

**MEMORANDUM**  
Washington DC Office

To: [expartecommunications@hq.doe.gov](mailto:expartecommunications@hq.doe.gov)  
From: Paul Glist  
Date: May 7, 2012  
Re: Docket No. EERE-2011-BT-NOA-0067 and RIN Number 1904-AC52  
Ex Parte Communication  
Department of Energy  
Meeting of May 1, 2012

This Memorandum for the Record provides a summary of a May 1, 2012, meeting with DOE officials concerning potential test procedures and energy conservation standards for set-top boxes and network equipment.

## Meeting attendees:

John Cymbalsky (DOE-Office of Energy Efficiency and Renewable Energy)  
Jeremy Domm (DOE-Office of Energy Efficiency and Renewable Energy)  
Ashley Armstrong (DOE-Office of Energy Efficiency and Renewable Energy)  
Daniel Cohen (DOE-Office of General Counsel)  
Francine Pinto (DOE-Office of General Counsel)  
Celia Sher (DOE-Office of General Counsel)  
Neal Goldberg (National Cable & Telecommunications Association)  
Paul Glist (Davis Wright Tremaine)  
Andrew deLaski (Appliance Standards Awareness Project)  
Meg Waltner (Natural Resources Defense Council)  
Jennifer Thorne Amann (American Council for an Energy-Efficient Economy)

The parties discussed the presentation in the attached slide deck which was distributed to attendees.

# ENERGY CONSERVATION IN CABLE SET-TOP BOXES: Developing a Voluntary Agreement

May 1, 2012

National Cable & Telecommunications Association  
Natural Resources Defense Council  
Appliance Standards Awareness Project  
American Council for an Energy-Efficient Economy

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## Industry Overview

- Cable “service providers” purchase the set-top boxes and provide them to their customers. Customer pays the electric bill.
- Set-top boxes include DVRs (digital video recorders) and basic boxes
- By CEA estimates approximately 180 million set-top boxes in US consume 25 TWh/yr. Cable represents approximately half.
- Cable industry launched aggressive energy initiative in 2011.

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## Proposal

- NCTA, CableLabs, and the Energy Advocates propose to jointly develop a Voluntary Agreement that would deliver significant energy savings in lieu of mandatory efficiency standards
- Negotiations would occur during temporary suspension of DOE and CEC processes with respect to Cable equipment (set-top boxes and small network equipment like cable modems)
- Commitments in final Voluntary Agreement would be contingent on termination of DOE and CEC regulatory approaches for equipment covered by the V.A.

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## Benefits of Voluntary Agreement

- Faster results than 2018 DOE standard.
- Some existing set-top boxes can be updated with software downloads.
- Can leverage existing CableLabs R&D and test facility.
- More flexible for rapid innovation cycle, competitive market, complexity of networks.

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## Efficiency Requirements

- Short term (2012): “light sleep.”
- Mid-term (2013): By the end of 2013, largest NCTA member companies who serve approximately 85% of cable subscribers will buy 90% ENERGY STAR 3.0 set-top boxes.
- Longer term (2014): begin field tests of next generation energy-efficient cable set-top boxes which include power scaling (target  $\leq 5W$  in deep sleep) followed by deployment of successfully tested boxes. Efforts will also include whole-home approaches that provide additional energy savings.

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## Potential Savings

- Current test results indicate savings of 350 million kilowatt hours in first year of light sleep in cable set-top boxes.
- ENERGY STAR Version 3 set-top boxes are designed to be approx 30% more efficient than conventional models.
- “Deep sleep” chipsets with power scaling could result in annual energy savings of 50% or more.

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## Elements and Timing

- Scope: Initial scope is cable HD-DVRs, non-DVR set-top boxes. Parties to discuss including other equipment (e.g. cable modems) offered or used by cable service provider at a later time.
- Agreement will include - definitions, test method, technical requirements, procurement commitments, dates, methods for verification and accountability, and protection of the consumer experience and innovation.
- Agreement from six largest NCTA member companies who serve approximately 85% of cable subscribers, Energy Advocates. Manufacturers and suppliers and others invited.
- Progress expected by 6/30/2012, agreement by 10/1/2012.

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## Voluntary Agreement Would Replace Regulatory Approach

- Seek temporary suspension of DOE rulemaking with respect to cable products (e.g. hold off on further manufacturer and service provider interviews, publication of test method and standards NOPR, etc.) while Voluntary Agreement negotiations are occurring and making progress.
- Request DOE technical support for negotiation process.
- Acceptable Voluntary Agreement would replace regulatory approach.

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