Consortium for Energy Efficiency
98 N. Washington St., Suite 101
Boston, MA 02114
617.589.3949
www.cee1.org

September 20, 2010

Mr. Hampton Newsome
Federal Trade Commission
Office of the Secretary, Room H-135 (Annex N)
600 Pennsylvania Avenue, NW
Washington, DC, 20580

Dear Mr. Newsome:

The Consortium for Energy Efficiency (CEE) respectfully submits the following comments on the Final Rule published by the Federal Trade Commission (FTC) on June 18, 2010 (Lamp Labeling Amendments, Project No. P084206). The Consortium's comments were developed by the CEE Commercial and Residential Lighting Committees and are supported by the organizations listed below.

CEE thanks the FTC for the opportunity to provide comments on remaining items that were raised by stakeholders but not addressed in the final rule. We have provided feedback on topics of interest to the Committee.

Product Coverage

In the rulemaking, the FTC indicated that it would like to further consider requiring the label for all screw-based lamps. CEE recommends that the FTC expand the scope of the label to include candelabra-based and pin-based lamps. While these lamp types do make up a smaller portion of the market, we believe that it would be confusing for consumers to see the label on some lamps and not others. As directed by the Energy Independence and Security Act (EISA), the purpose of the FTC considering the effectiveness of the current light lamp labeling requirements and alternatives is to help consumers understand and choose new high efficiency lamps that meet their needs. In some circumstances the lamps that will meet consumers' needs will be candelabra or pin-based products and we believe that consumers should be provided with the same guidance on performance as the current rule provides for medium screw-based lamps.

To assist the FTC in considering including non-medium screw-based products, we have responded to the FTC's request for information on several topics below.

1. **Whether these lamps use significant energy**

Candelabra-based Products

Based on an analysis of product offerings on two major home improvement retailers' websites at the end of August 2010, we have observed that the current incandescent candelabra-based products on the market draw generally 25-60 watts per lamp and that the candelabra base is normally used for bent tip, blunt tip, and globe shaped lamps. While it is difficult to find data on the total energy use or the prevalence of candelabra-based sockets in the market, some information can be gathered from a 2007 California Study. According to California Residential Efficiency Market Share Tracking: Lamps 2007 Report[1], decorative products represent 11.6% and globe products represent 3.7% of incandescent screw-based lamp sales in the U.S. (non-California). However, the study indicates that decorative and globe lamps may have either medium or candelabra sized bases. After reviewing the product offerings of the three major lamp manufacturers, CEE calculated that approximately 70% of decorative products and 25% of globe products have a candelabra base. CEE then applied this calculation to the sales numbers from the California study, which yielded total percentages of approximately 8% and 1% respectively; meaning that candelabra based products roughly comprise 9% of the market. The ENERGY STAR CFL Market Profile[2] estimates that the total number of screw-based lamp shipments in the U.S. in 2007 was approximately 1.7 billion. Therefore, CEE multiplied 9% of the total sales (153 million) by the wattage ranges above provides a rough estimate of the total power draw of candelabra-based lamps: ranging from 3,825,000 – 9,180,000 kW.

Pin-based Products

While there are many types of pin-based lamps in the market, the GU-24 and GU-10 configurations are the most common self-ballasted products. In addition to the prevalence of GU-24 and GU-10 based CFLs, LED versions are now becoming available. The ENERGY STAR® GU-24 product list[3] indicates that these pin-based lamps can use between 9-42 watts per lamp. The GU-10 based products found at the same two major home improvement retailer websites have wattages that range from 1 to 50. The GU-24 base is available for almost every lamp type and is a popular option for complying with California's title 20 and 24 requirements. The preliminary results from the California Public Utility Commission's Residential Lighting Metering Study[4] indicate that for sockets with CFLs, 90.3% are medium screw-based, 1.3% are specialty screw-based, and 8.4% are pin-based. Based on this CEE was able to extrapolate that the total market size of pin-based CFLs (8.4% of the 337 million CFLs in the U.S. in 2008[5]), is approximately 28.3 million lamps. The power draw of these lamps was then calculated by CEE through multiplying the market size (28.3 million) by the

