September 21, 2020

The Honorable Jim McGovern  
Chairman  
Committee on Rules  
U.S. House of Representatives  
Washington, D.C. 20215

The Honorable Tom Cole  
Ranking Member  
Committee on Rules  
U.S. House of Representatives  
Washington, D.C. 20215

Dear Chairman McGovern and Ranking Member Cole:

The Air-Conditioning, Heating, and Refrigeration Institute (AHRI) is writing to support the amendment (#75) offered by Representative Debbie Dingell to H.R. 4447, Clean Economy Jobs and Innovation Act, to amend the Energy Policy and Conservation Act (EPCA) to clarify the definitions of residential and commercial water heaters.

The Dingell amendment responds to a final rule issued in November 2016 by the U.S. Department of Energy (DOE) that revised test procedures for commercial water heaters in such a way as to effectively require manufacturers to recategorize commercial water heaters to meet residential efficiency standards. This created regulatory uncertainty and turmoil within the industry and had the potential to leave thousands of commercial water heater customers without access to water heaters that meet their hot water demands.

In response to industry concerns, DOE granted manufacturers a temporary “non-enforcement” policy, but that will expire at the end of 2021. Therefore, a technical amendment to the statutory definitions of water heaters in EPCA is necessary to rectify this reduction in options for commercial consumers. The amendment is narrowly tailored to clarify the definitions of residential and commercial water heaters in EPCA.

America’s water heater manufacturers, who make the most innovative, energy efficient products available in the world today, are grateful to Representative Dingell for offering this much-needed amendment that will provide business certainty to water heater manufacturers, while providing appropriate product choice to their customers. AHRI is happy to support the Dingell amendment to H.R. 4447, the Clean Economy Jobs and Innovation Act.

Sincerely,

[Signature]

Samantha M. Slater  
Senior Vice President, Government Affairs