

**Attachment A—Brief Template**

**I. Category [all issues pertaining to a particular category, for example: Power Rates, Transmission Rates, Transmission Terms and Conditions, Joint Issues, Procedural Issues]**

*A. General Topic Area [for example: Secondary Sales]*

*Issue 1: The specific issue to be addressed [for example: Whether Bonneville’s forecast of energy prices should be revised upward].*

**Summary of Party’s Position**

A brief statement summarizing the party’s position.  
[For example: Bonneville staff’s forecast of energy prices for secondary

sales is too conservative. The record demonstrates that the trend in market prices is upward. The Administrator should revise the forecast for the price of secondary energy upward consistent with Party X’s proposal.]

**Party’s Position and Argument**

Statements of argument, including citations to the record.

**Requested Action or Decision**

A brief description of the requested action or decision the party wants the Administrator to make.

[For example: The projection of energy prices for Bonneville’s secondary sales should be revised consistent with Party’s X’s proposal.]

*Issue 2: The specific issue to be addressed [for example: Whether Bonneville’s surplus power sales forecast is reasonable.]*

**Summary of Party’s Position**

[For example: Bonneville’s surplus power sales forecast is flawed because it does not account for extraregional power sales.]

**Party’s Position and Argument**

Statements of argument, including citations to the record.

**Requested Action or Decision**

[For example: Bonneville’s surplus power sales forecast should be increased to reflect extraregional power sales.]

**POST-HEARING LIST OF EXHIBITS**

Filing code	Title	Date filed	Status
XX-XX-E-XX-01 .....	Direct Testimony .....	mm/dd/yyyy .....	Admitted.
XX-XX-E-XX-02 .....	Rebuttal Testimony .....	mm/dd/yyyy .....	Rejected.

**End of Brief Template**

Issued this 2nd day of August, 2018.  
**Elliot E. Mainzer,**  
*Administrator and Chief Executive Officer.*  
[FR Doc. 2018-17223 Filed 8-10-18; 8:45 am]  
**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY**

[OE Docket No. EA-388-A]

**Application to Export Electric Energy; TEC Energy Inc.**

**AGENCY:** Office of Electricity, DOE.  
**ACTION:** Notice of application.

**SUMMARY:** TEC Energy Inc. (Applicant or TEC) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

**DATES:** Comments, protests, or motions to intervene must be submitted on or before September 12, 2018.

**ADDRESSES:** Comments, protests, motions to intervene, or requests for more information should be addressed to: Office of Electricity, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585-0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to *Electricity.Exports@hq.doe.gov*, or by facsimile to 202-586-8008.

**SUPPLEMENTARY INFORMATION:** The Department of Energy (DOE) regulates exports of electricity from the United States to a foreign country, pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. §§ 7151(b) and 7172(f)). Such exports require authorization under section 202(e) of the Federal Power Act (16 U.S.C. § 824a(e)).

On December 19, 2013, DOE issued Order No. EA-388 to TEC, which authorized the Applicant to transmit electric energy from the United States to Canada as a power marketer for a five-year term using existing international transmission facilities. That authority expires on December 19, 2018. On July 30, 2018, TEC filed an application with DOE for renewal of the export authority contained in Order No. EA-388 for an additional five-year term.

In its application, the Applicant states that it “does not own or control any electric generation or transmission facilities” and “does not hold a franchise or service territory for the transmission, distribution or sale of electric power.” The electric energy that the Applicant proposes to export to Canada would be surplus energy purchased from third parties such as electric utilities and Federal power marketing agencies pursuant to voluntary agreements. The existing international transmission facilities to be utilized by TEC have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate

for open access transmission by third parties.

**Procedural Matters:** Any person desiring to be heard in this proceeding should file a comment or protest to the application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission’s (FERC) Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214). Five (5) copies of such comments, protests, or motions to intervene should be sent to the address provided above on or before the date listed above.

Comments and other filings concerning TEC’s application to export electric energy to Canada should be clearly marked with OE Docket No. EA-388-A. An additional copy is to be provided directly to both Etienne Lapointe, CPA, CA, MSc, TEC Energy Inc., 88 Prince St, Suite 202, Montreal, Quebec H3C 2M8, and Legalinc Corporate Services Inc., 35-15 84th Street 2H Jackson Heights, New York, NY 11372.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE’s National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE determines that the proposed action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program website at <http://energy.gov/node/11845>, or by emailing Angela Troy at [Angela.Troy@hq.doe.gov](mailto:Angela.Troy@hq.doe.gov).

