

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF ENERGY

### 10 CFR Part 430

[EERE-2019-BT-STD-0018]

RIN 1904-AE12

### Energy Conservation Program: Energy Conservation Standards for Distribution Transformers; Extension of Public Comment Period

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of proposed rulemaking; extension of public comment period.

**SUMMARY:** On January 11, 2023, the U.S. Department of Energy (“DOE”) published a notice of proposed rulemaking and announcement of public meeting (“NOPR”) proposing amended energy conservation standards for distribution transformers, and also to announce a public meeting to receive comment on the proposed standards and associated analyses and results. The notice provided an opportunity for submitting written comments, data, and information by March 13, 2023. DOE received a request from Cleveland-Cliffs, Inc.; a joint request from the American Public Power Association (APPA), Edison Electric Institute (EEL) and the National Rural Electric Cooperative Association (NRECA); and a request from the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) to extend the written comment period. DOE has reviewed these requests and is granting an extension of the comment period for 14 days to allow public comments to be submitted until March 27, 2023.

**DATES:** The comment period for the NOPR published on January 11, 2023 (88 FR 1722) is extended. DOE will accept comments, data, and information regarding this NOPR received no later than March 27, 2023.

**ADDRESSES:** Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at

[www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE-2019-BT-STD-0018, by any of the following methods:

**Email:** [DistributionTransformers2019STD0018@ee.doe.gov](mailto:DistributionTransformers2019STD0018@ee.doe.gov). Include the docket number EERE-2019-BT-STD-0018 in the subject line of the message.

**Postal Mail:** Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, Mailstop EE-5B, 1000 Independence Avenue SW, Washington, DC 20585-0121.

Telephone: (202) 287-1445. If possible, please submit all items on a compact disc (“CD”), in which case it is not necessary to include printed copies.

**Hand Delivery/Courier:** Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 950 L’Enfant Plaza SW, 6th Floor, Washington, DC 20024. Telephone: (202) 287-1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimiles (“faxes”) will be accepted.

**Docket:** The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at [www.regulations.gov](http://www.regulations.gov). All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at [www.regulations.gov/docket/EERE-2019-BT-STD-0018](http://www.regulations.gov/docket/EERE-2019-BT-STD-0018). The docket web page contains instructions on how to access all documents, including public comments, in the docket.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Domm, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE-2J, 1000 Independence Avenue SW, Washington, DC 20585-0121. Telephone: (202) 586-9870. Email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

Mr. Matthew Ring, U.S. Department of Energy, Office of the General Counsel, GC-33, 1000 Independence Avenue SW, Washington, DC 20585-0121.

Telephone: (202) 586-2555. Email: [matthew.ring@hq.doe.gov](mailto:matthew.ring@hq.doe.gov).

For further information on how to submit a comment, review other public comments and the docket, or participate in the public meeting, contact the Appliance and Equipment Standards Program staff at (202) 287-1445 or by email: [ApplianceStandardsQuestions@ee.doe.gov](mailto:ApplianceStandardsQuestions@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** On January 11, 2023, DOE published a notice of proposed rulemaking (“NOPR”) proposing amended energy conservation standards for distribution transformers, and also announced a public meeting to receive comment on these proposed standards and associated analyses and results. The notice provided an opportunity for submitting written comments, data, and information by March 13, 2023. 88 FR 1722. On January 12, 2023, Cleveland-Cliffs Inc. (“Cleveland Cliffs”), requested that DOE extend the deadline for the comment period on the NOPR by a minimum of 30 days. Cleveland Cliffs stated the proposal requires detailed technical and economic analysis by every facet of the transformer supply chain. (Cleveland Cliffs, No. 66 at p. 1). On January 30, 2023, the American Public Power Association (APPA), Edison Electric Institute (EEL), and the National Rural Electric Cooperative Association (NRECA) jointly requested an extension of the comment period extension for 60 additional days stating that an extension will provide valuable time for all parties to contemplate, consider, research, and meaningfully respond to the important issues implicated by the proposed rule. (APPA, EEL, and NRECA, No. 67 at p. 2). On February 12, 2023, the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) requested an extension of the comment period for at least another 30 days. UAW stated that they are working to understand the full extent of the impact of the proposed standards on both their members and the communities that rely on electric power. (UAW, No. 68 at p. 1).

