



**EDISON ELECTRIC
INSTITUTE**

January 24, 2007

Mr. Cyrus Nasseri
U.S. Department of Energy
Federal Energy Management Program
Mailstop EE-2L
1000 Independence Avenue, N.W.
Washington, DC 20585-0121

RE: Energy Standard for New Federal Commercial and Multi-Family High-Rise Residential Building and Energy Standards for New Federal Low-Rise Residential Buildings Docket No. EE-RM/STD-02-112

Dear Mr. Nasseri:

The Edison Electric Institute (EEI) appreciates the opportunity to submit these comments regarding the Department's Interim Final Rule on Energy Standard for New Federal Commercial and Multi-Family High-Rise Residential Building and Energy Standards for New Federal Low-Rise Residential Buildings, which were published at 71 Fed. Reg. 70275 (December 4, 2006). EEI is the association of the U.S. shareholder-owned electric companies, international affiliates and industry associates worldwide. Our U.S. members serve over 97 percent of all customers served by the shareholder-owned segment of the industry. They service 71% of all ultimate customers in the United States. Many of our members are combination electric/gas companies, and provide efficiency services for both fuel types.

EEI believes that energy efficiency has a very important role in our Nation's energy strategy. Our Board of Directors has approved a new EEI Energy Efficiency Initiative. We believe new technologies and controls provide important new tools to implement efficiency measures and achieve energy savings.

EEI has reviewed this interim final rule and supports it wholeheartedly. EEI would suggest that it made into a final rule as quickly as possible, to accelerate the energy savings that would result from this rule.

EI believes that DOE has created a rule that will help agencies build new buildings that are more energy efficient in a technically feasible and economically justified manner. EI also agrees with the approach that if 30% energy savings over recent codes are not technically feasible or economically justified, then agencies must evaluate the cost-effectiveness of alternative decrements below 30% (e.g., 25%, then 20%, etc). This type of approach will help agencies build more efficient buildings, while making sure that taxpayer money is well spent.

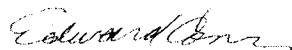
For federal low-rise residential buildings, DOE should consider allowing federal agencies to use ASHRAE 90.2-2004 code as an equivalent substitute to the *ICC International Energy Conservation Code, 2004 Supplement Edition* to determine the baseline building. In many cases, the ASHRAE 90.2-2004 code is more stringent (in terms of energy efficiency) than the IECC code. DOE may want to run simulation models to determine which code creates the more energy efficient baseline residential building, and use the more efficient code to create more national energy savings.

Conclusion

EI believes that DOE has done a thorough and admirable job in meeting the provisions of Section 109 of the Energy Policy Act of 2005, and urges DOE consider the use of ASHRAE 90.1-2004 as a baseline code for low-rise residential buildings, if this action would not make DOE "re-notice" this rule.

EI sincerely appreciates the opportunity to submit these comments.

Respectfully submitted,



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cc: Rick Tempchin, EEI
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