

Appliance Standards Awareness Project
American Council for an Energy-Efficient Economy
National Consumer Law Center, on behalf of its low-income clients
Natural Resources Defense Council
Northwest Energy Efficiency Alliance

June 9, 2020

Mr. Hampton Newsome
Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
Room CC-9528
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Portable Air Conditioners, Matter No. R611004

Dear Mr. Newsome:

This letter constitutes the comments of the Appliance Standards Awareness Project (ASAP), American Council for an Energy-Efficient Economy (ACEEE), National Consumer Law Center, on behalf of its low-income clients (NCLC), Natural Resources Defense Council (NRDC), and Northwest Energy Efficiency Alliance (NEEA) on the notice of proposed rulemaking (NOPR) to require EnergyGuide labels for portable air conditioners (ACs). 85 Fed. Reg. 20218 (April 10, 2020). We are pleased that FTC has promptly issued this proposal following publication of the DOE energy conservation standards for portable ACs.

In the NOPR, FTC is proposing an effective date to coincide with the compliance date of the DOE standards—January 10, 2025. We continue to urge FTC to require labeling of portable ACs in advance of the compliance date of the DOE standards. As we explained in our comments on the 2016 NOPR, labeling in advance of the compliance date of the DOE standards will provide consumers with information to compare portable AC units as well as an indication that portable ACs are less efficient than room ACs.

We also encourage FTC to ensure that the regulatory language concerning “Determinations of capacity” (Section 305.10) reflects the current test procedures for both room air conditioners and portable air conditioners. The current language (which remains unchanged in the NOPR) states:

The capacity shall be the cooling capacity in Btu's per hour, as determined according to appendix F to 10 CFR part 430, subpart B, but rounded to the nearest value ending in hundreds that will satisfy the relationship that the value of CEER used in representations equals the rounded value of capacity divided by the value of input power in watts. If a value ending in hundreds will not satisfy this relationship, the capacity may be rounded to the nearest value ending in 50 that will.

The metric used for room ACs prior to 2014 was EER, which was calculated as cooling capacity divided by electrical input power. However, the current metric, CEER, is calculated as the cooling capacity multiplied by the representative average use-cycle of 750 hours divided by the combined annual energy consumption (which is the sum of the average annual energy consumption and the standby mode and

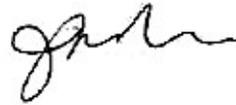
off mode energy consumption). For portable ACs, there are separate equations for calculating CEER for single-duct and dual-duct units, which incorporate the annual energy consumption in various modes of operation, including cooling mode at two different outdoor ambient temperatures for dual-duct units. Therefore, it appears that the regulatory language referring to “the nearest value ending in hundreds that will satisfy the relationship that the value of CEER used in representations equals the rounded value of capacity divided by the value of input power in watts” does not reflect the current test procedures for room ACs and portable ACs. (For example, it is unclear what “input power” refers to for portable ACs.)

Thank you for considering these comments.

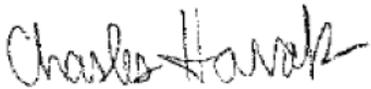
Sincerely,



Joanna Mauer
Technical Advocacy Manager
Appliance Standards Awareness Project



Jennifer Amann
Buildings Program Director
American Council for an Energy-Efficient
Economy



Charles Harak, Esq.
National Consumer Law Center
(On behalf of its low-income clients)



Lauren Urbanek
Senior Energy Policy Advocate
Natural Resources Defense Council



Louis Starr, P.E.
Sr. Energy Codes and Standards Engineer
Northwest Energy Efficiency Alliance