

What Happened to the High Efficiency Furnace Rules?

For the past year or so, we have been alerting our customers that on May 1, 2013, it would no longer be legal to install furnaces with an AFUE rating below 90%. We've been encouraging our customers who needed to replace their furnaces to do so before that deadline, because installing the higher efficiency furnace would be much more expensive. Now, the May 1, 2013 deadline has been changed—in fact, the new furnace rules may be rewritten altogether as the result of a lawsuit filed against the federal government. We were following the law when we told our customers about the upcoming 2013 deadline, but now it looks like the federal government is going to change that law.

Why Did That Change?

In October 2011 the Department of Energy (DOE) finalized new rules with standards for residential furnaces that would have required all furnaces installed in 30 northern states to have a minimum AFUE of 90% starting on May 1, 2013. In December 2011, the DOE was sued over those rules. The lawsuit dragged on until January 2013, when the DOE and the group that sued them proposed to settle the lawsuit by throwing out the rules and restarting the process to create new rules. This proposed agreement was sent to the Court, which has yet to accept or decline the agreement.

On May 1, the Court granted an emergency motion to suspend the rules and prevent them from being enforced until the lawsuit was settled. If the pending settlement agreement is accepted then the rules are officially withdrawn. This means that we can install furnaces with an AFUE below 90% in all states after the May 1, 2013, compliance date without us or our customers facing any penalties. This means that we can install furnaces with an AFUE under 90% in homes after that date, without us or our customers facing any penalties.

We're Sorry About the Confusion!

When we encouraged our customers to replace their furnaces before May 1, 2013, we were acting in good faith to try and save them a lot of money, based on a rule that had been on the books since 2011. When we encouraged our customers to replace their furnaces before May 1, 2013, we were acting in good faith to try and save them a lot of money, based on a rule that had been on the books since 2011. Until the Court directed the DOE not to enforce the rules pending the outcome of the lawsuit, we had no choice but to work under the assumption that the new rules would go into effect, and our company—and our customers—could face penalties if we did not follow them.

As a professional contractor, our goal is to provide you with the best possible products and services at the best possible value. Unfortunately, we don't have any control over what standards the DOE puts into place, how they will enforce those standards, or when and how the Court will rule on a possible settlement.

We are sorry for any confusion this may have caused!

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