

February 22, 2023

The Honorable Jennifer M. Granholm  
Secretary  
U.S. Department of Energy  
1000 Independence Ave., SW  
Washington DC 20585

Dear Secretary Granholm,

On February 1st, the Department of Energy's Office of Energy Efficiency & Renewable Energy published a supplemental notice of proposed rulemaking on Energy Conservation Standards for Consumer Conventional Cooking Products ("Proposed Rule"). Since then there have been conflicting messages from the administration about the rule's effect on consumer cooking tops, specifically gas cooking tops. During a recent hearing in the Senate Committee on Energy and Natural Resources, a discussion between myself and Assistant Secretary Andrew Light led to even further confusion.

Assistant Secretary Light stated in response to my question on the matter that President Biden's position is not to ban gas stoves. Yet the Department clearly states in the Proposed Rule on page 6857, Vol. 88, No. 21 of the Federal Register, Table IV.30, that only 4% of the current market share meet the extremely high new proposed standard. This means that, according to the Department's own analysis published in the Proposed Rule, that 96% of existing gas cooking tops would be banned from future manufacturing and sales. Obviously, this contradicts President Biden's position as stated in the hearing by an assistant secretary of the Department that issued the rule.

Further, only one of the gas stove tops and none of the gas ranges tested by the Department met the proposed standards, as demonstrated in Table 5.5.6 on page 5-33 of the Technical Support Document. However, in numerous instances before and after the hearing, Department officials have stated that approximately 50% of existing stoves meet the standard, yet nowhere in the current Proposed Rule published on February 1<sup>st</sup> or the accompanying Technical Support Document can this number be located.

Additionally, immediately after the hearing and making for a suspicious coincidence, the Department released a new "Notification of Data Availability" which outlines different data not previously supplied by the Department, that seemingly contradicts the data supplied in the official Proposed Rule. This has led to greater confusion among lawmakers, manufacturers, and consumers. It is extremely important, as I stated during the hearing, that the public understands the effect of the Proposed Rule so they are both able to make official comments and prepare for what could be a substantial reduction in gas cooking appliances available to consumers.

STEVE DAINES  
MONTANA

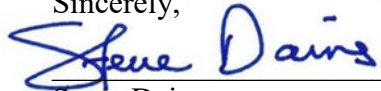
320 HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-2651

## United States Senate

COMMITTEES  
BANKING  
ENERGY AND NATURAL  
RESOURCES  
FINANCE  
INDIAN AFFAIRS

When there are differing and conflicting data points and when statements during multiple congressional hearings are not being answered effectively, then it is incumbent on the Department to clarify these issues for congressional members and alert consumers and manufacturers of the real impacts of a proposed rule. In addition, since my questioning of Assistant Secretary Light ended with a commitment to brief my staff on the effects of the Proposed Rule and given the obvious mixed messages from the administration on this matter, which has led to substantial confusion among the legislative branch, I am requesting the Department brief the members and staff of the Committee before the closing of the comment period so that we are fully aware of the impacts of the Proposed Rule before it is finalized.

Sincerely,



Steve Daines  
United States Senator