6th Steering Committee Meeting 24/10/2012

Meeting Minutes

Voluntary Industry Agreement to Improve the Energy Consumption of Complex Set Top Boxes under the EuP/ErP Directive

Stakeholders wanting to be part of the CSTB VA reflector should go to http://cstb.eu/lists/

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1. Meeting Details

Agenda

- Current status of the VA
- European Commission update on VA recognition process
- Update from the Consultation Forum
- The new reporting template
- Review agreed changes to the VA from last Steering Committee meeting
- Update on CoC
- VA Exchange
- Next steps and AOB

2. Date and Venue

24th October 2012
Chairman: David Daniels

Microsoft European Briefing Centre, Brussels

3. Current status of VA

The Chair updated the Steering Committee (SC) on the current status of CSTB VA Signatories. As of the 25th May Steering Committee meeting, MaxLinear has become a Signatory.

The group was informed that Belgacom have recently joined the CoC, thus, under the current alignment agreement between the VA and the CoC, it is expected that Belgacom will become a VA Signatory.

The figure below shows the current list of Signatories, under their constituencies.

Figure 1: List of CSTB confirmed Signatories

4. European Commission update on VA recognition process

Adam Romanowski (DG ENER) provided the Steering Committee with an update on the VA recognition process. The European Commission (EC) had considered within the Interservice Consultations (ISC) 3 different acts for recognising the VA on CSTBs: Recommendation, Communication or Report.

The ISC is now completed and the Commission decided that a Report to the European Parliament and the Council was the best suited to recognise the VA. The Report will explain the reasons for which the EC decided to abstain from adopting a Regulation in the case of CSTBs. The Report and the Impact Assessment will be made available on the DG ENER website. Adam explained that there were no rigid timescales for when this is to be completed however he expected that it should happen before the end of 2012 (unless unforeseen obstacles appear).

Report is 5 – 6 pages long and it concludes that:

1. The VA complies with all the assessment criteria in Annex VIII to the Ecodesign Directive;

2. The VA is likely to achieve policy objectives faster and in a less costly manner than a Regulation;
3. The EC is prepared to recognise this scheme as a valid alternative to a Regulation;
4. The EC and stakeholders will continue to monitor the VA application and should it not meet its objectives, a Regulation will be introduced by the EC.

5. Update from the Consultation Forum

The Chair informed the SC that he had attended the Consultation Forum (CF) meeting on VAs on the 9th October. At this CF meeting, he presented an update on the status of the CSTB VA and Ecofys presented the results of the 1st Independent Inspector Report.

Adam Romanowski (DG ENER) informed the SC that the main issues that require attention by Signatories to all VAs concluded under the Ecodesign Directive (including on CSTBs) were:

1. General feeling by stakeholders (including some MS and NGOs) that a level of requirements lacks ambition;
2. New Tier with more ambition should be added to the VAS, i.e. Tier 3;
3. Rules on auditing and access to background data should be added to the VA.

Notwithstanding the above, the EC decided to move on with recognising the VA, with the expectation that efforts would be made by the Signatories to improve the VA processes and environmental ambition in the future. He supported the VA Exchange initiative and agreed that one set of rules to apply for any Ecodesign self-regulation measure in the future is required. Therefore the VA Exchange group should discuss and propose the rules on auditing as well as the reporting framework. The EC intends to review the Guidelines on self-regulations, aiming to make them clearer, more precise and accurate, so the same rules would apply to all the VAs.

Laura Spendler (UBA) asked the SC for the requests listed above to be addressed swiftly and without further delay.

The Chair explained that new technologies were added to accommodate technology and market advances that had been considered feasible at the time of introducing Tier 2 to the VA. He also explained that, at the same time, allowances that became business as usual (e.g. High Definition rendering) had been removed from Tier 2. He added that, unless a Service Provider (SP) has and uses the technology in the box, the allowance cannot be claimed. Robert Turner (Pace), who also contributes to the CSTB CoC, confirmed that, for a given box, Tier 2 provides considerable energy savings. Laura suggested that, for clarification and ease of understanding, a table should be created to exemplify this.

