

Testimony: House Bill (HB) 7884
Federal Backstop Language Relating to Public Utilities and Carriers

Committee: House Corporations Committee

Date: March 19, 2026

Position: **Oppose**

Chair Solomon, Vice-Chairs O’Brien and Caldwell and Members of the House Corporations Committee:

I serve as Senior Director of State Government Affairs for the Air Conditioning, Heating, and Refrigeration Institute (AHRI). I respectfully submit this testimony on behalf of AHRI in opposition to Rhode Island **HB 7884**—*Federal Backstop Language* which would lock in a federal baseline standard relating to energy or water conservation standards issued or approved for publication by the office of the United States Secretary of Energy as of January 19, 2025.

AHRI represents more than 330 manufacturers of heating, ventilation, air conditioning, commercial refrigeration (HVACR) and water heating equipment. It is an internationally recognized advocate for the HVACR and water heating industry and certifies the performance of many of the products manufactured by its members. In North America, the annual economic activity resulting from the HVACR and water heating industry is more than \$211 billion. In the United States alone, AHRI member companies, along with distributors, contractors, and technicians employ more than 700,000 people. In Rhode Island, the HVACR and water heating industry supports more than 1,700 jobs and contributes more than \$541 million in economic activity.

HB 7884 would require the state to default to the last federal energy and water efficiency standards in effect as of January 19, 2025, if the federal government later withdraws, repeals, or otherwise voids those standards for products covered under the Energy Policy and Conservation Act (EPCA).

Congress designed EPCA to establish a uniform national framework for regulating energy conservation standards and test procedures for HVACR and water heating equipment, to specifically avoid a patchwork of differing state requirements that would increase costs and complexity for manufacturers and consumers. Therefore, EPCA provides express preemption to ensure that manufacturers can comply with a single, nationwide set of requirements rather than a patchwork of conflicting state mandates.

Under EPCA’s preemption provisions, state regulations “concerning” the “energy efficiency” or “energy use” of covered products “shall [not] be effective.” 42 U.S.C. § 6297 (c). State testing or labeling requirements inconsistent with EPCA are also preempted under 42 U.S.C. § 6297(a).

HB 7884 would establish energy conservation standards that differ from the “withdrawn,” “repealed,” or “otherwise voided” federal energy conservation standards and “permit the adoption of additional test methods or alternative methods adopted by another state in violation of EPCA’s federal preemption provisions”.

An exception to the federal preemption provision is for a state to formally petition DOE and receive a waiver. Under EPCA, any state may file a petition with the Secretary of the DOE requesting a waiver of federal preemption for a state regulation with “respect to energy use, energy efficiency, or water use for any type (or class) of covered product for which there is a federal energy conservation standard.” 42 U.S.C. § 6297 (d).

As of today, Rhode Island has not petitioned the DOE for a waiver of federal preemption to EPCA. Accordingly, HB 7884 may be at risk of contravening EPCA’s federal preemption if enacted and subsequently enforced following the potential removal of existing energy conservation standards for EPCA-covered products by the DOE.

Conclusion

EPCA explicitly preempts states from adopting or enforcing standards that differ from federal requirements for covered products, unless DOE grants a waiver. By attempting to lock in prior federal standards at the state level, HB 7884 would effectively create a separate state regulatory regime, raising significant preemption concerns and potentially conflicting with the federal framework designed to ensure nationwide consistency.

We appreciate your consideration of AHRI’s opposition to HB 7884 and urge you to oppose HB 7884. I would be happy to schedule a meeting to discuss this further at your convenience.

Sincerely,



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cc: House Committee on Corporations