

March 25, 2009

**Richard Karney**

US Department of Energy  
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**Emily Zachery**

D&R International  
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**RE: ENERGY STAR Windows Criteria Revision**

Dear **Mr. Karney and Ms. Zachery:**

Thanks for the opportunity to provide additional comments on changes to the ENERGY STAR window program.

**Date of Manufacture**

At the workshop last year, I and others suggested that the date of manufacture be used to determine which ENERGY STAR criteria applies. I made this suggestion based on the years of experience at NFRC where labeling issues are among the hardest to resolve. This letter elaborates on this issue and how it would affect labeling and eliminate the need for re-labeling.

1. Establish labeling requirements based on the date of manufacture. Labeling is a big and costly issue for manufacturers. Most certification programs require the labeling to be done at the time of manufacturing both in the window industry and most other industries like heating and cooling equipment. Require that manufacturers label in accordance with the ENERGY STAR criteria in place on the date of manufacture.
2. Add text to the label that indicates what ENERGY STAR criteria is used on the product such as "Product qualifies under 2009 ENERGY STAR Window criteria". Whenever the criteria changes, such as when Phase 2 is implemented, update this statement. This will enable everyone in the sales process including the consumer to understand what criteria was used to establish ENERGY STAR qualifications. Adding this date is a key to making future transitions to new criteria easier.
3. By doing items 1 & 2, this eliminates the need to re-label products after they have left the factory and are spread out in the supply chain. Asking manufacturers to re-label product is costly, impractical and can be impossible when the manufacturer has no control over where product is shipped or retailed. Consumers are already familiar with the fact that products and labels change from time to time, such as with cars based on model year. By giving them the tool to tell which ENERGY STAR criteria the product qualifies under, the consumer can make their own choice about purchasing newer and older products until the older products are sold out of the supply chain.
4. Consider implementing two dates – one to mark when the new criteria can start being applied to products and a second to mark when it becomes mandatory. This will allow for an orderly transition into labeling new criteria and is consistent with how many certification programs for other labeled performance criteria works.

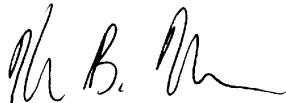
**Glass Option Criteria**

Another issue I would like to discuss from a consumer and sales perspective is that I strongly believe that most informed consumers would prefer to be able to purchase and most sales people would prefer to recommend an entire house worth of window products with different operator types that all have the same glass option and the same appearance while meeting the ENERGY STAR criteria. With the tightening of the criteria, especially the 0.30 U-factor criteria in the north, this gets harder to do across the range of products in a typical home. Some examples include homes with a mix of operator types such as casement and sliding products, homes with a mix of grids and no grids that are ordered for architectural purposes or with tempered glass for safety. In each of these cases, the performance levels can change making it difficult to meet the criteria with a single glass option. Matching the appearance is likely to become even more difficult as more exotic insulating glass like triple glazing come into wider use.

Perhaps under Phase 2, effort should be put into developing a way for a whole house to still meet the ENERGY STAR window designation for a given glass option. One way to achieve this might be to base the ENERGY STAR criteria on products without grids or tempered glass for example. I'm sure that other schemes could be developed as well.

I look forward to the implementation of the new Phase 1 ENERGY STAR criteria, and continued work on Phase 2.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken B. Nittler', with a stylized flourish at the end.

**Ken Nittler, P.E.**  
Enercomp, Inc.