

## California Adopts Efficiency Rules for Computer Innovation

By Scott Blake Harris and John A. Hodges

The California Energy Commission (CEC) has amended its 2016 computer energy efficiency rules to accommodate an innovative feature. This unanimous action, taken on November 8, 2017, demonstrates the agency's willingness to adjust its rules to take product advances into account. This decision to accommodate innovation provides an important precedent not only for computers but also for other products.

### New Energy Allowance for Discrete Graphics Processing Unit

The amendments create an energy allowance for a discrete graphics processing unit (GPU) packaged on the same substrate as the central processing unit (CPU). According to CEC, the amendments ensure that its regulations "do not interfere with new innovations in an industry that is constantly evolving and innovating its products." The agency also says that the amendments ensure that California residents have access to this GPU while maintaining the energy savings expected from its 2016 computer rules.

CEC also adopted amendments clarifying product coverage and scope of the regulations.

### A Harbinger for Future Advances

The amendments have potentially broad implications for other innovations.

They make good on the agency's pledge to consider adjustments for new technologies or features for computers. Also, CEC's relatively quick action is good news for manufacturers seeking similar relief. (Anyone may petition CEC to request a rulemaking to amend a CEC standard.)

Beyond that, CEC's GPU amendments provide a precedent for innovations in other products. Indeed, they could potentially be cited not only for products in CEC's jurisdiction but also for those in the jurisdiction of the U.S. Department of Energy.

### Conclusion

CEC's computer rules are influential. They are the first mandatory efficiency standards for computers in the United States – and could become de facto national and global standards. Hence, any amendments warrant attention. The GPU adjustment by this important agency is a powerful signal that energy efficiency regulators can – and should – flexibly accommodate, rather than stifle, innovation.

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