

water softener will minimize pre-rinsing and rewashing, and consumers will have less reason to periodically run their dishwasher through a clean-up cycle.

BSH also stated that the amount of water consumed by the regeneration operation of a water softener in a dishwasher is very small, but that it varies significantly depending on the adjustment of the softener. The regeneration operation takes place infrequently, and the frequency is related to the level of water hardness. BSH included test results and calculations showing the water and energy use of the specified dishwasher models using the same method as that used by Whirlpool in its petition for waiver, which was granted previously by DOE. (75 FR 62127, Oct. 7, 2010). Specifically, BSH requested that constant values of 47.6 gallons per year for water consumption and 8.0 kWh per year for energy consumption be used.

DOE notes that use of industry standard European Standard EN 50242, "Electric Dishwashers for Household Use—Methods for Measuring the Performance" would provide repeatable results, but would underestimate the energy and water use of the specified models. If water consumption of a regeneration operation were apportioned across all cycles of operation, manufacturers would need to make calculations regarding average water hardness and average water consumptions due to regeneration operations. In lieu of these calculations, constant values could also be used to approximate the energy and water use due to softener regeneration. As noted above, BSH provided data on the constant values that should be added to approximate the energy and water use of the basic models listed in its petition that have an integrated water softener.

Because of the variability in test results described by BSH in its petition, DOE has determined that testing the basic models for which BSH has requested a waiver according to the DOE test procedure at appendix C may evaluate the basic models in a manner so unrepresentative of their true energy and water consumption so as to provide materially inaccurate comparative data. As a result, and as described in Section III, DOE grants BSH's waiver subject to use of the alternate test procedure prescribed by DOE.

#### Consultations With Other Agencies

DOE consulted with the Federal Trade Commission (FTC) staff concerning the BSH petition for waiver. The FTC staff did not have any objections to granting a waiver to BSH.

### III. Conclusion

After careful consideration of all the material that was submitted by BSH and consultation with the FTC staff, it is ordered that:

(1) The petition for waiver submitted by the BSH Corporation (Case No. DW-009) is hereby granted as set forth in the paragraphs below.

(2) BSH shall be required to test and rate the following models according to the alternate test procedure as set forth in paragraph (3) below:

#### *Bosch brand:*

- Basic Model—SHX7PT####
- Basic Model—SHP7PT####
- Basic Model—SHE7PT####
- Basic Model—SHV7PT####
- Basic Model—SHX8PT####
- Basic Model—SHE8PT####
- Basic Model—SHE9PT####
- Basic Model—SHX9PT####
- Basic Model—SHV9PT####
- Basic Model—SGV63E####

#### *Gaggenau brand:*

- Basic Model—DF2417####

(3) BSH shall be required to test the products listed in paragraph (2) above according to the test procedures for dishwashers prescribed by DOE at 10 CFR part 430, appendix C, except that, for the BSH products listed in paragraph (2) only:

In Section 4.1, *Test cycle*, add at the end, "The start of the DOE test should begin on a cycle immediately following a regeneration cycle."

In Section 4.3, the water energy consumption, *W* or *W<sub>g</sub>*, is calculated based on the water consumption as set forth below:

§ 4.3 *Water consumption.* Measure the water consumption, *V*, expressed as the number of gallons of water delivered to the machine during the entire test cycle, using a water meter as specified in section 3.3 of this Appendix.

Where the regeneration of the water softener depends on demand and water hardness, and does not take place on every cycle, BSH shall measure the water consumption of dishwashers having water softeners without including the water consumed by the dishwasher during softener regeneration. If a regeneration operation takes place within the test, the water consumed by the regeneration operation shall be disregarded when declaring water and energy consumption. Constant values of 47.6 gallons/year of water and 8 kWh/year of energy shall be added to the values measured by appendix C.

(4) Representations. BSH may make representations about the energy use of its dishwashers containing integrated or built-in water softeners for compliance,

marketing, or other purposes only to the extent that such products have been tested in accordance with the provisions outlined above and such representations fairly disclose the results of such testing.

(5) This waiver shall remain in effect consistent with the provisions of 10 CFR 430.27(m). The dishwasher test procedure final rule, issued on September 14, 2012 and available at [http://www1.eere.energy.gov/buildings/appliance\\_standards/pdfs/aham-1\\_tp\\_final\\_rule.pdf](http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/aham-1_tp_final_rule.pdf), includes procedures to measure the energy and water use of integrated or built-in water softeners. The compliance date for these procedures is May 30, 2013. Therefore, this Decision and Order is valid through May 29, 2013. Beginning on May 30, 2013, all manufacturers must use the amended test procedures to determine the energy and water use associated with water softener regeneration.

