



Department of Energy

Washington, DC 20585

December 21, 2010

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

Dear Ms. Jones:

On November 24, 2010, the United States Department of Energy (DOE) notified Haier that DOE had tested the Haier room air conditioner model ESA3087 as part of the ENERGY STAR Testing Pilot Program, and that, according to Stage I testing, this model exceeded allowable ENERGY STAR energy-efficiency requirements by 18 percent. DOE gave Haier until December 3, 2010, to request additional testing or have this matter referred to the United States Environmental Protection Agency (EPA) for disqualification from the ENERGY STAR program.

On December 2, Haier notified DOE that it was in the process of voluntarily removing model ESA3087 from the ENERGY STAR listing. Haier emphasized that the production of model ESA3087 was discontinued in 2008. Haier requested that DOE refer the matter to EPA for delisting.

DOE has not conducted Stage 2 testing of model ESA3087 and cannot make a final determination of the energy efficiency of this model; however, in light of the facts of this case, DOE is referring this matter to EPA, the brand manager for ENERGY STAR, for appropriate action. Please feel free to contact Laura Barhydt of my staff at 202-287-5772 should you require any further information.

Sincerely,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping initial "S" and a dot over the "i" in "HARRIS".

Scott Blake Harris
General Counsel

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

