

relaxed low speed stability requirement is provided below:

**“(1) The average air velocity for all axes for each sensor varies by less than 5% for high speed and 10% for low speed compared to the average air velocity measured for that same sensor”**

*Closing*

It is our sincere intent to comply with the new test requirements, and we appreciate DOE’s efforts to consider input from Big Ass Solutions as part of their stakeholder engagement process. We also appreciate DOE’s efforts so far to resolve this isolated but impactful difficulty in the final rule.

Thank you for your consideration and we are available to answer any questions you may have.

Sincerely,

Taylor Sawyer

Government Affairs Director

Big Ass Solutions

[FR Doc. 2018-05932 Filed 3-22-18; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY**

**Notice of Orders Issued Under Section 3 of the Natural Gas Act During February 2018**

	FE Docket Nos.
JORDAN COVE ENERGY PROJECT, L.P.	12-32-LNG
SHELL NA LNG .....	18-14-LNG
EXCELERATE ENERGY L.P.	18-12-LNG
SUMAS DRY KILNS INC ..	18-13-NG
PACIFIC GAS & ELECTRIC COMPANY.	17-166-NG
CENTRAL VALLE HERMOSO, S.A. DE C.V.	18-11-NG
CENTRAL LOMAS DE REAL, S.A. DE C.V.	18-10-NG
NORTHWEST NATURAL GAS COMPANY.	18-22-NG
CARGILL INCORPORATED.	17-08-NG
IRVING OIL COMMERCIAL GP & IRVING OIL TERMINALS OPERATIONS LLC.	15-165-NG
SHELL ENERGY NORTH AMERICA (US), L.P.	18-17-NG
UPSTREAM PETROLEUM INC.	18-21-NG
WHITE EAGLE TRADING, LLC.	18-20-NG
BROOKFIELD ENERGY MARKETING LP.	18-18-NG

**AGENCY:** Office of Fossil Energy, Department of Energy.

**ACTION:** Notice of orders.

**SUMMARY:** The Office of Fossil Energy (FE) of the Department of Energy gives notice that during February 2018, it issued orders granting or vacating authority to import and export natural gas, and to import and export liquefied natural gas (LNG). These orders are summarized in the attached appendix and may be found on the FE website at <https://www.energy.gov/fe/downloads/listing-doe-fe-authorizations-orders-issued-2018-1>. They are also available for inspection and copying in the U.S. Department of Energy (FE-34), Division of Natural Gas Regulation, Office of Regulation and International Engagement, Office of Fossil Energy, Docket Room 3E-033, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9478. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, on March 20, 2018.

**Robert J. Smith,**

*Deputy Assistant Secretary for Oil and Natural Gas (Acting).*

**APPENDIX**

**DOE/FE ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS**

Order Number	Date	Docket No.	Entity	Description
Unnumbered .....	02/01/18	12-32-LNG .....	Jordan Cove Energy Project, L.P.	Order Dismissing Supplemental Comments Dismissing Request for Extension of Time, and Dismissing Motion to File Partial Answer.
4151 .....	02/08/18	18-14-LNG .....	Shell NA LNG .....	Order 4151 granting blanket authority to import LNG from various international sources by vessel.
4152 .....	02/08/18	18-12-LNG .....	Excelerate Energy L.P.	Order 4152 granting blanket authority to import LNG from various international sources by vessel.
4153 .....	02/08/18	18-13-NG .....	Sumas Dry Kilns Inc	Order 4153 granting blanket authority to import natural gas from Canada.
4154 .....	02/12/18	17-166-NG .....	Pacific Gas & Electric Company.	Order 4154 granting blanket authority to import natural gas from Canada.
4155 .....	02/15/18	18-11-NG .....	Central Valle Hermoso, S.A. de C.V.	Order 4155 granting blanket authority to import/export natural gas from/to Mexico.
4156 .....	02/15/18	18-10-NG .....	Central Lomas de Real, S.A. de C.V.	Order 4156 granting blanket authority to import/export natural gas from/to Mexico.
4157 .....	02/28/18	18-22-NG .....	Northwest Natural Gas Company.	Order 4157 granting blanket authority to import/export natural gas from/to Canada.
3989-A .....	02/28/18	17-08-NG .....	Cargill Incorporated ..	Order 3989-A vacating blanket authority to import/export natural gas from/to Canada/Mexico, and to import LNG from various international sources by vessel.
3765-B .....	02/28/18	15-165-NG .....	Irving Oil Commercial GP & Irving Oil Terminals Operations LLC.	Order 3765-B granting Request to Amend long-term authority to import/export natural gas from/to Canada.
4158 .....	02/28/18	18-17-NG .....	Shell Energy North America (US), L.P.	Order 4158 granting blanket authority to import/export natural gas from/to Canada/Mexico, and to import LNG from various international sources by vessel.
4159 .....	02/28/18	18-21-NG .....	Upstream Petroleum Inc.	Order 4159 granting blanket authority to import/export natural gas from/to Canada/Mexico.
4160 .....	02/28/18	18-20-NG .....	White Eagle Trading, LLC.	Order 4160 granting blanket authority to import/export natural gas from/to Mexico.

