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January 8, 2018

Mr. Pete Olson
Vice Chairman
Subcommittee on Energy
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515-6115

Dear Mr. Olson,

Thank you for sending the additional questions for the record resulting from my November 7, 2017 testimony before the Committee at the hearing entitled "Discussion Draft, Energy Star Reform Act of 2017 and H.R. 3477, Ceiling Fan Energy Conservation Harmonization Act." Attached is my response.

Regards,



Greg Merritt
Vice President, Marketing and Public Affairs

Additional Questions for the Record

The Honorable Frank Pallone, Jr.

1. Mr. Merritt, I have concerns about the warranty relief language included in the draft language of the Energy Star Reform Act of 2017. This provision exists because a number of customers purchased mislabeled Energy Star products that failed to provide the energy savings required. Manufacturers should be held accountable for their products, and this provision would limit consumers' ability for redress when products are improperly labeled.

a. In your testimony, you mentioned that you also have concerns with the warranty provision. Could you please elaborate?

1. Yes, and thank you for the opportunity to expound upon my prepared statement and testimony. As I stated, Cree does not have a firm or final position on the warranty provision on a stand-alone basis. We appreciate that there are valid arguments in support and in opposition to this provision. However, Cree strongly opposes a pairing of the warranty provision with an exemption from third-party certification. In the LED lighting industry, third-party certification is critical to help prevent bad actors from abusing ENERGY STAR and selling deficient light bulbs, which hurts consumers and damages the overall reputation of the program. Removing liability for products that fail to live up to expectations along with an exemption from third-party certification goes too far and would make it harder for Cree to do business.