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Re: NAMA Comments on DOE's March 8, 2025 Notice of Delay for Final Rule and Request for Comments on Commercial Refrigeration Equipment Docket: EERE-2017-BT-STD-0007

Mr. Hrkman, Mr. Dommu, Ms. Koenig,

The National Automatic Merchandising Association (NAMA) respectfully submits the following comments to the Department of Energy (DOE or Department) on its Final Rule titled Energy Conservation Program: Energy Conservation Standards for Commercial Refrigerators, Freezers, and Refrigerator-Freezers. (EERE–2017–BT–STD–0007)

Founded in 1936, NAMA is the association representing the $34.9 billion U.S. convenience services industry, with its core membership being comprised of owners and operators of commercial refrigeration equipment companies. With nearly 1000 member companies – including many of the world's most recognized brands – NAMA provides advocacy, education, and research for its membership. NAMA members include nearly all the U.S.-based commercial refrigeration equipment manufacturers in the categories mentioned above as well as their largest customers.

Regarding the DOE March 8, 2025 Notice of Delay of Effective Date for the DOE Commercial Refrigeration Equipment (CRE) Rulemaking and Request for Comment, NAMA is presenting testimony and response on

behalf of the convenience services industry that provides food and beverages to millions of consumers in a safe and environmentally responsible manner every day.[1]

Introduction

Throughout this rulemaking process, NAMA has communicated the industry's perspective to the Department. In nearly every case over the last four years, the Department has stated they are being responsive to NAMA's concerns, objections, feedback, and comments but then failed to follow through with real changes to the standards. DOE continued to press forward with the rulemaking despite the data on costs and energy savings not supporting their conclusions.

It is further troubling that despite DOE stating in the Final Rule that they agree with NAMA and other manufacturer's associations; the actual standards levels, the Design Options, the Net Present Value, the Manufacturer's Impact remain unchanged from earlier versions of the rule.[2]

This document, taken in conjunction with NAMA's previous comments, lays out the mistakes and serious errors that the Department made throughout this rulemaking. References to specific NAMA comments in the NOPR (Notice of Proposed Rulemaking) and the NODA (Notice of Data Availability) will be cited in the footnotes.

Concerns with DOE's Data and Analysis

The Department has stated that, based on its review of the energy efficiency Trial Standard Levels (TSLs), TSL 3 represents the maximum improvement that is *technically feasible and economically justified*. However, we have significant concerns with this conclusion based on the data and analysis presented in the Technical Support Document (TSD).

First, achieving TSL 3 would require manufacturers to invest millions of dollars in redesigning products and altering production processes. These costs would ultimately be passed on to customers in the form of higher prices, with little to no corresponding improvement in energy efficiency. Historically, most DOE appliance rulemakings over the last decade have sought efficiency improvements of approximately 5–10%.[3] In contrast, this rulemaking proposes improvements nearly three times that amount—raising questions about the underlying assumptions and analyses.

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[1] NAMA supports the Air-Conditioning, Heating, and Refrigeration Institute's (AHRI) and National Association of Food Equipment Manufacturers (NAFEM) comments on this Delay Rule, joins the same, and incorporates them by reference as if fully set forth herein. NAMA, AHRI, and NAFEM may comment on separate concerns with the Delay Rule. If NAMA does not comment on any particular issue on which AHRI and/or NAFEM provide comments, the absence of NAMA's comments on the same should not be construed as NAMA's lack of concern or conflict with the issue.

[2] DOE acknowledged in several places in the Final Rule that they agreed with commenters from industry that the standards levels were too stringent in the proposed NOPR and NODA. Examples: Final Rule, Vol. 90, No. 12, Page 7483 Section 2a; Page 7484 regarding changes to analysis; Page 7487, changes based on Food Safety concerns; Page 7485 on changes to baseline; and Page 7525 on updating fan motors based on comments. Despite numerous changes where DOE acknowledges the comments on the NOPR and NODA, the Final Rule still requires extreme levels of increase in energy efficiency for several classes of CRE, without justification.

