



Department of Energy
Washington, DC 20585

December 9, 2016

Clark Linstone
Chief Financial Officer
Lamps Plus, Inc.
20250 Plummer Street
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(818) 428-4231

The U.S. Department of Energy (“DOE”) grants the petition submitted by Lamps Plus, Inc. (Lamps Plus) on November 23, 2016 requesting a 180-day extension of the January 23, 2017 date on which any representations of ceiling fans (CF) energy use or efficiency are required by statute to reflect the energy use or efficiency as measured by DOE’s test procedure for that product (Docket No. EERE-2013-BT-TP-0050). 42 U.S.C. § 6293(c)(2). Lamps Plus timely submitted its petition pursuant to 42 U.S.C. § 6293(c)(3). Specifically, the statute provides that a manufacturer, distributor, retailer, or private labeler may submit a petition requesting that the Secretary extend, for no more than an additional 180 days and with respect to such petitioner, the date by which representations must be made in accordance with any new or amended DOE test procedure. The Secretary may grant an extension upon a finding that that the petition demonstrates that meeting the statutory requirement would impose an undue hardship on the petitioner.

Lamps Plus’ petition requests a 180-day extension beyond the statutory requirement, contending that the requirement would impose an undue hardship on Lamps Plus. DOE has reviewed the petition and finds that Lamps Plus has sufficiently demonstrated that requiring representations of energy use or efficiency to be based on the new DOE CF test procedure beginning on January 23, 2017, would impose undue hardship on Lamps Plus. More specifically, Lamp Plus does not have its own ceiling fan testing laboratory. Therefore, Lamps Plus must utilize a third party testing laboratory. Lamp Plus contacted several laboratories, including Intertek Cortland, but was unable to procure firm commitments to have Lamp Plus products tested prior to January 23, 2017. Although, one of Lamp Plus suppliers projects that it will be able to test Lamps Plus products in March 2017, Lamps Plus will still need additional lead time for products manufactured abroad to be labeled and packaged in accordance with the testing conducted under the revised test procedure, and to import such products. As such, DOE extends, until July 22, 2017, the date by which, under 42 U.S.C. § 6293(c), CF energy use or efficiency representations by Lamps Plus must reflect testing in accordance with the amended DOE test procedure published on July 25, 2016.

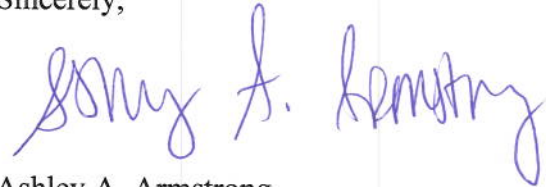
Finally, other than with respect to certifications of compliance with applicable energy conservation standards, DOE notes that the Federal Trade Commission (FTC), not DOE, regulates representations regarding product efficiency. Current Federal energy conservation standards for CFs can be found in 10 CFR Part 430.32(s) for which manufacturers are required to certify compliance. This 180-day extension only applies to the date by which representations



must fairly disclose the results of testing in accordance with the amended Appendix U test procedure (effective August 24, 2016), and does not absolve the manufacturer of other obligations, including certification or compliance with the Federal energy conservation standards.

Should you have any additional questions, please feel free to contact me at Ashley.Armstrong@ee.doe.gov.

Sincerely,

A handwritten signature in blue ink that reads "Ashley A. Armstrong". The signature is written in a cursive style with a large initial 'A'.

Ashley A. Armstrong
Appliance Standards Program