[1] Itron, Inc. California Residential Efficiency Market Share Tracking: Lamps 2007. San Diego, CA. December 9, 2008.
[2] U.S. Department of Energy. CFL Market Profile. March 2009.
[3] List of ENERGY STAR Qualified GU-24 Based Lamps. Accessed August 17, 2010. http://www.energystar.gov/index.cfm?fuseaction=find_a_product.showProductGroup&pgw_code=LF
[4] KEMA, Inc., 2009. Preliminary Results from the CPUC's California Residential Lighting Metering Study. Presented to the California Public Utilities Commission on January 29, 2009.
[5] The Cadmus Group, Inc. Compact Fluorescent Lamps Market Effects Final Report. Prepared for the California Public Utilities Commission Energy Division. April 12, 2010

GU-24 wattage ranges above, which yields a total power draw estimate that ranges from 254,772,000 to 1,188,936,000 kW.

2. **Whether competing lamps vary in light output, energy use, life, and color temperature**
   Candelabra-based Products
   The ENERGY STAR qualified lamps product list[6] indicates that of the 106 covered candelabra-based lamps listed, the light output ranges from 120-800 lumens, power draw is between 3-14 watts, lifetime varies from 6,000-15,000 hours, and the color temperature ranges from 2600-3500 Kelvin. Currently, the ENERGY STAR list includes only fluorescent products; incandescent and SSL sources would add to the ranges of these parameters. In addition, these ranges may be limited by the ENERGY STAR requirements, but they still demonstrate variation in all performance categories under consideration.

   Pin-based Products
   Similarly, the ENERGY STAR GU-24 based lamp products list also shows significant variation. Of the 574 lamps listed, light output ranges from 547-2703 lumens, power draw from 9-42 watts, lifetime from 8,000-12,000 hours, and color temperature from 2700-6500 Kelvin.

3. **Whether consumers are likely to use in-store package labels to compare products**
   CEE hasn't undertaken a comprehensive survey of the entire membership, but of the eleven members who participated on a Lighting Committee call to discuss the Final Rule, none had direct research on this topic. However, CEE is aware that the FTC conducted market research on labeling preferences and information needs to inform the initial rulemaking and asks the FTC to evaluate whether the scope of this research was limited to medium-based lamps or if it could apply to other base types as well.

4. **Whether package size or other factors create undue burden for manufacturers**
   CEE is not in a position to determine whether additional labeling requirements would cause undue burden to manufacturers. However if the FTC establishes that an unreasonable burden does exist, one option to alleviate it would be to establish a second effective date for lamp labeling of other base types that takes place after the requirements for medium screw-based lamps. We believe it is reasonable to provide manufacturers with more time to meet the labeling requirements for additional base types.

LED Test Procedures

CEE supports DOE's recommendation that the Commission should require the use of Illuminating Engineering Society test IES-LM-79-2008 (LM-79) to measure light output, efficacy, and color characteristics of LED lamps. LM-79 is an industry standard test procedure that was developed by representatives of industry, research institutions, and test laboratories and is the only test procedure available to measure LED products given their unique properties. The LM-79 test procedure is

[6] List of ENERGY STAR Qualified Compact Fluorescent Light Lamps. Accessed August 17, 2010. http://www.energystar.gov/index.cfm?fuseaction=find_a_product.showProductGroup&pgw_code=LB

referenced in the ENERGY STAR lighting product specifications and having the FTC require the test would create additional consistency in the market.

Power Factor

CEE agrees with the FTC's decision not to require a power factor disclosure on this version of the label. We are not aware of any research demonstrating that consumers currently understand the concept of power factor or would benefit from its inclusion on the label. However, we suggest that the FTC reconsider the potential benefits of power factor disclosure in the future.

Smart Grid

While much is currently unknown about the emergence of the smart grid, it could have a significant role in how consumers think about and consume energy in the future. As such, we ask the FTC to reconsider revisions to label within the next few years so that it remains relevant for consumers and includes the information that they need to make informed purchasing decisions.

Thank you for your consideration of these comments. Please contact CEE Program Manager Eileen Eaton at (617) 337-9263 with any questions.

Sincerely,

Marc Hoffman
Executive Director

Supporting Organizations
Avista Utilities
Efficiency Vermont
Gulf Power Company
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Northeast Energy Efficiency Partnerships
NSTAR
Public Utility District No. 1 of Snohomish