BEFORE THE
CALIFORNIA ENERGY COMMISSION

In re 2024 Efficiency Regulations for Televisions and Displays – Revised Data Collection Requirements, Request for Information	Docket No. 24-AAER-01 TN #: 262997

RESPONSE OF THE CONSUMER TECHNOLOGY ASSOCIATION

CONSUMER TECHNOLOGY ASSOCIATION
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The Consumer Technology Association (CTA) hereby submits its comments in response to the Commission's Request for Information (RFI) to amend the data reporting requirements for televisions in its Modernized Appliance Efficiency Database System (MAEDbS) set forth in 20 California Code of Regulations § 1606, Table X. For the reasons set forth below and in CTA's prior Petition for Rulemaking referenced in the RFI (and which CTA incorporates into these comments by reference in order to enter it into this docket), the Commission should amend its rules to align with the federally-mandated rules of the United States Department of Energy (DOE) set out at 10 C.F.R. Part 430, Subpart B, Appendix H. The new rule adopted by the Commission in 2024 failed to align with the DOE test method by including additional information expressly excluded by DOE, the reporting of which unnecessarily undermines the purpose of MAEDbS, harms consumers by creating confusion, and inflicts competitive harm on television manufacturers.

CTA's responses to the Commission's specific questions are set forth below.

1. **Is the public interest served by repeal of any or all data collection fields relating to television features? If so, why? If not, why not?**

CTA presumes that this question pertains to the following MAEDbS fields: High Dynamic Range 10 (HDR10) Capable, Automatic Brightness Control (ABC) Capable, Quick Start Capable, Quick Start Enabled by Default, Internet Connection Capable, Smart Wake Capable, Default SDR PPS: ABC Enabled by Default, Brightest SDR PPS: ABC Enabled by Default, and Default HDR PPS: ABC Enabled by Default.

While CTA's earlier petition sought removal of these fields because they are not part of the DOE-mandated test report, unlike other fields that were the subject of CTA's petition, these particular fields are not sensitive. If a stakeholder provides the Commission with a compelling reason why the reporting of this information would serve the public interest that is not rebutted in a reply to the Commission, CTA does not object to the continued inclusion of these fields in MAEDbS. However, if no compelling reasons are provided, the Commission should still eliminate these fields to avoid an unnecessary burden on reporting manufacturers.

2. **Is the public interest served by repeal of any or all data collection fields relating to television performance in specific test conditions? If so, why? If not, why not?**

CTA presumes that this question pertains to the following MAEDbS fields:

Default SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at the Default Backlight Level with ABC Off

Default SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On

Default SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On

Default SDR PPS: If ABC Not Enabled by Default, On Mode Power (watts) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off

Default SDR PPS: If ABC Not Enabled by Default, Dynamic Luminance (cd/m2) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off

Brightest SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at the Default Backlight Level with ABC Off

Brightest SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at the Default Backlight Level with ABC Off

Brightest SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On

Brightest SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On

Brightest SDR PPS: If ABC Not Enabled by Default, On Mode Power (watts) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off

Brightest SDR PPS: If ABC Not Enabled by Default, Dynamic Luminance (cd/m2) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off

Default HDR PPS: If ABC Enabled by Default, On Mode Power (watts) at the Default Backlight Level with ABC Off

Default HDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at the Default Backlight Level with ABC Off

Default HDR PPS: If ABC Enabled by Default, On Mode Power (watts) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On

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These 18 categories of data, which are reported in a total of 48 unique data points in MAEDbS, do not provide useful information for consumers about a television's compliance with California law or its real-world performance in the market. Instead, these individual data points describe the performance of the TV under very specific laboratory conditions that do not typically reflect how TVs actually perform or how consumers use them. Each data point reflects a very specific set of viewing conditions that only a small number of consumers will typically experience. Consumers will not be able to relate the multiple data points from specific laboratory conditions to their own situations – particularly when it comes to the amount of ambient light at their viewing locations, and whether or not the preset picture settings they've selected are the brightest ones. To know the amount of ambient light at their viewing locations, and whether or not the picture settings they have chosen are the brightest, consumers would have to use specialized equipment to take their own measurements. MAEDbS should instead use the approach of the DOE test method, which reports only the aggregation of these data points into an easy-to-understand overall average of how a TV will perform across all viewing situations.

CTA will review the comments submitted to the Commission in response to the RFI, but currently is aware of no compelling benefit from making this laundry list of data points available to the public. As demonstrated in CTA's original petition and reprised in response to the Commission's third RFI question below, the publication of this information is harmful to manufacturers and only clutters the database with unnecessary information. CTA will consider and address any new evidence that there are sufficient countervailing benefits that outweigh these harms. CTA will separately address below the separate question of potential public interest benefit in the availability of information to the Commission on a confidential basis.

3. Does the collection of data relating to television features or performance in specific test conditions result in collection of trade secrets? If so, which fields cause this to occur, and how do these fields cause this to occur? If not, why not?

When developing and refining new models, manufacturers test TVs using measurements like the 48 data points referenced in response to question 2 to seek to optimize performance, energy efficiency, and picture quality. The TV manufacturing business is highly competitive, and leading manufacturers invest millions of dollars to develop innovative products. Television manufacturers have expressed concern to CTA that the ready-availability of this library of data for every new model could ease the ability of rival manufacturers to reverse engineer competitors' models to mimic or copy picture performance that the original manufacturers have devoted substantial investment and effort to achieve.

