

MEMORANDUM

RE: Ex Parte Communications in Connection with
Docket No's EERE-2008-BT-STD-0005-0089 and EERE-2014-BT-TP-0043
Energy Conservation Program: Energy Conservation Standards and Test Procedures for
External Power Supplies

To: expartecommunications@hq.doe.gov

From: Alex Boesenberg, Manager of Regulatory Affairs
National Electrical Manufacturers Association

Date: March 20, 2015

This memorandum memorializes a communication involving NEMA Ballast and Driver Section members and DOE staff in connection with this proceeding. The National Electrical Manufacturers Association (NEMA) appreciates the opportunity to meet with the Department of Energy's staff regarding industry concerns for the application and coverage of Rules for External power Supplies.

Attendees of the meeting were as follows: John Cymbalsky (DOE), Ashley Armstrong (DOE), Steve Goering (DOE), Laura Barhydt (DOE), Tanya Hernandez (Acuity Brands), Keith Cook (Philips), Ernesto Mendoza (Philips), Russ Smith (Lutron), Joe Parisella (OSRAM Sylvania) and Alex Boesenberg (NEMA).

The principal purpose of the meeting was to discuss the scope, coverage and application of the Test Procedures and the Energy Conservation Standard for External Power Supplies (EPS).

NEMA and its members reiterated their continuing confusion as to exactly which drivers/ballasts in their products are affected by the rulemakings, especially in light of DOE's response in the Final Rule for EPS in which DOE stated "certain" solid state lighting (SSL) drivers are within scope¹. The highly modular approach being used in SSL products, and in legacy products, yields flexibility in design options and the ability to use one driver for many products to reduce overall costs, but these devices are all meant to be integrated as a part of the SSL product and the power supplies are not typically bought and sold to consumers as individual components to be used later. Furthermore, the Test Procedure as written cannot be accurately applied to many/most lighting power supplies due to their design and construction. NEMA appreciates that the DOE has opened a rulemaking for adjusting the Test Procedure and we are trying to develop modifications to propose which will allow some ballasts and drivers to be tested, but we note that the existing standard's requirements include parameters which ballasts and drivers cannot pass because they are not designed for them, i.e. the No Load Power test requirement. These requirements are not meant to be applied to most lighting power supplies, and so it follows they were not established to be accurately and fairly applied to lighting products.

NEMA understands that a modification of the statutory definition of an EPS might be the best course, due to the limitations on DOE's authority in this matter. We will keep DOE apprised of any developments in this regard, along with any related proposals to adjust definitions or procedures within the DOE's purview so as to improve the understanding of coverage and application of the test procedures.

¹ See item B.3.: <http://www.regulations.gov/#!documentDetail;D=EERE-2008-BT-STD-0005-0219>

NEMA and its members again thank the U.S. Department of Energy for hosting the meeting and for considering the points made therein. We look forward to working with the DOE further on this important project. If you have any questions on these comments, please contact me at 703-841-3268 or alex.boesenberg@nema.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Boesenberg". The signature is fluid and cursive, with the first name "Alex" being more prominent and the last name "Boesenberg" following in a similar style.

Alex Boesenberg
Manager, Regulatory Affairs
National Electrical Manufacturers Association