June 9, 2015

To: Members of the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC)

Re: Negotiated Rulemaking on Residential Central Air Conditioners

On behalf of the Air-Conditioning, Heating, and Refrigeration Institute (AHRI), I am writing to respectfully request that the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) consider establishing a working group to conduct a negotiated rulemaking for the establishment of energy conservation standards for residential central air conditioners at its upcoming meeting on June 17, 2015.

As you know, in November, 2014, the Department of Energy (DOE) released a Request for Information (RFI) officially launching a rulemaking to establish new energy conservation standards for residential central air conditioners. DOE previously amended the energy conservation standards for these products, first in 2001 and then in 2011. However, in both cases, the final rulemakings were contentious and resulted in litigation. Given the complexity of regional standards and the extensive analysis needed to fully assess the new energy conservation standards, we expect this rulemaking to involve many of the same issues, which can be best resolved through negotiated rulemaking. As an example, the enforcement standards for this very rule were conducted through negotiated rulemaking, and the shared information and dialogue between diverse stakeholders such as manufacturers, energy efficiency advocates, distributors and contractors was essential to fully analyze the relevant issues and successfully develop that rule.

While AHRI intends to fully participate in any rulemaking process, we believe that a negotiated rulemaking through ASRAC is the most appropriate mechanism to engage all stakeholders and develop consensus recommendations. We believe the negotiated rulemaking process will provide revised standards that are developed in a timely manner and can be implemented on schedule. AHRI and its members would be delighted to participate and support such an effort.

It is our hope that the ASRAC committee will look favorably at our request. Thank you for your consideration.

Respectfully submitted,

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