NOTICE

Modifications to this Funding Opportunity Announcement (FOA) may have been made since this version was posted. Applicants are strongly advised to consult the FOA version posted on www.FedConnect.com, the official application website, for the latest changes regarding the application materials, dates, and other requirements.

The FedConnect system can be accessed through the following steps:

1. Go to http://www.FedConnect.net/
2. Click on "Search Public Opportunities"
3. Select "Reference Number" in the Search Criteria drop down box and then enter the Reference Number of the funding opportunity you are interested in (DE-FOA-XXXXXXX), followed by clicking the "Search" button
4. Click on the Title hyperlink after search results are displayed
5. On the right side of the screen, click on "BODY" under the "Solicitation" or "Amendment" folder; if multiple amendments exist, click on the most recent award amendment for the latest changes.

If you are new to the Federal grant application process, it can take 21 days or more to complete all of the registration processes needed to submit questions or application. These activities include acquiring a DUNS number, completing a Central Contract Registration (CCR), and FedConnect.com registration. Hence, if you are considering applying for this or another Funding Opportunity, we recommend beginning the registration process as soon as possible.

For further assistance throughout the application process, contact the following numbers:

- **General inquiries:** 1-888-DOE-RCVY (1-888-363-7289), https://recoveryclearinghouse.energy.gov/
- **Central Contract Registration (CCR) system**: 1-888-227-2423, http://www.ccr.gov/Help.aspx
- **FedConnect**: 1-800-899-6665, support@fedconnect.net
- **Specifics on FOA**: see "Questions" portion of the FOA

FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT

U. S. Department of Energy

National Energy Technology Laboratory

Recovery Act – State Electricity Regulators Assistance

Funding Opportunity Number: DE-FOA-0000100

Announcement Type: Amendment 000002

CFDA Number: 81.122

Issue Date:	**07/14/2009**
Letter of Intent Due Date:	**Not Applicable**
Pre-Application Due Date	**Not Applicable**
Application Due Date:	**08/31/2009 at 3:00:00 PM Eastern Time**

The purpose of this Amendment is to make an administrative modification to update the language located in Part I – Funding Opportunity Description, Section B – Description of Funding Opportunity and Part IV – Application and Submission Information, Section C – Content and Form of Application The updated sections are highlighted in yellow.

NOTE: REGISTRATION/SUBMISSION REQUIREMENTS

Registration Requirements

There are several one-time actions you must complete in order to submit an application in response to this Announcement (e.g., obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, register with the Central Contractor Registration (CCR), and register with FedConnect). Applicants who are not registered with CCR and FedConnect, should allow at least 10 days to complete these requirements. It is suggested that the process be started as soon as possible.

Applicants must obtain a DUNS number. DUNS website: http://fedgov.dnb.com/webform.

Applicants must register with the CCR. CCR website: http://www.ccr.gov/

Applicants must register with FedConnect to submit their application. FedConnect website: www.fedconnect.net

Questions

Questions relating to the **system requirements or how an application form works** must be directed to Grants.gov at 1-800-518-4726 or **support@grants.gov**.

Questions regarding the **content** of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. More information is available at **http://www.compusearch.com/products/fedconnect/fedconnect.asp**. DOE will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website.

Questions pertaining to the **submission** of applications through FedConnect should be directed by e-mail to support@FedConnect.net or by phone to FedConnect Support at 800-899-6665.

Application Preparation and Submission

Applicants must download the application package, application forms and instructions, from Grants.gov. Grants.gov website: http://www.grants.gov/
(Additional instructions are provided in Section IV A of this FOA.)

Applicants must submit their application through the FedConnect portal. FedConnect website: www.fedconnect.net
(Additional instructions are provided in Section IV H of this FOA.)

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PART I – FUNDING OPPORTUNITY DESCRIPTION

A. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA 2009)

Projects under this FOA will be funded, in whole or in part, with funds appropriated by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act or Act). The Recovery Act's purposes are to stimulate the economy and to create and retain jobs. The Act gives preference to activities that can be started and completed expeditiously. Accordingly, special consideration will be given to projects that promote and enhance the objectives of the Act, especially job creation, preservation and economic recovery, in an expeditious manner.

