

For additional information, contact Marc G. Denkinger (202) 208-2215 or Kathleen M. Dias (202) 208-0524. Lois D. Cashell, *Secretary*. [FR Doc. 95-31438 Filed 12-27-95; 8:45 am] BILLING CODE 6717-01-M

**[Docket No. RP96-85-000]**

**Tennessee Gas Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff**

December 21, 1995.

Take notice that on December 15, 1996, Tennessee Gas Pipeline Company tendered for filing as part of its Fifth Revised FERC Gas Tariff the following tariff sheets to become effective February 1, 1996.

Fifth Revised Sheet No. 20  
Ninth Revised Sheet No. 21A  
Fourteenth Revised Sheet No. 22  
Ninth Revised Sheet No. 22A  
Fifth Revised Sheet No. 23  
Second Revised Sheet No. 23A  
Original Sheet No. 23B  
Original Sheet No. 23C  
Thirteenth Revised Sheet No. 24  
Seventh Revised Sheet No. 25  
Fifth Revised Sheet No. 26B  
Second Revised Sheet No. 660  
First Revised Sheet No. 660A  
First Revised Sheet No. 660B  
Third Revised Sheet No. 661  
Second Revised Sheet No. 663  
Second Revised Sheet No. 666A  
First Revised Sheet No. 669A  
Second Revised Sheet No. 670  
Third Revised Sheet No. 671  
First Revised Sheet No. 671A  
Third Revised Sheet No. 673  
Third Revised Sheet No. 674  
Second Revised Sheet No. 674A

Tennessee states that the purpose of the filing is to recover gas supply realignment costs (GSR cost) paid or known and measurable at the time of the filing, consistent with the GSR cost recovery provisions reflected in Section XXVI of the General Terms and Conditions of Tennessee's Fifth Revised FERC Gas Tariff. The charges include a GSR demand surcharge applicable to firm customers, a separately stated Canadian demand charge component, and a unit GSR component applicable to Tennessee's interruptible services.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with §§ 385.314 and 385.211 of the Commission's Rules and Regulations. Pursuant to Section 154.210 of the Commission's Regulations, all such motions or protests must be filed not later than 12 days after

the date of filing noted above. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file with the Commission a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell, *Secretary*. [FR Doc. 95-31440 Filed 12-27-95; 8:45 am] BILLING CODE 6717-01-M

**[Docket No. RP95-303-003]**

**Williams Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff**

December 21, 1995.

Take notice that on December 15, 1995, Williams Natural Gas Company (WNG) tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheets, with a proposed effective date of July 1, 1995:

Second Substitute First Revised Sheet Nos. 202 and 234

WNG states that this filing is being made in compliance with Commission order issued December 7, 1995 in Docket No. RP95-303-202. Ordering paragraph (A) directed WNG to file tariff sheets containing the revised provisions within 15 days of the date of the order.

WNG states that a copy of its filing was served on all participants listed on the service lists maintained by the Commission in the dockets referenced above and on all jurisdictional customers and interested state commissions.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with § 385.211 of the Commission's Rules and Regulations. Pursuant to § 154.210 of the Commission's Regulations, all such protests must be filed not later than 12 days after the date of the filing noted above. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are

available for public inspection in the Public Reference Room.

Lois D. Cashell, *Secretary*. [FR Doc. 95-31444 Filed 12-27-95; 8:45 am] BILLING CODE 6717-01-M

**Office of Energy Efficiency and Renewable Energy**

**Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of CFM International Inc. From the DOE Vented Home Heating Equipment Test Procedure (Case No. DH-004)**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** Today's notice grants an Interim Waiver to CFM International Inc. (CFM) from the existing Department of Energy (DOE or Department) test procedure regarding pilot light energy consumption and weighted average steady-state efficiency for its manually controlled vented heaters, models DV32, DV34, DV36, DV40, DVS2, DVS3, HEDV30, HEDV30-1, FSDV30, FS30, FA20, HE30, HEB30, FADV20, and HE40.

