



Department of Energy

Washington, DC 20585

March 4, 2011

Ms. Leslie Jones
ENERGY STAR Program
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 62023
Washington, DC 20460

Dear Ms. Jones:

On January 31, 2011, the United States Department of Energy (DOE) notified Haier that DOE testing of Haier room air conditioner model ESA408J under the ENERGY STAR Testing Pilot Program confirmed that this model exceeded allowable ENERGY STAR energy-efficiency specification. On February 18, 2011, Haier notified DOE that it is willing to accept the results of the ENERGY STAR testing for the purposes of determining whether this model meets the applicable ENERGY STAR efficiency level, although Haier's test results are not consistent with DOE's testing. Haier stressed that this model has not been manufactured since May 2010. Haier also stated that it had previously informed ENERGY STAR that the model has been discontinued and that this discontinuance has been reflected in the ENERGY STAR database.

Based on the testing conducted for the ENERGY STAR Testing Pilot Program, DOE has determined that Haier room air conditioner model ESA408J does not meet the ENERGY STAR requirements. DOE is referring this matter to EPA, the brand manager for ENERGY STAR, for appropriate action. Please feel free to contact Laura Barhydt, Acting Assistant General Counsel for Enforcement, at 202-287-5772 should you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy G. Lynch".

Timothy G. Lynch
Deputy General Counsel for
Litigation and Enforcement

cc: Mr. John Hodges
Counsel for Haier
JHodges@wileyrein.com

