragraphs (2) through (4) of this subsection and shall meet all of the requirements of paragraph (1) of this subsection and all other applicable requirements in this Article.

The effective dates of this section shall be the same as the effective dates shown in section 1605.1, 1605.2 or 1605.3 of this Article for appliances for which there is an energy efficiency, energy consumption, energy design, water efficiency, water consumption, or water design standard in section 1605.1, 1605.2, or 1605.3 of this Article. For appliances with no energy efficiency, energy consumption, energy design, water efficiency, water consumption, or water design standard in section 1605.1, 1605.2, or 1605.3 of this Article, the effective date of this section shall be one year after they are added to section 1601 of this Article, unless a different effective date is specified.

**Exceptions to Section 1606(a) of this Article:** Section 1606(a) of this Article is not applicable to:

1. external power supplies,
2. compressors,
- ~~3. portable air conditioners (except for spot air conditioners),~~
4. small electric motors, or

54. à la carte chargers meeting the EXCEPTION noted in section 1605.3(w)(2) of this Article.

...[skipping (a)(1)(A) through (a)(1)(G)]

**(H) Portable Air Conditioners.** A manufacturer shall file two statements for a single model of portable air conditioner if the model is sold or offered for sale in California with both single-duct and dual-duct configuration options. One statement shall be for the single-duct configuration, and the other statement shall be for the dual-duct configuration.

...[skip to Table X]

**Table X  
Data Submittal Requirements**

	<i>Appliance</i>	<i>Required Information</i>	<i>Permissible Answers</i>
	All Appliances	*Manufacturer's Name	
		*Brand Name	
		*Model Number	
		Date model to be displayed	
		Regulatory Status	Federally regulated consumer product, federally regulated commercial and industrial equipment, non-federally regulated

...[skipping A through C]

D	<u>All Single-Duct and Dual-Duct Portable Air Conditioners</u>	<u>*Duct configuration</u>	<u>Single-duct, dual-duct, ability to operate in both single-duct and dual-duct configurations</u>
		<u>Heating function available</u>	<u>True, False</u>
		<u>Dehumidification mode available</u>	<u>True, False</u>
		<u>Primary condensate removal feature</u>	<u>Auto-evaporation, gravity drain, removable internal collection bucket, condensate pump</u>

<u>Single-Duct Portable Air Conditioners</u>	<u>Combined Energy Efficiency Ratio (CEER) (Btu/Wh)</u>	
	<u>Seasonally Adjusted Cooling Capacity (SACC) (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 83°F conditions (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 95°F conditions (Btu/h)</u>	
	<u>Annual energy consumption in off-cycle mode (kWh/year)</u>	
	<u>Annual energy consumption in inactive or off mode (kWh/year)</u>	
	<u>Annual energy consumption in cooling mode (kWh/year)</u>	
<u>Dual-Duct Portable Air Conditioners</u>	<u>Combined Energy Efficiency Ratio (CEER) (Btu/Wh)</u>	
	<u>Seasonally Adjusted Cooling Capacity (SACC) (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 83°F conditions (Btu/h)</u>	
	<u>Adjusted Cooling Capacity at 95°F conditions (Btu/h)</u>	
	<u>Annual energy consumption in off-cycle mode (kWh/year)</u>	
	<u>Annual energy consumption in inactive or off mode (kWh/year)</u>	
	<u>Annual energy consumption in cooling mode at 83°F conditions (kWh/year)</u>	

		<u>Annual energy consumption in cooling mode at 95°F conditions (kWh/year)</u>	
Spot Air Conditioners	*Type		Single package, air-cooled; single package, evaporatively-cooled; split system: air-cooled condensing unit, coil with blower; split system: evaporatively-cooled condensing unit, coil alone; single package, air-cooled (FD); single package, evaporatively-cooled (FD); split system: air-cooled condensing unit, coil with blower (FD); split system: evaporatively-cooled condensing unit, coil alone (FD)
	Cooling Capacity		
	Total Electrical Input		
	Cooling Efficiency Ratio (CER)		
	Fan Electrical Input		
	Refrigerant Type		Ozone-depleting, non-ozone-depleting

\* "Identifier" information as described in section 1602(a) of this Article.

1 = Voluntary for federally-regulated appliances

2 = Voluntary for state-regulated appliances

...[skipping remaining text in Table X through end of section 1606]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-25402(c), and 25960, Public Resources Code; and sections 16, 26, and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 25216.5(d), 25402(a)-25402(c), 25402.5.4, and 25960, Public Resources Code; and section 16, Governor's Exec. Order No. B-29-15 (April 1, 2015).

