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VIA EMAIL

U.S. Department of Energy  
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RE: Ex Parte Communication, Docket EERE-2012-BT-STD-0022

To whom it may concern,

On September 21, 2014, representatives from PJM, NRECA, and Ogilvy Government Relations (Parties) met with Department of Energy staff concerning the proposed rulemaking referenced in the subject line above pertaining to residential storage water heaters.

In the meeting, Parties expressed concerns over the extraordinary delay in a final rulemaking in this docket, especially given the pending April 2015 deadline, at which point residential electric storage water heaters greater than 55 gallons must use heat pump technology as the primary heating source. Throughout this lengthy rulemaking, a diverse set of stakeholders have largely agreed that the DOE overlooked grid-interactive water heating technology in its final energy conservation standard pertaining to residential water heaters in 2010 (Final Rule) and have worked in concert to develop constructive feedback on how the DOE can address this oversight through a waiver process. These stakeholders, including small business manufacturers, have gone to great lengths to achieve consensus on terms for establishing a waiver for grid interactive water heaters. The primary purpose of this meeting was to identify reasons for such delay and determine the timeline of a rulemaking.

Pertaining to the timeline, DOE staff was able to clarify for the Parties the process of Office of Management and Budget (OMB) review of final rulemakings, indicating that OMB initially screens proposed final rulemakings before determining whether the rulemaking will undergo further, and public, review. Parties suggested that this matter is perhaps in this initial screening phase of the process, as the OMB has not publicly posted this rulemaking to its webpage, but DOE staff could not confirm or deny.

In closing, DOE staff represented the unforeseen complexity of this issue and circumstances that have delayed the issuance of a final ruling on the waiver. The Parties sincerely thank DOE staff the meeting and look forward to a final ruling soon.

Sincerely,



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Attachment: Comments of NRECA, ACEEE, and NRDC on Steffes Corporation Application for Exception to the Office of Hearings and Appeals

Attendees:

<b>Name</b>	<b>Organization</b>
Ashley Armstrong	Department of Energy
Scott Baker	PJM Interconnection
Julie Barkemeyer	NRECA
Dan Cohen	Department of Energy
Keith Dennis	NRECA
Conrad Lass	Ogilvy Government Relations
Jonathan Levy	Department of Energy