

**From:** Marianne DiMascio [mailto:mdimascio@standardsasap.org]

**Sent:** Monday, March 29, 2010 12:41 PM

**To:** MAExemptPetition

**Cc:** Edwards, Brenda

**Subject:** EERE-BT-PET-0024, Massachusetts Petition

Please accept the attached comment letter from Appliance Standards Awareness Project regarding the Massachusetts Furnace Petition.

Thank you

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Marianne DiMascio

Appliance Standards Awareness Project

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Ms. Brenda Edwards  
United States Department of Energy  
Building Technologies Program  
Mailstop EE-2J  
1000 Independence Avenue, SW  
Washington, DC 20585-0121

March 29, 2010

*Re: Petition of Massachusetts, Furnace Efficiency Standard*  
EERE-BT-PET-0024

Dear Ms. Edwards:

We are writing in support of Massachusetts' Petition to Exempt from Federal Preemption Massachusetts' 90% Annual Fuel Efficiency Standard for Non-weatherized Gas Furnaces, dated October 1, 2009. Our understanding is that DOE must rule on this petition by October 2010.

Massachusetts residents are burdened by some of the highest energy costs in the nation. In addition, the number of "heating degree days" in Massachusetts greatly exceeds the national average. This combination of high energy prices plus long cold winters results in Massachusetts residents needing to spend more on energy than the average U.S. resident. Moreover, the unusually high number of renters in Massachusetts means that a greater number of Massachusetts residents are not in the position to choose the efficiency of the furnace used to heat their homes. For these reasons, we believe that Massachusetts has 'unusual and compelling' circumstances to warrant granting the petition.

In joint stakeholder comments filed on January 15, 2010<sup>1</sup>, we joined various other efficiency advocates and the furnace and air conditioner manufacturers in a separate request for a regional 90% AFUE standard applied to all northern states effective January 1, 2013. We urged that DOE issue a direct final rule no later than August 2010 which would implement that request. If DOE completes a final rule setting a northern regional 90% AFUE standard before October, then the intent of the Massachusetts furnace petition will have been fulfilled. If DOE has not yet finalized the northern regional standard by the time it must act on the Massachusetts petition, then DOE should grant the petition. If DOE does grant the petition, we would hope that subsequent DOE action will set equivalently strong standards for all the northern states.

Sincerely,



Andrew deLaski, Executive Director  
Appliance Standards Awareness Project

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<sup>1</sup> Joint Stakeholder Comment on Energy Conservation Standards for Residential Central Air Conditioners, Heat Pumps, and Residential Furnaces, January 15, 2010.