



May 17, 2013

Docket No.: EERE-2013-BT-NOC-0005

Mr. John Cymbalsky  
U.S. Department of Energy  
Building Technologies Program, Mailstop EE-2J  
1000 Independence Avenue, SW  
Washington, DC 20585-0121

(Via e-mail to [john.cymbalsky@ee.doe.gov](mailto:john.cymbalsky@ee.doe.gov), and [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov))

Re: Pursuing a Negotiated Rulemaking for Commercial and Industrial Pumps;  
Docket EERE-2011-BT-STD-0031; RIN 1904-AC54

Dear Mr. Cymbalsky:

I am following up on the invitation that you made to the Hydraulic Institute and its members and staff during our attendance at the inaugural meeting of the Appliance Standards and Rulemaking Advisory Committee (ASRAC) meeting at the U.S. Department of Energy (DOE) headquarters on February 26, 2013.

We appreciated the invitation to participate in this meeting, particularly as the Department noted its interest in exploring the viability of a negotiated rulemaking for commercial and industrial pumps. In your opening comments during the DOE Framework hearing on February 20<sup>th</sup>, you commented on the interest of the Department in this regard.

Thank you for your response to my letter to you of April 2<sup>nd</sup> and the time that you and Dan Cohen provided to HI staff and counsel, Jane Luxton, on April 25<sup>th</sup>, to explore questions that we had about the ASRAC and a negotiated rulemaking.

Since considering this matter further, our Pump Efficiency Expert Team (PEET) and HI's Board have had the opportunity to consider the benefits of entering into a Reg-Neg process on the rulemaking on commercial and industrial pumps. The HI Board met on April 26<sup>th</sup> and has voted in favor on recommending we move forward with the Department and ASRAC on instituting a new working group as part of the ASRAC Reg-Neg process.

We are also interested in ensuring that the pump industry experts that have been working on this issue within HI during the past two years be the core group of individuals who will represent HI and the pump industry at the working group level.

In that regard, the following is the list of our nominees which we will support with additional

background information and professional resumes for your, and ASRAC's, further consideration:

- Al Huber, President, Patterson Pump Company
- Dennis Wierzbicki, President, Grundfos USA
- Mark Handzel, Director of Building Services Marketing, Xylem Corporation
- Gary Witt, President, Pentair Water Systems
- John White, President, TACO, Inc.
- Chuck Powers, Director of Product Management, Flowserve Corp., Industrial Pumps
- Charlie Cappellino, VP, Research, Development and Engineering, ITT Industrial Process
- Greg Case, President, Pump Design, Development and Diagnostics

These individuals represent a range of perspective and experience that we believe is important to the success of the Reg-Neg, if ASRAC selects commercial and industrial pumps for this process. All are committed to full participation and support of the process if designated members of the working group.

We would also recommend, due to the technical nature of the anticipated negotiations, that the ASRAC representative to the working group be an individual with a strong familiarity with pumps and pumping systems – or associated equipment, such as motors, which are the primary drivers of pumps. This knowledge can be particularly helpful to the negotiations, in our view.

Please let me know what the anticipated “next steps” are in this process and an associated timeline.

I would also appreciate knowing what specific information, and the format of same, you need on each individual in terms of their background and qualifications. Kindly include Stacey Maloney, [smaloney@Pumps.org](mailto:smaloney@Pumps.org), in your response – and we will share this information with the nominees.

Thank you for your timely consideration of this request.

Sincerely,



Robert K. Asdal  
Executive Director

Cc: Dan Cohen, Assistant General Counsel for Legislation, Regulation and Energy Efficiency,  
U.S. Department of Energy (Via e-mail to: [Daniel.Cohen@hq.doe.gov](mailto:Daniel.Cohen@hq.doe.gov))  
Jane Luxton, Pepper Hamilton  
Al Huber, President, Patterson Pump (HI Co-chair, Pump Efficiency Expert Team)  
Dennis Wierzbicki, President, Grundfos USA (HI Co-chair, Pump Efficiency Expert Team)  
Stacey Maloney, HI Government Affairs and Board Administrator