

$$ET = (1440 \times EP1/T1) + \sum_{i=1}^D [(EP2_i - (EP1 \times T2_i/T1)) \times (12/CT_i)]$$

Where:

1440 is defined in 5.2.1.1 and EP1, T1, and 12 are defined in 5.2.1.2;

i is a variable that can equal 1, 2, or more that identifies the distinct defrost cycle types applicable for the refrigerator or refrigerator-freezer;

EP2<sub>i</sub> = energy expended in kilowatt-hours during the second part of the test for defrost cycle type i;

T2<sub>i</sub> = length of time in minutes of the second part of the test for defrost cycle type i;

CT<sub>i</sub> is the compressor run time between instances of defrost cycle type i, for long-time automatic defrost control equal to a fixed time in hours rounded to the nearest tenth of an hour, and for variable defrost control equal to

$(CT_{Li} \times CT_{Mi}) / (F \times (CT_{Mi} \sim CT_{Li}) + CT_{Li})$ ;

CT<sub>Li</sub> = least or shortest compressor run time between instances of defrost cycle type i in hours rounded to the nearest tenth of an hour (CT<sub>L</sub> for the defrost cycle type with the longest compressor run time between defrosts must be greater than or equal to 6 but less than or equal to 12 hours);

CT<sub>Mi</sub> = maximum compressor run time between instances of defrost cycle type i in hours rounded to the nearest tenth of an hour (greater than CT<sub>Li</sub> but not more than 96 hours);

For cases in which there are more than one fixed CT value (for long-time defrost models) or more than one CT<sub>M</sub> and/or CT<sub>L</sub> value (for variable defrost models) for a given defrost cycle type, an average fixed CT value or average CT<sub>M</sub> and CT<sub>L</sub> values shall be selected for this cycle type so that 12 divided by this value or values is the frequency of occurrence of the defrost cycle type in a 24 hour period, assuming 50% compressor run time.

F = default defrost energy consumption factor, equal to 0.20.

For variable defrost models with no values for CT<sub>Li</sub> and CT<sub>Mi</sub> in the algorithm, the default values of 6 and 96 shall be used, respectively.

D is the total number of distinct defrost cycle types.

(4) Representations. GE may make representations about the energy use of its above specified refrigerator-freezer products 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).

(6) 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.

(7) This waiver applies only to those basic models set out in GE's February 15, 2013 petition for waiver. Grant of this waiver does not release a petitioner from the certification requirements set forth at 10 CFR part 429.

Issued in Washington, DC, on June 21, 2013.

**Kathleen B. Hogan,**

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

[FR Doc. 2013-15421 Filed 6-26-13; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Case No. RF-029]

#### Decision and Order Granting a Waiver to GE Appliances From the Department of Energy Residential Refrigerator and Refrigerator-Freezer Test Procedures

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

**ACTION:** Decision and Order.

**SUMMARY:** The U.S. Department of Energy (DOE) gives notice of the decision and order (Case No. RF-029) that grants to GE Appliances (GE) a waiver from the DOE electric refrigerator and refrigerator-freezer test procedures for determining the energy consumption of residential refrigerator-freezers for the basic models set forth in its petition for waiver. Under today's decision and order, GE shall be required to test and rate its refrigerator-freezers with dual compressors using an alternate test procedure that takes this technology into account when measuring energy consumption.

**DATES:** This Decision and Order is effective June 27, 2013.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Program, Mail Stop EE-2], Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0121.

Telephone: (202) 586-0371. Email: [Bryan.Berringer@ee.doe.gov](mailto:Bryan.Berringer@ee.doe.gov).

Mr. Michael Kido, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0103. Telephone: (202) 586-8145. Email: [Michael.Kido@hq.doe.gov](mailto:Michael.Kido@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** DOE gives notice of the issuance of its decision and order as set forth below. The decision and order grants GE a waiver from the applicable residential refrigerator and refrigerator-freezer test procedures found in 10 CFR part 430, subpart B, appendix A1 for certain basic models of refrigerator-freezers with dual compressors, provided that GE tests and rates such products using the alternate test procedure described in this notice. Today's decision prohibits GE from making representations concerning the energy efficiency of these products unless the product has been tested in a manner consistent with the provisions and restrictions in the alternate test procedure set forth in the decision and order below, and the representations fairly disclose the test results.

Distributors, retailers, and private labelers are held to the same standard when making representations regarding the energy efficiency of these products.

Issued in Washington, DC, on June 21, 2013.

**Kathleen B. Hogan,**

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

#### Decision and Order

*In the Matter of:* GE Appliances (Case No. RF-029).

