

IV. Figure 5: Decrease in Compressor Watts (3 Ton AC) With 3 Additional 24-Hour Break-In Periods, Relative to 20-Hour Break-In Baseline

See the following Web site for figure 5: <https://www.regulations.gov/docket?D=EERE-2017-BT-WAV-0037>.

Figure 6: Decrease in Compressor Watts (5 Ton AC) With 3 Additional 24-Hour Break-In Periods, Relative to 20-Hour Break-In Baseline

See the following Web site for figure 6: <https://www.regulations.gov/docket?D=EERE-2017-BT-WAV-0037>.

These test results show that a VSS system is not fully broken in at 20 hours, and that rating such a system with only 20-hour break-in period can understate a system's SEER rating performance by 1 to 2 SEER (or approximately 5% to 10%). Because the 20 Hour Break-In Limit does not allow sufficient time for full break-in of VSS systems, the efficiency rating of a VSS system measured under Appendix M falls below the actual efficiency level at which the system will operate for the great majority of its time in service. JCI is thus unable to represent, on the basis of Appendix M testing, the full efficiency at which its VSS systems will operate. To achieve a particular efficiency rating under the Appendix M test method, JCI is forced to overdesign its VSS systems to meet an even higher target efficiency rating after full break-in. In short, the 20 Hour Break-In Limit in Appendix M results in the underrating of JCI's VCC systems, and thus produces materially inaccurate data about the efficiency of VSS systems for comparison purposes, leaving homeowners without the information needed to objectively evaluate the benefits of such systems.

This underrating under Appendix M for JCI's VSS systems has significant consequences in the marketplace. Because of underrating due to the 20 Hour Break-In Limit, the full efficiency advantage of JCI's VSS systems will not be apparent versus lower-efficiency full stage compressor products, for which the 20 Hour Break-In Limit does not bias results. Consumers for whom central air conditioner measured efficiency is an important factor will be misled about the merits of VSS systems on the basis of measured efficiency under Appendix M. Although the JCI models at issue are very efficient, and perform well above the applicable minimum efficiency standards, accurate ratings for high efficiency products such as these are important for purposes of, for instance, determining eligibility for Energy Star, utility rebates, tax credits, and green building recognition.

I. Alternative Test Procedures

DOE's Appendix M test procedure, as currently promulgated but with the option of an extended, 72-hour break-in period, constitutes the appropriate alternate test procedure that will evaluate the performance of JCI's VSS systems in a manner representative of its energy characteristics. Therefore, JCI proposes to test the basic models for which it seeks waiver by applying the entirety of Appendix M to 10 CFR part 430, subpart B, with a single modification to Section 3.1.7, as shown below:

3.1.7 Test Sequence

Manufacturers may optionally operate the equipment under test for a "break-in" period, not to exceed 2072 hours, prior to conducting the test method specified in this section. A manufacturer who elects to use this optional compressor break-in period in its certification testing should record this information (including the duration) in the test data underlying the certified ratings that are required to be maintained under 10 CFR 429.71. When testing a ducted unit (except if a heating-only heat pump), conduct the A or A₂ Test first to establish the cooling full-load air volume rate. For ducted heat pumps where the heating and cooling full-load air volume rates are different, make the first heating mode test one that requires the heating full-load air volume rate. For ducted heating-only heat pumps, conduct the H1 or H1₂ Test first to establish the heating full-load air volume rate. When conducting a cyclic test, always conduct it immediately after the steady-state test that requires the same test conditions. For variable-speed systems, the first test using the cooling minimum air volume rate should precede the E_v Test, and the first test using the heating minimum air volume rate must precede the H2_v Test. The test laboratory makes all other decisions on the test sequence.

Thus, the only change would be to modify the maximum length of the optional break-in period for JCI's VSS systems. As required by Appendix M, JCI would report the break-in period used in its product compliance certifications.

II. Similar Products

JCI is aware of the following manufacturers of residential central air conditioners and heat pumps that offer VSS systems using scroll compressors with oil injection: Carrier Corporation, Daikin Industries, Goodman Manufacturing Co. LP, Lennox International Inc., Nortek Global HVAC, Rheem Sales Company, and Trane.

III. Petition for Interim Waiver

Pursuant to 10 CFR 430.27, JCI also requests an interim waiver of the 20 Hour Break-In Limit for the JCI VSS systems. DOE will grant an interim waiver if it appears likely that the petition for waiver will be granted and/or if DOE determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the petition for waiver.¹⁰ Interim relief is important to ensure that JCI can make materially accurate representations about the energy efficiency of its VSS systems in its certifications to DOE and marketing materials while DOE is considering the merits of JCI's petition for waiver.