DOE has reviewed these requests and is extending the comment period by 14 days to allow additional time for interested parties to submit comments. DOE notes the complexities of the current distribution transformer market, including the intersection with steel

manufacturing and diversification as well as labor concerns. DOE believes these complexities provide unique grounds that warrant additional time, which will allow for meaningful input on DOE's proposed energy conservation standards for distribution transformers from all stakeholders. DOE believes 14 days is sufficient for these purposes. Therefore, DOE is extending the comment period until March 27, 2023.

#### Signing Authority

This document of the Department of Energy was signed on February 14, 2023, by Francisco Alejandro Moreno, Acting Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on February 15, 2023.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S.  
Department of Energy.*

[FR Doc. 2023-03547 Filed 2-21-23; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF EDUCATION

### 34 CFR Parts 75 and 76

[Docket ID ED-2022-OPE-0157]

RIN 1840-AD72

#### Direct Grant Programs, State-Administered Formula Grant Programs

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The U.S. Department of Education (we or the Department) proposes to rescind regulations related to religious student organizations at certain public institutions of higher education (IHEs) that prescribe a novel role for the Department in enforcing grant conditions related to religious student organizations. These regulations apply to public IHEs that receive a direct grant from the Department or a subgrant from a State-administered formula grant program of the

Department. The Department proposes to rescind the regulations because they are not necessary to protect the First Amendment right to free speech and free exercise of religion; have created confusion among institutions; and prescribe an unduly burdensome role for the Department to investigate allegations regarding IHEs' treatment of religious student organizations.

**DATES:** We must receive your comments on or before March 24, 2023.

**ADDRESSES:** Comments must be submitted via the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). However, if you require an accommodation or cannot otherwise submit your comments via [www.regulations.gov](http://www.regulations.gov), please contact the contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted by fax or by email or comments submitted after the comment period closes. To ensure that the Department does not receive duplicate copies, please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

• *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "FAQ".

*Privacy Note:* The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Therefore, commenters should be careful to include in their comments only information about themselves that they wish to make publicly available. Commenters should not include in their comments any information that identifies other individuals or that permits readers to identify other individuals. If, for example, your comment describes an experience of someone other than yourself, please do not identify that individual or include information that would allow readers to identify that individual. The Department will not make comments that contain personally identifiable information (PII) about someone other than the commenter publicly available on [www.regulations.gov](http://www.regulations.gov) for privacy reasons. This may include comments where the commenter refers to a third-party individual without using their name if the Department determines that the comment provides enough detail that could allow one or more readers to

link the information to the third party. If your comment refers to a third-party individual, to help ensure that your comment is posted, please consider submitting your comment anonymously to reduce the chance that information in your comment about a third party could be linked to the third party. The Department will also not make comments that contain threats of harm to another person or to oneself available on [www.regulations.gov](http://www.regulations.gov).

#### FOR FURTHER INFORMATION CONTACT:

Ashley Clark, U.S. Department of Education, 400 Maryland Avenue SW, Room 2C185, Washington, DC 20202. Telephone: (202) 453-7977. Email: [ashley.clark@ed.gov](mailto:ashley.clark@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

*Invitation to Comment:* We invite you to submit comments regarding these proposed regulations. To ensure that your comments have maximum effect in developing the final regulations, we urge you to clearly identify the specific section or sections of the proposed regulations that each of your comments addresses and to arrange your comments in the same order as the proposed regulations.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from these proposed regulations. Please let us know of any further ways we can reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the Department's programs and activities. Please also feel free to offer for our consideration any alternative approaches to the subjects addressed by the proposed regulations.

During and after the comment period, you may inspect all public comments about these proposed regulations by accessing *Regulations.gov*.

*Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record:* On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for these proposed regulations. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### SUPPLEMENTARY INFORMATION: