

Department of Public Service, Energy Division

**In the matter of the Proposed Rule
of the State Department of Public
Service, Energy Division, Governing
Fluorescent Lamp Ballasts**

**STATEMENT OF
NEED AND
REASONABLENESS
November, 1988**

The Commissioner of the Minnesota Department of Public Service proposes to adopt rules without a public hearing. The Commissioner has determined that the proposed amendment of these rules will be non-controversial in nature and has elected to follow the procedures set forth in Minnesota Statutes sections 14.22 to 14.28. The above-captioned proposed rules governing the energy efficiency of ballasts for fluorescent lamps.

Authority

The Commissioner is authorized by Minnesota Statutes section 116J.19, subdivision 7, to establish minimum energy efficiency standards for fluorescent lamp ballasts.

Summary

The proposed rule amendment is a comprehensive program to insure that fluorescent lamp ballasts entering the Minnesota market will meet the national minimum efficiency standards signed into law under the National Appliance Energy Conservation amendments of 1988, 42 USC 6201. The Minnesota rules, Minn. Chap. 7605, prohibits the sale of fluorescent lamp ballasts not meeting these rules after January 1, 1991.

Small Business

The Department has evaluated the effect of the proposed rules on small businesses and has considered each of the methods prescribed by Minnesota Statutes Section 14.155, subd. 2, for reducing the impact of the rules on small businesses. The adoption of these amendments will not affect small businesses in Minnesota since the rules are the same as those mandated by the federal government. Minnesota Statutes section 14.115, subd. 2(e) requires the Department to consider exempting small businesses from any or all requirements of the rules. At this time there are no manufacturers of ballasts in Minnesota.

To assure that fluorescent lamp ballasts are energy efficient, it is essential that all manufacturers of such products be subject to the requirements of these rules. To exempt some businesses from these requirements would allow fluorescent lamp ballasts which were not energy efficient to be sold and installed in Minnesota. Thus, the Department concludes that small businesses cannot be exempted from the requirements imposed by these rules.

Public Monies

The implementation of these amendments will not require the expenditure of public monies in excess of \$100,000 by local bodies in either of the two years following their adoption and meets the test of the exceptions to fiscal notes as provided by Minnesota Statutes 3.983 subpart 2. The proposed amendments would not have any impact on agricultural land.

If a public hearing is required, Bruce Nelson, Senior Engineer and Narv Sordahl, Manager of Conservation - Energy Division, Department of Public Service, will appear on behalf of the proposed rules at the hearing. They will testify regarding the need for and reasonableness of the proposed rules.

STATEMENT OF NEED AND REASONABLENESS

The Department of Public Service, Energy Division proposes to adopt the rules governing fluorescent lamp ballasts. It is important that only efficient fluorescent lamp ballasts are sold in Minnesota. These rules are reasonable because at the same time the Minnesota rules take effect, the federal "National Appliance Energy Conservation Amendments of 1988" will take effect. The Minnesota rules are concordant with the federal regulations. This is necessary because the federal law is preemptive in nature, being one that supersedes those in effect at the state level.

Minnesota law requires that all fluorescent lamp ballasts comply with the standards set forth in these rules. Minn. Rules Chap. 7605.0110, subpart 2, exempts fluorescent lamp ballasts designed for dimming or for use in ambient temperatures of 0 degrees Fahrenheit or less. These rules, like their federal counterpart, have exempted these ballasts because of the technical limitations that currently exist in the ballast industry.