Further discussions revolved around trying to find a solution for the provision of more detailed background data. It was noted that Hans Paul Siderius' comments were on

TEC vs functionality, that there are the distinctive differences between SPs and Manufacturer energy use data. Jean-Yves Moraillon (Technicolor), also a contributor to the CoC, noted that it was very difficult to report detailed information since the Manufacturers of CSTBs are in a B2B relationship with SPs and therefore this information belongs to them. He added that Manufacturers have confidentiality contracts with SPs. He suggested that a solution was to provide this info in the framework of the CoC, which offers no risk of competition between Manufacturers. Bob Hannent (Humax) and Florien Tremblay (Sagemcom) added that there was a not insignificant volume of CSTBs that are sold in retail, thus these are not in control of SPs, and these are different products from the ones delivered to SPs. Sagemcom can communicate energy consumption to users in the retail market, but cannot do it when the box is provided to the SP. It was agreed that the retail case can be separated from the reporting, perhaps splitting Tier 2 into retail and SP boxes allowances levels. David (Amino) mentioned that an important distinction needs to be made regarding the latest report from Energy Star: the boxes chosen by the few manufacturers who reported energy consumption in Energy Star were carefully selected and were the best performers. The CSTB VA, in contrast, requires nearly 100% representativeness. Michael Bryant-Brown (Liberty Global) noted that the VA was intended to be for improving the environmental efficiency of CSTBs rather than to compete against each other and therefore potentially undermining the collaborative status of the VA.

The SC agreed to work offline in a subgroup and return with a concrete proposal. Volunteers for this work were from: Liberty Global, BskyB, Humax, Pace and Technicolor. In addition, the SC agreed that it would be important to include the participation of Hans Paul Siderius, as the representative from the CF.

The Chair explained that the proposal on 'access to the background data' would form a part of the general response to the CF on all issues raised by stakeholders, mainly: a) access to the background data including the possible expansion of Annex C of the VA annual report to include "all power consumption values (that are measured to calculate the TEC values) and the features for which allowances are claimed", b) new Tier3 requirements, c) rules on auditing. This work should be completed within the next few weeks. The group agreed that the response should be prepared and agreed in 4 weeks, i.e. **by the 21st November**.

Adam (DG ENER) informed the group that as part of the Guidelines review, the Commission was considering changing the reporting process for all VAs under the Ecodesign Directive. Currently the Independent Inspector is chosen by the VA Signatories, who also fund the work carried out by the Inspector. The changes considered by the EC included that it, rather than the SC, should chose (through an open call for tenders procedure) and fund the Independent Inspector. Adam explained that the Independent Inspector would be obliged to sign NDs with the Signatories and that the main advantages of this process would be that issues of lack of money for auditing would be minimised, as well it would ensure the

independence of the Independent Inspector. The SC group expressed concerns about this proposal. Michael (Liberty Global) mentioned that he could not comment on substance but he was not comfortable with the general idea and in his opinion such a move would make the VA self-regulation closer to co-regulation. Other SC members in the room expressed similar concerns (e.g. Pace, Humax, Microsoft). Pace's concern was also that, after spending several months and man-days in effort discussing and finally agreeing on a non-disclosure agreement with the Independent Inspector, issues regarding confidentiality would be raised again. The Chair suggested that one possible solution could be to split the tasks of the Independent Inspector, i.e. the Industry Independent Inspector would carry on with its job of gathering data from the industry and report this data accordingly, with the EC responsible for the auditing. The EC would receive all the data (except sales volume, which is confidential between the VA Signatory and the Independent Inspector) from the Inspector and in effect become the market surveillance authority for Ecodesign VAs. The group **agreed** that this solution would be discussed at the VA Exchange meeting in November.

6. The new reporting template

The group discussed the changes on the template agreed from the previous SC meeting (25th May). The Chair explained that this reporting template applied to SPs and Manufacturers.

Explanations and changes agreed on the template (tab "VIA 3.0 Tier 1"):

- Change from "Brand" to "Manufacturer or Brand"
- The Company registration number field is there for completion – it is the VAT number, but companies were not obliged to fill this in of not known. Regarding what software to test against, it was agreed that it has to be representative and that it can change from year to year.
- If APD for T1 functionality is present it can be declared and the APD time can be filled in.

The group agreed on the changes to this template, and the Chair confirmed that he would distribute it to all Signatories as soon as possible so that it could be filled in and submitted to Ecofys within 4 weeks, i.e. **by 30th November**. Ecofys mentioned that reporting discipline on the part of the Signatories needed to be improved and deadlines should be respected.

The issue of what to do with a Signatory that is not compliant was raised. One of the VA signatories, Kaon, has not reported or responded to any correspondence from the Independent Inspector or Chairman, despite several attempts made to find a resolution. They have also not paid the fees for the maintenance of the VA. The SC **agreed** to declare Kaon non-Signatory. Ecofys suggested that clarification text regarding procedure on declaring a Signatory non-compliant should be added in the VA, so that such process is carried out in a standardised way if such cases occur in

the future. Liberty Global agreed but reminded the group the VA is not a legal instrument, and therefore it cannot enforce any formal sanction. As for the current case, the group agreed that, as the last resort, the SC Chair will send the reporting template to Kaon and ask it to fill it in and pay the 2 outstanding fees. The Chair will add in his communication to Kaon that failure to do the above will automatically deem Kaon a "non-Signatory". After that, a statement from the Chairman to the VA reflector declaring the company expelled should be forthcoming.

