

114TH CONGRESS  
1ST SESSION

# S. 1029

To amend the Energy Policy and Conservation Act to prohibit the Secretary of Energy from prescribing a final rule amending the efficiency standards for residential non-weatherized gas furnaces or mobile home furnaces until an analysis has been completed, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 21, 2015

Mr. HOEVEN (for himself and Mr. ALEXANDER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Energy Policy and Conservation Act to prohibit the Secretary of Energy from prescribing a final rule amending the efficiency standards for residential non-weatherized gas furnaces or mobile home furnaces until an analysis has been completed, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STANDARDS FOR CERTAIN FURNACES.**

4 Section 325(f)(4) of the Energy Policy and Conserva-  
5 tion Act (42 U.S.C. 6295(f)(4)) is amended by adding at  
6 the end the following:

1           “(E) RESTRICTION ON FINAL RULE FOR  
2 RESIDENTIAL NON-WEATHERIZED GAS FUR-  
3 NACES AND MOBILE HOME FURNACES.—

4           “(i) IN GENERAL.—Notwithstanding  
5 any other provision of this Act, the Sec-  
6 retary shall not prescribe a final rule  
7 amending the efficiency standards for resi-  
8 dential non-weatherized gas furnaces or  
9 mobile home furnaces until each of the fol-  
10 lowing has occurred:

11           “(I) The Secretary convenes a  
12 representative advisory group of inter-  
13 ested stakeholders, including the man-  
14 ufacturers, distributors, and contrac-  
15 tors of residential non-weatherized gas  
16 furnaces and mobile home furnaces,  
17 home builders, building owners, en-  
18 ergy efficiency advocates, natural gas  
19 utilities, electric utilities, and con-  
20 sumer groups.

21           “(II) Not later than 1 year after  
22 the date of enactment of this subpara-  
23 graph, the advisory group described in  
24 subclause (I) completes an analysis of  
25 a nationwide requirement of a con-

1 densing furnace efficiency standard  
2 including—

3 “(aa) a complete analysis of  
4 current market trends regarding  
5 the transition of sales from non-  
6 condensing furnaces to con-  
7 densing furnaces;

8 “(bb) the projected net loss  
9 in the industry of the present  
10 value of original equipment man-  
11 ufacturers after adoption of the  
12 standard;

13 “(cc) the projected consumer  
14 payback period and life cycle cost  
15 savings after adoption of the  
16 standard;

17 “(dd) a determination of  
18 whether the standard is economi-  
19 cally justified, based solely on the  
20 definition of energy under section  
21 321); and

22 “(ee) other common eco-  
23 nomic principles.

24 “(III) The advisory group de-  
25 scribed in subclause (I) reviews the

1 analysis and determines whether a na-  
2 tionwide requirement of a condensing  
3 furnace efficiency standard is tech-  
4 nically feasible and economically justi-  
5 fied.

6 “(IV) The final determination of  
7 the advisory group under subclause  
8 (III) is published in the Federal Reg-  
9 ister.

10 “(ii) AMENDED STANDARDS.—If the  
11 advisory group determines under clause  
12 (i)(III) that a nationwide requirement of a  
13 condensing furnace efficiency standard is  
14 not technically feasible and economically  
15 justified, the Secretary shall, not later than  
16 180 days after the date on which the final  
17 determination of the advisory group is pub-  
18 lished in the Federal Register under clause  
19 (i)(IV), establish amended standards  
20 through the negotiated rulemaking proce-  
21 dure provided for under subchapter III of  
22 chapter 5 of title 5, United States Code  
23 (commonly known as the ‘Negotiated Rule-  
24 making Act of 1990’).”

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