Today's notice also publishes a "Petition for Waiver" from CFM. CFM's Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment test procedure relating to the use of pilot light energy consumption in calculating the Annual Fuel Utilization Efficiency (AFUE) and the calculation of weighted average steady state efficiency of its models DV32, DV34, DV36, DV40, DVS2, DVS3, HEDV30, HEDV30-1, FSDV30, FS30, FA20, HE30, HEB30, FADV20, and HE40 vented heaters. CFM seeks to delete the required pilot light measurement ( $Q_p$ ) in the calculation of AFUE when the pilot is off, and to test at a minimum fuel input rate of two-thirds instead of the specified  $\pm 5$  percent of 50 percent of the maximum fuel input in the calculation of AFUE. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

**DATES:** DOE will accept comments, data, and information not later than January 29, 1996.

**ADDRESSES:** Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. DH-004, Mail Stop EE-43, Room 1J-018, Forrestal Building, 1000 Independence

Avenue, SW., Washington, DC 20585-0121, (202) 586-7140.

**FOR FURTHER INFORMATION CONTACT:**

William W. Hui, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-9145

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0103, (202) 586-9507.

**SUPPLEMENTARY INFORMATION:** The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including vented home heating equipment. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making informed purchasing decisions. These test procedures appear at Title 10 CFR Part 430, Subpart B.

The Department amended the test procedure rules to provide for a waiver process by adding § 430.27 to Title 10 CFR Part 430. 45 FR 64108, September 26, 1980. Subsequently, DOE amended the waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. Title 10 CFR Part 430, § 430.27(a)(2).

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures, or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

An Interim Waiver will be granted if it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is

denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. Title 10 CFR Part 430, § 430.27(g). An Interim Waiver remains in effect for a period of 180 days, or until DOE issues a determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On October 2, 1995, CFM filed an Application for Interim Waiver and a Petition for Waiver regarding (a) pilot light energy consumption and (b) weighted average steady state efficiency. On October 30, 1995, CFM submitted a letter to DOE providing additional product information and amending the list of models submitted for consideration in the October 2, 1995 Waiver requests.

CFM seeks an Interim Waiver from the DOE test provisions in section 3.5 of Title 10 CFR Part 430, Subpart B, Appendix O, that require measurement of energy input rate of the pilot light ( $Q_p$ ), and the use of this data in section 4.2.6 for the calculation of AFUE, where:

$$AFUE = \frac{(4400\eta_{SS}\eta_u Q_{in-max})}{(4400\eta_{SS}Q_{in-max} + 2.5(4600)\eta_u Q_p)}$$

Instead, CFM requests that it be allowed to delete  $Q_p$  and accordingly, the  $(2.5(4600)\eta_u Q_p)$  term in the calculation of AFUE. CFM states that instructions to turn off the transient pilot by the user when the heater is not in use are in the User Instruction Manual and on a label adjacent to the gas control valve. Therefore, the additional energy savings that result when the pilot is turned off ( $Q_p=0$ ) should be credited. Since the current DOE test procedure does not address pilot light energy savings, CFM asks that the Interim Waiver be granted.

CFM also seeks an Interim Waiver from the DOE test provisions in section 3.1.1 of Title 10 CFR Part 430, Subpart B, Appendix O, which require steady state efficiency of manually controlled vented heaters with various input rates to be determined at a fuel input rate that is within  $\pm 5$  percent of 50 percent of the maximum fuel input rate, and the use of this data in section 4.2.4 to determine the weighted average steady state efficiency needed in the calculation of AFUE. Instead, CFM requests that it be allowed to determine steady state efficiency, weighted average steady state efficiency, and AFUE at a minimum fuel input rate of two-thirds of the maximum fuel input rate for its manually controlled vented heaters which do not adjust to an input rate as low as 50

percent. Since the current DOE test procedure does not address steady state testing for manually controlled vented heaters with various input rates at fuel input rates other than within  $\pm 5$  percent of 50 percent of the maximum fuel input rate, CFM asks that the waiver be granted.

