



September 7, 2012

Daniel Cohen, Esq.
Office of General Counsel
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Re: Regulatory Burden RFI

Dear Mr. Cohen:

These comments are submitted by the Air-Conditioning, Heating, and Refrigeration Institute (AHRI) in response to the U.S. Department of Energy's (DOE) notice in the August 8, 2012 Federal Register requesting information to assist DOE in reviewing existing regulations and in making its regulatory program more effective and less burdensome.

AHRI most recently submitted comments on January 4, 2012 in response to the previous Request for Information (RFI) issued by DOE in December of 2011. We note that the May 2012 Retrospective Review Plan Report does include several items addressing issues noted in our comments. We appreciate DOE's commitment to working on these issues in the interest of reducing regulatory burdens and look forward to the results of these efforts that will achieve that objective.

AHRI's previous comments have identified our concerns regarding the significant burden associated with DOE's certification, compliance and enforcement regulations for residential and commercial product efficiency standards. DOE has certainly acknowledged those concerns in the May 2012 Retrospective Review Plan Report. However there are several aspects of the plan for addressing these certification, compliance and enforcement regulations on which we have comments.

There is an intrinsic relationship between the development of a practical, effective Alternative Efficiency Determination Methods (AEDM) for the purpose of certifying compliance with efficiency standards and the burden of submitting certification reports to DOE. The extension of the compliance dates for certain commercial products without the corresponding finalization of a workable AEDM regulation does very little to reduce the testing burden on manufacturers. In order to reduce this burden the amended AEDM rule must be finalized prior to the compliance

date with additional time allowed for manufacturers to develop and implement AEDMs for their products that would comply with the amended regulation. As the situation currently stands, the extension of the compliance date to December 31, 2012 no longer is compatible with this time sequence in relation to the date of the amended AEDM rule, even if that rule were issued today.

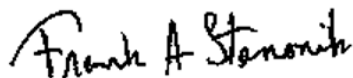
The May 2012 Retrospective Review Plan Report does not appear to address our comments regarding the redundancy of the certification reporting requirements for products covered by an AHRI efficiency certification program. The AHRI efficiency directories contain manufacturer identification, model number, efficiency and capacity rating information. Yet DOE requires the reporting of information beyond this essential information in our directories. These extra reporting requirements caused AHRI to develop a separate mechanism to provide DOE certification reports. We believe that using our Directory information as it is represents a low-cost approach that reduce burdens and maintains flexibility. For ease of reference we will repeat our January 2012 comment we provided on Question #6:

(6) Does the Department currently collect information that it does not need or use effectively to achieve regulatory objectives?

Although this comment was made in our March 21, 2011 letter, we are not aware of response indicating DOE's reaction to the comment. Therefore, we again note that DOE has developed templates for reporting efficiency rating information in support of its certification regulations that requests other information that is not directly related to the efficiency ratings of the models and is not necessary for achieving the objective of the certification requirements. These reporting requirements should be streamlined to require only essential information and to use existing industry databases.

We appreciate this opportunity to comment further on DOE's activities to reduce the regulatory burden on manufacturers.

Respectively submitted,



Frank A. Stanonik
Chief Technical Advisor