Be advised that special terms and conditions may apply to projects funded by the Act relating to:

- Reporting, tracking and segregation of incurred costs;
- Reporting on job creation and preservation;
- Publication of information on the Internet;
- Access to records by Inspectors General and the Government Accountability Office;
- Prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools;
- Ensuring that iron, steel and manufactured goods are produced in the United States;
- Ensuring wage rates are comparable to those prevailing on projects of a similar character;
- Protecting whistleblowers and requiring prompt referral of evidence of a false claim to an appropriate inspector general; and
- Certification and Registration.

These special terms and conditions will be based on provisions included in Titles XV and XVI of the Act. The special terms and conditions can be found at http://management.energy.gov/policy_guidance/1672.htm.

The Office of Management and Budget (OMB) has issued Initial Implementing Guidance for the Recovery Act. See M-09-10, Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009 and M-09-15, Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009. OMB will be issuing additional guidance concerning the Act in the near future. Applicants should consult the DOE website, www.energy.gov, the OMB website http://www.whitehouse.gov/omb/, and the Recovery website, www.recovery.gov regularly to keep abreast of guidance and information as it evolves.

Recipients of funding appropriated by the Act shall comply with requirements of applicable Federal, State, and local laws, regulations, DOE policy and guidance, and instructions in this FOA, unless relief has been granted by DOE. Recipients shall flow down the requirements of applicable Federal, State and local laws, regulations, DOE policy and guidance, and instructions in this FOA to subrecipients at any tier to the extent necessary to ensure the recipient's compliance with the requirements.

Be advised that Recovery Act funds can be used in conjunction with other funding as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of the Recovery Act and related OMB Guidance. Applicants for projects funded by sources other than the Recovery Act should plan to keep separate records for Recovery Act funds and ensure those records comply with the requirements of the Act. Funding provided through the Recovery Act that is supplemental to an existing grant is one-time funding.

Applicants should require their first tier subawardees to obtain a DUNS number (or update the existing DUNS record) and register with the Central Contractor Registration (CCR).

B. DESCRIPTION OF FUNDING OPPORTUNITY

1. Background:

The American Recovery and Reinvestment Act of 2009 (ARRA) includes funding for electricity sector activities and initiatives that will significantly affect utility investment in the electric power sector. State Public Utility Commissions (PUC), through their regulatory oversight of electricity investment and other decisions for their jurisdictional electric utilities, will be involved in implementing key facets of ARRA electricity-related initiatives. Some examples include:

- The ARRA requires Governors to certify that their state has or will pursue certain energy efficiency policies for its utilities in order to receive State Energy Program ARRA funds. Implementation of these policies may impact electric utilities through required infrastructure improvements, energy procurements, rate adjustments, etc. that will require PUC approval.
- Transmission lines that receive ARRA loan guarantees cannot be sited and approved (e.g. approval of cost allocations) without PUC approvals. Approval of these projects may increase the need for PUCs to work with counterparts in adjacent states on siting and cost allocation considerations for multi-state transmission projects supported with ARRA funding.
- ARRA-funded clean coal with carbon capture and sequestration activities will need to be coupled with state PUC approval for any ratepayer-funded portions of these new demonstration power plants.
- ARRA Smart Grid utility investments must be approved by PUCs. Additionally, per ARRA requirements, PUCs must approve matching funding from ratepayers for ARRA Smart Grid projects.
- As a result of the ARRA, renewable energy electricity procurements by utilities will need to be approved by PUCs, or at least renewable portfolio standards need to be adjusted, examined or considered.

To ensure that PUCs can meet the increased demands caused by the increased workload required to fully address the electricity sector initiatives included in the ARRA, DOE intends to make funding available to PUCs to hire additional staff so they can ensure appropriate technical expertise will be dedicated to regulatory activities pertaining to ARRA electricity-related initiatives. ARRA electricity-related topical areas include but are not necessarily limited to energy efficiency, electricity-based renewable energy, energy storage, smart grid electric and hybrid-electric vehicles, demand-response equipment, coal with carbon capture and storage, and transmission.

