

**Administrative Procedures – Final Proposed Rule Coversheet****Instructions:**


In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this final proposed filing will be considered complete upon the submission and acceptance of the following components to the Office of the Secretary of State and to the Legislative Committee on Administrative Rules:

- Final Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- Copy of ICAR acceptance e-mail
- A copy of comments received during the Public Notice and Comment Period.
- Responsiveness Summary (detailing agency’s decisions to reject or adopt suggested changes received as public comment).

All forms submitted to the Office of the Secretary of State, requiring a signature shall be hand signed original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted, no later than 3:30 pm on the last scheduled day of the work week.

**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

**Rule Title: Vermont Appliance Efficiency and Water Conservation Standards**

 \_\_\_\_\_, on 12/12/17  
 (signature) (date)

Printed Name and Title:

June E. Tierney  
 Commissioner

Vermont Department of Public Service

RECEIVED BY: \_\_\_\_\_

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- Clean text of the rule (Amended text without annotation)
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- ICAR Approval received by E-mail.
- Copy of Comments
- Responsiveness Summary

1. TITLE OF RULE FILING:

Vermont Appliance Efficiency and Water Conservation Standards

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

17P-028

3. ADOPTING AGENCY:

Vermont Department of Public Service

4. PRIMARY CONTACT PERSON:

*(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).*

Name: Jeanne Elias

Agency: Vermont Department of Public Service

Mailing Address: 112 State Street Montpelier, Vermont  
05620

Telephone: 802 828 - 4011 Fax: 802 828 - 2382

E-Mail: [jeanne.elias@vermont.gov](mailto:jeanne.elias@vermont.gov)

Web URL *(WHERE THE RULE WILL BE POSTED)*:

[http://publicservice.vermont.gov/energy\\_efficiency](http://publicservice.vermont.gov/energy_efficiency)

5. SECONDARY CONTACT PERSON:

*(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).*

Name: Keith Levenson

Agency: Vermont Department of Public Service

Mailing Address: 112 State Street Montpelier, Vermont  
05620

Telephone: 802 828 - 4072 Fax: 802 828 - 2382

E-Mail: [keith.levenson@vermont.gov](mailto:keith.levenson@vermont.gov)

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

*(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?)*      No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

*(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).*

2017, No. 42 (Adj. Sess.), § 1.

8. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.
9. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.
10. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE NOT RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.
11. THE AGENCY HAS NOT INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.
12. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.
13. **CONCISE SUMMARY (150 WORDS OR LESS):**  
This rule will implement in Vermont, as a matter of state law, the federal appliance efficiency and water conservation standards currently in effect pursuant to 10 C.F.R. Parts 430 and 431 only if and when those federal regulations are repealed or declared void. These federal standards have been in place for over 25 years.
14. **EXPLANATION OF WHY THE RULE IS NECESSARY:**  
If the federal standards were to be repealed, the result would be that Vermont would have no appliance efficiency and water conservation standards. Such standards are necessary to fulfill the goals articulated in 9 V.S.A. § 2792, which include enabling Vermonters to save money on utility bills, saving energy and thus reducing pollution and associated environmental impacts, increasing reliability of the electric grid and contributing positively in numerous ways to the Vermont economy.
15. **LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:**  
When the federal standards were initially enacted over 25 years ago it is likely that they had a financial

impact on manufacturers, retailers and consumers in the form of increased costs. However, since then manufacturers and the market have adjusted to the existence of these standards and have been complying with them. The continuation of these standards pursuant to a Vermont state law-based rule, in lieu of the federal regulation, is unlikely to have any new or additional affect on any people or enterprises.

16. BRIEF SUMMARY OF ECONOMIC IMPACT(150 WORDS OR LESS):

There will be no immediate economic impact of this rule upon adoption. The rule will only become effective in the event of the repeal of existing federal regulations. Should that occur, there will be no new economic impact to individuals or entities subject to the rule, because where compliance imposed a cost pursuant to the federal regulatory scheme, those same costs will be continued under the Vermont rule. Without this rule, while it is possible that lower priced non-compliant products might become available in the marketplace, any reduction in consumer product cost, would likely be offset by increases in electricity costs and the negative health and safety impacts of the associated additional greenhouse gas emissions. Consequently the rule will be cost neutral.

17. A HEARING WAS HELD.

18. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 9/20/2017

Time: 10:00 AM

Street Address: 115 State Street, Room 10 - Montpelier, Vermont

Zip Code: 05633

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19. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

9/29/2017

20. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Appliance Efficiency Standards

Water Conservation Standards

Lighting Efficiency Standards

