



September 23, 2011

The Honorable Steven Chu
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Dr. Chu:

I am writing to request that The U.S. Department of Energy (DOE) finalize its consideration of new residential heating and cooling energy efficiency standards prior to January 15, 2012. While AHRI will file full comments on the direct final rule, we are writing now to emphasize the importance of making a timely final determination.

DOE published a direct final rule in the June 27, 2011, Federal Register adopting consensus amended federal minimum efficiency standards for residential central air conditioners and heat pumps and residential furnaces submitted to DOE in January 2010 by the Air-Conditioning, Heating and Refrigeration Institute (AHRI), the State of California and numerous leading energy conservation advocacy groups. The direct final rule is to be effective October 25, 2011, unless DOE decides to withdraw it in response to significant adverse comments submitted to DOE by October 17, 2011. The consensus amended standards apply to residential non-weatherized gas furnaces, mobile home gas furnaces and non-weatherized oil furnaces manufactured on or after May 1, 2013, and to residential central air conditioners and heat pumps and residential weatherized gas furnaces manufactured on or after January 1, 2015.

The Energy Policy and Conservation Act (EPCA) recognizes that manufacturers must be provided adequate lead times for compliance with new or amended standards to allow for product redesign and engineering, plant retooling, product planning and promotion, and modification of product distribution. EPCA thus provides statutory lead times for amended standards compliance. In negotiating the consensus furnace/air conditioner/heat pump standards more than two years ago, AHRI agreed to compressed lead times for compliance with the amended standards, in the case of non-weatherized furnaces much shorter than the minimum lead time prescribed by statute.

While AHRI members have been preparing to meet the dates set forth in the consensus agreement, twenty months have passed since the agreement was submitted to DOE. Subsequently, the lead time for compliance with the non-weatherized furnace standards has been further compressed to the point where any substantial additional delay on a final decision beyond the end of this year will make timely industry compliance with the standards infeasible. AHRI cannot support standards that do not provide adequate lead time for compliance given required investments in factory tooling and product planning. Therefore, final adoption of the new standards after January 15, 2012 would force the involved parties

to reconsider their support for the compliance dates contained in the agreement. AHRI urges DOE to confirm its adoption of the consensus standards as soon as possible after the period for public comment on the direct final rule has expired.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen R. Yurek". The signature is fluid and cursive, with the first name "Stephen" being the most prominent.

Stephen R. Yurek
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cc: Steve Nadel, ACEEE