

Re: Ex-Parte memo of meeting between LEDVANCE LLC and DOE's Office of Energy Efficiency and Renewable Energy on Tuesday, February 5, 2019. Docket EERE-2018-BT-STD-0010.

Attendees: From US DOE: Daniel Simmons, Principal Deputy Assistant Secretary, Sofie Miller, Energy Advisor, Dan Cohen, General Counsel, Celia Sher, Office of the General Counsel; From LEDVANCE: Andrew Martin, General Counsel, James Sanford, VP Retail Sales, Jennifer Dolin, Head of Government Affairs

Issues presented by LEDVANCE and discussed:

Potential Implications of 45 lpw "backstop" in 2020

LEDVANCE does not agree with a 45 lpw standard, but should it be enacted, the greatest problem is with the language in the "Backstop Requirement" section (section 6(A)(v)) that states "...effective beginning January 1, 2020, the Secretary shall prohibit the sale of any general service lamp that does not meet a minimum efficacy standard of 45 lumens per watt." E.g. "sell-by" date vs. "manufacture-by date."

For American jobs:

- St. Marys plant produces halogen and LED general service lamps
 - Mix of technology is based on market for those lamps – halogen production will decrease as LED production increases
 - Strategy based on current regulations and decline of market demand
 - Abrupt change to halogen production will have negative results

For retailers:

- Uncertainty of whether backstop will be triggered forces our retail customers to make cautious decisions
- Significant costs to change shelf designs and buying strategies
- Disruption to entire supply chain to assure no inventory at end of 2019

For consumers:

- Eliminates choice for consumers
- Causes confusion and frustration in the marketplace
- Elimination of utility rebates/incentives for LED lamps
 - Rebates accelerating shift to LEDs, additional regulations not necessary

- Abrupt change for consumers

LEDVANCE offered suggestions for alternatives to a backstop/sell-by in 2020. Further discussion regarding timing of DOE's next steps with regard to the General Service Lamp (GSL) rulemaking, as well as the definitions changes and the Federal Register notice, and future communication.

DOE responded that further details would be available in the "not too distant future."