Previous Petitions for Waiver to exclude the pilot light energy input term in the calculation of AFUE for home heating equipment with a manual transient pilot control and allowance to determine weighted average steady state efficiency used in the calculation of AFUE at a minimum fuel input rate of 65.3 percent of the maximum fuel input rate instead of the specified  $\pm 5$  percent of 50 percent of the maximum fuel input rate have been granted by DOE to Appalachian Stove and Fabricators, Inc., 56 FR 51711, October 15, 1991, and Valor Incorporated, 56 FR 51714, October 15, 1991.

The Department published a Notice of Proposed Rulemaking on August 23, 1993, to amend the vented home heating equipment test procedure, which would allow the above requests. 58 FR 44583.

Thus, it appears likely that CFM's Petition for Waiver for pilot light and weighted average steady state efficiency for home heating equipment will be granted. In those instances where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting CFM an Interim Waiver for its models DV32, DV34, DV36, DV40, DVS2, DVS3, HEDV30, HEDV30-1, FSDV30, FS30, FA20, HE30, HEB30, FADV20, and HE40 vented heaters. CFM shall be permitted to test its models DV32, DV34, DV36, DV40, DVS2, DVS3, HEDV30, HEDV30-1, FSDV30, FS30, FA20, HE30, HEB30, FADV20, and HE40 vented heaters on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix O, with the modifications set forth below:

(i) Delete paragraph 3.5 of Appendix O.

(ii) Delete paragraph 4.2.4 of Appendix O and replace with the following paragraph:

4.2.4 Weighted Average Steady-State Efficiency. (a) For manually controlled heaters with various input rates, the weighted average steady-state efficiency ( $\eta_{SS-wr}$ ) is:

(1) At  $\pm 5$  percent of 50 percent of the maximum fuel input rate as measured in either section 3.1.1 to this appendix for

manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters, or

(2) At the minimum fuel input rate as measured in either section 3.1.1 to this appendix for manually controlled gas vented heaters or section 3.1.2 to this appendix for manually controlled oil vented heaters if the design of the heater is such that  $\pm 5$  percent of 50 percent of the maximum fuel input rate can not be set, provided the tested input rate is no greater than two-thirds of maximum input rate of the heater.

(b) For manually controlled heater with one single firing rate, the weighted average steady-state efficiency is the steady-state efficiency measured at the single firing rate.

(iii) Delete paragraph 4.2.6 of Appendix O and replace with the following paragraph:

4.2.6 Annual Fuel Utilization Efficiency. For manually controlled vented heaters, calculate the Annual Fuel Utilization Efficiency (AFUE) as a percent and defined as:

$$AFUE = \eta_u$$

Where:

$\eta_u$  = as defined in section 4.2.5 of this appendix.

(iv) With the exception of the modification set forth above, CFM shall comply in all respects with the procedures specified in Appendix O of Title 10 CFR Part 430, Subpart B.

This Interim Waiver is based upon the presumed validity of statements and all allegations submitted by the company. This Interim Waiver may be removed or modified at any time upon a determination that the factual basis underlying the Application is incorrect.

The Interim Waiver shall remain in effect for a period of 180 days or until DOE acts on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180-day period, if necessary.

CFM's Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment relating to the pilot light and weighted average steady state efficiency. CFM seeks (a) to exclude the pilot light energy consumption in the calculation of AFUE, and (b) to determine the weighted average steady state efficiency used in the calculation of AFUE at a minimum fuel input rate of two-thirds of the maximum fuel input rate instead of the specified  $\pm 5$  percent of 50 percent of the maximum fuel input rate.

Pursuant to paragraph (b) of Title 10 CFR Part 430.27, the Department is hereby publishing the "Petition for Waiver." CFM's submission of October

2, 1995 published, *infra*, (a) references a letter, dated July 7, 1995, from Vermont Castings, Inc. that constitutes a Petition for Waiver and Application for Interim Waiver and (b) attaches three brochures describing the company's products. Said letter and brochures are not published herein but may be requested from Mr. William W. Hui at the address indicated, *supra*. Further, CFM's letter of October 30, 1995 published, *infra*, references a three page excerpt from a SIT brochure. The excerpt is not published but may be requested from Mr. Hui.

The Petition contains confidential company information; thus, the confidential attachments submitted by CFM are not being published. The Department solicits comments, data, and information respecting the Petition.