(6) This waiver is granted for only those models specifically set out in BSH's petition, not future models that may be manufactured by BSH. BSH may submit a new or amended petition for waiver and request for grant of interim waiver, as appropriate, for additional dishwasher models for which it seeks a waiver from the DOE test procedure. Grant of this waiver also does not release BSH from the certification requirements set forth at 10 CFR part 429.

(7) This waiver is issued on the condition that the statements, representations, and documentary materials provided by the petitioner are valid. DOE may revoke or modify this waiver at any time if it determines the factual basis underlying the petition for waiver is incorrect, or the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics.

Issued in Washington, DC, on March 19, 2013.

**Kathleen B. Hogan,**

*Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.*

[FR Doc. 2013-06736 Filed 3-22-13; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER13-625-001.

*Applicants:* Public Service Company of Colorado.  
*Description:* 2013-03-15-NSP-CDTT-Tran-to Load-545 to be effective 1/1/2013.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5002.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-797-001.

*Applicants:* EBRFUEL, LLC.

*Description:* Ebrfuel LLC, FERC

Electric Tariff to be effective 4/1/2013.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5054.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-1113-002.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Ministerial revision to OATT Sch 7 replacing No. "6" in footnote-Eff 6/1/2011 to be effective 6/1/2011.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5000.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-1113-003.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Ministerial revision to OATT Sch 7 replacing No. "6" in footnote-Eff 1/1/2012 to be effective 1/1/2012.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5001.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-1117-000.

*Applicants:* Oklahoma Gas and Electric Company.

*Description:* Service Agreement 41 to be effective 5/31/2013.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5075.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-1118-000.

*Applicants:* Oklahoma Gas and Electric Company.

*Description:* Rate Schedule No. 106 to be effective 5/31/2013.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5080.

*Comments Due:* 5 p.m. ET 4/8/13.

*Docket Numbers:* ER13-1119-000.

*Applicants:* Louisville Gas & Electric Company.

*Description:* Notice of Termination of Interconnection and Operating Agreement of Louisville Gas and Electric Company.

*Filed Date:* 3/18/13.

*Accession Number:* 20130318-5085.

*Comments Due:* 5 p.m. ET 4/8/13.

Take notice that the Commission received the following qualifying facility filings:

*Docket Numbers:* QF13-357-000.

*Applicants:* BC Jaclen Tower LP.

*Description:* Form 556—Notice of self-certification of qualifying cogeneration facility status of BC Jaclen Tower LP.

*Filed Date:* 3/14/13.

*Accession Number:* 20130314-5186.

*Comments Due:* None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 18, 2013.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2013-06707 Filed 3-22-13; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER12-1627-001.

*Applicants:* ISO New England Inc.

*Description:* Compliance Filing:

Docket No. ER12-1627-000 to be effective N/A.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5123.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-645-001.

*Applicants:* Public Service Company of Colorado.

*Description:* 2013-03-15-NSP-BLMR-Tran-to Load-544 to be effective 1/1/2013.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5121.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-655-001.

*Applicants:* Public Service Company of Colorado.

*Description:* 2013-03-15-NSP-CRNLL-Tran-to Load-546 to be effective 1/1/2013.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5104.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1110-000.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Cancellation of PJM Service Agreement Nos. 2861, 2986, 3145 and 3164 to be effective 2/13/2013.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5103.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1111-000.

*Applicants:* New England Power Company.

*Description:* Serv Agmt TSA-NEP-85 effective April 9, 2012—Notice Requirement Waiver Request to be effective 3/15/2013.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5128.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1112-000.

*Applicants:* Westar Energy, Inc.

*Description:* Notice of Cancellation of RS FERC No. 236 with the City of Eudora, Kansas to be effective 6/1/2013.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5140.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1113-000.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Ministerial revision to OATT Sch 7 replacing No. "6" in footnote—Eff 9/17/2010 to be effective 9/17/2010.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5144.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1113-001.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Ministerial revision to OATT Sch 7 replacing No. "6" in footnote—Eff 1/1/2011 to be effective 1/1/2011.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5146.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1114-000.

*Applicants:* Wisconsin Electric Power Company.

*Description:* Notice of Cancellation of Wisconsin Electric Power Company.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5147.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1115-000.

*Applicants:* FirstEnergy Solutions Corp.

*Description:* Application of FirstEnergy Solutions Corp. for authorization to sell electricity to Potomac Edison Company, an affiliate.

*Filed Date:* 3/15/13.

*Accession Number:* 20130315-5148.

*Comments Due:* 5 p.m. ET 4/5/13.

*Docket Numbers:* ER13-1116-000.

*Applicants:* FirstEnergy Solutions Corp.