



Department of Energy
Washington, DC 20585

November 28, 2016

Gary Wright
Vice President of Engineering and Product Development
First Company

Dear Mr. Wright,

The U.S. Department of Energy ("DOE") denies the petition submitted by First Company on November 1, 2016 requesting a 180-day extension of the December 5, 2016 date on which any representations of central air conditioner and heat pumps (CACs & CHPs) energy use or efficiency are required by statute to reflect the energy use or efficiency as measured by DOE's test procedure for that product (Docket No. EERE-2009-BT-TP-0004-0076). 42 U.S.C. § 6293(c)(2). Specifically, the statute provides that a manufacturer, distributor, retailer, or private labeler may submit a petition requesting that the Secretary extend, for no more than an additional 180 days and with respect to such petitioner, the date by which representations must be made in accordance with any new or amended DOE test procedure. The Secretary may grant an extension upon a finding that that the petition demonstrates that meeting the statutory requirement would impose an undue hardship on the petitioner.

First Company's petition requests a 180-day extension beyond the statutory requirement, contending that the requirement would impose an undue hardship on First Company. DOE has reviewed the petition and finds First Company did not submit its petition by the October 6, 2016 deadline pursuant to 42 U.S.C. § 6293(c)(3). Therefore, DOE denies First Company's petition.

Should you have any additional questions, please feel free to contact me at Ashley.Armstrong@ee.doe.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashley A. Armstrong", is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping tail that loops back to the right.

Ashley A. Armstrong
Appliance Standards Program

Cc: Richard A. Steyer

