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April 14, 2006

Ms. Brenda Edwards-Jones
United States Department of Energy
Building Technology Programs
Mail Stop: EE-2J, Room 1J018
1000 Independence Avenue, Southwest
Washington, D.C. 20585-0121

Re: California Energy Commission Petition for Exemption

Dear Ms. Edwards-Jones:

I am writing on behalf of Rent-A-Center, Inc. to state our opposition to the recently-filed petition by the California Energy Commission (the "CEC"), seeking a waiver from the federal preemption for clothes washer efficiency standards. Rent-A-Center owns and operates 160 rental-purchase stores in California and over 2,800 across the country in all 50 states, the District of Columbia and Puerto Rico. We believe that federal preemption is necessary and should be maintained, for the following reasons.

First, the California standard was poorly and incompletely analyzed by the CEC. The CEC ignored evidence, in the record, that the proposed standard would completely eliminate conventional top-loading clothes washers from the California marketplace. This change, if effected, would force consumers into purchasing significantly-more expensive front loading washers. Rent-A-Center rents and sells thousands of standard top-loading washers to consumers of limited means, and this change would have a dramatic and negative impact on the ability of those consumers to obtain affordable appliances.

Second, as I understand it, the Department of Energy is permitted to grant a waiver of preemption; if but only if the DOE finds that the requesting state has shown by a preponderance of the evidence that such regulation is needed to meet unusual and compelling state energy interests. According to the regulations, such interests must be "substantially different in nature or magnitude from those prevailing in the United States generally, and are such that the costs, benefits, burdens and reliability of energy or water savings resulting from the State regulation make such regulation preferable or necessary when measured against the costs, benefits, burdens, and reliability of alternative approaches to energy or water savings or production, including reliance on reasonably predictable market-induced improvements in efficiency . . ." None of these criteria have been met by CEC and the petition for waiver should therefore be rejected.

Additionally, under the "safe harbor" provision, the regulation cannot be approved if it is likely to result in the unavailability in the state of any class of a federally covered product with certain performance characteristics, including reliability, features, sizes, capacities, and volumes that are "substantially the same" as those generally available. This is precisely what will happen if the requested waiver is approved.

Ms. Brenda Edwards-Jones
United States Department of Energy
Page 2
April 14, 2006

#80

On behalf of Rent-A-Center and its thousands of customers in California, we respectfully request that the DOE deny the CEC application for waiver.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher A. Korst". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Christopher A. Korst
Senior Vice President
General Counsel & Secretary
Rent-A-Center, Inc.