#### I. Background and Authority

Title III, Part B of the Energy Policy and Conservation Act of 1975 (EPCA), Public Law 94-163 (42 U.S.C. 6291-6309, as codified) established the Energy Conservation Program for Consumer Products Other Than Automobiles, a program covering most major household appliances, which includes the residential electric refrigerators and refrigerator-freezers that are the focus of this notice.<sup>1</sup> Part B includes definitions, test procedures, labeling provisions, energy conservation standards, and the authority to require

<sup>1</sup> For editorial reasons, upon codification in the U.S. Code, Part B was re-designated Part A.

information and reports from manufacturers. Further, Part B authorizes the Secretary of Energy to prescribe test procedures that are reasonably designed to produce results which measure energy efficiency, energy use, or estimated operating costs, and that are not unduly burdensome to conduct. (42 U.S.C. 6293(b)(3)) The test procedure for residential electric refrigerators and refrigerator-freezers is set forth in 10 CFR part 430, subpart B, appendix A1.

DOE's regulations for covered products contain provisions allowing a person to seek a waiver from the test procedure requirements for a particular basic model for covered consumer products when (1) the petitioner's basic model for which the petition for waiver was submitted contains one or more design characteristics that prevent testing according to the prescribed test procedure, or (2) when prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption characteristics as to provide materially inaccurate comparative data. 10 CFR 430.27(a)(1). Petitioners must include in their petition any alternate test procedures known to the petitioner to evaluate the basic model in a manner representative of its energy consumption characteristics.

The Assistant Secretary for Energy Efficiency and Renewable Energy (the Assistant Secretary) may grant a waiver subject to conditions, including adherence to alternate test procedures. 10 CFR 430.27(l). Waivers remain in effect pursuant to the provisions of 10 CFR 430.27(m).

Any interested person who has submitted a petition for waiver may also file an application for interim waiver of the applicable test procedure requirements. 10 CFR 430.27(a)(2). The Assistant Secretary will grant an interim

waiver request if it is determined that the applicant will experience economic hardship if the 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. 10 CFR 430.27(g).

## II. GE's Petition for Waiver: Assertions and Determinations

On February 28, 2013, GE submitted a petition for waiver from the test procedure applicable to residential electric refrigerators and refrigerator-freezers set forth in 10 CFR part 430, subpart B, appendix A1. GE is seeking a waiver because it is developing new refrigerator-freezers that incorporate a dual-compressor design that is not contemplated under DOE's test procedure. In its petition, GE seeks a waiver from the existing DOE test procedure applicable to refrigerators and refrigerator-freezers under 10 CFR part 430 for the company's shared dual-compressor system products. In its petition, GE has set forth an alternate test procedure and notes in support of its petition that DOE has already granted Sub-Zero a similar waiver pertaining to the use of shared dual compressor-equipped refrigerators. See 76 FR 71335 (November 17, 2011) (interim waiver) and 77 FR 5784 (February 6, 2012) (Decision and Order). DOE has also granted an interim waiver, and Decision and Order to LG. See 77 FR 44603 (July 30, 2012) and 78 FR 18327 (March 26, 2013), respectively. The reasons for which DOE granted Sub-Zero's and LG's waiver request apply as well to the GE basic models that are the subject of this waiver request: These models all use a shared compressor-based system with refrigerant-flow controlled by a 3-way valve and do not have the independent,

sealed systems that the DOE test procedure is designed to address. DOE has reviewed the alternate procedure and believes that it will allow for the accurate measurement of the energy use of these products, while alleviating the testing problems associated with GE's implementation of a dual compressor system. DOE did not receive any comments on the GE petition.

## III. Consultations With Other Agencies

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

## IV. Conclusion

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

(1) The petition for waiver submitted by GE Appliances (Case No. RF-029) is hereby granted as set forth in the paragraphs below.

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

ZIC30GNDII

ZIK30GNDII

(3) GE shall be required to test the products listed in paragraph (2) above according to the test procedures for electric refrigerator-freezers prescribed by DOE at 10 CFR part 430, appendix A1, except that, for the GE products listed in paragraph (2) only, replace the multiple defrost system, section 5.2.1.4 of appendix A1, with the following:

5.2.1.4 Dual Compressor Systems with Dual Automatic Defrost. The two-part test method in section 4.2.1 must be used, and the energy consumption in kilowatt-hours per day shall be calculated equivalent to:

$$ET = (1440 \times EP1/T1) + \sum_{i=1}^D [(EP2_i - (EP1 \times T2_i/T1)) \times (12/CT_i)]$$

### Where:

- ET is the test cycle energy (kWh/day);
- 1440 = number of minutes in a day;
- EP1 is the dual compressor energy expended during the first part of the test (it is calculated for a whole number of freezer compressor cycles at least 24 hours in duration and may be the summation of several running periods that do not include any precool, defrost, or recovery periods);
- T1 is the length of time for EPI (minutes);
- D is the total number of compartments with distinct defrost systems;

- i is the variable that can equal to 1,2 or more that identifies the compartment with distinct defrost system;
- EP2i is the total energy consumed during the second (defrost) part of the test being conducted for compartment i. (kWh);
- T2i is the length of time (minutes) for the second (defrost) part of the test being conducted for compartment i.
- 12 = conversion factor to adjust for a 50% run-time of the compressor in hours/day
- CTi is the compressor on time between defrosts for only compartment i. CTi for compartment i with long time automatic

defrost system is calculated as per 10 CFR Part 430, Subpart B, Appendix A1 clause 5.2.1.2. CTi for compartment I with variable defrost system is calculated as per 10 CFR part 430 subpart B, Appendix A1 clause 5.2.1.3. (hours rounded to the nearest tenth of an hour).

