



2111 Wilson Boulevard Suite 500 Arlington VA 22201-3001 USA
Phone 703 524 8800 | Fax 703 562 1942
www.ahrinet.org

September 1, 2016

Ms. Ashley Armstrong
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
Building Technologies Program, EE-5B
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0121

Re: SNOPR Conversion Factor for Water Heaters
Docket No. EERE-2015–BT–TP–0007

Dear Ashley,

The August 30, 2016 Federal Register included the Department of Energy's (DOE) Supplemental Notice of Proposed Rulemaking (SNOPR) regarding a mathematical conversion factor to translate the efficiency ratings for water heaters to the Uniform Energy Factor (UEF) and capacity ratings, as determined by the amended efficiency test method issued by DOE on July 11, 2014. At present the comment period for this SNOPR ends on September 29, 2016. On behalf of AHRI's water heater manufacturer members, AHRI requests that the current 30-day comment period be extended by an additional 60 days.

As noted in the SNOPR, the NOPR on this conversion factor matter was issued in April 2015. Since that time DOE has done additional work to refine this proposal. The fact that the SNOPR did not get issued until 16 months after the NOPR underscores the complexity of this rulemaking. We recognize and appreciate that effort by DOE.

This conversion factor rule will affect the efficiency and delivery capacity ratings of all residential water heater models and the subset of commercial water heater models classified as residential-duty. Furthermore, it is adding efficiency rating requirements for some residential models that heretofore had no efficiency ratings. AHRI and its members must analyze all the aspects of the development of this SNOPR relative to both the proposed conversion factors for 2 distinct metrics applicable to individual models in 13 subcategories of water heaters and the proposed converted minimum Uniform Energy Factor (UEF) standards which recalibrates the relative ratings and compliance status of all models. This recalibration requires that manufacturer consider the effect of the conversion factors on both models that are at the current minimum EF level and models that exceed the minimum EF standard. For the latter models, that analysis must review how the conversion factors affect the model's relative position compared to a "minimum" model. We must have sufficient time to consider all these facets and ramifications.

Even as we have shared with DOE some of the results of comparative efficiency and delivery capacity tests that have been conducted by AHRI's water heater efficiency certification program, we have conducted additional tests in the past several months. We must have time to compare the cumulative results of our testing to the SNOPR proposals to address the most critical question for our members: Do

we agree with the proposed conversion factors and converted energy conservation standards? Although not anticipated at this time, it should be recognized that the industry may need to conduct some additional testing that focuses on a specific subcategory of water heater or an aspect of the SNOPR.

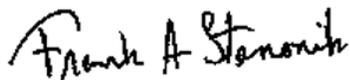
We would also ask you to recognize the current regulatory burden faced by water heater manufacturers. In the past several months DOE issued separate proposed rulemakings regarding the test procedures and efficiency standards for commercial water heaters. Considerable time was expended to respond to those rulemakings. That left no time to work on conversion factor issues in anticipation of this SNOPR.

This rulemaking is behind schedule. There is no need to get into the details but it clearly has been a difficult process. Because of that there may be some urgency to finalize this rulemaking. But, when considering the nature and impact of this rulemaking and the time it has taken to get to this point, a 30-day review period to comment on this SNOPR is insufficient and inequitably disproportionate to time it took to develop it. Considering all these factors, we respectfully request that DOE extend the comment period for this SNOPR from 30 to 90 days.

There are significant other issues regarding the implementation of this rule and managing the transition to display UEF ratings in various forms, e.g. labels, marketing material and other consumer information. To whatever degree an extension of the comment period may delay the issuance of the final rule, it should be recognized that the practical reality is that efficiency ratings on water heaters, in manufacturers' literature and advertising material cannot be changed overnight. A delay in issuing the final rule does not necessarily result in an equal delay in the actual implementation of the rule in the market. As we have noted before, DOE also should consider the fact that the matter at hand involves only the transition to a new efficiency metric and not any determination of compliance with revised efficiency standards.

In view of the short review period, we request your immediate attention to this request. If you have any questions or wish to discuss this further, please call us.

Respectfully submitted,

A handwritten signature in black ink that reads "Frank A. Stanonik". The signature is written in a cursive, slightly slanted style.

Frank A. Stanonik
Chief Technical Advisor

Cc: Mr. Eric Stas