## DOE/FE ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS—Continued

4161 .....	02/28/18	18–18–NG .....	Brookfield Energy Marketing LP.	Order 4161 granting blanket authority to import/export natural gas from/to Canada.
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[FR Doc. 2018–05966 Filed 3–22–18; 8:45 am]

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## DEPARTMENT OF ENERGY

[Case Number CAC–051]

### Notice of Decision and Order Granting a Waiver to Johnson Controls, Inc. From the Department of Energy Central Air Conditioners and Heat Pumps Test Procedure

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

**ACTION:** Notice of decision and order.

**SUMMARY:** This notice announces a Decision and Order granting Johnson Controls, Inc. (“JCI”) a waiver from specified portions of the DOE test procedure for determining the efficiency of specified central air conditioners (“CAC”) and heat pump (“HP”) basic models. JCI is required to test and rate the specified CAC and HP basic models in accordance with the alternate test procedure described in the Decision and Order.

**DATES:** The Decision and Order is effective as of March 23, 2018.

#### FOR FURTHER INFORMATION CONTACT:

Ms. Lucy deButts, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1604. Email: [AS\\_Waiver\\_Requests@ee.doe.gov](mailto:AS_Waiver_Requests@ee.doe.gov).

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC–33, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585–0103. Telephone: (202) 586–9496. Email: [Peter.Cochran@hq.doe.gov](mailto:Peter.Cochran@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** On May 2, 2017, JCI originally filed a petition for waiver and an application for interim waiver from the applicable CAC and HP test procedure set forth in Appendix M and subsequently amended its petition once in May and again in June. On September 20, 2017, DOE published a notice announcing its receipt of the petition for waiver and also granting JCI an interim waiver. 82 FR 43952. In that notice, DOE also solicited comments from interested parties on all aspects of the petition and specified an alternate

test procedure that must be followed for testing and certifying the specific basic models for which JCI requested a waiver. *Id.*

On March 23, 2018, DOE publishes this notice announcing a Decision and Order regarding JCI’s petition. This notice includes a copy of the Decision and Order, with information JCI marked as confidential business information redacted, DOE issued to JCI.

Issued in Washington, DC, on March 9, 2018.

**Kathleen B. Hogan,**

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

#### Case #CAC–051—Decision and Order

##### I. Background and Authority

The Energy Policy and Conservation Act of 1975, as amended (“EPCA” or “the Act”),<sup>1</sup> Public Law 94–163 (42 U.S.C. 6291–6317, as codified), among other things, authorizes DOE to regulate the energy efficiency of a number of consumer products and industrial equipment. Title III, Part B<sup>2</sup> of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles, a program that includes the CACs and HPs which are the subject of this Order. (42 U.S.C. 6292(a)(3)) Under EPCA, DOE’s energy conservation program consists essentially of four parts: (1) Testing, (2) labeling, (3) Federal energy conservation standards, and (4) certification and enforcement procedures.

The Federal testing requirements consist of test procedures that manufacturers of covered products must use as the basis for: (1) Certifying to DOE that their product complies with the applicable energy conservation standards adopted pursuant to EPCA (42 U.S.C. 6295(s)), and (2) making representations about the efficiency of that product (42 U.S.C. 6293(c)). Similarly, DOE must use these test procedures to determine whether the product complies with relevant standards promulgated under EPCA. (42 U.S.C. 6295(s))

Under 42 U.S.C. 6293, EPCA sets forth the criteria and procedures DOE is

<sup>1</sup> All references to EPCA in this document refer to the statute as amended through the EPS Improvement Act of 2017, Public Law 115–115 (January 12, 2018).

<sup>2</sup> For editorial reasons, upon codification in the U.S. Code, Part B was redesignated as Part A.

required to follow when prescribing or amending test procedures for covered products. EPCA requires that test procedures prescribed or amended under this section must be reasonably designed to produce test results which reflect the energy efficiency, energy use or estimated annual operating cost of covered products during a representative average use cycle or period of use and requires that test procedures not be unduly burdensome to conduct. (42 U.S.C. 6293(b)(3)) The currently applicable CAC and HP test procedure is contained in the Code of Federal Regulations (CFR) at 10 CFR part 430, subpart B, appendix M, “Uniform Test Method for Measuring the Energy Consumption of Central Air Conditioners and Heat Pumps” (“Appendix M”).

Under 10 CFR 430.27, any interested person may submit a petition for waiver from DOE’s test procedure requirements. DOE will grant a waiver from the test procedure requirements if DOE determines either that the basic models for which the waiver was requested contain a design characteristic that prevents testing of the basic models according to the prescribed test procedures, or that the prescribed test procedures evaluate the basic models in a manner so unrepresentative of their true energy or water consumption characteristics as to provide materially inaccurate comparative data. 10 CFR 430.27(f)(2). DOE may grant the waiver subject to conditions, including adherence to alternate test procedures. *Id.*

##### II. Petition for Waiver: Assertions and Determinations

On May 17, 2017, JCI filed a petition for waiver and an application for interim waiver from the applicable CAC and HP test procedure set forth in Appendix M.<sup>3</sup> On June 2, 2017, JCI supplemented its petition with additional information. According to JCI, testing its CAC and HP basic models that use variable-speed, oil-injected scroll compressors (VSS systems) with only a 20-hour break-in period produces

<sup>3</sup> JCI originally submitted a petition for waiver and application for an interim waiver dated May 2, 2017, which was superseded by the corrected petition for waiver and application for interim waiver dated May 17, 2017. These documents along with supporting materials and comments can be reviewed at: <https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0037-0001>.