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Ms. Katharine Kaplan  
United States Environmental Protection Agency  
Office of Air and Radiation  
Washington, DC 20460

Dear Ms. Kaplan,

Attached please find comments and suggested edits from the Consumer Electronics Association (CEA) on the Draft 2 Version 3.0 ENERGY STAR TV products specification. CEA is the preeminent trade association promoting growth in the \$148 billion U.S. consumer technology industry through technology policy, events, research, promotion and the fostering of business and strategic relationships. CEA represents more than 2,100 corporate members. Among their numerous lines of business, CEA members design, develop, manufacture, and distribute televisions, with standard and advanced features, across all technology platforms.

While the attached document contains some comments and suggestions associated with several portions of the Draft 2 Version 3.0 ENERGY STAR TV products specification, we would like to draw your attention to the main issues that have been identified by our members:

#### Technology Neutrality

We continue to believe that in order for the specification to be technology neutral it must distinguish products among separate On Mode power consumption equations that factor in display technologies such as LCD, plasma, etc. These increasingly popular display technologies have dramatically different performance characteristics that lead to differing power requirements.

There is ample precedent in existing ENERGY STAR programs for distinguishing products in the same product category based on unique operating characteristics. A truly technology neutral approach to the TV specification will give manufacturers of all display technology types a reasonably achievable energy efficient design goal towards earning the ENERGY STAR label. Moreover, the ENERGY STAR program will benefit by having its logo associated with the most energy efficient televisions, regardless of the display technology type or feature set.

We strongly urge the EPA to consider the long-term benefits of a “best in class” approach to technology neutrality. Such an approach will provide flexibility for future television

technologies and innovations, while generating power savings across all display technologies.

CEA continues our effort to gather more information about power requirements for differing display technologies and we intend to propose new Maximum On Mode Power Consumption equations for each major display technology in the near future for review and consideration by the EPA.

#### Download Acquisition Mode (DAM)

CEA proposes, in addition to DAM, a “Networked Standby” mode with an average allowance of 4 Watts calculated over a 24 hour period (i.e. 12 hours at 6 Watts and 12 hours at 2 Watts = 4 Watts; or any other combination resulting in a 4 Watt average). The attachment provides the specific proposed definition. We further propose that this limit would only apply to features that are active in factory default settings and not consider any functions activated by the consumer.

In addition, we strongly urge an exemption for Public Alert and similar features dedicated to the promotion of public safety and security.

We are concerned that the currently proposed DAM criteria will exclude televisions from qualifying under ENERGY STAR based on the features included in any specific product and not solely on energy efficiency.

The definition of DAM in item 1)N appears intended to include all power modes that are not covered under the definitions of Standby Level and On Mode/Active Power. While it is difficult to assess the ability of manufacturers to meet the “12 watts in DAM for no longer than three hours in a 24-hour period” without a defined test method, there are features that would be covered by the current definition of DAM that could not qualify under this ENERGY STAR specification based on this requirement. Further, CEA is concerned that the three hour allowance for DAM is too restrictive.

#### Effective Date

The current Draft proposes an effective date for qualifying products under Tier 1 of the specification of September 1, 2008 and an effective date for qualifying products under Tier 2 of the specification of September 1, 2010. Additionally, the current Draft calls for all previously executed agreements on ENERGY STAR TVs to be terminated effective August 31, 2008.

These dates appear to be based on a seemingly arbitrary, nine-month cycle that the EPA attempts to exercise in its ENERGY STAR programs for other product categories. The lack of any grandfathering provisions compounds the difficulty in meeting the truncated cycle while not appearing to advance any overriding policy goal or consideration.

TV manufacturers generally introduce model changes once a year. Shipments to retail dealers are typically six to eight weeks before sales. Major national retailers require pricing and delivery commitments at least nine months in advance. Therefore, TV manufacturers commit in October/November to deliver new models the following June/July.

Thus, for a large number of TV manufacturers, April 1 is approximately the start of the one year cycle in the production of a particular model. This date is the start of the product introduction cycle and, therefore, the natural transition of models.

As an initial suggestion, CEA recommends that the provision terminating previous agreements be modified. A reasonable alternative is for all ENERGY STAR agreements less than one year old to be grandfathered. This one year grandfathering will provide for a smooth transition to the September 1, 2008 effective date of the Tier 1 specification.

In the alternative, if CEA's proposal for a one year grandfathering clause is rejected, we recommend that the effective date for qualifying products under Tier 1 of the specification be changed to April 1, 2009 and an effective date for qualifying products under Tier 2 of the specification be changed to April 1, 2011. This short extension of the Tier 1 effective date properly aligns the ENERGY STAR specifications with existing product cycles.

Either proposal – a one year grandfathering provision or a change in the Tier 1 and Tier 2 effective dates – ensures that retail outlets will always have available ENERGY STAR rated televisions for sale to consumers.

We appreciate the opportunity to comment on the Draft 2 Version 3.0 ENERGY STAR TV products specification. We look forward to continued close cooperation during the updating of this specification. Please do not hesitate to contact us if you have any questions.

Sincerely,

/s/

Brian Markwalter  
Vice President, Technology & Standards

Douglas Johnson  
Senior Director, Technology Policy & International Affairs

Bill Belt  
Senior Director, Technology & Standards

Enclosure

Cc: Kathleen Hogan, Director, Climate Protection Partnership Division, Office of Atmospheric Programs, U.S. EPA