

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



STATE ENERGY OFFICE

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Ms. Luly Massaro
Commission Clerk
Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Dear Ms. Massaro:

The State Energy Office would like to suggest additional comments to the proposed rulemaking regarding the Rules and Regulations Establishing Minimum Efficiency Standards for Certain New Products Sold in the State of Rhode Island in compliance with RI General Laws 39-27-1 et seq. and specifically RI General Laws 39-27-5.

As you are well aware, the Chief of Energy and Community Services is also tasked in section 39-27-8 with providing registration, testing and certification for the manufacturers of these covered projects. In an effort to simplify the process and to avoid duplication of effort, the Energy Office is suggesting that the Public Utilities Commission add these provisions from the statute into the rules and regulations in order to make it a complete packet.

a) The commission may adopt regulations, in accordance with the provisions of chapter 42-35, to establish increased efficiency standards for the products listed in the regulations adopted pursuant to section 39-27-4. In considering, such amended standards, the commission, in consultation with the chief of energy and community services, shall set efficiency standards upon a determination that increased efficiency standards would serve to promote energy conservation in the state and would be cost-effective for consumers who purchase and use such products; provided, that increased efficiency standards shall become effective within one year following adoption of any amended regulations establishing such increased efficiency standards.

PART VIII REGISTRATION, TESTING AND CERTIFICATION

(a) The manufacturers of products covered by these Rules shall test samples of their products in accordance with the test procedures adopted pursuant to this chapter or those specified in the State Building Code. The chief of energy and community services, in consultation with the state building commissioner, shall adopt test procedures for determining the energy efficiency of the products covered in the regulations pursuant to section 39-27-4 if such procedures are not provided for in this regulations pursuant to section 39-27-5 of this chapter or in the State Building Code, except that the test procedure for automatic commercial icemakers shall be the test standard specified by the Air Conditioning and Refrigeration Institute Standard 810-2003, as in effect on January 1, 2005. The chief of energy and community services shall use U.S. Department of Energy approved test methods, or in the absence of such test methods, other appropriate national recognized test methods. The chief of energy and community services may use updated test methods when new versions of test procedures become available. Following is a chart that describes the required test methods.

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 Test Methods for Appliance Standards Included in Chapter 146; Section 1, Title 39,
 Chapter 27

Product	Test Method
Automatic Ice Maker	Air Conditioning and Refrigeration Institute Standard 810-2003
Commercial Clothes Washers	Use standard specified in 10 CFR Section 430.23(j) (Appendix J1 to Subpart B of Part 430)
Commercial Pre Rinse Spray Valves	“Standard Test Method for Pre-Rinsed Spray Valves” from the American Society for Testing and Materials Standard F2324
Commercial Refrigerators	Test Method shall be American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) Standard 117-2002 “ Method of Testing Closed Refrigerators” (ANSI Approved)
High Intensity Discharge Lamp Ballasts	No test method required as this is a prescriptive standard
Illuminated Exit Signs	Test Method included under Version 2.0 of Energy Star program of the Environmental Protection Agency
Large Packaged Air Conditioning Equipment	Test Method Shall be Air Conditioning and Refrigeration Institute Standard 340/360-2000- “Commercial and Industrial Unitary Air Conditioning and Heating Equipment” (ANSI Approved)
Low Voltage Dry Type	Test Method shall be based on the “Standard Test Method for Measuring the Energy Consumption of Distribution Transformers”

Distribution Transformers	prescribed by the National Electrical Manufacturers Association (NEMA Standard TP-2-2005)
Metal Halide Lamp Fixtures	No test method required as this is a prescriptive standard
Single Voltage External AC to DC Power Supplies	Use the test methodology specified in the U.S. Environmental Protection Agency's "Energy Star Program Requirements for Single Voltage External Ac-Dc and Ac-Ac Power Supplies" as in effect on January 1, 2005 EXCEPT products do not have to be tested at 230 volts.
Torchiere Lamps	No test method for fixtures. For bulb use Illuminating Engineering Society (IES)LM-45
Traffic Signals	Test Method based on method described in Energy Star Program of the Environmental Protection Agency for traffic signal modules in effect as of August 1, 2005.
Unit Heaters	No test method required As this is a prescriptive standard

(b) Manufacturers of new products covered by regulations adopted pursuant to section 39-27-4 of the chapter, except for single voltage external power supplies, shall certify by means of a certification statement to the chief of energy and community services or third-party as designated by the chief of energy and community services in guidelines that such products are in compliance with the provisions of the chapter. Such certifications shall be based on test results. The certification statement requirements shall be set forth in guidelines.

(c)The chief of energy and community services may test products covered by regulations adopted pursuant to section 39-27-4. If the products so tested are found not to be in compliance with the minimum efficiency standards established under regulations adopted pursuant to section 39-27-5, the chief of energy and community services shall:

1. charge the manufacturer of such products for the cost of product purchase and testing; and
2. make information available to the public on products found not to be in compliance with the standards.

(d) With prior notice and at reasonable and convenient hours, the chief of energy and community services may cause periodic inspections to be made of distributors or retailers of new products covered by regulations adopted pursuant to section 39-27-4 in order to determine compliance with the provisions of this chapter. The chief of energy and community services shall also coordinate in accordance with section 23-27.3-111.7 regarding inspection prior to occupancy of newly constructed buildings containing new products that are also covered by the State Building Code.

(e) The chief of energy and community services shall investigate complaints received concerning violations of this chapter. Any manufacturer, distributor or retailer who violates any provision of this chapter shall be issued a warning by the chief of energy and community services for any first violation. Repeat violations shall be subject to a civil penalty of not more than two hundred and fifty dollars (\$250). Each violation shall constitute a separate offense. Penalties assessed under this paragraph are in addition to costs assessed under paragraph (d) of this section.

Hope this is helpful.

Sincerely,

Janice McClanaghan
Chief of Energy and Community Services