While some manufacturers may test competitors' TVs to learn such information, doing so requires a significant amount of work and resources. The Commission should not force manufacturers to reveal engineering and business strategies about every single one of their models and make such information effortlessly and readily available to competitors, especially when doing so serves no benefit to consumers.

CTA is not aware of similar commercial sensitivity to the 8 MAEDbS fields referenced in response to question 1 or to the Type of Standby Mode Tested.

4. Are any data fields particularly useful and/or appropriate to use for updating minimum efficiency standards for this product class? If so, why? If not, why not?

CTA is not aware of any manner in which the information in Annex B of the test method is materially useful for consideration of updates to the Commission's minimum efficiency standards for TVs. Even if it were, the Commission now has access to more than enough information for any immediate such purpose through a full year's worth of data that has already been reported to MAEDbS under the new rule. The Commission could also solicit information

from manufacturers to be submitted confidentially without the need to expose such information to the public through MAEDbS.

CONCLUSION

The purpose of MAEDbS is simple: to enable retailers to confirm which devices comply with the Commission's minimum efficiency standards. The inclusion of hyper-technical Annex B sabotages that purpose because its data are irrelevant to the determination of whether a TV complies with California law. CTA's petition demonstrated that the Commission should grant CTA's requested relief to avoid conflict with federal law, advance the purpose of MAEDbS, and align with the Commission's policies to streamline its reporting requirements.

For the foregoing reasons, the Commission should amend 20 CCR § 1606 Table X by removing the unnecessary, distracting, and harmful requirement to report Annex B information that was excluded by DOE from the federal test method, as shown in the attached Exhibit 1.

Respectfully submitted,

/s/

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Exhibit 1

The deleted text highlighted with ~~red strikethrough~~ shows the portion of the Commission's current requirement that should be removed because it is from the Annex B that DOE excluded from its test method. The italicized fields indicate data points of lesser concern to CTA's members that should be removed if there is no demonstrated public benefit but could be retained without harming manufacturers beyond the burden of reporting.

Excerpt from 20 CCR §1606, Table X Section V – Data Submittal Requirements

	Appliance	Required Information	Permissible Possible Answers
V	Televisions (manufactured on or after September 11, 2023, and within the scope of 10 C.F.R. section 430)	Display Technology Type	OLED, Laser, LCoS, LCD (flourescent **[sic]** backlight), LED (TN), LED (IPS/PLS), LED (VA), QLED, Mini-LED, Micro-LED, DLP, Plasma, CRT, Other
		Viewable Screen Area (total square inches)	
		Screen Size (diagonal inches)	
		Screen Resolution (horizontal pixel count)	
		Screen Resolution (vertical pixel count)	
		~~*High Dynamic Range 10 (HDR10) Capable*~~	~~*True, False*~~
		~~*Automatic Brightness Control (ABC) Capable*~~	~~*True, False*~~
		~~*Quick Start Capable*~~	~~*True, False*~~
		~~*Quick Start Enabled by Default*~~	~~*True, False*~~
		~~*Internet Connection Capable*~~	~~*True, False*~~
		~~*Smart Wake Capable*~~	~~*True, False*~~
		~~*Default SDR PPS: ABC Enabled by Default*~~	~~*True, False*~~
		~~Default SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at the Default Backlight Level with ABC off~~	
		~~Default SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at the Default Backlight Level with ABC Off~~	
		~~Default SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On~~	

		~~Default SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On~~	
		~~Default SDR PPS: If ABC Not Enabled by Default, On Mode Power (watts) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off~~	
		~~Default SDR PPS: If ABC Not Enabled by Default, Dynamic Luminance (cd/m2) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off~~	
		~~Brightest SDR PPS: ABC Enabled by Default~~	~~True, False~~
		~~Brightest SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at the Default Backlight Level with ABC Off~~	
		~~Brightest SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at the Default Backlight Level with ABC Off~~	
		~~Brightest SDR PPS: If ABC Enabled by Default, On Mode Power (watts) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On~~	
		~~Brightest SDR PPS: If ABC Enabled by Default, Dynamic Luminance (cd/m2) at Approximately 4, 17, 50, and 140 lux Ambient Light with ABC On~~	
		~~Brightest SDR PPS: If ABC Not Enabled by Default, On Mode Power (watts) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off~~	
		~~Brightest SDR PPS: If ABC Not Enabled by Default, Dynamic Luminance (cd/m2) at Default~~	

		~~Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off~~	
		~~Default HDR PPS: ABC Enabled by Default~~	~~True, False~~
		~~Default HDR PPS: If ABC Enabled by Default, On Mode Power (watts) at the Default Backlight Level with ABC Off~~	
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		~~Default HDR PPS: If ABC Not Enabled by Default, Dynamic Luminance (cd/m2) at Default Backlight Level, Minimum Backlight Level, and Approximately Halfway Between Minimum and Default Level with ABC Off~~	
		~~*Type of Standby Mode Tested*~~	~~*Standby with Smart Wake Enabled, Standby with Internet Connection, Standby without Internet Connection*~~
		Power Consumption in Standby Mode (watts)	
		Average On Mode Power (watts)	