

The Cape Light Compact

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March 22, 2010

Brenda Edwards-Jones
United States Department of Energy
Building Technologies Program
Mailstop EE-2J
Room 1J-018
1000 Independence Avenue, SW
Washington, DC 20585-0121

Re: Massachusetts Petition, Docket EERE-BT-PET-0024

Dear Ms. Edwards-Jones:

I am writing, on behalf of the Cape Light Compact, in support of Massachusetts' Petition to Exempt from Federal Preemption Massachusetts' 90% Annual Fuel Efficiency ("AFUE") Standard for Non-weatherized Gas Furnaces, dated October 1, 2009 ("the Petition.")

As you know, energy is fast becoming one of the pressing issues of our time. Emissions from fossil fuel combustion contribute greatly to global warming, energy costs burden consumers, and, energy independence is fast becoming synonymous with national security.

Setting aggressive appliance standards, such as the one presented in the Petition, is integral to reducing energy consumption, especially in Massachusetts, where "unusual and compelling" circumstances related to energy exist. 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.

Greenhouse gas ("GHG") reduction and energy efficiency goals expressed in recently enacted Massachusetts legislation—the Global Warming Solutions Act ("GWSA"), 2008 Mass. Acts Ch. 298, and the Green Communities Act ("GCA"), 2008 Mass. Acts Ch. 169—reflect these realities. The GWSA requires the Commonwealth to reduce GHG emissions by 80% (from 1990 levels) by 2050, and to set interim GHG emission limits

for 2020, 2030, and 2040. Energy efficiency goals set forth in the GCA include reducing fossil fuel use in buildings by 10% (from 2007 levels) by increasing the efficiency of both equipment (e.g. appliances) and the building envelope, and meeting at least 25% of the Commonwealth's electric load through energy efficiency and other measures.

Implementation of product and appliance standards is integral to Massachusetts achieving these goals, and is an effective, least-cost tool for reducing energy use and GHG emissions. If granted, the 90% AFUE standard would greatly reduce energy use, costs, and GHG emissions. As explained in the Petition, implementing the standard would, between 2013 and 2030, save the state approximately 19.4 million therms in terms of gas usage and \$144 million in heating costs, and reduce GHG emissions by approximately 100,000 metric tons over the same time period. The average household buying a 90% AFUE furnace would see savings of approximately \$3,600 over the life of the furnace—approximately \$180 in annual fuel costs.

I am, of course, aware of the Agreement¹ entered into among the American Air-Conditioning, Heating and Refrigeration Institute, the American Council for an Energy-Efficient Economy, and other energy efficiency organizations and equipment manufacturers, which recommends to the Department that a 90% AFUE standard for non-weatherized furnaces be adopted in states with relatively long, cold winters, including Massachusetts. Although this is the same AFUE standard advocated in the Petition, there is no deadline within which the Department must approve or disapprove of the Agreement. Consequently, if the Department does not act on the Agreement by October 6, 2010 (the date by which it must act on the Petition), then it should approve the Massachusetts-specific petition.

In sum, implementing the 90% AFUE standard is integral to Massachusetts meeting its GHG reduction goals and energy use priorities, will support the marketplace that has a wide array of high efficiency heating equipment available today that meets or exceeds this standard, will save money for Massachusetts citizens, and will serve as a model for other states and the nation as a whole. We strongly urge you to grant the Commonwealth's petition.

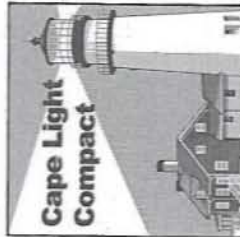
Sincerely,



Kevin F. Galligan
Energy Efficiency Program Manager

cc: Charles Harak, National Consumer Law Center
Phil Giudice, Massachusetts DOER

¹ "Agreement on Legislative and Regulatory Strategy for Amending Federal Energy Efficiency Standards, Test Procedures, Metrics and Building Code Provisions for Residential Central Air Conditioners, Heat Pumps, Weatherized and Non-Weatherized Furnaces and Related Matters, October 13, 2009," available at: <http://www.standardsasap.org/documents/Furnace-ACAgrreement.pdf>.



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