

Administrative Procedures – Final Proposed Rule Filing

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 filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

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

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

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:

Vermont Appliance Efficiency Standards

 _____, on Aug 22, 2019
(signature) (date)

Printed Name and Title:

June E. Tierney

Commissioner

Vermont Department of Public Service

RECEIVED BY: _____

- Coversheet
- Adopting Page
- Economic Impact Analysis
- Environmental Impact Analysis
- Strategy for Maximizing Public Input
- 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)
- ICAR Minutes
- Copy of Comments
- Responsiveness Summary

1. TITLE OF RULE FILING:

Vermont Appliance Efficiency Standards

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

19P-039

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: Megan Ludwig

Agency: Vermont Department of Public Service

Mailing Address: 112 State Street, Montpelier, Vermont
05620

Telephone: 802 828 - 4014 Fax: 802 828 - 2382

E-Mail: Megan.Ludwig@vermont.gov

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

<https://publicservice.vermont.gov/content/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

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).

Section 4. of Act No. 139 of 2018, amending 9 V.S.A. § 2795

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

Section 4 of Act 139 of 2018 amends 9 V.S.A. § 2795 to read: The Commissioner [of the Department of Public Service] shall adopt rules establishing minimum efficiency standards for the types of new products set forth in section 2794 of this title.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE NOT RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS NOT INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS NOT INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

This rule sets minimum efficiency standards for the seventeen products found in 9 V.S.A. § 2792 to which the State's efficiency standards under 9 V.S.A. chapter 74 do not currently apply, such as commercial dishwashers, commercial steam cookers, showerheads, water coolers, portable air conditioners, residential ventilating fans, computers and computer monitors.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

Act 139 of 2018 requires the Department to adopt this rule so as to define and incorporate by reference the minimum efficiency standards for seventeen products.

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

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Act 139 of 2018 requires that minimum efficiency standards be adopted for each of the seventeen products listed in the legislation and cites specific existing standards to be adopted for each.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

Department of Public Service, manufacturers of these products, distributors, wholesalers and retail establishments that sell any of these products, Consumers and users of these products.

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

The benefits of these standards include fulfilling the goals articulated in 9. V.S.A. § 2792, which among other things, enable Vermonters to save money on utility bills by saving energy and to reduce economic costs of pollution and associated environmental impacts. This rule further allows Vermonters to realize economic benefits from enhancing the reliability of the electric grid. The possible detriments of this rule include the reduced availability of less expensive (and less efficient) versions of these products and the resulting reduced sales for retailers and wholesalers.

19. A HEARING WAS HELD.

20. 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: 6/13/2019

Time: 10:00 AM

Street Address: Vermont State House Room 11, 115 State Street, Montpelier, VT

Zip Code: 05633

Date:

Time: AM

Street Address:

Final Proposed Coversheet

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

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

6/27/19

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

energy efficiency
water conservation
water savings
appliance standards