



LG ELECTRONICS

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**By email: GC\_comments@hq.doe.gov**

December 7, 2010

Scott Blake Harris, Esq.  
General Counsel  
United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

**Re: Alternative test procedure for large-capacity clothes washer models**

Dear Mr. Harris,

Thank you for seeking the views of interested parties concerning implementation of an alternative test procedure for large-capacity clothes washer models, i.e., those in excess of 3.8 cu ft. You appropriately state that the situation you have described presents a set of “unique circumstances.” LG Electronics’ suggestions herein are crafted in light of these unique circumstances.

As discussed herein, LG Electronics believes that there is a relatively simple and appropriate way to deal with the many problems raised in your letter. **It is to adopt a rule that will apply to all manufacturers and that will apply prospectively to models as of an appropriate date.**

Your letter succinctly summarizes problems involved concerning implementation of an alternative test procedure for large-capacity clothes washer models. Some of these issues concern timing of implementation for those manufacturers with waivers. Beyond that, you properly stress the overarching issue that some manufacturers may not have sought a waiver for large-capacity clothes washer models and may or may not do so, thus “creating concerns about consistency and equity.” Further in that regard, you stress the compelling need to have “representative efficiency ratings across manufacturers and models, while mitigating, to the extent possible, transition costs and marketplace disparities for those who have sought and obtained waivers from the Department.”

LG Electronics believes that the most appropriate way to address the various issues is for DOE to adopt a rule that would apply to all manufacturers. The rule would provide for use of the alternative test procedure for large-capacity clothes washer models (i.e., use of an extrapolated Table 5.1 for test loads for such models). It would apply to all manufacturers as of a reasonable effective date, for example, 180 days after publication in the Federal Register. It would apply prospectively to models, and thus

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would not apply to units already in the distribution chain. Thus, there would be no relabeling of units already in the distribution chain. The rule could provide that as of the effective date, all large-capacity clothes washer models must be rated pursuant to an extrapolated Table 5.1 for test loads. Prior to the effective date, manufacturers may comply with the currently-existing DOE test procedure.

This approach would be fair and would mitigate, to the extent possible, transition costs and marketplace disparities. Applying the rule to all manufacturers would avoid the unfairness of having the alternative test procedure apply only to those who have a waiver. Otherwise, those not having a waiver would be rewarded for not having applied for one and would have no incentive to apply – since they would gain a market advantage.

LG Electronics appreciates the opportunity to comment on this important matter. We look forward to further cooperation with DOE in relation to it.

Cordially,

A handwritten signature in black ink, appearing to read "John Taylor". The signature is fluid and cursive, with a large loop at the end.

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