### Stabilization

The test shall start after a minimum 24 hours stabilization run for each temperature control setting. Steady State for EP1: The temperature average for the

first and last compressor cycle of the test period must be within 1.0 [degrees 1 F (0.6 [degrees 1 C) of the test period temperature average for each compartment. Make this determination for the fresh food compartment for the fresh food compressor cycles closest to the start and end of the test period. If multiple segments are used for test period 1, each segment must comply with above requirement.

#### *Steady State for EP2i*

The second (defrost) part of the test must be preceded and followed by regular compressor cycles. The temperature average for the first and last compressor cycle of the test period must be within 1.0 [degrees 1 F (0.6 [degrees 1 C) of the EPI test period temperature average for each compartment.

#### *Test Period for EP2i, T2i*

EP2i includes precool, defrost, and recovery time for compartment i, as well as sufficient dual compressor steady state run cycles to allow T2i to be at least 24 hours. The test period shall start at the end of a regular freezer compressor on-cycle after the previous defrost occurrence (refrigerator or freezer). The test period also includes the target defrost and following regular freezer compressor cycles, ending at the end of a regular freezer compressor on-cycle before the next defrost occurrence (refrigerator or freezer). If the previous condition does not meet 24 hours time, additional EP1 steady state segment data could be included. Steady state run cycle data can be utilized in EP1 and EP2i.

#### Test Measurement Frequency

Measurements shall be taken at regular interval not exceeding 1 minute.

\* \* \* \* \*

(4) Representations. GE may make representations about the energy use of its dual compressor refrigerator-freezer products 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).

(6) 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.

(7) This waiver applies only to those basic models set out in GE's February 28, 2013 petition for waiver. Grant of this waiver does not release a petitioner from the certification requirements set forth at 10 CFR part 429.

Issued in Washington, DC, on June 21, 2013.

Kathleen B. Hogan,

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

[FR Doc. 2013-15423 Filed 6-26-13; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP13-501-000]

#### **Dominion Transmission, Inc.; Notice of Application To Amend Certificates and Authorize Abandonment by Sale**

Take notice that on June 13, 2013, Dominion Transmission, Inc. (DTI), 120 Tredegar Street, Richmond, VA filed an application under Section 7 of the Natural Gas Act and Part 157 the Commission's Rules and Regulations for authorization abandon its existing Line No. TL-388 and associated facilities by sale to Blue Racer Midstream, LLC (Blue Racer), a gathering company. DTI further requested authority to amend certain certificates to remove and/or replace the affected pipeline interconnects from its Part 157 service agreements, and to abandon related pipeline interconnects on Line No. TL-388, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

DTI plans to cut and cap TL-388 at Texas Eastern Transmission, LP—Summerfield, Tennessee Gas—Pipeline-Gilmore, Rockies Express Pipeline LLC—Noble, and upstream of the interconnect with DTI's TL-384 pipeline near DTI's Gilmore Measuring Station. There potentially may be some very localized, minimal ground disturbances to disconnect the abandoned facilities, and to remove and relocate the M&R equipment.

Following the sale, Blue Racer will use the facilities to provide a gathering function. Blue Racer plans to tie the northern end of TL-388 into Blue Racer's Guernsey to Lewis connector. DTI then plans to tie the southern end of TL-388 into Blue Racer's proposed Berne processing plant. Blue Racer will use the TL-388 facilities to gather Utica

Shale production for processing at one of Blue Racer's plants—Natrium, Lewis or Berne. Blue Racer has agreed to pay for all costs of the interim receipt interconnect and will retain ownership of (and DTI will abandon) the interim receipt facilities as part of the transfer of the TL-388 facilities.

The filing may also be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or TTY, contact (202) 502-8659.

Pursuant to Section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Any questions regarding this Application should be directed to Mabelle F. Grim, Dominion Resources Services, Inc., 701 East Cary Street, 5th Floor, Richmond, VA 23219, telephone no. (804) 771-3805, facsimile no. (804) 771-4804 and email: [Mabelle.F.Grim@dom.com](mailto:Mabelle.F.Grim@dom.com).

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, before the comment date of this notice, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents