

**From:** [Bijit Kundu](#)  
**To:** [Anderson, Mary](#)  
**Subject:** outline  
**Date:** Wednesday, June 07, 2017 2:42:20 PM  
**Attachments:** [image001.png](#)  
[DOE Regulatory Reform RFI Summary 7June2017.docx](#)

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See below for the outline of comments we are starting to look into. This is not totally comprehensive, but a starting point. Feel free to add or modify or follow-up with me. As a note, it sounds like advocates will not be providing extensive comments since they don't know if/how DOE will plan to respond. We can chat more about the advocate call, but I wanted to get this to you.

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### Summary of Key Issues and Potential Comments

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Topic: DOE shall identify regulations that... *(i) Eliminate jobs, or inhibit job creation; (ii) Are outdated, unnecessary, or ineffective; (iii) Impose costs that exceed benefits...*

- **Jobs**
  - Lower utility bills for consumers means larger macroeconomic benefits to the US economy – including creation of jobs
  - Costs are likely much smaller (cite ASAP paper)
  - [Research specific US manufacturers who have increased product lines/market share due to innovations in response to standards – Cree, others]
- **Utility Sector**
  - EE regulations provides the stick to the carrot of incentive programs. Without mandatory regulations, incentive programs can become outdated with limited savings opportunities
  - Advocacy on EE regulations are a significant component in the utilities EE portfolio and the most cost-effective program
  - EE regulations reduce utilities' capital costs by not having to build new power plants to meet increasing demand
  - Peak demand reduction: prevent use of expensive peaker plants
  - Test procedures regulations for incentive programs
  -
- **General Benefits**
  - All DOE efficiency regulations adopted have benefits that far exceed the costs
    - Cite statutory requirement in EPCA
  -
- **Consumer Benefits**
  - Lower utility bills means more spending power
  - EE regulations allows US manufacturers to innovate products to make them better performing and feature-rich – increasing customer satisfaction
  - More efficiency appliances help meet state and local building code regulations which lowers costs for builders and owners
- **Statutory Requirements**
  - Cite EPCA and cost-benefit requirements, periodic review of rules
  - Anti-backsliding provision
- **Rulemaking Enhancements**
  - Support working with states to reduce duplicative reporting burdens
  - Support ASRAC working group efforts as a way to streamline regulations

## References

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- RFI: <https://www.gpo.gov/fdsys/pkg/FR-2017-05-30/pdf/2017-10866.pdf>
- ASAP Jobs Paper: <http://appliance-standards.org/sites/default/files/Appliance-and-Equipment-Efficiency-Standards-Money-Maker-Job-Creator.pdf>
- ASAP Better Appliance Paper: [https://appliance-standards.org/sites/default/files/Better\\_Appliances\\_Report.pdf](https://appliance-standards.org/sites/default/files/Better_Appliances_Report.pdf)
- ASAP Comparing Predicted and Observed Prices: [https://appliance-standards.org/sites/default/files/Appliance\\_Standards\\_Comparing\\_Predicted\\_Expected\\_Prices.pdf](https://appliance-standards.org/sites/default/files/Appliance_Standards_Comparing_Predicted_Expected_Prices.pdf)
- Executive Order 13771: Reducing Regulation and Controlling Regulatory Costs
  - <https://www.gpo.gov/fdsys/pkg/FR-2017-02-03/pdf/2017-02451.pdf>
- Executive Order 13783: Promoting Energy Independence and Economic Growth
  - <https://www.gpo.gov/fdsys/pkg/FR-2017-03-31/pdf/2017-06576.pdf>

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**Department of Energy (DOE)**  
**Request for Information**  
*Draft Summary*  
*June 7, 2017*

*Prepared for CA Investor Owned Utilities by Energy Solutions*

**Schedule of Rulemaking and Effective Date**

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| <i>Milestone</i> | <i>Date</i> |
|------------------|-------------|
| RFI Published    | May 30      |
| Comment Deadline | July 14     |

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## References

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- RFI: <https://www.gpo.gov/fdsys/pkg/FR-2017-05-30/pdf/2017-10866.pdf>
- ASAP Jobs Paper: <http://appliance-standards.org/sites/default/files/Appliance-and-Equipment-Efficiency-Standards-Money-Maker-Job-Creator.pdf>
- ASAP Better Appliance Paper: [https://appliance-standards.org/sites/default/files/Better\\_Appliances\\_Report.pdf](https://appliance-standards.org/sites/default/files/Better_Appliances_Report.pdf)
- ASAP Comparing Predicted and Observed Prices: [https://appliance-standards.org/sites/default/files/Appliance\\_Standards\\_Comparing\\_Predicted\\_Expected\\_Prices.pdf](https://appliance-standards.org/sites/default/files/Appliance_Standards_Comparing_Predicted_Expected_Prices.pdf)
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## DOE Questions for Stakeholder Comment

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*The following list of questions represents a preliminary attempt by DOE to identify rules/obligations on which it should immediately focus. **This non-exhaustive list is meant to assist in the formulation of comments and is not intended to restrict the issues that may be addressed.** In addressing these questions or others, DOE requests that commenters identify with specificity the regulation or reporting requirement at issue, providing legal citation where available. The Department also requests that the submitter provide, in as much detail as possible, an explanation why a regulation or reporting requirement should be modified, streamlined, or repealed, as well as specific suggestions of ways the Department can do so while achieving its regulatory objectives.*

- (1) How can DOE best promote meaningful regulatory cost reduction

while achieving its regulatory objectives, and how can it best identify those rules that might be modified, streamlined, or repealed?

(2) What factors should DOE consider in selecting and prioritizing rules and reporting requirements for reform?

(3) How can DOE best obtain and consider accurate, objective information and data about the costs, burdens, and benefits of existing regulations? Are there existing sources of data DOE can use to evaluate the post-promulgation effects of regulations over time? We invite interested parties to provide data that may be in their possession that documents the costs, burdens, and benefits of existing requirements.

(4) Are there regulations that simply make no sense or have become unnecessary, ineffective, or ill-advised and if so what are they? Are there rules that can simply be repealed without impairing DOE's statutory obligations and, if so, what are they?

(5) Are there rules or reporting requirements that have become outdated and, if so, how can they be modernized to better accomplish their objective?

(6) Are there rules that are still necessary, but have not operated as well as expected such that a modified, or slightly different approach at lower cost is justified?

(7) Are there rules of the Department that unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources?

(8) Does DOE currently collect information that it does not need or use

effectively?

(9) Are there regulations, reporting requirements, or regulatory processes that are unnecessarily complicated or could be streamlined to achieve statutory obligations in more efficient ways?

(10) Are there rules or reporting requirements that have been overtaken by technological developments? Can new technologies be leveraged to modify, streamline, or do away with existing regulatory or reporting requirements?

(11) Does the methodology and data used in analyses supporting DOE's regulations meet the requirements of the Information Quality Act?