

United States Senate

WASHINGTON, DC 20510

May 30, 2017

The Honorable Rick Perry
Secretary
U.S. Department of Energy
1000 Independence Avenue SW
Washington, D.C. 20585

Dear Secretary Perry,

We write to urge the Department of Energy (DOE) to promptly publish in the Federal Register five energy efficiency rules finalized by the agency in December 2016. We are concerned that DOE's failure to publish these rules violates both the federal Energy Policy and Conservation Act (EPCA) and the Administrative Procedures Act (APA).

Energy efficiency standards have consistently served as a cornerstone of U.S. energy policy over the past three decades. As required by statute originally signed by President Reagan, DOE is charged with establishing and updating cost-effective minimum efficiency performance standards for household appliances and industrial equipment. These standards reduce energy waste, save consumers money and help fight climate change by reducing harmful air pollutants. Consequently, DOE's efficiency standards program has a long history of bipartisan support, having been strengthened through legislation signed by both President George H.W. Bush and President George W. Bush. The results of the program speak for themselves: energy efficiency standards have already saved consumers billions of dollars on energy bills and are projected to generate more than \$2.4 trillion in net consumer benefits by 2035.

The five standards in question—which include the first-ever national standards for uninterruptible power supplies, portable air conditioners, air compressors, some walk-in coolers and freezers and an updated standard for commercial packaged boilers—are essential to achieving the nation's energy goals and helping American families and businesses to continue to save money. Together, these efficiency standards are projected to generate *more than \$11 billion* in net consumer savings while avoiding 25 million metric tons of greenhouse gas emissions over 30 years. During this timeframe, these standards are also projected to reduce energy use by nearly 2.8 quadrillion BTUs, an amount equivalent to powering more than 60 million homes for one year. Unfortunately, despite these many quantifiable benefits, the five standards are being held in limbo, with no reason given.

These efficiency standards are the product of extensive research and consultation by your department. They were developed using a transparent, years-long process that included input from manufacturers, utilities, top research scientists, energy efficiency advocates and the public. As a result, with few exceptions, these new standards enjoy broad support from the affected manufacturers.

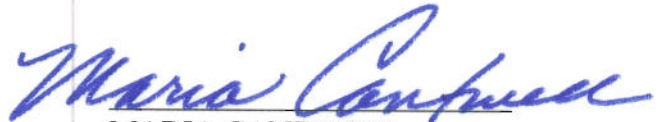
Each of these five rules was approved by DOE's Assistant Secretary for Energy Efficiency and Renewable Energy after an authoritative determination was made that they are technologically feasible, economically justified and would result in significant conservation of energy. Furthermore, the error correction window, which provides DOE and other interested parties an opportunity to identify and correct specific technical errors, has passed. The timeline for issuing and updating standards is established by law. DOE now has a legal obligation to immediately send these rules to the Office of the Federal Register for publication.

Energy efficiency standards spur American innovation, protect American-made products from inferior imports and slash energy bills for American families and businesses—all while improving public health and combating climate change. However, none of these benefits will accrue unless DOE complies with applicable federal law and publishes the rules in the Federal Register. We urge the Department to do so expeditiously.

Sincerely,



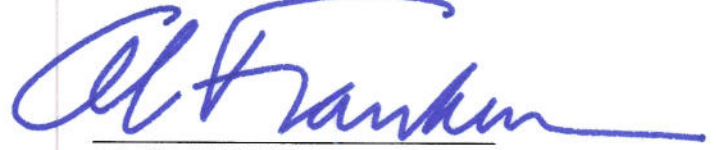
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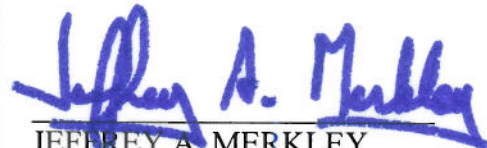
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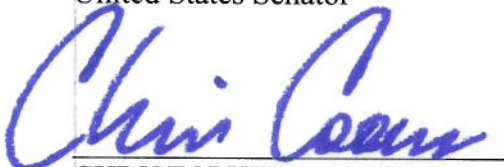
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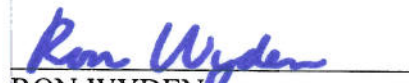
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