

113TH CONGRESS  
2D SESSION

# H. R. 5057

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2014

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “EPS Service Parts  
3 Act of 2014”.

4 **SEC. 2. EXEMPT SUPPLIES.**

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

8 “(5) EXEMPT SUPPLIES.—

9 “(A) FEBRUARY 10, 2014, RULE.—

10 “(i) IN GENERAL.—An external power  
11 supply shall not be subject to the final rule  
12 entitled ‘Energy Conservation Program:  
13 Energy Conservation Standards for Exter-  
14 nal Power Supplies’, published at 79 Fed.  
15 Reg. 7845 (February 10, 2014), if the ex-  
16 ternal power supply—

17 “(I) is manufactured during the  
18 period beginning on February 10,  
19 2016, and ending on February 10,  
20 2020;

21 “(II) is marked in accordance  
22 with the External Power Supply  
23 International Efficiency Marking Pro-  
24 tocol, as in effect on February 10,  
25 2016;

1 “(III) meets, where applicable,  
2 the standards under paragraph  
3 (3)(A), and has been certified to the  
4 Secretary as meeting International  
5 Efficiency Level IV or higher of the  
6 External Power Supply International  
7 Efficiency Marking Protocol, as in ef-  
8 fect on February 10, 2016; and

9 “(IV) is made available by the  
10 manufacturer as a service part or a  
11 spare part for an end-use product  
12 that—

13 “(aa) constitutes the pri-  
14 mary load; and

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

17 “(ii) REPORTING.—The Secretary  
18 may require manufacturers of products ex-  
19 empted pursuant to clause (i) to report an-  
20 nual total units shipped as service and  
21 spare parts that fall below International  
22 Efficiency Level VI.

23 “(iii) LIMITATION OF EXEMPTION.—  
24 The Secretary may issue a rule, after pro-  
25 viding public notice and opportunity for

1 public comment, to limit the applicability  
2 of the exemption established under clause  
3 (i) if the Secretary determines that the ex-  
4 emption is resulting in a significant reduc-  
5 tion of the energy savings that would oth-  
6 erwise result from the final rule described  
7 in such clause.

8 “(B) AMENDED STANDARDS.—

9 “(i) IN GENERAL.—The Secretary  
10 may exempt an external power supply from  
11 any amended standard under this sub-  
12 section if the external power supply—

13 “(I) is manufactured within four  
14 years of the compliance date of the  
15 amended standard;

16 “(II) complies with applicable  
17 marking requirements adopted by the  
18 Secretary prior to the amendment;

19 “(III) meets the standards that  
20 were in effect prior to the amendment;  
21 and

22 “(IV) is made available by the  
23 manufacturer as a service part or a  
24 spare part for an end-use product  
25 that—

1                   “(aa) constitutes the pri-  
2                   mary load; and

3                   “(bb) was manufactured be-  
4                   fore the compliance date of the  
5                   amended standard.

6                   “(ii) REPORTING.—The Secretary  
7                   may require manufacturers of a product  
8                   exempted pursuant to clause (i) to report  
9                   annual total units shipped as service and  
10                  spare parts that do not meet the amended  
11                  standard.”.

Passed the House of Representatives September 11,  
2014.

Attest:

KAREN L. HAAS,  
*Clerk.*