



# State of New Mexico

*Office of the Governor*

**Bill Richardson**  
*Governor*

**Immediate Release**  
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**Governor Bill Richardson's DOE Action Upheld**  
**By U. S. Court of Appeals Second Circuit In New York**  
**Action Will Save American Consumers 21 Billion Dollars in Energy**  
**Costs**  
**from 2006 to 2030**

Santa Fe: Administration and industry efforts to roll back air conditioner standards were themselves rolled back today when a federal court ruled that the Department Of Energy violated the law by weakening efficiency rules made final during the Clinton administration, rules proposed and implemented by then United States Energy Secretary Bill Richardson. This is the first court decision to directly reverse a Bush administration rollback of a Clinton administration environmental rule.

“This is a great victory for American consumers who will save over 20 billion dollars in energy costs over the next 26 years,” New Mexico Governor Bill Richardson said. “This court ruling vindicates my actions as Secretary to cut energy costs for consumers and to dramatically decrease pollution,” Richardson said.

The U.S. Court of Appeals issued the ruling for the Second Circuit here in New York following a suit filed in June 2001 by NRDC (Natural Resources Defense Council). Co-petitioners include New York State Attorney General Eliot Spitzer, nine other states, consumer groups, and state utility regulators.

Ralph Cavanagh, Energy Program Director for the NRDC and former member of the Secretary of Energy Advisory Board said, "This efficiency standard ranks among the most productive regulatory efforts to promote the nation's environmental and economic health, and its restoration is long overdue," said Ralph Cavanagh, Energy Program Director for the Natural Resources Defense Council. "By our calculation, it will avoid the need for more than 40 average-sized power plants by 2020 and save consumers more than a billion dollars. Particular congratulations are due to Governor Bill Richardson, whose vision and leadership drove the decision that the federal courts upheld today."

"This is a big victory for clean air and common sense," said David Goldstein, Ph.D., co-director of NRDC's energy program and a recent recipient of a MacArthur "genius" award for his work on appliance efficiency standards. "The administration's plan to weaken air conditioner standards would have increased electricity needs on hot summer days when blackouts are most likely and air pollution is the worst."

"Under federal law, DOE can't decrease an efficiency standard," said NRDC senior attorney Katherine Kennedy. "So DOE tried to argue that by moving to a lower standard it was actually increasing efficiency. Fortunately, the Court rejected this 'less is more' 'Big Brother defense.'" The American Council for an Energy Efficiency Economy calculates that today's ruling, by reinstating the Clinton administration's SEER 13 air conditioner efficiency level instead of upholding the Bush administration's SEER 12 level will:

- Reduce expected peak electric demand in the United States by 14,500 megawatts (MW) by 2020. That decrease will avoid the need to construct 48 average-sized (300 MW) fossil fuel power plants;
- Decrease total annual electricity consumption by U.S. households from expected levels by 12.6 billion kilowatt hours by 2020, equivalent to the total annual power used by 1.2 million households;
- Save U.S. consumers \$21 billion more in cumulative energy bill savings over the period from 2006 to 2030; and
- Avoid the emission of another 51 million metric tons of carbon (the equivalent of taking 34 million cars off the road for one year).