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ATTORNEY GENERAL RAOUL FILES LAWSUIT OVER OBSTACLES FOR THE ISSUANCE OF ENERGY EFFICIENCY STANDARDS

Chicago — Attorney General Kwame Raoul, as part of a coalition of 14 attorneys general and the city of New York, [filed a lawsuit](#) in the U.S. Court of Appeals for the 9th Circuit challenging the U.S. Department of Energy's (DOE) revisions to its Process Rule and the difficulties it creates for achieving energy efficiency savings.

"The Department of Energy's rule revisions represent yet another move away from energy efficiency policies at the federal level and will cost consumers millions of dollars a year," Raoul said. "I will continue to oppose federal policies that impede states' work to protect our residents and our environment."

Adopted in 1996, the rule facilitates the DOE in meeting an Energy Policy Conservation Act (EPCA) mandate to create energy conservation standards that benefit the public in a timely manner. The DOE's recent revisions, however, create a number of roadblocks to the adoption of new standards and the review of existing standards. For example, the DOE's revisions impose an unreasonable threshold for energy efficiency savings. The new threshold effectively prohibits the DOE from adopting an efficiency standard that would result in energy savings roughly equal to the energy consumed by 8 million homes for an entire year. In the lawsuit, Raoul and the coalition argue that this threshold is impermissibly high and would result in the unnecessary loss of significant energy savings.

The DOE's long-standing energy efficiency program has successfully achieved substantial economic and environmental benefits, with more than \$2 trillion in projected consumer savings and 2.6 billion tons of avoided climate-change-causing carbon dioxide emissions. The DOE has achieved many of these benefits through rulemaking under the pre-existing Process Rule. The DOE's revisions now threaten that progress. The DOE itself acknowledges that the higher threshold will reduce energy savings and increase emissions of greenhouse gases and other pollutants. Despite this, the DOE unlawfully exempted its action from the environmental review required under the National Environmental Policy Act.

Joining Raoul in filing the lawsuit are the attorneys general of California, Connecticut, the District of Columbia, Massachusetts, Maine, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, Vermont, Washington and the city of New York.