**§ 1607. Marking of Appliances. [No changes]**

**§ 1608. Compliance, Enforcement, and General Administrative Matters.**

**(a) General Requirements for the Sale or Installation of All Appliances.**

Any unit of any appliance within the scope of section 1601 of this Article may be sold or offered for sale in California only if:

- (1) the appliance appears in the most recent MAEDbS established pursuant to section 1606(c) of this Article, unless the only reason for the appliance's absence from the MAEDbS is its failure to comply with an applicable standard in section 1605.1 of this Article;
- (2) the manufacturer has:
  - (A) tested the appliance as required by sections 1603 and 1604 of this Article;
  - (B) marked the unit as required by section 1607 of this Article;
  - (C) for any appliance for which there is an applicable standard in section 1605.2 or 1605.3 of this Article, certified under section 1606(a) of this Article that the appliance complies with the standard;
- (3) the unit has the same components, design characteristics, and all other features that affect energy or water consumption or energy or water efficiency, as applicable, as the units that were tested under sections 1603 and 1604 of this Article and for which information was submitted under section 1606(a) of this Article; and
- (4) for any appliance for which there is an applicable standard in section 1605.2 or 1605.3 of this Article, the unit complies with the standard.

**Exceptions to Sections 1608(a)(1) and 1608(a)(2)(C) of this Article.** Sections 1608(a)(1) and 1608(a)(2)(C) of this Article are not applicable to:

- 1. external power supplies,
- 2. compressors,
- ~~3. portable air conditioners (except for spot air conditioners),~~
- ~~4. small electric motors, or~~
- ~~5. à la carte chargers meeting the EXCEPTION noted in section 1605.3(w)(2) of this Article.~~

...[skipping through end of the section]

Note: Authority cited: Sections 25213, 25218(e), 25402(a)-(c), and 25960, Public Resources Code.  
Reference: Sections 25216.5(d), 25402(a)-(c), and 25960, Public Resources Code.

**§ 1609. Administrative Civil Penalties. [No changes]**

**STATE OF CALIFORNIA**  
**STATE ENERGY RESOURCES**  
**CONSERVATION AND DEVELOPMENT COMMISSION**

**In the Matter of:**

**Portable Air Conditioners  
Appliance Efficiency Rulemaking**

**Docket No. 18-AAER-04**

**RESOLUTION ADOPTING NEGATIVE  
DECLARATION AND UPDATES TO THE  
APPLIANCE EFFICIENCY REGULATIONS  
Order Number 18-1210-08**

**WHEREAS**, on September 19, 2018, the Commission published the U.S. Department of Energy (DOE) Pre-publication Energy Conservation Program Standards for Portable Air Conditioners, and the DOE Technical Support Document for these standards, but has yet to publish the completed standards; and

**WHEREAS**, on October 11, 2018, the Commission published a Notice of Proposed Action (NOPA) concerning the adoption of appliance efficiency standards for Portable Air Conditioners, and the Express Terms of the proposed regulations, which are the same as those contemplated by DOE, and the Initial Statement of Reasons (ISOR) describing the rationale for the proposed regulations; and

**WHEREAS**, adoption of these standards would constitute a project as defined in the California Environmental Quality Act (California Public Resources Code section 21000 et seq.) and the Guidelines for the Implementation of CEQA (California Code of Regulations, title 14, section 15000 et seq.) (collectively, "CEQA"), for which the Commission is the lead agency for the preparation and consideration of environmental documents; and

**WHEREAS**, on October 26, 2018, the Commission published an Initial Study and Proposed Negative Declaration for the proposed regulations, and a Notice of Availability, concluding that the proposed regulations would result in energy savings and reductions in statewide greenhouse gas emissions, and there would be no significant adverse impacts to the environment as a result; and

**WHEREAS**, on October 26, 2018, the Commission published a Notice of Completion and Environmental Document Transmittal, indicating that the Initial Study and Proposed Negative Declaration were submitted to the State Clearinghouse on October 25, 2018; and

**WHEREAS**, the comment period on the Initial Study and Proposed Mitigated Negative Declaration ended on November 26, 2018; and

**WHEREAS**, each of these documents and notices was provided to every person on the Energy Commission's Appliances List Server and to every person who had requested notice of such matters, and was posted to the Commission's website, all of which remain on file and may be viewed on the Commission website or at the Commission's headquarters in Sacramento; and

