April 13, 2022

Ashley Armstrong, Senior Advisor
Office of Energy Efficiency & Renewable Energy
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

SUBJECT: Comments pertaining to the Proposed Rule Making - EERE-2021-BT-TP-0030

Dear Ms. Armstrong:

Leading Builders of America (LBA) submits the following comments in response to DOE's Notice of Proposed Rulemaking for *Energy Conservation Program: Test Procedure for Test Procedures for Central Air Conditioners and Heat Pumps*. LBA is a Washington, DC based trade group representing twenty of the largest private and public homebuilders in the United States. In 2021, LBA members delivered over 280,000 new homes across the United States. Historically, LBA members have been leaders in energy efficiency through their participation in the Energy Star, Building America and other above-code efficiency programs.

LBA requests that the installation deadline for more efficient HVAC equipment in the Southeast and Southwest Regions be delayed from January 1, 2023 to July 1, 2023. This delay will allow time for the existing inventory of HVAC equipment that meets SEER 1 requirements to be installed during a formal transition to SEER 2.

While LBA supports periodic increases in minimum efficiency standards for equipment, the installation deadline in the current rule is particularly problematic. In new construction, HVAC equipment is typically installed in phases with the air handler, furnace and fans being installed in the attic at rough-in while the exterior condensing unit is installed just before closing, which is usually several months later. The simultaneous deadlines for manufacturing and installation places builders in the extremely difficult situation of pairing systems that meet both the new SEER rating and SEER2 certification but have been installed months apart.

Compounding this problem for new construction is the current state of the supply chain. As has been well documented, our industry is experiencing unprecedented delays in deliveries of critical building systems –including HVAC equipment.

Modifying the installation date for new HVAC equipment by six months is a reasonable safeguard to ensure that homebuyers do not experience unnecessary delays in closing on their homes during the

first six months of 2023. Thank you for considering our request. I am anxious to provide any additional information that you may require, I can be reached at 202-657-3934 or ken.gear@leadingbuildersofamerica.org.

Sincerely,

Kenneth Gear
Chief Executive Officer
Leading Builders of America