



Department of Energy

Washington, DC 20585

February 8, 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 October 18, 2010, the United States Department of Energy (DOE) notified Perlick Residential & Hospitality Products that DOE testing of one unit of Perlick refrigerator model HP72ROO-S as part of Stage I of the ENERGY STAR Testing Pilot Program indicated that this model exceeded ENERGY STAR energy-efficiency requirements by 273.9 percent – nearly three times the allowed energy consumption. DOE gave Perlick until October 28, 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. Perlick requested addition testing on October 27, 2010.

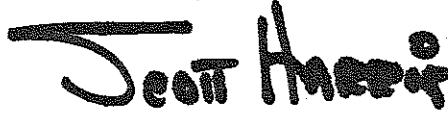
Separately, DOE initiated an enforcement action with respect to the model's compliance with DOE's efficiency standards. In response to a DOE subpoena in that action, Perlick notified DOE that it had sold one unit of refrigerator HP72ROO-S. On December 14, Perlick clarified that the one unit sold was the unit purchased under the ENERGY STAR Testing Pilot Program and that no consumers have purchased model HP72ROO-S. To avoid further expenditure of public resources, DOE cancelled orders for three additional units scheduled for Stage II testing.

Pursuant to a settlement in the related DOE enforcement action, Perlick has agreed to cease distribution of model HP72ROO-S. While the model no longer appears on the Perlick web site, it currently remains on the ENERGY STAR list of qualified products. Because no consumers have purchased model HP72ROO-S and because the one unit tested failed by such a large margin, DOE is referring this matter to EPA without additional testing 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 small dot at the end of the last letter.

Scott Blake Harris
General Counsel

cc: Mr. Karl Krumbiegel
Perlick Residential & Hospitality Products
KRK@perlick.com