



Department of Energy  
Washington, DC 20585

November 28, 2016

Jeff Nichols  
Director of Engineering, Residential  
Johnson Controls Incorporated  
Building Efficiency, Unitary Products Group  
Phone: (316) 832-6577  
Email: [Jeffrey.n.nichols@jci.com](mailto:Jeffrey.n.nichols@jci.com)

Dear Mr. Nichols,

The U.S. Department of Energy ("DOE") denies the petition submitted by Johnson Controls Incorporated (JCI) on October 5, 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). JCI timely submitted its petition pursuant to 42 U.S.C. § 6293(c)(3). 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.

JCI's petition requests a 180-day extension beyond the statutory requirement, contending that the requirement would impose an undue hardship on JCI. DOE has reviewed the petition and finds that JCI did not sufficiently demonstrate that requiring representations of energy use or efficiency to be based on the new DOE CAC & CHP test procedure beginning on December 5, 2016, would impose undue hardship on JCI. After an initial review, DOE emailed JCI to allow them to revise and resubmit their application to provide additional details by October 6, 2016. DOE did not receive any additional information from JCI and therefore denies JCI's petition.

Should you have any additional questions, please feel free to contact me at [Ashley.Armstrong@ee.doe.gov](mailto:Ashley.Armstrong@ee.doe.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley A. Armstrong", is written over a light blue horizontal line.

Ashley A. Armstrong  
Appliance Standards Program