**WHEREAS**, on November 27, 2018, Commission staff held a hearing to receive comments on the Proposed Negative Declaration and the proposed regulations pursuant to CEQA and the Administrative Procedure Act; and

**WHEREAS**, no written or oral comments were received on the Initial Study or proposed negative declaration; and

**WHEREAS**, the Commission has reviewed and considered the Initial Study and Negative Declaration, and other related documents in the record before it;

**THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:**

With respect to CEQA compliance:

1. The foregoing recitals are true and correct.
2. The Commission has independently reviewed, analyzed, and considered the Initial Study, Proposed Negative Declaration and the whole record before it ). Based on this evidence, the Commission finds that there is no substantial evidence supporting a fair argument that the adoption of standards for portable air conditioners will have a significant adverse effect on the environment.
3. The Negative Declaration has been completed in compliance with CEQA.
4. The Negative Declaration represents the independent judgment and analysis of the Commission as lead agency for the project within the meaning of CEQA.
5. The Commission's Dockets Unit is the custodian of records of the proceeding on which this decision is based. The record of this proceeding may be obtained online and is available at the Commission's headquarters in Sacramento.
6. The Commission hereby directs staff to appropriately file a notice of determination within five working days of the adoption of this resolution.

With respect to the Warren-Alquist Act:

7. The proposed regulations will reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy for appliances that require a significant amount of energy on a statewide basis; and

8. The proposed regulations are technologically feasible and attainable, as supported by the presence of products currently in the market that meet the proposed standards; and
9. The proposed regulations do not result in any added total costs to the consumer over the designed life of the appliances concerned, as supported by staff's calculation of a nearly 3:1 benefit to cost ratio; and

With respect to the Administrative Procedure Act:

10. The proposed regulations will not create new businesses, eliminate existing businesses, or have an effect on the expansion of businesses in California and will not result in a significant statewide adverse impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
11. The proposed regulations will not create or eliminate a significant number of jobs within California; and
12. The proposed regulations will impose no direct costs, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code; and
13. The proposed regulations will result in no costs or savings in federal funding to the State of California; and
14. The proposed regulations will not result in cost or savings to any state agency in reasonable compliance with these regulations; and
15. The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and
16. The proposed regulations will have no impact on housing costs; and
17. The proposed regulations will have no significant, statewide adverse effect on businesses in general or small businesses in particular; and
18. The proposed regulations will impose no net costs on private persons when savings from reduced electricity use are taken into account; and
19. The proposed regulations may result in costs that a representative business may necessarily incur in reasonable compliance with the regulations, but any costs would be passed on to consumers and outweighed by savings resulting from reduced electricity use; and
20. The proposed regulations will result in non-economic benefits, on a statewide level, such as reduction in pollution, greenhouse gas emissions, and energy generation demand; and

21. The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the Warren-Alquist Act, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
22. The proposed regulations require completion of certain reports regarding the efficiency and performance of the regulated appliances; this information is necessary for consumers and the Energy Commission to confirm that the standards are met and that the appliances consume no more energy than allowed, so that the anticipated energy, environmental and cost benefits will actually be achieved. Accordingly, it is necessary that these reporting requirements apply to businesses in order to protect the health, safety and welfare of the people of California, as required by Government Code section 11346.3, subdivision (d); and
23. None of the comments received during the comment period or at the adoption hearing, and nothing else in the record, justifies or requires any changes to the proposed regulations, or the Initial Study and Proposed Negative Declaration.

**THEREFORE BE IT RESOLVED**, after considering all comments received and the staff's responses, and based on the entire record of the proceeding, the California Energy Commission hereby adopts the Negative Declaration ; and

**BE IT FURTHER RESOLVED**, after considering all comments received and the staff's responses, and based on the entire record of the proceeding, the California Energy Commission hereby adopts the amendments to its appliance efficiency regulations, as set forth in the express terms. (California Code of Regulations, sections 1601-1609.) We take this action under the authority of, and to implement, interpret, and make specific, sections 25213, 25218(e), and 25402 of the Public Resources Code; and

**BE IT FURTHER RESOLVED**, the Energy Commission delegates the authority and directs Commission staff to take, on behalf of the Commission, all actions reasonably necessary to have the adopted regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); and making any changes to the rulemaking file required by OAL.

**CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on December 10, 2018.

AYE: xxx

NAY: xxx

ABSENT: xxx

ABSTAIN: xxx

Original Signed by:

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Cody Goldthrite  
Secretariat