



#### PRACTICE CONTACTS

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## ENERGY EFFICIENCY

As part of the firm's multi-faceted energy practice, Van Ness Feldman represents a number of product manufacturers, trade associations, and other clients on policy, regulatory, compliance, enforcement and litigation matters related to energy efficiency.

Van Ness Feldman's attorneys have had substantial experience in private practice and in government service on energy efficiency matters including Department of Energy test procedures and efficiency standards for covered products under the Energy Policy and Conservation Act (EPCA), the Federal Trade Commission's related requirements concerning efficiency labeling under EPCA, and the Energy Star labeling program.

Representative matters include:

- **Policy and Government Relations.** Van Ness Feldman assists clients with legislative drafting, advocacy before government officials, and strategic advice on influencing Congressional and Executive Branch on energy efficiency policy.
- **Department of Energy Rulemakings.** The firm assists clients in digesting complex regulatory proposals on efficiency standards and test procedures, preparing written comments on proposed rules and advocating before agency officials.
- **Litigation.** The firm represented Hussmann Corporation in court of appeals litigation concerning a new DOE rule on efficiency standards for walk-in coolers and freezers. The litigation resulted in settlement that vacated the standards challenged by Hussmann.
- **Exception Relief.** Van Ness Feldman represented Philips Lighting Company in successfully obtaining exception relief from DOE's Office of Hearings and Appeals concerning energy efficiency standards for certain fluorescent lamps based on shortages of rare earth phosphors needed to manufacture high efficiency lamps.
- **Test Procedure Waivers.** The firm has assisted Mitsubishi Electric in obtaining a number of test procedure waivers for sophisticated variable refrigerant flow air conditioning and heat pump products that could not practicably be tested under the generic DOE test procedures.
- **Test Procedure Interpretation.** Van Ness Feldman has assisted an appliance manufacturer in seeking interpretations of ambiguous DOE test procedures.
- **Enforcement.** The firm has counseled a number of manufacturers and importers of covered products on DOE enforcement actions. We have assisted clients in responding to enforcement-related notices and subpoenas from DOE's enforcement staff, and in negotiating settlements of enforcement actions.
- **Labeling.** Van Ness Feldman has counseled clients on compliance issues associated with Energy Guide and Energy Star labeling of products.
- **Energy Star Standards.** The firm has assisted clients including a building products trade group and an HVAC product manufacturer in advocating before EPA on revised Energy Star standards.
- **Compliance Counseling.** The firm has counseled a number of clients on EPCA and Energy Star compliance matters concerning a wide range of products.

