



**American Public
Gas Association**



March 1, 2021

Dr. Stephanie Johnson
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
Building Technologies Office, EE-5B
1000 Independence Avenue SW
Washington, DC 20585-0121

Submission via [regulations.gov](https://www.regulations.gov)

Re: The Office of Energy Efficiency and Renewable Energy's Notice of Proposed Determination and Request for Comments for Energy Conservation Standards for Consumer Conventional Cooking Products [Docket Number EERE-2014-BT-STD-0005]

Dear Dr. Johnson:

The American Public Gas Association (APGA) and the American Gas Association (AGA) appreciate the opportunity to provide comments in response to the Department of Energy's (DOE) notice of proposed determination (NOPD) pertaining to energy conservation standards (ECSs) for consumer conventional cooking products, which appeared in the Federal Register on December 14, 2020.¹ Although not appliance manufacturers, our members provide the energy needed to fuel gas-fired consumer conventional cooking products, making natural gas utilities a critical stakeholder in this work.

APGA is the trade association for approximately 1,000 communities across the U.S. that own and operate their retail natural gas distribution entities. They include municipal gas distribution systems, public utility districts, county districts, and other public agencies, all locally accountable to the citizens they serve. Public gas systems focus on providing safe, reliable, and affordable energy to their customers and support their communities by delivering fuel to be used for cooking, clothes drying, and space and water heating, as well as for various commercial and industrial applications.

The American Gas Association, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 76 million residential, commercial and industrial natural gas customers in the U.S., of which 95 percent — more than 72 million customers — receive their gas from AGA members. AGA is an advocate for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies, and industry associates. Today, natural gas meets more than thirty percent of the United States' energy needs.²

¹ 85 Fed. Reg. 80982 (2020).

² For more information, please visit www.aga.org.

Comments

In the NOPD, DOE examined three standards cases – or trial standard levels (TSLs) – for consumer conventional cooking products, which were developed by combining specific efficiency levels for each of the product classes analyzed by DOE. While DOE found that amended ECSs for consumer conventional cooking products are technologically feasible, the agency also concluded that the max-tech efficiency levels (TSL 3) – the only standards case that would result in significant energy savings – were not economically justified. Consequently, DOE tentatively concluded that amended standards are not currently needed.

APGA and AGA note that the determinations in the NOPD are consistent with the requirements of the Process Rule³ regarding the evaluation of significant energy savings. As noted in the NOPD, in determining whether amended standards are needed, DOE must consider whether potential standards would result in significant conservation of energy.⁴ DOE recently defined a significant energy savings threshold in the Process Rule. Specifically, DOE prescribed a two-step approach that considers both a quad threshold value, *i.e.*, for site energy savings calculated over a 30-year period, and a percentage threshold value, *i.e.*, for percentage reduction in energy usage to ascertain whether a potential standard satisfies the requirement of 42 U.S.C. 6295(o)(3)(B) that DOE may not set a standard that “will not result in significant conservation of energy.”⁵ If neither threshold is met, the analysis will end, and DOE will propose to determine that no significant energy savings would likely result from setting new or amended standards.

APGA and AGA support the NOPD’s conclusion that neither the quad nor the percentage thresholds are met for TSL 2 and TSL 1.⁶ Consequently, DOE could not rely on those standards cases to support amendments to the ECSs, as the updated standards would not result in significant conservation of energy, by the definition set by DOE noted above. However, because the NOPD concluded that TSL 3 met both the quad and percentage thresholds required by the Process Rule, DOE proceeded to examine whether that particular standards case was economically justified.

In determining whether an amended standard based on TSL 3 would be economically justified, DOE found that implementing such a standard would result in a negative net present value, a negative industry net present value range, a potential unavailability of certain product types for conventional ovens, and a loss of certain functions that provide utility to customers.⁷ These analyses support DOE’s determination that any potential positive impacts from an amended standard are not outweighed by the estimated negative impacts.⁸ Consequently, APGA and AGA agree with DOE’s determination in the NOPD that a potential amended standard based on TSL 3 is not economically justified.⁹

Because the Energy Policy and Conservation Act (EPCA) requires amendments to ECSs to be technologically feasible, result in significant conservation of energy, and be economically justified, the

³ 85 Fed. Reg. 8626 (Feb. 14, 2020); *see also* 10 CFR part 430, subpart C, appendix A.

⁴ 42 U.S.C. 6295(m)(1)(A) and 42 U.S.C. 6295(n)(2).

⁵ *Id.*

⁶ 85 Fed. Reg. 80982 at 81053.

⁷ *Id.*

⁸ *Id.* at 81054.

⁹ *Id.*

analysis in the NOPD supports DOE's tentative determination that ECSs for consumer conventional cooking products do not need to be amended. APGA and AGA agree with the tentative determinations and support their finalization.

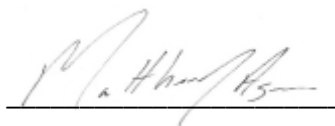
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We thank you for the review and consideration of these comments. If you have any questions regarding this submission, please do not hesitate to contact us.

Respectfully submitted,



Stuart Saulters
Vice President of Government Relations
American Public Gas Association
201 Massachusetts Avenue, NE, Suite C-4
Washington, DC 20002
(202) 544-1334
ssaulters@apga.org



Matthew J. Agen
Assistant General Counsel
American Gas Association
400 North Capitol Street, NW
Washington, DC 20001
(202) 824-7090
magen@aga.org

Cc: Ms Celia Sher (US DOE OGC)