The intent of the funds made available through the ARRA State Electricity Regulators Assistance Initiative is to supplement, not supplant, normal state appropriations for PUC staffing, expressly for the purpose of addressing the significant increase in PUC workload created by ARRA electricity-related initiatives. To be eligible for funding under this FOA, activities must address the aforementioned ARRA electricity-related topical areas, however, it is not required that the activities be a direct result of ARRA investments or funding.

The US Department of Energy (DOE), Office of Electricity Delivery and Energy Reliability (OE) also intends, at a later date and through a separate action, to increase the level of technical assistance provided to states for the purpose of providing training and technical assistance to PUCs on ARRA electricity-related topics. It is expected that all PUC staff hired by funds through this initiative will avail themselves of training available by DOE.

2. Statutory Authority:

American Recovery and Reinvestment Act of 2009 (ARRA).

3. Purpose/Objectives:

The primary purposes of this initiative are to: 1) increase the capacity of state PUCs to manage a significant increase in dockets and other regulatory actions resulting from ARRA electricity-related topical areas; 2) facilitate timely consideration by PUCs of regulatory actions pertaining to ARRA electricity-related topical areas; and 3) create jobs. Electricity-related ARRA topical areas include, but are not necessarily limited to: energy efficiency, electricity-based renewable energy, energy storage, smart grid, electric and hybrid-electric vehicles, demand response equipment, coal with carbon capture and storage, and transmission.

The results of the funding provided for the projects will be assessed according to the following performance metrics:

- Number of electricity specialists hired by state PUCs
- Number of state PUC electricity specialists trained in ARRA electricity-related topical areas
- Number of ARRA electricity-related dockets managed by PUCs

The intent of the funds made available through this Funding Opportunity Announcement (FOA) is to supplement, not supplant, normal state appropriations for PUC staffing, expressly for the purpose of addressing the significant increase in PUC workload created by ARRA electricity-related initiatives. States cannot use these ARRA funds to off-set normal appropriations for PUC staff or activities. To be eligible for funding under this FOA, activities must address the aforementioned ARRA electricity-related topical areas, however, it is not required that the activities be a direct result of ARRA investments or funding.

4. Benefits:

The anticipated benefit of this initiative is the increased likelihood of achieving ARRA's goals of job creation, modernizing our nation's infrastructure, and enhancing energy independence by taking advantage in a timely way of opportunities that will occur from state PUCs' review and timely consideration of all ARRA-related topical areas by their jurisdictional electric utilities, and other initiatives that ARRA funds may cause.

C. FORMULA FOR ALLOCATION OF FUNDS

The formula for allocating the $46,000,000 is comprised of a base allocation ($38,250,000), with the balance ($7,750,000) distributed based on population according to the 2008 U.S. Census data. The proposed funding allocation is contained in Attachment A.

PART II – AWARD INFORMATION

A. TYPE OF AWARD INSTRUMENT

DOE anticipates awarding grants under this program announcement.

B. ESTIMATED FUNDING

Approximately $46,000,000 is expected to be available for new awards under this announcement. The funds will be distributed on a formula-basis in accordance with the funding allocations contained in Attachment A.

C. MAXIMUM AND MINIMUM AWARD SIZE

In accordance with the funding allocation, as shown in Attachment A, DOE anticipates that the awards will range from $763,577 to $1,686,869.

D. EXPECTED NUMBER OF AWARDS

DOE anticipates making approximately 51 awards under this announcement.

E. PERIOD OF PERFORMANCE

DOE anticipates making awards with performance periods of up to four (4) years.

F. TYPE OF APPLICATION

DOE will accept only new applications under this announcement.

PART III - ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Eligibility for award is restricted to Public/Regulatory Commissions of the 50 U.S. States and the District of Columbia (hereinafter “States”).

B. COST SHARING

Cost sharing is not required.

