



Understanding EISA's Gap (and How to Fill it?)

Claire Miziolek

Technology and Market Solutions Senior Manager

Northeast Energy Efficiency Partnerships

E Source Forum, Thursday 9/27, 10:30am

Northeast Energy Efficiency Partnerships



“Assist the Northeast and Mid-Atlantic region to reduce building sector energy consumption 3% per year and carbon emissions 40% by 2030 (relative to 2001)”

Mission

We seek to accelerate regional collaboration to promote advanced energy efficiency and related solutions in homes, buildings, industry, and communities.

Vision

We envision the region's homes, buildings, and communities transformed into efficient, affordable, low-carbon, resilient places to live, work, and play.

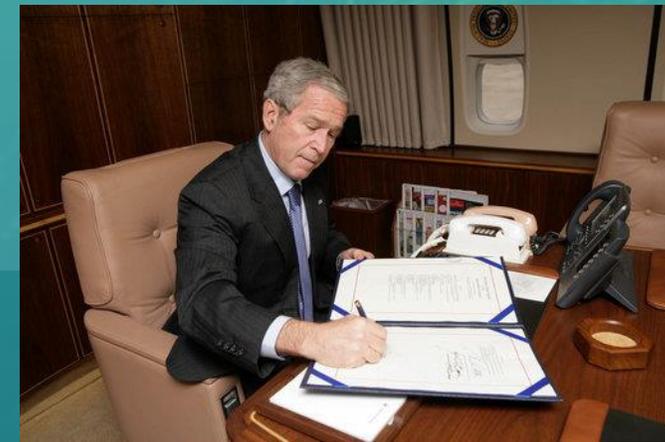
Approach

Drive market transformation regionally by fostering collaboration and innovation, developing tools, and disseminating knowledge



**One of six REEOs funded in-part by U.S. DOE
to support state and local efficiency policies and programs.**

Level Setting: EISA 101



- Energy Independence and Securities Act of 2007
 - Establishes 3 phases of standards for General Service Lighting (GSLs)
- Phase 1
 - Detailed the move the GSL market from incandescent to halogen in 2012-2014
- Phase 2 was less detailed...
 - mandated DOE to do a next phase rulemaking, taking effect 1/2020, that would achieve at least 45 lumens per watt
 - written with a “**backstop**” provision that if DOE failed to complete a rulemaking on track, a “backstop” **45 lumen per watt standard** to take effect 1/1/2020

Technology	Incandescent	Halogen	CFL	LED
Average efficiency (60W equiv)	13 lpw	19lpw	50-65lpw	75-90 (+) lpw

Level Setting: EISA 102

- EISA was designed to establish a roadmap to transform GSL market
 - to halogen by 2014
 - to LED/CFL by 2020
- Backstop was insurance policy to get there
 - Ensure the policy goals would be achieved regardless of present-day politics.
- Now we are “filing a claim” on that insurance policy
 - DOE failed to meet conditions of the law (namely issue final rule by 1/1/2017)