[3] Data from NAMA's review of DOE appliance rulemakings over the period 2015-2025

We also have concerns regarding the data DOE used to support its conclusions:

- There are over 40 different types of CRE covered by this rulemaking. However, DOE cited only 14 products to be fully evaluated by "tear-down" analysis. Of these, there are only two categories—VOP/SC/M (Vertical Open, Self-Contained, Medium Temperature) and VCT/SC/M (Vertical Closed, Transparent, Self-Contained, Medium Temperature) which were "reverse engineered" in 7 years. Of these, only seven samples were purchased in 2018, five in 2019, and two in 2020. It remains unclear when these units were manufactured. This seems like a surprisingly small number of units to be really evaluated. The TSD does not indicate whether DOE verified build dates with manufacturers. Without this information, it is difficult to assess the relevance of these products to the current market.
- Refrigerants used in these models suggest that some of the units evaluated may be outdated compared to today's designs. Four used R-134A, three used R-404A, five used R-290, and two used R-450A refrigerants. There is no further information to confirm the age of these samples used to build the design option modeling.
- DOE did not evaluate any HZO/SC/L (Horizontal Freezer, Open, Self-Contained, Low Temperature) units. Despite this, DOE made recommendations for this product class in Table 5.10.22. It is unclear how DOE determined the design changes required to meet TSL 3 for this category without direct evaluation or testing.

Further, much of the data and analysis seem heavily reliant on literature reviews rather than physical testing of modern equipment.[4] For instance, DOE's identified primary design option for achieving DO2 is the use of R-290 variable speed compressors. This would add an estimated $315 in cost per unit. However, our members report even higher costs in practice, compounded by the limited availability of such compressors for smaller units. Additionally, the projected energy savings may not materialize when tested under DOE's own procedures, meaning users may never recoup these added costs through energy savings.

DOE's analysis also relied on larger units (more than 30 cubic feet in capacity) that are more typical of grocery store installations, rather than smaller units used in convenience services environments. As NAMA noted in previous comments, differences in component availability, cost, and efficiency between small and large units are significant. DOE's failure to acknowledge or analyze these differences raises questions about the applicability of its findings.

Another area of concern is DOE's statement that it could not find self-contained R-290 units with less than 150 grams of charge, despite the ASHRAE safety standard limiting public-space placement to 114 grams.[5] NAMA has raised this issue with DOE repeatedly. It is unclear if DOE made sufficient effort to locate compliant units, which are certainly available in the market.

The 2025 Technical Support Document appears to continue many of the same issues we identified in the 2023 Preliminary Notice of Proposed Rulemaking (NOPR) and the 2024 Notice of Data Availability (NODA). The analysis raises serious questions about the reliability of the data and the appropriateness of the conclusions drawn.

[4] This lack of direct reverse engineering or actual testing was revealed during the November 2023 public meeting for the first time. The manufacturers present at that meeting asked for more information on these "tear-down" analysis but none has been released.

[5] ASHRAE Standard 15 was revised in 2021.

Specific examples include:

Example 1: For HZO/SC/L units, DOE identifies only one viable design option—R-290 variable speed compressors—adding $315 per unit. Given availability challenges and higher real-world costs and lower actual energy savings, our members question the feasibility of this approach.

Example 2: For VCT/SC/M units, DOE identifies three design options that would increase manufacturer costs by over $140, with limited energy savings. End users are unlikely to realize any net financial benefit over the product's lifespan.

Example 3: For VOP/SC/M non-large units, DOE identifies three design options that could improve energy efficiency by 12%. However, the proposed standard requires a 27% improvement—raising doubts about the practicality of meeting the standard. These changes would raise manufacturing costs by over $80, again with no clear payback for end users.

Furthermore, some of DOE's suggested design changes—such as high-performance doors with noble gas insulation layers and enhanced evaporator coils—present additional cost and engineering challenges that are not fully explored in the TSD.

These concerns were raised during the November 2023 public meeting and in written comments. DOE indicated it would provide additional data but has not done so. As a result, the Final Rule leaves many critical questions unanswered. We respectfully request that DOE revisit its analysis and provide greater transparency and rigor.

DOE further claims the Final Rule greatly reduces the impact on CRE manufacturers based on new evidence and analysis, estimating an average efficiency improvement of 6.5%. However, for several CRE categories, the required efficiency gains exceed 27%. This raises significant feasibility concerns given the limited implementation timeline.

Concerns Regarding DOE's Use of Social Cost of Carbon

For more than 15 years, numerous experts have highlighted the fundamental flaws by using a theoretical projections of the Social Cost of Carbon in product energy efficiency standards. Too often, the Social Cost of Carbon was used to justify regulatory action unrelated to direct environmental impact—such as energy efficiency appliance standards set by DOE.[6]

The Environmental Protection Agency (EPA) itself has acknowledged these concerns. As stated in reference to the *"Unleashing American Energy"* Executive Order, the EPA was directed to issue guidance addressing the "harmful and detrimental inadequacies" of the Social Cost of Carbon (SCC) metric, including consideration of eliminating its use in federal permitting and regulatory decisions. The Executive Order notes that the SCC is *"marked by logical deficiencies, a poor basis in empirical science, politicization, and the absence of a foundation in legislation."* It further observes that reliance on the SCC can arbitrarily delay regulatory decisions and harm the competitiveness of the U.S. economy—ironically increasing global environmental impacts by shifting production to less efficient foreign energy producers.

