## BEFORE THE U.S. DEPARTMENT OF ENERGY WASHINGTON, D.C. 20585

In the Matter of:	)
	) Case Number: 2010-CE-01/0201
AeroSys, Inc.,	and 2010-SE-0302
Respondent	
	j

## **ORDER**

By the General Counsel, U.S. Department of Energy:

- 1. In this Order, I adopt the attached Compromise Agreement entered into between the U.S. Department of Energy ("DOE") and AeroSys, Inc. ("Respondent"). The Compromise Agreement resolves two cases. DOE case number 2010-CE-01/0201 pursued a civil penalty for violations of the compliance certification requirements at 10 C.F.R. § 430.62. In DOE case number 2010-SE-0302, DOE determined that Respondent had distributed in commerce in the United States central air conditioners and central air conditioning heat pumps that did not meet the applicable minimum efficiency standards found at 10 C.F.R. § 430.32
- 2. The DOE and Respondent have negotiated the terms of the Compromise Agreement that resolve this matter. A copy of the Compromise Agreement is attached hereto and incorporated by reference.
- 3. After reviewing the terms of the Compromise Agreement and evaluating the facts before me, I find that the public interest would be served by adopting the Compromise Agreement to complete the adjudication of the case.
- 4. Based on the information in the case file, I find that Respondent committed Prohibited Acts<sup>1</sup> under Section 332<sup>2</sup> of the Energy Policy and Conservation Act, of 1975, as amended (EPCA),<sup>3</sup> and I hereby assess a civil penalty of \$25,000 to be paid pursuant to the Compromise Agreement.

<sup>3</sup> 42 U.S.C. § 6291 et seq.

<sup>&</sup>lt;sup>1</sup> 42 U.S.C. § 6302 lays out the specific acts prohibited by the Energy Policy and Conservation Act, of 1975, as amended, 42 U.S.C. § 6291 *et seq*. Specifically, I find that Respondent failed to comply with Sections 325(d) and 326(d) of EPCA.

<sup>&</sup>lt;sup>2</sup> Specifically, paragraphs (a)(3) and (a)(5).