Issued in Washington, D.C. December 21, 1995.

Christine A. Ervin,

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

CFM International Inc.

475 Admiral Blvd., Mississauga, Ont. L5T 2N1, Canada, Tel: (905) 670-7777 Ext. 213, Fax: (905) 670-7840

October 2, 1995.

The Honorable Christine Ervin,  
*Assistant Secretary for Energy Efficiency and Renewable Energy, U.S. Dept. of Energy, Forrestal Bldg., 1000 Independence Avenue, S.W., Washington, D.C. 20585*

Attn: Secretary Christine Ervin

Dear Madam: Attached with this letter is a copy of a petition for a waiver and Application for Interim Waiver submitted by Vermont Castings on July 7, 1995.

Since CFM Inc. has similar applications and arguments as mentioned in the attached Vermont Casting petition—therefore we are also requesting the acceptance of those two waivers from the test procedures which appear on 10 CFR, part 430, subpart B, Appendix O; Uniform Test Method for Measuring the Energy Consumption of Vented Home Heating Equipment. The aforementioned waivers are requested for our direct vent and vented units.

Also, the revisions to the test procedures which we requested above have been published by DOE as proposed changes on August 23, 1993—58 FR 44538.

Furthermore, since similar waivers were granted in the past to other manufacturers; i.e. Appalachian Stove and Fabricators Inc. and Valor Incorporated—therefore we are convinced that the same waivers will be granted to CFM Inc.

Copies of confidential test data confirming the energy savings will be forwarded to you upon request.

Any questions regarding this subject, please contact me at the above address. Your help is highly appreciated. Thank you.

Yours Truly,  
Ferdinand M. Francisco,  
*Lab. Manager.*

CFM International Inc.

475 Admiral Blvd., Mississauga, Ont. L5T2N1, Tel: (905) 670-7777 Ext. 213, Fax: (905) 670-7840

October 30, 1995.

U.S. Dept. of Energy,  
*Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Bldg., 1000 Independence Avenue, SW., Washington, DC 20585*

Attn: Bill Hui

Dear Sir. Further to our conversation last Friday. I tested one of our manually controlled appliance with various input rates to established a linear correlation between its rate and AFUE.

Based on the AFUE I calculated using Draft Factor Method, DF=1, which appear at 10CFR, part 430, subpart B, Appendix O—Uniform Test Method for Measuring the Energy Consumption Of Vented Home Heating Equipment. I can therefore conclude that increase in rate is directly proportional to the increase in AFUE.

Also, attached are 3 page excerpts from SIT brochure that will answer your question regarding the necessary steps needed to reduced the input from 70% to 2/3 of maximum input—for testing purposes only.

Page I illustrates a working diagram of the valve, Page 2 show the valve description and finally page 3 explains how to adjust the outlet pressure. Furthermore, outlet pressure of valves equipped with manual Hi/Lo control (SIT mv 0.820.633 and 0.820.634) can be adjusted by removing the Hi/Lo knob, see page 2 under valve description—item #2, then turn the pressure regulator clockwise to increase pressure and counterclockwise to decrease pressure.

To reduce the input from 70% to 2/3 of maximum input just turn the regulator counterclockwise thus decreasing the outlet pressure.

Moreover, the petition I submitted for the acceptance of two waivers from the test procedures which appear at 10CFR, part 430, subpart B, Appendix O—Uniform Test Method for Measuring the Energy Consumption Of Vented Home Heating Equipment are requested for CFM International Inc.

CFM International Inc. is a parent company of CFM Inc. (Insta Flame & Northern Flame), Majestic and TrueHeat. Therefore, the waivers mentioned above is intended to all CFM International Inc. subsidiaries' existing as well as future submitted and certified products.

Below is a list of CFM Inc's existing as well as future submitted and certified products both Insta Flame & Northern Flame.

MODEL

Certified units	Under certification
DV32 DV34	FADV20 HE40

## MODEL—Continued

Certified units	Under certification
DV36 DV40 DVS2 DVS3 HEDV30 and HEDV30-1 FSDV30 FS30 FA20 HE30 HEB30	

Any questions regarding this subject, please contact me at the above address. Your help is highly appreciated. Thank you.

