



Department of Energy
Washington, DC 20585

January 31, 2018

Shajee Siddiqui
Director, Global Product Safety & Compliance
ZODIAC POOL SYSTEMS, INC.
2620 Commerce Way
Vista, CA 92081
800-822-7933

Dear Mr. Siddiqui,

The U.S. Department of Energy (“DOE”) grants the petition submitted by ZODIAC POOL SYSTEMS, INC. (Zodiac) 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).

Zodiac 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.

Zodiac’s petition requests a 180-day extension beyond the statutory requirement, contending that the requirement would impose an undue hardship on Zodiac. DOE has reviewed the petition and finds that Zodiac 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 Zodiac. More specifically, Zodiac identified at least 60 basic models that must be tested between publication of the final rule and February 5, 2018. Zodiac noted this testing will exceed the initial 180-day time frame for testing prescribed in the statute. In addition, Zodiac stated that the new test procedure requires new testing infrastructure, data acquisition, control programming, and third-party lab testing to validate internal results. Zodiac further stated that they will have to set up additional test facilities so that existing R&D testing for current projects is not disrupted and that additional space may need to be leased. Zodiac further indicated that they expect the need to update 180-200 product date manuals, spec-sheets, catalogs and associated literature. Zodiac states that these updates will require several additional weeks or months of manpower given their current technical publication resources, and further notes they cannot occur simultaneously with testing. As such, DOE extends, until August 4, 2018, the date by which, under 42 U.S.C. § 6314(d),

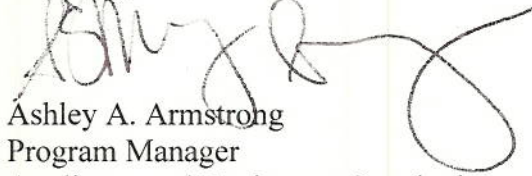


dedicated-purpose pool pump energy use or efficiency representations by Zodiac must reflect testing in accordance with the DOE test procedure published on August 7, 2017.

Finally, DOE notes this 180-day extension only applies to the date by which representations for Zodiac'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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashley A. Armstrong', with a large, stylized flourish extending to the right.

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