7. Review agreed changes to the VA from last Steering Committee meeting

The SC reviewed the changes agreed from the previous VA SC meeting, as well as new proposed editorial changes as part of the VA 3.0 Revision 1 (R1). These are:

- Removing A9 from Annex A (as agreed in the last SC meeting)
- Adding hard dates to the "Reporting" section, adding the sentence "by the 30th of September of every year"
- Reporting in the VA Doc history
- Adding the common text agreed with the CoC as part of the "Introduction" section..

In addition, as part of Revision 2 (VA 3.0 R2) and once sanction process for non-compliant Signatories is completed and agreed, the "Sanctions" section will be revised.

8. Update on CoC

Technicolor presented the CoC status update. He reported that the CoC would be looking at some point in the future into middleware/software energy efficiency (the current focus is on hardware). He explained that different middleware might require different memory/processing power for doing the same functionality (e.g. stacks).

The group discussed the possibility of referring to the CoC for Tier 3 values.

9. VA Exchange

The Chair informed the SC that the first such meeting would take place on the 13th November, in Brussels. The attendance of this 1st meeting was restricted to industry members only.

The Chair explained that the aim of the VA Exchange was to explore whether it would be useful for the four Industry's agreements (Complex STBs, imaging equipment, machine tools, medical imaging equipment) to have a mechanism to share knowledge and experience of the implementation and operation of VAs and to discuss the scope for greater consistency in reporting, etc. and make any subsequent proposals

10.Next steps and AOB

The Chair will set up a date in November for industry members to get together to discuss Tier 3 and where the VA goes from now. It was suggested that w/c 22 should be avoided.

The next Steering Committee meeting was set to the 13th February 2013.

Ed Butler provided a summary on the non-SP/Manufacturer reporting template, given the number of variables and possibilities it is impractical for someone such as an SoC vendor to report on anything specific. It was suggested by Bob Hannent (Humax) that the SoC vendors might be able to support any evidencing required by the Commission or NGOs (given the request from Germany for more foundation evidence). This will be the subject of further discussion.

11.

12.List of Participants of the 6th CSTB VA Steering Committee Meeting

Name	Company/Organization
David Daniels	BSkyB
Thomas Nogues	Cable Europe
Charles Cartwright	NDS
Marc Vautier	Orange
Jean-Yves Moraillon	Technicolor
Gwenaelle Baise	Technicolor
Florian Tremblay	Sagemcom
Michael Bryan-Brown	Liberty Global
Chris Wordley	Echostar Europe
Robert Turner	Pace
Edith Molenbrook	Ecofys
Marco Gianellini	Sky Italia
Bob Hannent	Humax
Lukasz Wierzbicher	Samsung
Edward Butler	Intel
Jim Beveridge	Microsoft
Adriana Mattei	Microsoft
Klaus Verschuere	Cisco
Blair Schodowski	Cisco Systems
David Groves	Amino Communications
Adam Romanowski	DG Energy, European Commission; present only for the first three points (points 3-5 mentioned in the minutes)
Peter Schreitl	Kabel Deutschland
Helmar Krup	Kabel Deutschland
Laura Spengler	Okopol / German Federal Environment Agency (UBA)
Bram Soenen	DG Environment
Juan Perez	Liberty Global
Peter Tytgat	Telenet

13.Review of action items

	Actions	Volunteers	Status
1	Inform the SC on the deadlines for reporting and ask for increased list of members' names/emails to improve communications	David Daniels	Completed
2	Evolution of the CoC presentation to be distributed to the SC reflector	Jean-Yves Moraillon	Completed
3	SC to submit proposals for improving middleware reporting methods/parameters	Ed Butler	Completed
4	companies who indicatively signed the VA but who still haven't confirmed their full signature to do so as soon as feasible	All supporting companies	Ongoing
5	Implement agreed changes in VA 3.0 Rev 1		
	a. Delete A.9 from Annex A	David Daniels	Completed
	b. Add the agreed text for VA/CoC alignment in the Introduction	David Daniels	
	c. Adding hard dates to the "Reporting" section, adding the sentence "by the 30th of September of every year"	David Daniels	
	d. Reporting in the VA Doc history	David Daniels	
6	Prepare a response to CF meeting covering the 3 main issues raised, by **21 November**:		
	Form a subgroup and return with a concrete proposal for additional background reporting data for Service Providers	David Daniels	Completed
	Discuss auditing/reporting solution at VA Exchange meeting and suggest proposal to EC	David Daniels	
	Form a subgroup to discuss Tier 3	David Daniels	
7	Separate Tier 2 reporting into retail and Service Provider boxes energy usage levels		
8	Declare Kaon a non-signatory	David Daniels	
9	Form subgroup (led by Rob Turner) to review and update the test procedure for Tier 2	Robert Turner	