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December 15, 2010

Ms. Katharine Kaplan
U.S. Environmental Protection Agency
Office of Air and Radiation
1310 L Street, NW
Washington, DC 20005

Subject: Proposed modifications to the ENERGY STAR Televisions program,
Version 5

Dear Ms. Kaplan:

On behalf of the Consumer Electronics Association (CEA), thank you for the opportunity to comment on the latest proposed changes to the ENERGY STAR TV Specification, Version 5. The new proposals are outlined in a memo from the EPA dated November 23, 2010.

On December 1, 2010 the EPA hosted a conference call to discuss these proposals and related issues. The EPA is currently proposing two modifications to the ENERGY STAR televisions program and providing additional clarification on the test procedure for Download Acquisition Mode (DAM). Specifically, the EPA is proposing a change to the effective date for Version 5 to July 1, 2011. In addition, the EPA is seeking stakeholder feedback on Power Overhang and is encouraging the use of the CEA DAM testing procedure effective immediately.

As a long-time partner in energy efficiency, the consumer electronics industry is committed to the further success of the ENERGY STAR program. In particular, the existing TV specifications cover a large number of television models with a wide range of features and are therefore well suited for comment and input from CEA. The industry's past effort to maintain ENERGY STAR program integrity led to a CEA proposal to accelerate discussions when moving from Version 3 to Version 4 of the specification. We offer the following comments with regard to the effective date of Version 5 of the ENERGY STAR TV specification.

We note that the discussion on an accelerated timeline for implementation of Version 5 is driven by the continued and rapid achievements by manufacturers in the energy efficiency of today's televisions. Such innovation supporting and advancing energy efficiency is a tribute to the successful partnership between the consumer electronics industry and the EPA.

Effective Date:

Version 5 is currently scheduled to become effective on May 1, 2012. This version of the specification establishes challenging On Mode power consumption levels and, for the first time, implements an additional energy use cap in the form of a requirement that TVs greater than 50 inches in size meet the same On Mode requirements as a screen of 50 inches – 108 watts. As stated in previous industry comments, this is an unfortunate policy shift by the EPA which moves the program from a traditional focus on energy efficiency, which is especially important nowadays, to a

program focused on consumption, regardless of efficiency. Beyond this fundamental concern, the EPA is now proposing an accelerated implementation schedule for Version 5 of the specification to July 1, 2011. The ten month acceleration represents a significant change to the schedule manufacturers have been planning for since the Version 5 effective date was initially set in September 2009.

The ENERGY STAR program is intended to reward the top 25 percent of the market with respect to energy efficiency. Improvements in energy efficiency of televisions continue to expand the market share of ENERGY STAR qualified TVs. We agree that the program must take appropriate steps to maintain ENERGY STAR's relevance in today's quickly evolving market. However, the program must also maintain a balanced approach, recognizing the complications that are caused by sudden and shifting effective dates.

The process of labeling products and associated marketing materials and operating manuals is complex. Long lead times are essential to ensure that products are properly labeled in accordance with the program. The proposed accelerated implementation date for Version 5 will make the process of labeling televisions even more difficult. Moreover, many products currently qualified under Version 4 of the specification will lose their qualification under Version 5 and will therefore need to be de-labeled. Manufacturers will have only a few months, at most, to adjust their factory production lines and packaging processes to accommodate the changes in labeling.

Even electronic labeling will be adversely effected. Some manufacturers will be required to implement necessary product software changes associated with the on-screen messages they provide to consumers indicating the television is ENERGY STAR compliant. Those messages are software derived. For models already on the market that won't meet Version 5, it can be extremely difficult for some manufacturers to modify the software to remove the messages.

These labeling problems are further compounded by EPA's abandonment of its long standing practice of allowing at least nine months between the finalization of a product specification and its corresponding effective date. We recognize that the EPA's Energy Star program is not subject to various requirements of the federal Administrative Procedures Act, but sudden and arbitrary changes to something as fundamental as effective dates and lead times must be avoided.

Assuming the EPA targets January 2011 for publication of a final Version 5 specification, we suggest a more appropriate effective date no earlier than September 2011, especially if coupled with reconsideration of the arbitrary cap of 108 watts for televisions greater than 50 inches as discussed below. This new effective date comes closer to the nine month window traditionally respected and favored by the EPA and its stakeholders.

108 Watt Limit on Large TVs:

The EPA's own data analysis, recently released and discussed with stakeholders on December 1, 2010, reveals two troubling trends. First, as the specifications continue to lower the On Mode power allowance, the EPA's goal of technology neutrality is threatened. The EPA's data shows that nearly all TVs that can qualify under Version 5 are LCD panels. Not a single plasma TV currently qualifies under Version 5. Second, only a very select few TVs greater than about 60 inches qualify under Version 5. The EPA's effort to reward energy efficiency across the broad range of panel technology and screen sizes is now jeopardized. If this undesired result is not addressed immediately, the ENERGY STAR program will cease to provide meaningful information to consumers seeking energy efficiency guidance for televisions of various sizes employing various display technology.

We urge the EPA to use this revision to the Version 5 specification to re-examine the agency's arbitrary 108 watt limit on all televisions greater than 50 inches. Specifically, we suggest that the same On Mode power equation used for televisions between 25 and 50 inches be extended to televisions greater than 50 inches. Removal of the 108 watt limit may allow a limited number of larger televisions employing differing panel technology (and unknown future technology) an opportunity to

participate in the program while still providing substantial energy savings when compared to televisions on the market today. The EPA and its stakeholders can reexamine the appropriate On Mode power equation for larger televisions when the EPA launches the specification development process for Version 6 in early 2011.

In conclusion, CEA strongly supports reasonable efforts by the EPA and its stakeholders to maintain the integrity and value of the ENERGY STAR designation in a rapidly evolving product category like televisions. We urge the EPA to accelerate the implementation of Version 5 of the ENERGY STAR specification for televisions from the currently planned May 1, 2012 effective date to no earlier than September 1, 2011 in conjunction with elimination of the 108 watt cap on televisions greater than 50 inches and a commitment to work with industry in early 2011 to define a new, Version 6 specification.

CEA member companies have a strong interest in the continued success of the ENERGY STAR program. As always, please do not hesitate to contact us if you have any questions or need more information.

Sincerely,

_____/s/
Bill Belt
Senior Director, Technology & Standards

_____/s/
Douglas Johnson
Vice President, Technology Policy

Cc: Owen Sanford