

June 21, 2022

The Honorable Joe Manchin  
Chairman  
Energy & Natural Resources Committee  
U.S. Senate  
Washington, D.C. 20510

The Honorable Frank Pallone  
Chairman  
Energy & Commerce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable John Barrasso  
Ranking Member  
Energy & Natural Resources Committee  
U.S. Senate  
Washington, D.C. 20510

The Honorable Cathy McMorris Rodgers  
Ranking Member  
Energy & Commerce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Manchin, Chairman Pallone, Ranking Member Barrasso, and Ranking Member McMorris Rodgers:

We, the undersigned Officers and Directors of the Air-Conditioning, Heating, and Refrigeration Institute are writing to support legislation (H.R. 7962/S. 4061) to amend the Energy Policy and Conservation Act (EPCA) to clarify the definitions of residential and commercial water heaters.

The water heater definition legislation corrects an error in a final test procedure rule issued in November 2016 by the U.S. Department of Energy (DOE) for commercial water heaters that required manufacturers to rate certain commercial water heaters using residential water heater efficiency standards. This created turmoil within the industry and resulted in property and small business owners spending resources to find alternative solutions because the commercial water heating equipment that fit their needs was no longer available. In response to industry and business consumer concerns, DOE granted a temporary reprieve through a “non-enforcement” policy, which expired at the end of 2021.

To permanently correct this error, a technical amendment to the statutory definitions of water heaters in EPCA is necessary. This technical amendment is narrowly tailored to clarify by statute the definitions of residential and commercial water heaters in EPCA.

Leading manufacturers of air conditioning, heating, commercial refrigeration, and water heating equipment, who make the most innovative, energy efficient products available in the world today, are grateful to Senators Stabenow and Blackburn, and Representatives Dingell and Walberg for introducing this much-needed technical amendment that will realign the legal definitions of commercial and residential water heating equipment enable more appropriate product choices for small businesses and provide business certainty for water heater manufacturers. We stand ready to aid the Senate Energy and Natural Resources Committee and

the House Energy and Commerce Committee leadership in whatever manner you deem most beneficial to help ensure water heater definition legislation is enacted at the earliest possible opportunity.

Sincerely,



Stephen R. Yurek  
President and CEO  
Air-Conditioning, Heating, and  
Refrigeration Institute



Keith Coursin  
President  
Desert Aire LLC



Kevin J. Wheeler  
President & CEO  
A.O. Smith



Brent A. Schroeder  
Group President – Heating & Air  
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Kevin Beckett  
President & CEO  
R.W. Beckett Corp.



Gary S. Bedard  
EVP, President/COO Refrigeration  
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R. Bruce Carnevale  
President & CEO  
Bradford White Corporation



Ron Duncan  
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Magic Aire



Christopher Drew  
President and COO  
Burnham Holdings, Inc.



Megan Fellingner  
President & CEO  
Morrison Products



Chris Peel  
President & CEO  
Rheem Manufacturing Co.



John Swann  
President  
SPX Corporation