



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Energy/EPS Improvement Act of 2016: House Energy and Commerce Committee/Subcommittee on Energy and Power January 12th Hearing

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The Subcommittee on Energy and Power of the United States House of Representatives Committee on Energy and Commerce ("Committee") is holding a January 12th hearing entitled "H.R. ____, the EPS Improvement Act of 2016."

The hearing will address legislation that would exempt certain lighting technologies from the definition of "External Power Supplies" ("EPS") including the United States Department of Energy's ("DOE") EPS efficiency standard.

The Committee's Majority Staff in a memorandum states that the Energy Policy Act of 2005 amended the Energy Policy and Conservation Act to among other things, direct DOE to establish energy conservation standards for EPS. Further, Committee staff notes that EPS is generally defined by statute as "an external power supply circuit that is used to convert household electric current into DC current or lower-voltage AC current to operate a consumer product."

DOE is stated to have intended the term to include those products that "convert household electric current into direct current or lower-voltage alternating current to operate a consumer product such as a laptop computer or smartphone." Staff further notes:

... in simpler terms, EPS are generally understood to be devices that connect electronics to plug-loads, such as the detachable cords that provide power to laptops and mobile devices.

As background for the hearing, Committee Majority Staff states in regards to DOE's determination of products covered by the EPS definition:

...For instance, in a 2014 final rule establishing efficiency standards for EPS products, DOE included as a regulated EPS product certain drivers and devices that power solid state lighting products (e.g., light-emitting diodes (LEDs) and organic light-emitting diodes (OLEDs)). DOE made this determination despite the fact that the design and use of LED drivers is distinct from the design and use of EPS. While EPS's use a single stage power conversion, LED drivers utilize a two stage power conversion design. DOE's EPS efficiency standards are based on a single stage design. A standard based on a single stage design is not appropriate for LED drivers. Moreover, the market for LED technologies and related-drivers and devices was not yet established when Congress defined EPS in 2005. The requirements of the DOE final EPS rule go into effect in February 2016.

The issues addressed at the hearing included:

- The original intent of Congress in providing DOE authority to set efficiency standards for EPS technologies;
- The potential impact of the final EPS efficiency standard on certain LED and OLED technologies, manufacturers and consumers;
- The distinction between EPS and LED and OLED drivers and devices; and
- The remedy provided by the EPS Improvement Act of 2016.

The witness at the hearing included:

- Dr. Pekka Hakkarainen, Vice President, Lutron Electronics
- Jennifer Amann, Buildings Program Director, American Council for an Energy-efficient Economy

[Click here to download a copy of the Committee Majority Staff memorandum.](#)