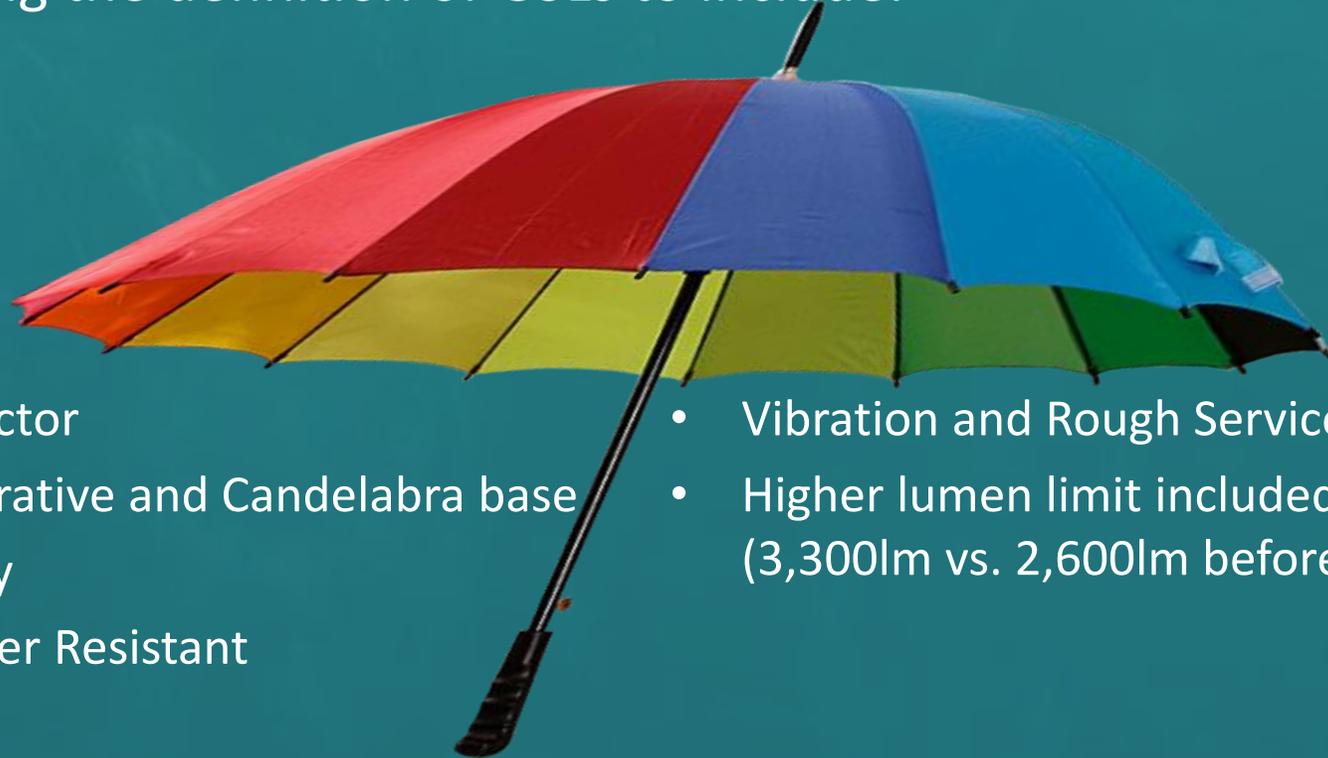
What this *has* meant for programs

- It's been written into law since 2007
 - but until ~2017, programs were expecting DOE to issue a new rule
- Most programs had a blended baseline 2012-2020, then CFL baseline in 2020...
 - Until CFLs started to vanish from ENERGY STAR, programs, and the market ~2017
- While Obama's DOE saw appliance standards as a great vehicle to achieve carbon emissions goals, Trump's DOE not so much...
 - Took office, you guessed it, 2017
- Suddenly, a savings cliff that seemed inevitable starts to look...less so.

Further complication! The scope of coverage changes!



- When written, EISA defined GSLs as primarily A Lamps
- A final push from Obama's DOE (on January 19 **2017**) issued two final rules ([here](#) and [here](#)) revising the definition of GSLs to include:



- Reflector
- Decorative and Candelabra base
- 3-way
- Shatter Resistant
- Vibration and Rough Service
- Higher lumen limit included (3,300lm vs. 2,600lm before)

Starting around 2017, there's something in the air...

Does EISA Apply to all res lighting products?

