

March 18, 2021

ATTORNEY GENERAL RAOUL SUPPORTS REPEAL OF ENERGY EFFICIENCY ROLLBACKS

Chicago — Attorney General Kwame Raoul, as part of a coalition of 12 attorneys general and the city of New York, today filed a petition for review to support efforts to restore key elements of the federal energy efficiency program that were rolled back in the waning days of the previous administration. The challenge filed by Raoul and the coalition seeks to support the repeal of two “midnight” rules that undermine strong national energy conservation standards for residential gas furnaces and commercial gas water heaters – standards that the federal government itself projects will dramatically cut climate change pollution and save consumers tens of billions of dollars.

The two rules challenged by Raoul and the coalition subvert energy efficiency and climate change goals by “grandfathering” inefficient technologies and designs, and further delay the adoption of updated energy efficiency standards for furnaces and water heaters. The Department of Energy (DOE) has identified the two rules being challenged by the coalition as potentially contrary to the Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Executive Order No. 13990), and thereby, subject to revision, rescission or suspension.

“The existing rules will cost consumers billions of dollars while wasting energy and contributing to climate change, and they should be repealed,” Raoul said. “I will continue to advocate for policies that create energy efficient standards and maximize savings for consumers across Illinois and the country.”

[The coalition is challenging an “interpretive” rule](#) adopted by the DOE that creates a loophole in energy efficiency standards, which allows for the continued sale of energy-inefficient residential gas furnaces and commercial gas water heaters that rely on outdated technologies. Raoul and the coalition also are challenging a rule that withdraws, based on the newly-created loophole, proposed furnace and water heater energy efficiency standards. Both rules had immediate effective dates.

The DOE’s efficiency standards have been highly effective in reducing consumer and industrial energy consumption and costs, as well as environmental impacts associated with operating common household and commercial equipment. The DOE’s long-standing energy efficiency program has resulted in substantial economic and environmental benefits, with more than \$2 trillion in projected consumer savings and 2.6 billion tons of avoided climate change pollution emissions. If the energy efficiency regulations are restored, the DOE projects up to \$30 billion in consumer savings and \$13 billion in cost savings related to the decreased carbon dioxide and other air pollution emissions over 30 years. The DOE also estimates that the standards on commercial water heaters abandoned by the previous administration would save commercial consumers up to \$6.8 billion and reduce climate change pollution emissions by 98 million metric tons over 30 years of sales.

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