



Department of Energy  
Washington, DC 20585

June 2, 2017

Elizabeth A. Haggerty  
Vice-President & General Manager Unitary Products Group  
Johnson Controls, Inc.

Dear Ms. Haggerty:

The U.S. Department of Energy ("DOE") grants the petition submitted by Johnson Controls, Inc. (JCI) on March 3, 2017 requesting a 180-day extension of the July 5, 2017 date by which representations with respect to central air conditioner and heat pumps (CACs & CHPs) 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-2016-BT-TP-0029-0047; 82 Fed. Reg. 1426). Specifically, DOE grants JCI such an extension for its GAW Series products under two provisions set forth in 10 C.F.R. § 429.16(a)(3)(i). The first provision states that "[i]f any of the refrigerants approved for use . . . has a 95 °F midpoint saturation absolute pressure that is +/- 18 percent of the 95 °F saturation absolute pressure for HCFC-22, . . . a manufacturer must determine represented values (including SEER, EER, HSPF, SEER2, EER2, HSPF2, PW,OFF, cooling capacity, and heating capacity, as applicable) for, at a minimum, an outdoor unit with no match." 10 C.F.R. § 429.16(a)(3)(i) (effective July 5, 2017). The second provision states that "[i]f a model of outdoor unit . . . is shipped requiring the addition of more than two pounds of refrigerant to meet the charge required for testing per section 2.2.5 of appendix M . . . , a manufacturer must determine represented values (including SEER, EER, HSPF, SEER2, EER2, HSPF2, PW,OFF, cooling capacity, and heating capacity, as applicable) for, at a minimum, an outdoor unit with no match." *Id.*

JCI 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.

JCI's petition requests a 180-day extension of the requirements identified above with respect to the products identified above. DOE has reviewed the petition and finds that JCI has met the criteria for granting such a request. As a result, the compliance date for JCI's GAW series models is extended 180 days to January 1, 2018.

Finally, other than with respect to certifications of compliance with applicable energy conservation standards, DOE notes that the Federal Trade Commission, not DOE, regulates representations regarding product efficiency. Current Federal energy conservation standards for CACs and CHPs with which manufacturers are required to certify compliance can be found at 10



C.F.R. § 430.32(c). This 180-day extension only applies to the date by which representations for JCI's GAW series models must fairly disclose the results of testing in accordance with DOE's regulations. It does not absolve the manufacturer of other obligations, including certification or compliance with the Federal energy conservation standards, nor does it waive or compromise any other rights or positions of DOE with respect to the subject matter.

Should you have any additional questions, please feel free to contact me or Ashley Armstrong at [Ashley.Armstrong@ee.doe.gov](mailto:Ashley.Armstrong@ee.doe.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel R. Simmons". The signature is stylized with a large initial "D" and "R".

Daniel R Simmons  
Acting Assistant Secretary  
Office of Energy Efficiency and Renewable Energy