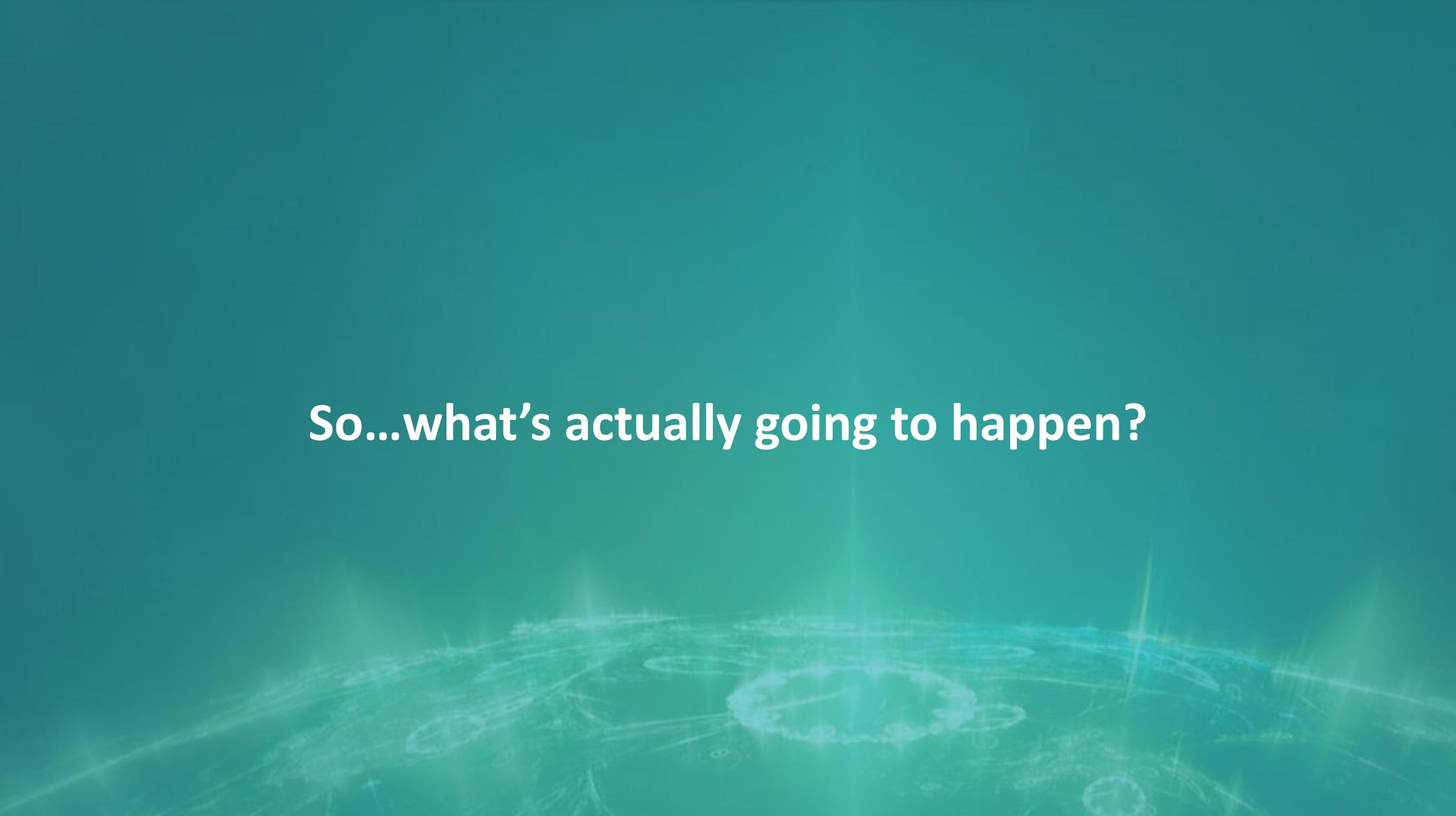
Will Trump's DOE "cancel" EISA?

Uncertainty

Without lightbulbs, how am I going to meet my goals?

Will the DOE still be around in 2020?

So...what's actually going to happen?