Signed in Washington, DC, on August 7, 2018.

**Christopher Lawrence,**

*Electricity Policy Analyst, Office of Electricity.*

[FR Doc. 2018-17313 Filed 8-10-18; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

[Case No. CAC-050]

### Notice of Petition for Waiver of Johnson Controls, Inc. From the Department of Energy Central Air Conditioners and Heat Pumps Test Procedure, and Notice of Grant of Interim Waiver

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

**ACTION:** Notice of petition for waiver, grant of an interim waiver, and request for comments.

**SUMMARY:** This notice announces receipt of and publishes a petition for waiver from Johnson Controls, Inc. (JCI) seeking an exemption from the U.S. Department of Energy (DOE) test procedure for determining the efficiency of central air conditioners and heat pumps. JCI seeks to use an alternate test procedure to address issues involved in testing certain basic models identified in its amended petition. According to JCI, testing the basic models of the central air conditioners listed in its amended petition as outdoor units with no match will overstate their energy usage as they will be rated using default indoor unit parameters that are representative of an old, inefficient indoor unit. JCI seeks to use an alternate test procedure to test and rate the basic models listed in its amended petition as matched systems. JCI proposes to waive the DOE test procedure requirement to test these basic models as outdoor units with no match and instead, test these basic models as matched systems. This notice also announces that DOE grants JCI an interim waiver from the DOE central air conditioners and heat pumps test procedure for its specified basic models, subject to use of the alternative test procedure as set forth in the Order. DOE solicits comments, data, and information concerning JCI's amended petition and its suggested alternate test procedure.

**DATES:** DOE will accept comments, data, and information with respect to the JCI Petition until September 12, 2018.

**ADDRESSES:** You may submit comments, identified by case number "CAC-050" and Docket number "EERE-2017-BT-WAV-0039," by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* [JCI2017WAV0042@ee.doe.gov](mailto:JCI2017WAV0042@ee.doe.gov). Include the case number CAC-050 in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form of encryption.

- *Postal Mail:* U.S. Department of Energy, Building Technologies Office, Mailstop EE-5B, Petition for Waiver Case No CAC-050, 1000 Independence Avenue SW, Washington, DC 20585-0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.

- *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW, 6th Floor, Washington, DC 20024. Telephone: (202) 287-1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

*Docket:* The docket, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at <http://www.regulations.gov>. All documents in the docket are listed in the <http://www.regulations.gov> index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at <https://www.regulations.gov/docket?D=EERE-2017-BT-WAV-0039>. The docket web page will contain simple instruction on how to access all documents, including public comments, in the docket.

**FOR FURTHER INFORMATION CONTACT:** 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:**

## I. Background and Authority

Title III, Part B<sup>1</sup> 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, which includes central air conditioners and heat pumps.<sup>2</sup> Part B includes definitions, test procedures, labeling provisions, energy conservation standards, and the authority to require information and reports from manufacturers. Further, Part B requires the Secretary of Energy to prescribe test procedures that are reasonably designed to produce results that measure energy efficiency, energy use, or estimated operating costs during a representative average-use cycle, and that are not unduly burdensome to conduct. (42 U.S.C. 6293(b)(3)) The test procedure for central air conditioners and heat pumps is contained in 10 CFR part 430, subpart B, appendix M (referred to in this notice as "appendix M").

DOE's regulations set forth at 10 CFR 430.27 contain provisions that allow a person to seek a waiver from the test procedure requirements for a particular basic model of a covered product when the petitioner's basic model for which the petition for waiver was submitted contains one or more design characteristics that either (1) prevent testing according to the prescribed test procedure, or (2) cause the prescribed test procedures to 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). A petitioner must include in its petition any alternate test procedures known to the petitioner to evaluate the basic model in a manner representative of its energy consumption. 10 CFR 430.27(b)(1)(iii).

DOE may grant a waiver subject to conditions, including adherence to alternate test procedures. 10 CFR 430.27(f)(2). As soon as practicable after the granting of any waiver, DOE will publish in the **Federal Register** a notice of proposed rulemaking to amend its regulations so as to eliminate any need for the continuation of such waiver. As soon thereafter as practicable, DOE will publish in the **Federal Register** a final rule. 10 CFR 430.27(l).

The regulations governing the waiver process also allow DOE to grant an

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

<sup>2</sup> All references to EPCA in this document refer to the statute as amended through the EPS Improvement Act of 2017, Public Law 11-115 (January 12, 2018).