Likely Success of the Petition for Waiver. For the reasons outlined above, JCI believes that there are strong arguments for granting the petition for waiver on the merits. Specifically, JCI testing of its VSS systems shows that a 72-hour break-in period produces test results that are more representative of the actual product efficiencies at which the VSS systems will

operate over the lifetime of the product than those results obtained under the current 20 hour break-in period limit.

Competitive Disadvantage. If JCI must continue to comply with the 20 Hour Break-In Limit for its VSS systems, these systems will be disadvantaged in the market relative to other types central air conditioners and heat pumps for which a break-in period of 20 hours or less produces results representative of actual operating efficiency. As shown above, the impact of the 20 Hour Break-In Limit on ratings is significant—it can reduce ratings by 1 to 2 SEER. The effects of such depressed ratings in the market can be significant.

Public Policy Reasons to Grant Interim Waiver. Without an interim waiver, consumers will continue to be exposed to materially inaccurate information about the energy consumption characteristics of JCI's VSS systems. This inaccurate information harms consumers (especially those seeking to evaluate very high efficiency CAC/HP products) and distorts markets. Further, underrating high efficiency products is inconsistent with the policy objectives of EPCA.

For all of these reasons, the Department should grant an interim waiver while it considers the petition for waiver set out above.

IV. Conclusion

For the reasons stated above, JCI respectfully requests that DOE grant this petition for waiver of the 20 Hour Break-In Limit with respect to its VSS systems. JCI further requests DOE to grant its request for an interim waiver while its petition for waiver is under consideration.

If you have any questions or would like to discuss this request, please contact me at (316) 832-6393, Chris Ware at (414) 524-5443, or Doug Smith of Van Ness Feldman, LLP at (202) 298-1902. We greatly appreciate your attention to this matter.

Sincerely,

Steve Tice,

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Cc: Johanna Jochum, Office of the General Counsel

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17-1029-001.

Applicants: Iroquois Gas Transmission System, L.P.

Description: Tariff Amendment: 09/12/17 Negotiated Rates—Hartree

¹⁰ 10 CFR 430.27(e)(2).

Partners, LP H-7090-89, Amendment to be effective 11/1/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5100.

Comments Due: 5 p.m. ET 9/25/17.

Docket Numbers: RP17-1039-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 09/12/17 Negotiated Rates—Freepoint Commodities LLC R-7250-20 to be effective 11/1/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5090.

Comments Due: 5 p.m. ET 9/25/17.

Docket Numbers: RP17-1040-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 09/12/17 Negotiated Rates—ENI Trading & Shipping Inc R-7825-04 to be effective 11/1/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5124.

Comments Due: 5 p.m. ET 9/25/17.

Docket Numbers: RP17-1041-000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 09/12/17 Negotiated Rates—ENI Trading & Shipping Inc R7825-05 to be effective 11/1/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5125.

Comments Due: 5 p.m. ET 9/25/17.

Docket Numbers: RP17-1042-000.

Applicants: Alliance Pipeline L.P.

Description: § 4(d) Rate Filing: Brion Duvernay Name Change to be effective 10/1/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5141.

Comments Due: 5 p.m. ET 9/25/17.

Docket Numbers: RP17-498-003.

Applicants: Cameron Interstate Pipeline, LLC.

Description: Compliance filing Cameron Interstate Pipeline Compliance Filing to be effective 9/12/2017.

Filed Date: 9/12/17.

Accession Number: 20170912-5140.

Comments Due: 5 p.m. ET 9/25/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing

requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 13, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17-2457-000]

Rock Creek Wind Project, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Rock Creek Wind Project, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is October 4, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission,

888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: September 14, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17-79-000]

Florida Gas Transmission Company, L.L.C.; Notice of Availability of the Environmental Assessment for the Proposed Wekiva Parkway Relocation Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Wekiva Parkway Relocation Project, proposed by Florida Gas Transmission Company, L.L.C. (Florida Gas) in the above-referenced docket. Florida Gas requests authorization to abandon in place and relocate portions of their existing 12-inch Sanford Lateral and 26-inch Sanford Lateral Loop pipeline in Lake and Seminole Counties, FL, that conflict with construction of the Florida Department of Transportation (FDOT) Wekiva Parkway. The affected pipelines are to be relocated to new adjacent right-of-way abutting the north side of FDOT's Wekiva Parkway right-of-way.

The EA assesses the potential environmental effects of the construction and operation of the Wekiva Parkway Relocation Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.