

## CALIFORNIA PROPOSES AMENDMENTS TO ENERGY EFFICIENCY RULES FOR COMPUTERS

By Scott Blake Harris and John A. Hodges

The California Energy Commission (CEC) is proposing to amend its important recent computer energy efficiency rules – in order to accommodate an innovative feature. This is consistent with the agency’s pledge to consider amendments for new technologies or features for computers.

### **New Allowance for Graphics Processing Unit**

The amendments would create a new energy allowance for a discrete graphics processing unit (GPU) that is packaged on the same substrate as the central processing unit (CPU). This was not considered by CEC when it conducted its original computer rulemaking.

CEC says that the amendments would ensure that its regulations “do not interfere with new innovations in an industry that is constantly evolving and innovating its products.”

In the rulemaking, CEC will also consider other amendments such as clarifying product coverage and scope of the regulations.

### **CEC Proceedings on Proposal**

CEC will consider the proposed amendments on November 8, 2017. Industry and other interested persons may present statements at the hearing; and they may submit written comments by November 6, 2017. On October 18, 2017, CEC will hold a webinar on its computer regulations.

### **Industry Involvement is Warranted**

Industry should consider weighing in on the proposal. It should also keep in mind CEC’s innovation-friendly pledge as further advances in technology are made.

CEC’s action is less than a year after the agency adopted its original regulations for computers. This should give hope to manufacturers developing energy-consumptive features that are not already satisfactorily addressed within the scope of the regulations. Industry may petition CEC to request a rulemaking to that end. It also bears emphasis that anyone can file a petition; so industry must be vigilant.

Industry involvement is warranted in light of the importance of CEC’s computer regulations. They are the first mandatory efficiency standards for computers in the United States and could well become de facto national and even global standards. They are backed by CEC’s stringent sanctions regime, which includes civil penalties of up to \$2,500 per unit. The U.S. Department of

Energy (DOE) could preempt the CEC standards by adopting its own standards for these products.

But that is something the current Administration may not wish to do. In the meantime, CEC will hold the whip hand.

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