

**Department of Energy**

Washington, DC 20585

November 6, 2009

Philip Giudice, Commissioner
Department of Energy Resources
100 Cambridge Street, Rm. 1020
Boston, Massachusetts 02114

Dear Commissioner Giudice:

This letter responds to the petition submitted by the Commonwealth of Massachusetts, dated October 1, 2009, which the U.S. Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy received on October 6, 2009. Due to the substantial number of rulemaking activities currently being undertaken by the agency to improve the energy efficiency of both consumer and commercial equipment, we were unable to provide you with an acknowledgement of the agency's receipt of the petition in a more timely manner. We apologize for this situation and regret any inconvenience that this may have caused.

DOE accepts the Commonwealth's petition for filing purposes under Title 10 of the Code of Federal Regulations (10 CFR) 430.42(f). Our acceptance of the petition for filing purposes, however, does not constitute a determination regarding the sufficiency of the petition, nor does it reflect DOE's views as to the petition's merits or the final disposition thereof. Consistent with the requirements under 10 CFR 430.42(a), the Commonwealth is under a continuing obligation to provide any new or newly discovered information relevant to its petition.

Appropriate DOE staff are carefully reviewing the contents of the petition, which has been assigned a high priority by the agency. Should you have any questions or concerns regarding the petition, please feel free to contact me at (202) 586-8423 or by e-mail at ronald.lewis@hq.doe.gov.

Yours truly,

A handwritten signature in black ink, appearing to read "Ronald P. Lewis".

Ronald P. Lewis
Appliance Standards
Buildings Technology Program

Cc:
Fred Augenstern
Assistant Attorney General
Environmental Protection Division
Office of the Attorney General
1 Ashburton Place, 18th Floor
Boston, Massachusetts 02108



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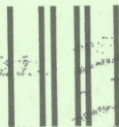
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