[6] NAMA explained this issue in comments to the NODA, Page 4, Item 6

DOE states in the Final Rule, *"Due to these updates and other considerations, detailed throughout this final rule, DOE is adopting generally less stringent standards than those proposed in the October 2023 NOPR."* While this may appear accurate at a high level, it does not fully reflect the impact on manufacturers. Despite changes from the NOPR, the Final Rule still requires energy efficiency improvements of more than 25% within the proposed four-year implementation period. This level of improvement is not reflected in the data presented in the Technical Support Document (TSD).

DOE also relies heavily on projected reductions in greenhouse gas emissions — including CO_2, SO_2, NOx, N_2O, and mercury — to justify the rule's benefits. These estimates are based on the Social Cost of Carbon (SCC), a metric that has been subject to significant debate regarding its accuracy and relevance. Recent actions by the U.S. Environmental Protection Agency (EPA) — including a review of the SCC metric — suggest that reliance on this measure for regulatory justifications should be reconsidered.

Furthermore, DOE needs to issue a separate public rulemaking on the use of the SCC and provide an opportunity for public comment before relying on this metric in any final regulatory action.

Until open and public notices and re-evaluations occur, the SCC should not be used to determine compliance with anti-backsliding provisions or to justify the Final Rule. Recent executive actions calling for a review of the SCC further support this pause. DOE's own Final Rule acknowledges the critical role of the SCC in its analysis:

Example 1: On page 7470[7], DOE references the 2021 Executive Order 13990 regarding the SCC but does not address the 2025 Executive Order calling for a reassessment of the metric's use in federal rulemaking.

Example 2: On page 7471, DOE notes that without the SCC, the Final Rule's positive value to the public is significantly diminished.

Example 3: On page 7474, DOE concludes that *"the benefits of the standard exceed, to a great extent, the burdens of the standard"* — a conclusion largely dependent on climate benefits calculated using the SCC. DOE estimates these climate benefits total $312 million of the $452 million in total benefits. Without the SCC, the cost-benefit justification of the rule is significantly weakened.

DOE's National Impact Analysis, Manufacturer Impact Analysis, and Cost-Benefit Analysis should be revisited to ensure consistency with EPA's approach and broader federal regulatory practices. The long-standing use of the SCC does not, on its own, justify its continued application without reassessment.

Given this ongoing review, DOE should refrain from finalizing any rule that incorporates the Social Cost of Carbon until this issue is resolved. DOE should re-evaluate its National Impact Analysis while removing the Social Cost of Carbon as a primary justification. Instead, each rulemaking should stand on its own merits based on measurable energy efficiency improvements that directly benefit the consumers — in this case, stakeholders in the convenience services industry.

[7] References to Page Numbers from DOE Final Rule, Vol. 90, No. 12

Compliance Timeline

NAMA has consistently raised concerns regarding the feasibility of the proposed compliance timeline. DOE's addition of one year between effective date and compliance is appreciated but remains insufficient. As highlighted, manufacturers face increasing challenges related to product design, testing, certification, and compliance with federal, state, and local safety and environmental standards. Additionally, ongoing supply chain issues, material availability, and the need to maintain performance, quality, and food safety standards further complicate compliance.[8] [9]
To ensure a realistic and achievable transition, DOE should adopt a minimum five-year compliance period from the effective date of the rule. This additional time is necessary to allow manufacturers to fully comply without negatively impacting product availability, utility, affordability, or consumer choice.

Comments on Specific Areas in the January 21, 2025 Final Rule

1. **Cumulative Regulatory Burden**

In the text of the Final Rule, the Department acknowledges the issue of **Cumulative Regulatory Burden**. However, despite this acknowledgment, DOE fails to meaningfully apply this principle to adjust the standards downward. As written, the discussion of cumulative burden appears largely perfunctory and does not result in any substantive changes to the regulatory requirements.

