

**CLIENT ADVISORY: DOE REQUESTS INFORMATION ABOUT
SMART APPLIANCES AND EQUIPMENT**

Scott Harris, Stephanie Weiner, Sam Walsh, and John Hodges

On September 17, 2018, the Department of Energy (DOE) published a [Request for Information](#) (RFI) about the market for smart appliances and commercial equipment, including information about energy efficiency issues arising from products that incorporate connected technologies. Comments on the RFI are due November 16, 2018.

Under the Energy Policy and Conservation Act, DOE has a continuing obligation to establish and update energy efficiency standards for a wide range of appliances and commercial equipment imported and sold in the United States. See 42 U.S.C. §§ 6291-6317. In the RFI, DOE recognizes that many manufacturers are developing smart appliances that include innovative new features, such as: Wi-Fi connectivity; remote access; full-color touch screens; and video capabilities. DOE is seeking data and information about (1) the market for such smart or connected products, (2) the impact of smart features on energy consumption, and (3) the potential privacy and security risks those features present. In particular, the RFI asks whether and, if so, how energy used for network connectivity should be measured for purposes of DOE's energy efficiency standards.

DOE's stated intent for the RFI is to ensure that it does not inadvertently impede such new tech innovations through its standards and test procedure processes. Thus, we expect that information gathered will assist DOE in fulfilling its statutory responsibility to set and update energy efficiency standards for covered appliances and equipment going forward. As a result, this RFI presents an important opportunity for manufacturers and other stakeholders to educate DOE about such new features and how DOE can encourage such innovation while meeting its statutory obligations.

* * * *

If you have further questions and are a Harris, Wiltshire & Grannis client, please contact [Scott Harris](#), [Stephanie Weiner](#), [Sam Walsh](#), [John Hodges](#), or the HWG lawyer with whom you regularly work.

This client advisory is not intended to convey legal advice. It is circulated to our clients as a convenience and is not intended to reflect or create an attorney-client relationship as to its subject matter.