



March 28, 2013

VIA FTC COMMENTWORKS

**Supplemental Documentation in Support of Comments of Energy-Efficiency,
Environmental and Consumer Advocacy Organizations
Re: Energy Label Ranges, Matter No. R611004**

The comments of energy-efficiency, environmental and consumer advocacy organizations submitted March 1 in this rulemaking (#563707-00005) cited the results of an Earthjustice e-mail survey regarding refrigerator¹ ranges. Earthjustice submits this supplemental comment to provide a copy of the survey and more detail on the results.

Earthjustice sent the survey to 11,808 individual e-mail addresses. Recipients were selected if they had (1) previously endorsed a prior petition for rulemaking submitted by Earthjustice regarding the online provisions of the Energy Labeling Rule, or (2) otherwise expressed interest to Earthjustice in energy or energy efficiency issues.

As seen in the attached PDF image, the survey consisted of an e-mail that provided background information on the EnergyGuide label's treatment of refrigerator ranges. That information consisted of the following two paragraphs of text:

The Federal Trade Commission is considering changes to the yellow-and-black Energy Guide labels for refrigerators. Specifically, it is deciding whether the label should compare the energy use of all refrigerators of the same size. Currently, the label only compares refrigerators to others with similar configurations (e.g. a side-mounted freezer) and features (e.g. a through-the-door ice dispenser).

Thanks to gains in efficiency over the years, differences in energy use between refrigerators with similar configurations and features are generally no more than \$10 a year, if any. But different configurations and features can make a difference of \$30 or more in annual energy costs.

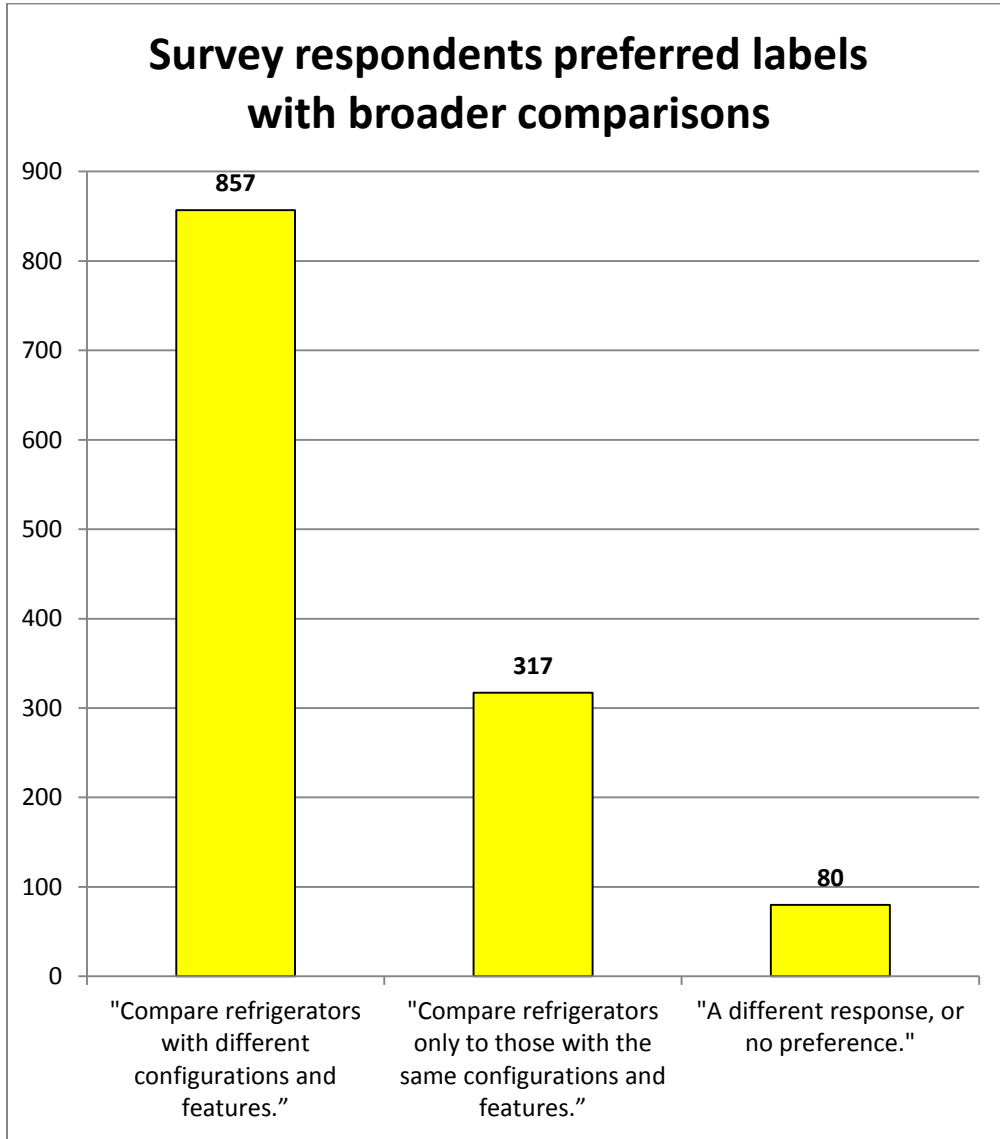
The e-mail then asked recipients to select one of the following three options below

- "Option 1: Compare refrigerators with different configurations and features."
- "Option 2: Compare refrigerators only to those with the same configurations and features."

¹ As used here, "refrigerator" refers to both refrigerators and refrigerator-freezers as defined by FTC.

- "Option 3: A different response, or no preference."

The number of respondents totaled 1254, slightly more than 10 percent of recipients. More than two thirds of those respondents selected Option 1, stating a preference for refrigerator labels that compare models with different configurations and features, as seen in the chart below.



Thank you for the opportunity to elaborate.

Respectfully submitted,

/s/ Jonathan Wiener

Jonathan Wiener

Associate Attorney

Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
Tel: (202) 745-5211
Fax: (202) 667-2356
www.earthjustice.org