PART IV – APPLICATION AND SUBMISSION INFORMATION

A. ADDRESS TO REQUEST APPLICATION PACKAGE

Application forms and instructions are available at Grants.gov. To access these materials, go to http://www.grants.gov, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement and then follow the prompts to save the application package. Once you have SAVED the application package and completed all the required documentation, you will submit your application via the Fedconnect portal. **DO NOT use the Save & Submit selection in Grants.gov.**

B. LETTER OF INTENT AND PRE-APPLICATION

1. Letter of Intent.

Letters of Intent are not required.

2. Pre-application

Pre-applications are not required.

C. CONTENT AND FORM OF APPLICATION – SF 424

You must complete the mandatory forms and any applicable optional forms (e.g., SF-LLL-Disclosure of Lobbying Activities) in accordance with the instructions on the forms and the additional instructions below. **Files that are attached to the forms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement**.

1. SF 424 - Application for Federal Assistance

Complete this form first to populate data in other forms. Complete all required fields in accordance with the pop-up instructions on the form. To activate the instructions, turn on the "Help Mode" (Icon with the pointer and question mark at the top of the form). The list of certifications and assurances referenced in Field 21 can be found on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm under Certifications and Assurances.

PLEASE NOTE: By signing the SF 424, Applicants are providing their written assurance that they will comply with ALL requirements set forth in the American Reinvestment and Recovery Act.

2. Project/Performance Site Location(s)

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site location(s) in the blocks provided.

Note that the Project/Performance Site Congressional District is entered in the format of the 2 digit state code followed by a dash and a 3 digit Congressional district code, for example VA-001. Hover over this field for additional instructions.

Use the Next Site button to expand the form to add additional Project/Performance Site Locations.

3. Other Attachments Form

Submit the following files with your application and attach them to the Other Attachments Form. Click on "Add Mandatory Other Attachment" to attach the Project Narrative. Click on "Add Optional Other Attachment," to attach the other files.

Project Narrative File - Mandatory Other Attachment

The project narrative must include a concise summary (not to exceed 3 pages when printed using standard 8.5" by 11" paper with 1 inch margins) of the approach for executing the project as defined in the Statement of Project Objectives (SOPO). Do not include any Internet addresses (URLs) that provide information necessary to review the application. Save the information in a single file named "Project.pdf," and click on "Add Mandatory Other Attachment" to attach.

The Department of Energy's, National Energy Technology Laboratory has provided the following SOPO for this initiative, which will be included in the resultant award. The SOPO and project narrative may be released to the public by DOE in whole or in part at any time.

STATEMENT OF PROJECT OBJECTIVES (SOPO)

A. OBJECTIVES

The objectives of this initiative are to: 1) increase the capacity of state PUCs to manage a significant increase in dockets and other regulatory actions resulting from ARRA electricity-related topical areas; 2) facilitate timely consideration by PUCs of regulatory actions pertaining to ARRA electricity-related topical areas; and 3) create jobs.

The initiative focuses on building state PUC capacity to ensure timely consideration by appropriate regulatory processes for ARRA electricity-related topical areas. Electricity-related ARRA topical areas include, but are not necessarily limited to: energy efficiency, electricity-based renewable energy, energy storage, smart grid, electric and hybrid-electric vehicles, demand response equipment, coal with carbon capture and storage, and transmission.

B. SCOPE OF WORK

The following activities are addressed:

- Increasing the capacity of the State PUCs to manage a significant increase in dockets and other regulatory actions resulting from ARRA electricity-related topical areas;
- Facilitating timely consideration by PUCs of regulatory actions pertaining to ARRA electricity-related topical areas

The projects will be assessed according to the following performance metrics:

- Number of electricity specialists hired by the PUC,
- Number of PUC electricity specialists trained in ARRA electricity-related topical areas, and
- Number of ARRA electricity-related dockets managed by the PUC

C. TASKS TO BE PERFORMED

Note: These are tasks that will be included in the Grant award; however subtasks may be added to the Project Management Plan, if needed, to help better describe the project approach.