The statutory six-year "lock-in" provision is specifically intended to allow manufacturers adequate time to recover the costs of required investments and realize a reasonable return. See *42 U.S.C. § 6295(m)(4)(B)*. However, as we have previously noted, the Government Regulatory Impact Model (GRIM) does not effectively account for this provision.

Specifically, the GRIM model artificially increases projected value by accelerating the depreciation of past investments. This early write-off of capital investments, while reducing reported tax cash costs, is a non-cash adjustment that does not reflect the actual financial impact on manufacturers. This well-known flaw in the GRIM model—originating from conceptual and technological limitations in its early development—remains unresolved.

In our comments to the Notice of Data Availability (NODA), NAMA identified these deficiencies in the current GRIM analysis and offered constructive recommendations for correction. Unfortunately, DOE did not address or incorporate these recommendations in the Final Rule.[10]

For transparency and accuracy, the additional regulatory costs and their effects on energy efficiency should be clearly reflected in all charts, graphs, and impact analyses presented by DOE. Stakeholders must have a complete understanding of the costs involved with and without the influence of these other regulations. [11]

[8] NAMA comments on NODA September 2024, Item 3
[9] NAMA comments on NODA September 2024, Item 3
[10] NAMA comments on the NODA, Pages 7-9 and NAMA Comments on the NOPR in 2023 Page 17
[11] NAMA comments on the NODA, Page 7.

2. Impact on Convenience Services Operators

Ultimately, the burden of this overregulation will fall on convenience services operators—businesses that will **not realize any meaningful energy savings**, but will be forced to **pay higher prices** for equipment that may underperform compared to previous models. In some cases, these new products could reduce available interior space, further impacting operations and revenue potential.

We raised these concerns with DOE during the rulemaking process, yet they remain unaddressed. The data presented in the Technical Support Document (TSD) fails to reflect real-world conditions, including the actual cost of components and the realistic potential for energy savings. Instead, the TSD relies on inaccurate assumptions and data—an issue present in both the Notice of Proposed Rulemaking (NOPR) and the Notice of Data Availability (NODA).

NAMA provided detailed comments outlining these deficiencies and their implications for small businesses. Unfortunately, DOE chose to disregard these comments in the Final Rule. [12]

3. Inconsistencies in the Technical Support Document (TSD)

DOE failed to conduct a thorough review of the data between the Notice of Proposed Rulemaking (NOPR), the Notice of Data Availability (NODA), and the Final Rule Technical Support Document (TSD). Despite having an additional 10 months to review and refine the analysis based on stakeholder feedback, we see no meaningful improvements to the data.

The cost estimates associated with the Trial Standard Levels (TSLs) remain inaccurate, and the projected energy savings from various design options continue to be significantly overstated. These persistent inaccuracies undermine the credibility of the TSD.

A detailed chapter outlining these issues was included in NAMA's 2023 comments to the NOPR, yet the Department failed to act on this input.[13]

4. Persistent Errors in Design Options and Cost Estimates

For the past three years, NAMA has repeatedly raised concerns about DOE's continued reliance on design options that are neither new nor innovative. Many of these so-called "new technologies" have been in use by NAMA members for **5 to 10 years**, with widespread adoption following the 2014 standards update. Despite this, DOE continues to present these features as viable new options to achieve the next standard level—an approach that significantly distorts the analysis.

This mischaracterization allows DOE to **double-count** energy savings—once as part of the existing Base Case and again as a new efficiency gain. Although DOE claims in the Final Rule that no double-counting occurs, the record demonstrates otherwise. Such a practice undermines the integrity of the analysis.

Accurate representation of the Base Case is critical. Without it, the cost-benefit analysis and energy savings projections are fundamentally flawed. Time and again, NAMA has demonstrated that DOE's cost estimates for design options are **consistently understated**, while the projected energy savings are

[12] NAMA Comments on NODA, Item 1, Page 3.
[13] NAMA Comments on NODA, Item 3, Page 3 and NAMA Comments on the NOPR in 2023, Page 9

grossly overstated. The entire framework rests on the accuracy of the Base Case—specifically, understanding the true cost and energy performance of units **before** the new standards are imposed.

For years, NAMA has urged DOE to correct its Base Case assumptions, providing data and direct manufacturer feedback indicating that many of these design options were incorporated into products more than a decade ago. If those improvements are already standard in current models, comparing them as future gains is analytically invalid and results in double-counting energy savings.[14]

For example, in the 2023 NOPR, DOE claimed that reaching AD Level 3 would require two engineering upgrades: the addition of Brushless DC Condenser Fan Motors and a Variable Speed Compressor. DOE estimated the cost of the Variable Speed Compressor at **$94**. NAMA, based on member data for smaller units (under 30 cubic feet), pointed out that the actual cost exceeded **$200**. DOE later acknowledged this discrepancy in the NODA text, yet in the 2025 Final Rule TSD, the estimated cost had risen to **over $315**. And the energy efficiency gains from these design options continue to be overstated.