Yours Truly,

Ferdinand M. Francisco,

Lab. Manager.

[FR Doc. 95-31423 Filed 12-27-95; 8:45 am]

BILLING CODE 6450-01-P

**Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of Vermont Castings, Inc. From the DOE Vented Home Heating Equipment Test Procedure (Case No. DH-003)**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** Today's notice grants an Interim Waiver to Vermont Castings, Inc. (Vermont Castings) from the existing Department of Energy (DOE or Department) test procedure regarding pilot light energy consumption and weighted average steady-state efficiency for its manually controlled vented heaters, models DV25 (Gas Fired Freestanding Direct Vent Firebox) and DH20 (Gas Fired Wallmount/Zero Clearance Direct Vent Firebox).

Today's notice also publishes a "Petition for Waiver" from Vermont Castings. Vermont Castings' Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment test procedure relating to the use of pilot light energy consumption in calculating the Annual Fuel Utilization Efficiency (AFUE) and the calculation of weighted average steady state efficiency of its models DV25 and DH20 vented heaters. Vermont Castings seeks to delete the required pilot light measurement ( $Q_p$ ) in the calculation of AFUE when the pilot is off, and to test at a minimum fuel input rate of two-thirds instead of the specified 5 percent of 50 percent of the maximum fuel input rate in the calculation of AFUE. The

Department is soliciting comments, data, and information respecting the Petition for Waiver.

**DATES:** DOE will accept comments, data, and information not later than January 29, 1996.

**ADDRESSES:** Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. DH-003, Mail Stop EE-43, Room 1J-018, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0121, (202) 586-7140.

**FOR FURTHER INFORMATION CONTACT:**

William W. Hui, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0121, (202) 586-9145,

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0103, (202) 586-9507

**SUPPLEMENTARY INFORMATION:** The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including vented home heating equipment. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making informed purchasing decisions. These test procedures appear at Title 10 CFR Part 430, Subpart B.

The Department amended the test procedure rules to provide for a waiver process by adding § 430.27 to Title 10 CFR Part 430. 45 FR 64108, September 26, 1980. Subsequently, DOE amended the waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. Title 10 CFR Part 430, § 430.27(a)(2).

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures, or when the prescribed test

procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

An Interim Waiver will be granted if it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. Title 10 CFR Part 430, § 430.27(g). An Interim Waiver remains in effect for a period of 180 days, or until DOE issues a determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On July 7, 1995, Vermont Castings filed an Application for Interim Waiver and a Petition for Waiver regarding (a) pilot light energy consumption and (b) weighted average steady state efficiency. On October 30, 1995, Vermont Castings submitted a letter to DOE requesting modifications to the model nomenclature and minimum fuel input rate of the vented heaters submitted for consideration in the July 7, 1995 Waiver requests.

Vermont Castings seeks an Interim Waiver from the DOE test provisions in section 3.5 of Title 10 CFR Part 430, Subpart B, Appendix O, that require measurement of energy input rate of the pilot light ( $Q_p$ ), and the use of this data in section 4.2.6 for the calculation of AFUE, where:

$$AFUE = \frac{(4400\eta_{SS}\eta_u Q_{in-max})}{(4400\eta_{SS}\eta_u Q_{in-max} + 2.5(4600)\eta_u Q_p)}$$

Instead, Vermont Castings requests that it be allowed to delete  $Q_p$  and accordingly, the  $(2.5(4600)\eta_u Q_p)$  term in the calculation of AFUE. Vermont Castings states that instructions to turn off the transient pilot by the user when the heater is not in use are in the User Instruction Manual and on a label adjacent to the gas control valve. Therefore, the additional energy savings that result when the pilot is turned off ( $Q_p=0$ ) should be credited. Since the current DOE test procedure does not address pilot light energy savings, Vermont Castings asks that the Interim Waiver be granted.

Vermont Castings also seeks an Interim Waiver from the DOE test provisions in section 3.1.1 of Title 10 CFR Part 430, Subpart B, Appendix O,