

11 States Sue Department of Energy over Inaction on Efficiency Standards

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Eleven states, led by New York Attorney General Eric Schneiderman and California Attorney General Xavier Becerra, and including the city of New York, a Pennsylvania regulator, and three nonprofit groups, have jointly filed suit in federal court to sue the Department of Energy (DOE). The lawsuit seeks to compel implementation of new and updated energy efficiency standards for air compressors, commercial boilers, portable air conditioners, power supplies, and walk-in coolers and freezers.

The rules subject to the lawsuit were finalized in 2016. The coalition argues that federal law required the rules to go effect in March 2017, after the mandatory 45-day error correction review had passed. But in late January, the White House directed agency heads to impose a freeze on new regulations until they had an opportunity to review them, and newly appointed DOE Secretary Rick Perry left the status of the rules in limbo.

According to estimates, the new energy efficiency standards would collectively save U.S. consumers between \$11 to \$12 billion on electricity bills annually, and would reduce greenhouse gas emissions by more than 159 million tons over 30 years.

In the new environment where the federal government is taking an increasingly deregulatory stance, states, municipalities, and NGOs may become increasingly willing to take legal action to compel rulemaking. In April, the same coalition (less Maryland) [brought suit](#) in New York circuit court to compel the DOE to implement ceiling fan efficiency standards, but the DOE relented before the case was heard. DOE confirmed the ceiling fan regulations will go into effect in September 2017.

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