



May 12, 2026

**Re: Support of S202 - An Act Relating to Portable Solar Energy Generation Devices**

Dear Chair Watson and Members of the Committee on Natural Resources and Energy,

Please accept this testimony on behalf of the Appliance Standards Awareness Project (ASAP). We are a project of the American Council for an Energy Efficient Economy (ACEEE) dedicated to advancing cost-effective efficiency standards at both the national and state level. We are writing in support of S202 and to request an amendment.

We would like to express our gratitude for Vermont's leadership in the appliance efficiency space. In 2018, Vermont led a wave of states passing state appliance efficiency standards, prompting other states in the region to take action. Thirteen states in total have adopted appliance efficiency standards in recent years. <sup>1</sup> Vermont also took leadership in enacting federal backstop language in 2017, establishing that any federal standards that were in place as of January 19, 2017 would remain in place in the state if they were eliminated on the federal level.

S202 builds on that leadership by updating Vermont's federal backstop date to ensure that more recent federal standards are protected. Since Vermont first adopted backstop language in 2017, more than 20 additional federal standards have been finalized. S202 ensures that, if federal standards for a product are eliminated, Vermont will maintain the standard that was in place as of January 19, 2025.

S202 protects Vermonters from higher utility bills by backstopping existing federal appliance efficiency standards. Vermont is one of six states that have already adopted federal backstop language, a number that grew this year with Virginia passing legislation to backstop federal standards that were in place as of January 20, 2025.<sup>2</sup> Preserving federal standards in Vermont protects affordability for households and businesses, supports grid reliability during a period of rising electricity demand, and helps ensure that manufacturer investments are not undermined.

However, we request that the Committee amend the bill so that the backstop includes an important standard adopted in 2025 for certain electric motors. The standards for expanded scope electric motors (ESEMs) are among the largest energy-saving standards ever adopted by DOE. The final rule was signed by the responsible DOE official on January 8, 2025 and appeared in the Federal Register Public Inspection Issue on the day after President Trump's inauguration.<sup>3</sup> However, DOE subsequently withdrew the document. Based on legal precedent,<sup>4</sup> the rule is considered final. However, because DOE has yet to officially publish the final rule in the Federal Register, the backstop language needs to be modified to include the ESEMs final rule. Specifically, we suggest the following amendment:

(6) In the rules, the Commissioner shall adopt minimum efficiency and water conservation standards for each product that is subject to a standard under 10 C.F.R. §§ 430 and 431 as those provisions existed on

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<sup>1</sup> California, Colorado, Hawaii, Maine, Maryland, Massachusetts, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington.

<sup>2</sup> The additional states are California, Colorado, Hawaii, New York, Vermont.

<sup>3</sup> See [https://www.energy.gov/sites/default/files/2025-01/esem-ecs-fr.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.energy.gov/sites/default/files/2025-01/esem-ecs-fr.pdf?utm_medium=email&utm_source=govdelivery).

<sup>4</sup> See <https://cases.justia.com/federal/appellate-courts/cadc/20-5291/20-5291-2022-07-22.pdf?ts=1658500290>.



January 19, 2025 and amended in a final rule entitled "Energy Conservation Program: Energy Conservation Standards for Expanded Scope Electric Motors" signed on January 8, 2025, excluding any motor incorporated into a product to which a federal energy conservation standard applies under 10 C.F.R. Parts 430 or 431. The minimum standard and the testing protocol for each product shall be the same as adopted in those sections of the Code of Federal Regulations, except that for faucets, showerheads, and urinals, the minimum standard and testing protocol shall be as otherwise set forth in this section.

By adopting the finalized standard for ESEMs, Vermont can send a clear signal to the market and ensure that the state benefits from the significant energy and utility bill savings this standard provides.

The Air-Conditioning, Heating, and Refrigeration Institute (AHRI) has raised the concern that standards for ESEMs could result in regulation of both motors and the equipment that uses them, in particular for HVACR and water heating equipment. However, our requested language adding the standards for ESEMs specifically excludes motors incorporated into equipment covered by federal standards (by excluding “any motor incorporated into a product to which a federal energy conservation standard applies under 10 C.F.R. Parts 430 or 431”). Therefore, our suggested language addresses this concern.

#### **FEDERAL STANDARDS PROTECT VERMONT CONSUMERS AND BUSINESSES**

For decades, federal appliance efficiency standards have quietly saved consumers billions of dollars while preserving performance and choice. Because of federal appliance standards, Vermont households saved an average of \$6,900 and businesses have collectively saved \$700 million on utility bills over the last decade.<sup>5</sup>

These savings are now at risk. In May 2025, the U.S. Department of Energy proposed to weaken or eliminate 17 existing efficiency standards, and more rollbacks could be proposed in the future. Congress is also currently attacking standards, with legislation that has passed the U.S. House of Representatives that would give the executive branch new powers to repeal existing standards. If DOE were to publish a final rule eliminating an appliance efficiency standard, the federal standard would stop being effective as soon as 60 days after publication.

S202 would allow Vermont to maintain the status quo, preserving the dollar savings consumers and businesses see thanks to federal standards. This bill also protects responsible manufacturers from being undercut by inefficient, low-quality products, including imports already produced for markets without standards, that could quickly flood the market.

Energy efficiency also matters for grid reliability. Without federal standards, electricity consumption in 2025 would have been 17% higher in Vermont, and peak demand in the summer would have been 200 megawatts higher.<sup>6</sup> By reducing peak demand, standards defer costly investments in new power plants and transmission infrastructure, helping keep rates lower.

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<sup>5</sup> See [https://appliance-standards.org/sites/default/files/2026-01/vermont\\_asap\\_state\\_by\\_state\\_2026.pdf](https://appliance-standards.org/sites/default/files/2026-01/vermont_asap_state_by_state_2026.pdf).

<sup>6</sup> See [https://appliance-standards.org/sites/default/files/2026-01/vermont\\_asap\\_state\\_by\\_state\\_2026.pdf](https://appliance-standards.org/sites/default/files/2026-01/vermont_asap_state_by_state_2026.pdf).



We respectfully urge you to support S202 to protect the utility bill and energy savings enabled by federal appliance efficiency standards, and request that you amend the bill to include the standard for expanded scope electric motors.

We would be happy to provide further information, answer questions, or provide any technical assistance that might be needed for the success of this policy.

Sincerely,

Brooke Lockwood, State Policy Associate  
Appliance Standards Awareness Project