

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2791

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2014

Mrs. SHAHEEN (for herself and Mr. PORTMAN) 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 permit exemptions for external power supplies from certain efficiency standards, 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. SHORT TITLE.**

4        This Act may be cited as the “EPS Service Parts  
5        Act of 2014”.

6        **SEC. 2. EXEMPT SUPPLIES.**

7        Section 325(u) of the Energy Policy and Conserva-  
8        tion Act (42 U.S.C. 6295(u)) is amended by adding at  
9        the end the following:

1 “(5) EXEMPT SUPPLIES.—

2 “(A) FEBRUARY 10, 2014, RULE.—

3 “(i) IN GENERAL.—An external power  
4 supply shall not be subject to the final rule  
5 entitled ‘Energy Conservation Program:  
6 Energy Conservation Standards for Exter-  
7 nal Power Supplies’, published at 79 Fed.  
8 Reg. 7845 (February 10, 2014), if the ex-  
9 ternal power supply—

10 “(I) is manufactured during the  
11 period beginning on February 10,  
12 2016, and ending on February 10,  
13 2020;

14 “(II) is marked in accordance  
15 with the External Power Supply  
16 International Efficiency Marking Pro-  
17 tocol, as in effect on February 10,  
18 2016;

19 “(III) meets, where applicable,  
20 the standards under paragraph  
21 (3)(A), and has been certified to the  
22 Secretary as meeting International  
23 Efficiency Level IV or higher of the  
24 External Power Supply International

1 Efficiency Marking Protocol, as in ef-  
2 fect on February 10, 2016; and

3 “(IV) is made available by the  
4 manufacturer as a service part or a  
5 spare part for an end-use product  
6 that—

7 “(aa) constitutes the pri-  
8 mary load; and

9 “(bb) was manufactured be-  
10 fore February 10, 2016.

11 “(ii) REPORTING.—The Secretary  
12 may require manufacturers of products ex-  
13 empted pursuant to clause (i) to report an-  
14 nual total units shipped as service and  
15 spare parts that are not International Effi-  
16 ciency Level VI or higher.

17 “(iii) LIMITATION OF EXEMPTION.—  
18 The Secretary may issue a rule, after pro-  
19 viding public notice and opportunity for  
20 public comment, to limit the applicability  
21 of the exemption established under clause  
22 (i) if the Secretary determines that the ex-  
23 emption is resulting in a significant reduc-  
24 tion of the energy savings that would oth-

1 otherwise result from the final rule described  
2 in such clause.

3 “(B) AMENDED STANDARDS.—

4 “(i) IN GENERAL.—The Secretary  
5 may exempt an external power supply from  
6 any amended standard under this sub-  
7 section if the external power supply—

8 “(I) is manufactured within four  
9 years of the compliance date of the  
10 amended standard;

11 “(II) complies with applicable  
12 marking requirements adopted by the  
13 Secretary prior to the amendment;

14 “(III) meets the standards that  
15 were in effect prior to the amendment;  
16 and

17 “(IV) is made available by the  
18 manufacturer as a service part or a  
19 spare part for an end-use product  
20 that—

21 “(aa) constitutes the pri-  
22 mary load; and

23 “(bb) was manufactured be-  
24 fore the compliance date of the  
25 amended standard.

1                   “(ii) REPORTING.—The Secretary  
2                   may require manufacturers of a product  
3                   exempted pursuant to clause (i) to report  
4                   annual total units shipped as service and  
5                   spare parts that do not meet the amended  
6                   standard.”.

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