



SUB·ZERO GROUP, INC.

2866 Buds Drive, Fitchburg, WI 53719
P: 800.532.7820 P: 608.271.2233

Memorandum

To: Carl Shapiro, Project Manager, Office of Energy Efficiency and Renewable Energy, DOE

CC: David Goodspeed, Director of Production Workers, International Association of Sheet Metal, Air, Rail & Transportation Workers
Steve Dodd, Director of Governmental Affairs, International Association of Sheet Metal, Air, Rail & Transportation Workers

From: Christopher Jessup, Director of Quality & Regulatory Compliance, Sub Zero Group, Inc.

Date: March 29, 2023

Re: March 23, 2023 Ex Parte Meeting at Department of Energy, 950 L'Enfant Plaza NW, in Washington, D.C.

First and foremost, thank you for taking the time to meet with David Goodspeed, Steve Dodd and myself last Thursday on the subject of the Department of Energy's supplemental notice of proposed rulemaking for consumer conventional cooking products (docket number EERE-2014-BT-STD-0005-RIN-1904-AD15). We are extremely grateful for the opportunity to have met face to face so that we could present you with our company's story and explain how the proposed rule significantly disrupts the stratification of markets by forcing manufacturers like Wolf Appliance, who serve a niche market focused on consumers demanding high performance, professional/commercial style appliances, to design out core customer attributes that deliver superior performance, utility and long term reliability that the market demands. We are hopeful that our presentation provided you with a substantive case as to why a conventional cooking standard must consider the entire spectrum of the market equally; moreover, we are hopeful that we demonstrated the importance of ensuring that both electric and gas fueled cooktops must be treated fairly and proportionally in any rulemaking. Our company built the Wolf cooking brand exclusively on fulfilling our targeted customers' desire to acquire a gas range or cooktop that employs surface burners that superiorly sear and simmer via high input rate burners that can be turned down to a low simmer under massive, sturdy continuous cast





iron grates. Having the ability to continue providing those two key design features will allow us to supply our niche market well into the future, which in turn, will allow us to continue to grow our business and employ more well paid, American workers.

Meeting Summary:

The meeting commenced with introductions of those present at the meeting (reference Attendance Record below) followed by a Department of Energy (DOE) Attorney Advisor who explained the principles and mechanics of “Ex Parte Communication”, specifically as it relates to the Department’s ability to communicate on the proposed rulemaking for energy conservation standards for consumer conventional cooking products (docket number EERE-2014-BT-STD-0005-RIN-1904-AD15). I followed that by providing a presentation that covered our Fitchburg, WI based Wolf Appliance, Inc. (Wolf) employee headcount along with a substantive consumer insight account detailing what current Wolf owners and prospective Wolf owners want, expect and demand from their gas fueled surface cooking appliances. The analysis that was shared stemmed from several consumer focus groups that were held for the purpose of understanding key purchase drivers and usage habits among Wolf and targeted competitive gas appliance owners. The categories we provided direct consumer feedback on ranged from, but were not limited to, customer “top wish for attributes” associated with gas cooking appliances, which gas burners were used for certain foods, how many burners were used on average for certain meals, what consumers like more about gas verses electrically fueled cooking and how grates are used and appreciated from a utility standpoint.

I then shared empirically tested data reflecting that all Wolf electric cooktops meet the proposed standard as designed today; however, all Wolf gas surface burner cooktops and ranges do not meet the proposed standard as designed today. Moreover, I shared with the DOE our measured energy consumption of the design configuration we use for most Wolf gas products for the purpose of demonstrating the significant gap between the proposed rulemaking and what our consumer demanded design is capable of. From a data and analysis standpoint, I also shared with DOE how the time to boil water moves linearly down the time scale between a 9,500 Btu burner and that of an 18,000 Btu burner, which reflected a 40% longer boil time using the lower input rate burner. This analysis, coupled with the DOE’s proposed rule, disproportionately impacts companies like Wolf that have been built on the time-honored tradition of gas cooking and, most especially, in a niche market serving consumers demanding high performance, professionally/commercial styled cooking appliances.

After I presented my case for why the proposed rule should not be finalized, I asked David Goodspeed, from International Association of Sheet Metal, Air, Rail & Transportation Workers (SMART Workers), to share with the DOE how Wolf has grown since its inception in 2000 from a



very small, negligible player in the market to a company with the headcount we employ today. Dave also spoke to his vast experience within our privately/family-owned business as a shopfloor operator to his current position within SMART Workers and as to how our coalition in opposition to this proposed rulemaking is galvanizing. Dave ended by highlighting the significance of this rulemaking not being finalized to our union backed, midwestern employees. Lastly, Steve Dodd, also from SMART Workers, underscored the importance of the people we employ at Wolf and how important they are to our company and our surrounding communities. He also reminded the DOE of the commitment the current administration has made to American jobs and how necessary it is for this rulemaking to take into consideration the people, and their respective families, that are part of the Wolf family business.

The DOE did make a statement regarding their belief that their analysis reveals a legitimate pathway to manufacturers complying with the proposed rule. My response to that assertion focused on a comparison between the rulemaking for cooking verses that of refrigeration; specifically, I commented that unlike previous refrigeration rulemakings that actually provided technologically feasible solutions for achieving a more efficient appliance, such as variable speed compressors and vacuum insulation panels, that can be employed at a higher cost without impacting the desired performance and utility of the consumer, the proposed cooking rulemaking only provides technology options of reducing the quantity of high input rate burners and reducing the utility of the grates above them that are meant to support large, heavy or elongated pots. Both prescribed options are inversely proportional to what our consumers actually want in their gas cooking appliances; hence, why it is so important the DOE not finalize this rulemaking.

The final segment of the meeting included the DOE providing an update on the status of the rulemaking and emphasizing the fact that all stakeholders need to submit formal comments with as much detail as possible so that an accurate analysis can be concluded. DOE added that there is no predetermined outcome for the proposed rule and that an additional SNOPR, as well as other potential outcomes, are possible.

Attendance Record:

Department of Energy	SMART Union Workers	Sub-Zero Group, Inc.
Carl Shapiro - Project Manager, Office of Energy Efficiency and Renewable Energy, DOE	David Goodspeed - Director of Production Workers, SMART Union International	Christopher Jessup – Director of Quality & Regulatory Compliance, Sub-Zero Group, Inc.
Celia Sher - Attorney Advisor, Office of the General Counsel, DOE	Steve Dodd - Director of Governmental Affairs, SMART Union International	



Ashley Armstrong - Senior Advisor, Office of Energy Efficiency and Renewable Energy, DOE		
John Cymbalsky – Program Manager for Appliance Standards, Office of Energy Efficiency and Renewable Energy, DOE		
Ami Grace-Tardy - Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, DOE		
Melanie Lampton - Attorney Advisor, Office of the General Council, DOE		