



**Department of Energy**  
Washington, DC 20585

January 31, 2018

Jeff Farlow  
Program Manager of Energy Initiatives  
Pentair  
1620 Hawkins Avenue  
Sanford, NC 27330  
919-566-8054

Dear Mr. Farlow,

The U.S. Department of Energy (“DOE”) grants the petition submitted by Pentair Water Pool and Spa, Inc. (Pentair) on December 6, 2017, requesting an 180-day extension of the February 5, 2018 date on which any representations of dedicated-purpose pool pump 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-0002). 42 U.S.C. § 6314(d)(1).

Pentair timely submitted its petition pursuant to 42 U.S.C. § 6314(d)(2). 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 the petition demonstrate that meeting the statutory requirement would impose an undue hardship on the petitioner.

Pentair’s petition requests a 180-day extension beyond the statutory requirement, contending that the requirement would impose an undue hardship on Pentair. DOE has reviewed the petition and finds that Pentair has sufficiently demonstrated that requiring representations of energy use or efficiency to be based on the new DOE dedicated-pool pump test procedure beginning of February 5, 2018, would impose undue hardship on Pentair. More specifically, Pentair estimated that at least 150 basic models will have to be tested between publication for the final rule and February 5, 2018, necessitating hundreds of laboratory hours. In addition, Pentair’s policy is to use accredited third-party test laboratories to perform compliance testing, and no such laboratories are accredited to the new DOE test procedure at this time. Finally, Pentair noted that it has more than 75 product data manuals to update along with marketing literature, point of purchase materials and websites. Pentair estimates these updates will require an additional 20-25 weeks and cannot be done in parallel with testing. As such, DOE extends, until August 4, 2018, the date by which, under 42 U.S.C. § 6314(d), dedicated-purpose pool pump energy use or efficiency representations by Pentair must reflect testing in accordance with the DOE test procedure published on August 7, 2017.



Finally, DOE notes this 180-day extension only applies to the date by which representations for Pentair's dedicated-purpose pool pump basic models must fairly disclose the results of testing in accordance with DOE's regulations. It does not absolve the manufacturer of other obligations, 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 at [Ashley.Armstrong@ee.doe.gov](mailto:Ashley.Armstrong@ee.doe.gov).

Sincerely,

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

Ashley A. Armstrong  
Program Manager  
Appliance and Equipment Standards  
Building Technologies Office  
United States Department of Energy