While component prices naturally increase over time, this significant gap suggests DOE lacks a reliable method for predicting component costs. This disconnect may stem from DOE's failure to fully test and reverse-engineer the equipment as claimed in the NODA, further eroding confidence in the analysis.[15]

5. **Time Required for Implementation and Certification to the New Standards**

DOE continues to underestimate the time required for manufacturers to redesign, test, and certify products to meet both the new energy efficiency standards and updated safety standards. NAMA has consistently raised this concern in comments submitted during the ANOPR, NOPR, and NODA phases. Each time, DOE discounted these realities, suggesting manufacturers could quickly meet safety certification requirements—an assumption that is unrealistic and dismissive of the complexities involved.[16]

One of NAMA's primary arguments for extending the compliance timeline is the significant time and resources required to complete full safety testing and certification from outside laboratories. NAMA, along with manufacturers from other associations, provided specific information supporting the need for **five years**—not three or four years—to achieve compliance.

Despite these detailed submissions, DOE states in the Final Rule that *"DOE has determined that a 4-year compliance period to redesign CRE to meet the new adopted standards will help alleviate manufacturers' concerns about engineering and laboratory resources."* However, DOE provides no evidence of direct consultation with safety testing or certification laboratories to support this conclusion.

6. **Sub-Categorization of Equipment Classes**

NAMA has repeatedly emphasized—in comments to both the NOPR and NODA—that the **energy efficiency gains** and **costs of implementation** vary significantly between smaller (under 40 cubic feet capacity) and larger volume units within the same equipment classes. Specifically, the challenges of integrating new compressors, insulation systems, doors, fan motors, and condenser coils differ

[14] NAMA Comments on the NODA, Page 5, Item 10 and NAMA Comments on the NOPR, Page 12.
[15] NAMA Comments on the 2023 NOPR, Pages 7, 8, and 13.
[16] NAMA Comments on the NODA Page 4, Item 8.

substantially based on unit size. Despite providing detailed examples and data to support this position, DOE summarily dismissed the need for sub-categorization in the Final Rule, stating it found no justification to subdivide these product classes.

This position is inconsistent with DOE's own treatment of certain categories, where it acknowledges the relevance of size differences by dividing some classes into "Large" and "Non-Large" segments. Yet, DOE refuses to apply the same logic to categories such as **VCT/SC/M, VOP/SC/M,** and **HZO/SC/L**, where the difference between units below **40 cubic feet** and those above **40 cubic feet** is both technically and economically significant.[17]

In practice, smaller units require different components, involve distinct tooling and fixtures, and incur different capital costs for implementation. Availability and pricing of components also vary by size. Simply put, designing and manufacturing a 30-cubic-foot unit is fundamentally different from producing a 44-cubic-foot unit—from engineering to materials to production processes.

Despite these realities, the Final Rule TSD reflects no changes based on the extensive data NAMA provided. Moreover, NAMA offered to meet with DOE to discuss these distinctions in detail, but those offers were declined.[18]

DOE's continued refusal to recognize these important differences undermines the accuracy of the cost and energy savings analyses and imposes unnecessary burdens on manufacturers of smaller units.

7. **Shipment Numbers and Market Impact**

NAMA has repeatedly raised concerns about the accuracy of DOE's shipment projections, which are critical to the justification of the Final Rule. DOE relies on these projections to calculate the anticipated energy savings from the sale of new units that meet the updated standards. However, if the actual number of units sold after implementation is significantly lower than DOE's estimates, two key issues arise:

1. The projected U.S. energy savings are overstated
2. An increase in equipment refurbishing (remanufacturing) is likely, as businesses turn to remanufactured units that do not meet the new standards

For years, NAMA has warned that DOE's shipment estimates could be off by as much as **50%**. DOE has dismissed these concerns, vaguely asserting that adjustments were already accounted for in their modeling.[19] However, if such adjustments were made, they are not transparently documented in the Final Rule TSD or elsewhere in the record.

