

November 14, 2008

Richard H. Karney, PE
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20505

Dear Mr. Karney,

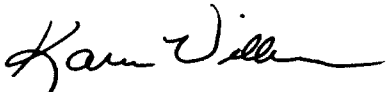
The New York State Energy Research and Development Authority (NYSERDA) applauds your efforts in maintaining current and aggressive goals towards the conservation of energy, compelling the market to use innovation and advanced technology to deliver products that achieve a higher standard of energy efficiency.

NYSERDA Staff have reviewed the document, and there were a few instances where concerns were voiced regarding our own implementation of these raised standards. Please be aware that we have reviewed these standards only as they pertain to the State of New York, and not as they apply nationally, however it is our opinion that several of these comments will be relevant regionally or nationally.

- The Proposed ENERGY STAR Climate Zone Map divides New York State into three Climate Zones, in an attempt to more closely represent the IECC Climate Zones. It will be difficult for NYSERDA to implement changes in the ENERGY STAR standards at the proposed Climate Zone level, as the ENERGY STAR Climate Zones differ from current local standards in what appear to be at least 19 of New York State's Counties. This could cause program incentives to be paid for a measure that is below that required by the local code. Therefore NYSERDA may consider adopting one standard, the more stringent, that would apply statewide for implementation purposes of the New York ENERGY STAR programs.
- It is our concern that the designation of Climate Zones by number will cause confusion in the marketplace as contractors and builders attempt to identify which ENERGY STAR Climate Zone they are working in, as it relates to the Climate Zones associated to their local building code. It would be most beneficial to include a column in the 'Energy Savings by Zone' charts that also show the corresponding IECC Zone designation.
- It is our concern that the Phase 2 Criteria for zones ES4 and ES5 could be cost-prohibitive to many New York residents as the DOE expects that new triple-pane products will have to be designed and tested to qualify in zones ES4 and ES5 for Phase 2, whereas many products already qualify in zones ES1 through ES3. This may result in a reduced cost-effectiveness of window replacement with ENERGY STAR windows in New York State, as well as through the Home Performance with ENERGY STAR Program. Perhaps a stipulation could be included to ensure that cost effectiveness of the entire criteria for Phase 2 will be reevaluated in 2011, to ensure that qualifying products are available cost-effectively in all zones.

Thank you for your consideration, and please feel free to contact me at anytime should you have any questions or need further information.

Sincerely yours,



Karen Villeneuve, Director
Residential Efficiency and Affordability Program

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