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General Products
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Industrial Forced-Air Heating
Infrared
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Relief Valve
Vent Free Gas Products
Water Heater

DOCKET
05-AAER-1
DATE SEP -6 2005
RECD. SEP -6 2005

September 6, 2005

California Energy Commission
Docket No. 05-AAER-1
Docket Unit
1516 Ninth Street, Mail Station 4
Sacrament, CA 95814

We had previously submitted comments on the proposed amendments to the Appliance Efficiency Regulations, Docket No. 05-AAER-1. The 15-day Language Express Terms resolved some of these comments. There is on remaining issue on we must comment.

All references to alternative assessment method should be deleted in 1606 (3) D, Exception 2 and 1603 (c) (2). If, in granting the waiver, the U.S. Department of Energy (DOE) has not prescribed an alternate test procedure, the Commission does not have the authority to develop its own alternate assessment method. The DOE waiver process invites participation by any interested party. The Commission has the opportunity to comment on what, if any, alternate test procedure should be used for the product for which the waiver has been requested. However, once DOE decides on the waiver, the Commission is preempted by federal regulations from prescribing any alternate efficiency test procedure.

Sincerely,

Frank A. Stanonik
Chief Technical Advisor

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