

From: Agen, Matthew
Sent: Thu, 27 Feb 2025 20:26:18 +0000
To: Hrkman, Lou (Louis)
Cc: Ealey Cunningham, Allison; bnussdorf@npga.org; Renee Lani; Kurilla, Erin
Subject: [EXTERNAL] Thank you and Follow-up Information
Attachments: Summary of Code Development Matters February 27 2025.pdf, Water Heater Proposed Rule - Joint Stakeholders.pdf, Pending EPCA Litigation and Bans February 27 2025.pdf, Comments of NPGA-APGA-AGA-Rinnai America on EERE-2017-BT-STD-0019.pdf

Mr. Hrkman,

Thank you again for taking the time to meet with us to discuss various regulatory matters. As a follow up to the meeting please find attached the following items:

- *Energy Conservation Program: Energy Conservation Standards for Consumer Water Heaters*, 88 Fed. Reg. 49058 (July 28, 2023), a DOE proposed rule from 2023 ("Proposed Rule"). On Page 11 of the PDF, 88 Fed. Reg. at 49068, there is a group titled Joint Stakeholders. The Proposed Rule, by its own omission, seeks to implement many of their recommendations, which were crafted by Bradford White and Rheem, along with the NRDC and various interest groups. One of the results of these recommendations is that DOE implemented an efficiency standard for gas tankless water heaters that a market participant, Rinnai, could not achieve. It is concerning that two of Rinnai's competitors helped craft a standard which would render Rinnai unable to compete.
- August 28, 2023 Letter of NPGA, APGA, AGA, and Rinnai to the Departments of Energy and Justice regarding the Proposed Rule, which discusses market and competition concerns.
- A summary of DOE's Activities on Code Development Matters.
- A summary of 1) pending court proceedings related to EPCA pre-emption and restriction of natural gas/propane appliances and service, and 2) jurisdictions that have enacted some form of restrictions on gas/propane.

Please let me know if you have any questions.

Thank you,
 Matt

Matthew Agen | Chief Regulatory Counsel, Energy

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The American Gas Association represents more than 200 local energy companies committed to the safe and reliable delivery of clean natural gas to more than 74 million customers throughout the nation.

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