DOE has a responsibility to clearly show how changes to shipment numbers—between the NOPR and the Final Rule—impact the analysis and justification for the rule. During the November 2023 Public Meeting, NAMA directly requested this information. DOE stated it would provide the data, but to date, it has not.[20]

[17] NAMA Comments on the NOPR, Page 20.
[18] NAMA Comments on the NODA Page 4, Item 9.
[19] NAMA Comments on the 2023 NOPR, Page 16 for a full explanation.
[20] NAMA Comments on the NODA, Page 6, Item 16 and NAMA Comments in 2023 on the NOPR, Page 16.

8. **Transparency in Data and Source Material**

NAMA, along with other industry associations, have consistently reminded DOE of its obligation to provide full transparency regarding the data, assumptions, and sources used in the rulemaking process. Despite these repeated requests, DOE has failed to meet this basic requirement.[21]

During the November 2023 Public Meeting, DOE presented numerous charts and data sets but did not explain the origin or methodology behind the figures. This lack of transparency extends to the Technical Support Document (TSD), which also fails to provide clear citations or source material for critical data points.

NAMA specifically referenced the U.S. Court of Appeals for the D.C. Circuit decision in *American Public Gas Association v. U.S. Department of Energy*, which affirmed that agencies must allow for public review and analysis of any technical materials relied upon in developing proposed rules. DOE's repeated failure to disclose the underlying data violates this standard and deprives stakeholders of the opportunity to meaningfully review and challenge the basis for the Final Rule.

At the public meeting, multiple stakeholders—including NAMA—asked DOE to identify the sources of the data used in the TSD. To date, DOE has not provided a response.

9. **Impact on Product Utility and Design**

NAMA has consistently raised the issue that many of the DOE's proposed design options fundamentally alter the utility of CRE. Changes such as insulation type, adding alternative door types, incorporating features like curtains, or motion sensor lighting often require modifications to the size, shape, and interior refrigerated space of the product. While DOE acknowledges this concern, the Department's continued insistence on stringent energy efficiency requirements leaves manufacturers with limited options—primarily, the need to reduce interior space to meet these standards.

Moreover, as NAMA has repeatedly pointed out, DOE's proposed changes will necessitate larger doors and modifications to frame construction, which in turn increase the weight and shipping costs of the equipment. This directly contradicts DOE's stated goal of reducing the carbon footprint, as the adjustments required to meet these energy efficiency standards will inevitably lead to higher energy consumption associated with manufacturing, shipping, and product weight.

While DOE's intentions to improve energy efficiency are commendable, the unintended consequence of these design changes is a reduction in the overall utility of the equipment, coupled with higher costs and increased environmental impact in areas DOE has not fully accounted for.[22]

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[21] Generally, "the 'technical studies and data' upon which the agency relies" "must be revealed for public evaluation." Chamber of Com. of U.S. v. SEC, 443 F.3d 890, 899 (D.C. Cir. 2006) (quoting Solite Corp. v. EPA, 952 F.2d 473, 484 (D.C. Cir. 1991)). *American Public Gas Association v. U.S. Department of Energy*, 72 F.4th 1324, July 7, 2023.

[22] NAMA comments on the NODA, Page 6, Item 14 and NAMA Comments to the NOPR, Page 15.

Conclusion

Given the numerous significant issues raised throughout this document, it is clear that the DOE's Final Rule in its current form is fundamentally flawed and fails to account for the real-world impacts on manufacturers, small businesses, and consumers within the convenience services ecosystem. From the cumulative regulatory burden and inaccurate data to the unintended consequences on product utility and increased costs, to the lack of transparency, the rule does not align with the objectives of enhancing energy efficiency without imposing disproportionate financial and operational burdens.

The lack of transparency in the data used, the failure to address the full scope of regulatory impacts, and the inaccuracies in product cost and energy savings modeling all point to a critical need for a comprehensive reassessment and revision of the rulemaking. Furthermore, the unrealistic compliance timelines and the dismissal of smaller unit design sub-categories further highlight that the proposed standards are neither feasible nor sustainable for many in the industry.

In light of these issues, we respectfully urge the Department to rescind the Final Rule and undertake a thorough and transparent process to revise the standards. This should include accurate data modeling, better consideration of cumulative regulatory impacts, and a more reasonable compliance timeline. The process should involve meaningful consultation with stakeholders to ensure the final rule supports the goals of energy efficiency, cost-effectiveness, and practical implementation across the industry.

By taking these steps, the DOE will not only ensure a more equitable and effective regulatory environment but also foster innovation and progress toward energy efficiency in a manner that is sustainable for manufacturers and beneficial for all Americans.

Respectfully submitted,

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