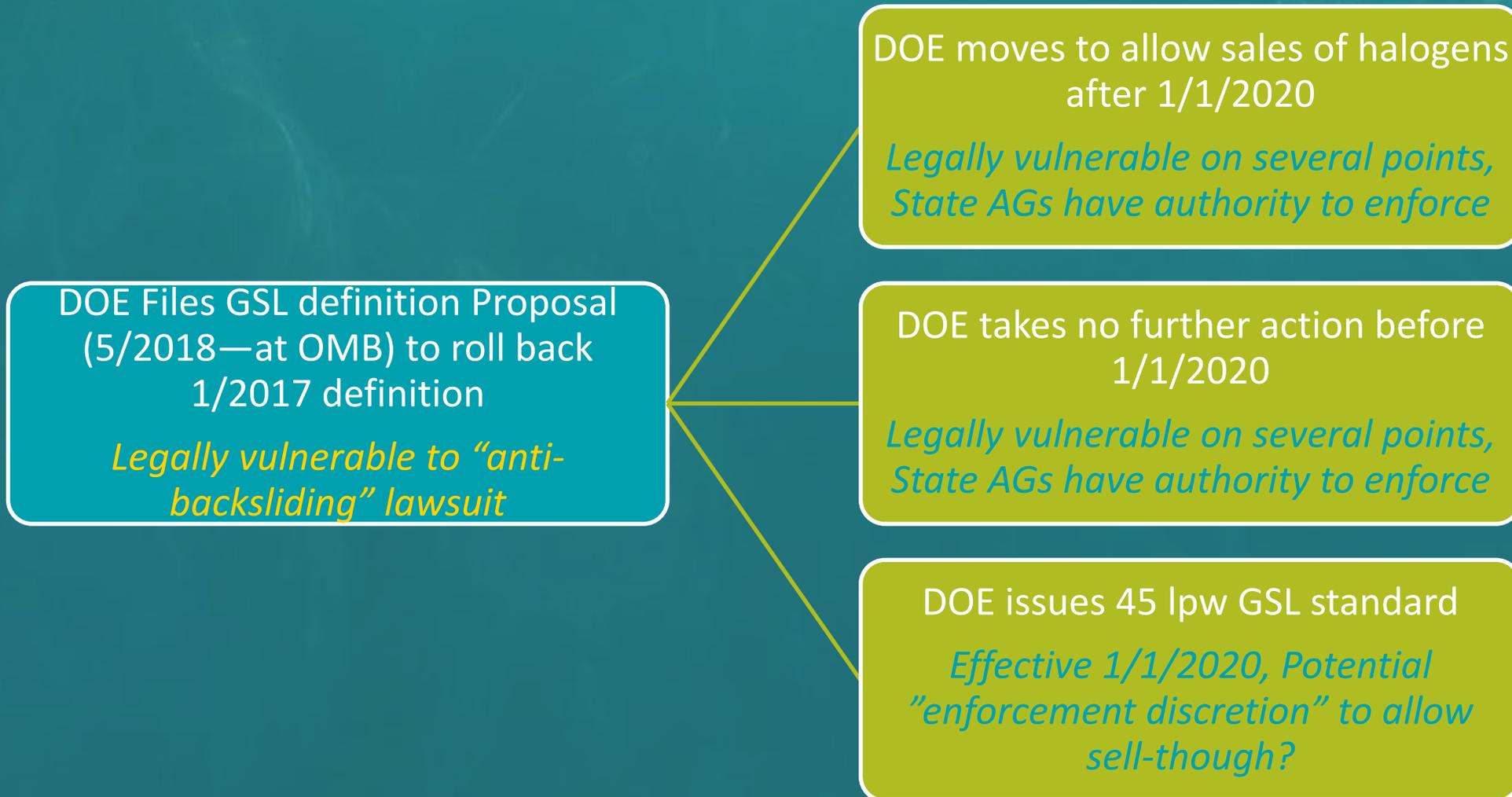
The background is a vibrant teal-green color. In the lower half, there is a glowing, semi-transparent network of lines and circular nodes, suggesting a data visualization or a futuristic interface. The lines are thin and bright, connecting various points. Some nodes are larger and more prominent, while others are smaller. The overall effect is one of a complex, interconnected system.

A few considerations

- EISA is different
 - 2020 backstop is a *sales* prohibition that gives **state governments** the ability to enforce it
 - This mean that **retailers** could be legally vulnerable to lawsuits from **states** if they continue to sell halogens after 1/1/2020, regardless of what DOE does.
- The fate of the EISA GSL backstop will probably be resolved in courts.
- Analyses that do not include consideration of potential legal actions are incomplete. Who may sue:
 - States
 - NGOs
 - NEMA/lighting industry
 - Others??
- I am not a lawyer



DOE's potential courses of action (*and the lawsuits they could potentially trigger*)



Does this mean...

- For decorative and directional lamps, life *might* go on
 - If DOE changes back definition, specialty are subject to different or no standards
 - If DOE keeps definition, there may be some allowable sell through for “new” lamps
- For retail A Lamps, real risk of low (or no?) attribution for incentives paid after 1/1/2020
 - The courts and retailers will decide what’s on store-shelves
 - Halogens might be available on 1/1/2020, but if retailer fines start to accrue, might not be for long...
- Many states are already planning to phase out residential lighting
 - Recent report: VT, RI, CT, MD, PA



Now What?



