



**Consumer Electronics Association**

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## MEMORANDUM

To: [expartecommunications@hq.doe.gov](mailto:expartecommunications@hq.doe.gov)  
From: Douglas Johnson  
Date: November 7, 2012  
Re: Docket No. EERE-2011-BT-NOA-0067 and RIN Number 1904-AC52  
Ex parte communication  
Department of Energy  
Telephone conference of November 2, 2012

This memorandum for the record provides a summary of a November 2, 2012, telephone call with U.S. Department of Energy staff concerning negotiations on a potential voluntary agreement among stakeholders regarding set-top box energy efficiency.

### Meeting attendees:

Daniel Cohen (DOE Office of General Counsel)  
John Cymbalsky (DOE Office of Energy Efficiency and Renewable Energy)  
Jeremy Dommel (DOE Office of Energy Efficiency and Renewable Energy)  
Paul Glist (National Cable & Telecommunications Association)  
Neal Goldberg (National Cable & Telecommunications Association)  
Kathleen Hogan (DOE Office of Energy Efficiency and Renewable Energy)  
Douglas Johnson (Consumer Electronics Association)  
Roland Risser (DOE Office of Energy Efficiency and Renewable Energy)

The parties discussed a joint letter to DOE Secretary Dr. Steven Chu, dated November 1, 2012, by the Appliance Standards Awareness Project, Consumer Electronics Association, National Cable & Telecommunications Association, and Natural Resources Defense Council. A copy of the letter is attached.

November 1, 2012

Honorable Dr. Steven Chu  
Secretary of Energy  
U.S. Department of Energy  
1000 Independence Ave., S.W.  
Washington, DC 20585

Dear Secretary Chu:

We are writing to thank you for adjusting DOE's rulemaking schedule for set top boxes to allow time for negotiations on a potential voluntary agreement among stakeholders. Over the past several months, the parties have met repeatedly and exchanged a range of proposals. We were not able to reach agreement by our self-imposed deadline of October 1, but extended discussions in an attempt to get an agreement. Unfortunately, despite intensive, good-faith efforts, the parties were not able to reach a consensus and the undersigned Advocates have now terminated negotiations.

Even though we were not successful in reaching a consensus agreement, DOE's pause in the regulatory process provided an opportunity for all stakeholders to become better informed about the opportunities and constraints with respect to set top box energy efficiency improvements. We thank you for providing us the opportunity to pursue a negotiated outcome. All of us will continue to be actively engaged in our own significant efforts to achieve greater energy efficiency in set-top boxes.

Sincerely yours,



Andrew deLaski  
Executive Director  
Appliance Standards Awareness Project

**/s/ Noah Horowitz**  
Noah Horowitz  
Senior Scientist  
Natural Resources Defense Council

**/s/ Neal Goldberg**  
Neal Goldberg  
Vice President & General Counsel  
National Cable & Telecommunications Association

**/s/ Doug Johnson**  
Doug Johnson  
Vice President, Technology Policy  
Consumer Electronics Association

Cc: Dr. Kathleen Hogan, Roland Risser, John Cymbalsky, Jeremy Dommu