- Focus on robust, ENERGY STAR residential lighting programs in 2018 and 2019.
- Start engaging regulators today about your needs for tomorrow.
- New EPA research provides some guidance for programs to meeting goals and remain cost-effective:
 - Behavioral programs
 - Midstream programs
 - Heat pump water heater promotion
- ASAP analysis shows there's still a lot of savings to be had
- The Smart Energy Home is a place to start...especially smart water heating!

Don't like the answer...change the test!

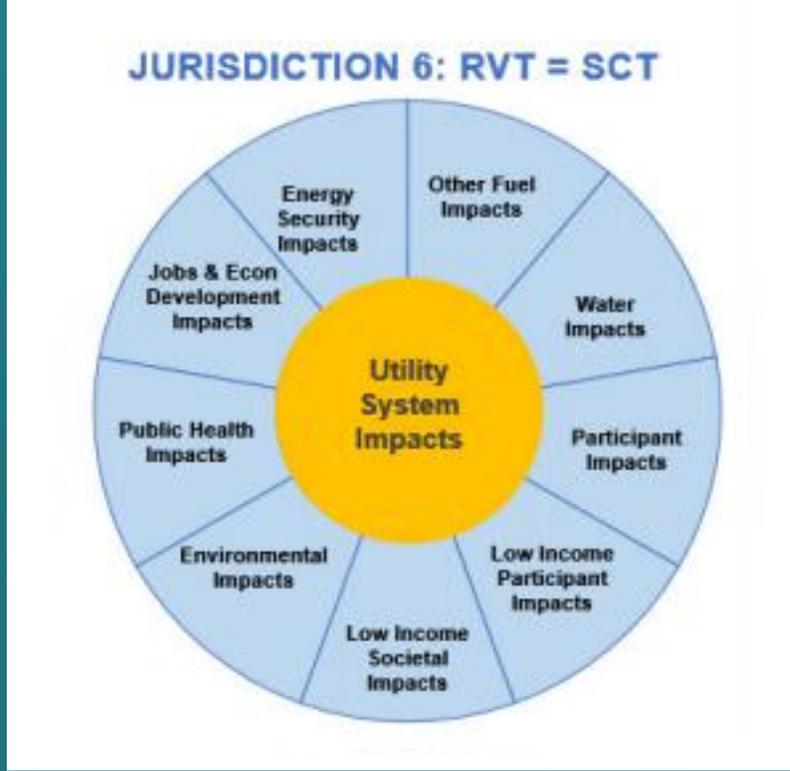
- Movement to revise cost-effectiveness tests, may alter the math of existing programs/measures
 - National Standards Practice Manual (NSPM)

The NSPM Purpose:

1. Define policy-neutral principles for cost-effectiveness tests
2. Provides a framework to develop a primary test
3. Insight on key inputs based on state goals

Core Principles:

- Efficiency as a Resource
- Energy Policy Goals
- Hard-to-Quantify Impacts
- Symmetry
- Forward looking
- Transparency



Standards as vehicle to (claimable) savings?

- The long-term goal of market transformation programs:
 - the market is changed permanently
 - eventually that change is locked into a code or standard
- Several states are working to support state and federal appliance standards and claim attribution from this effort
 - CA IOU's most notably claims **significant** portions of portfolio from state-wide and federal standards
 - Other states are actively considering—working on passing the standards, first!



Resources for more information

- [LBNL Analysis on Impact of EISA Standards](#)
- [ASAP Lightbulb Issue Brief](#)
- [ASAP Report on opportunities from State-level standards](#)
- [NEEP Blog on status of state standards in 2018](#)
- [ASAP Analysis of remaining product efficiency savings potential](#)
- [New EPA research on program savings](#)
- [National Standards Practice Manual](#)
- <https://appliance-standards.org/>
- <http://www.NEEP.org>
- [Jobs Created by Appliance Standards](#)
- [NEEP EISA public webinar slides and recording](#)

You can do it!
Thank you!



Claire Miziolek
cmiziolek@neep.org
781-860-9177 x115

Northeast Energy Efficiency Partnerships (NEEP)
81 Hartwell Avenue Lexington, MA 02421
www.neep.org