Task 1.0 - Project Management Plan

The Recipient will prepare a Project Management Plan that details the work elements (e.g., administration of the grant, opening and managing dockets, conducting workshops or other proceedings on topics relevant to this FOA, etc.), required to manage and report on activities in accordance with the ARRA and grant requirements. This Plan will also document the 4-year plan and project budget for carrying out all Tasks and completing all Deliverables under this Grant. With the understanding that PUC workload is at times unpredictable, it is anticipated that this document will be periodically revised during the performance period, but at all times will provide sufficient detail to plan, carry out and monitor all project activities. (A Project Management Plan template is provided in Attachment C.)

Task 2.0 – Workforce Development Plan

The Recipient will prepare and follow a Workforce Development Plan that results in development of in-house expertise within the PUC funded by this FOA. The Plan will address acquiring/hiring, retaining, and training personnel in electricity topic areas.

Task 3.0 – ARRA Case Monitoring Reports

The Recipient will provide quarterly reports summarizing the status of all ARRA electricity-related PUC activities (e.g., typical PUC work products, such as dockets, final orders, legal findings, workshops, etc.) being serviced by staff supported with funding under this FOA. The reports shall include key dates for the PUC work products, as well as the work products themselves. Actual work products may not necessarily be included if a summary of each with a URL link to the PUC website for the full work product is provided. For example, the name of any docket and a link to the docket itself may be provided.

D. DELIVERABLES

Note: These are the deliverables that will be included in the Grant award; however additional deliverables may be added to the Project Management Plan, if needed, to help better describe the project approach.

Deliverable 1.0 – Project Management Plan (Plan due 60 days after the award and revised as necessary throughout the performance period.)

Deliverable 2.0 – Workforce Development Plan (Plan due 90 days after the award and revised periodically if necessary throughout the performance period.)

Deliverable 3.0 – ARRA Case Monitoring Reports (The initial Report is due six months after the award and subsequent reports are due thereafter on 3 month intervals.)

Note: The periodic, topical, and final deliverables and reports shall be submitted in accordance with the "Federal Assistance Reporting Checklist". A sample checklist is included in Attachment B of this FOA.

- **Project Summary/Abstract File**

  The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information as the Department may make it available to the public. The project summary must not exceed one (1) page when printed using standard 8.5" by 11" paper with 1" margins (top, bottom, left and right) with font no smaller than 11 point. Save this information in a file named "Summary.pdf," and click on "Add Optional Other Attachment" to attach.

- **SF 424 A Excel, Budget Information – Non-Construction Programs File**

  You must provide a separate budget for each year of support requested and a cumulative budget for the total project period. Use the SF 424-A Excel, "Budget Information – Non Construction Programs" form on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm.
  You may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (See PART IV, G). Save the information in a single file named "SF424A.xls," and click on "Add Optional Other Attachment" to attach.

- **Budget Justification File**

  You must justify the costs proposed in each Object Class Category/Cost Classification Category (e.g., identify key persons and personnel categories and the estimated costs for each person or category; provide a list of equipment and cost of each item; identify proposed subaward/consultant work and cost of each subaward/consultant; describe purpose of proposed travel, number of travelers, and number of travel days; list general categories of supplies and amount for each category; and provide any other information you wish to support your budget). Provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating your indirect rates. If cost sharing is required, you must have a letter from each third party contributing cost sharing (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost sharing. In the budget justification, identify the following information for each third party contributing cost sharing: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed cost sharing – cash, services, or property. By submitting your application, you are providing assurance that you have signed letters of commitment. Successful applicants will be required to submit these signed letters of commitments. Save the budget justification information in a single file named "Budget.pdf," and click on "Add Optional Other Attachment" to attach.

- **ARRA 2009 Prevailing Wage Information**

  Applications shall provide information which validates that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act). For guidance on how to comply with this provision, see http://www.dol.gov/esa/whd/contracts/dbra.htm. Save the ARRA 2009 prevailing wage assurance in a single file named "ARRAWage.pdf," and click on "Add Optional Other Attachment" to attach.

- **NEPA**

  All Projects receiving financial assistance from DOE must be reviewed under the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. The first step in DOE's NEPA review process requires financial assistance recipients to submit information to DOE regarding the potential environmental impacts of the project receiving DOE funds. Applicants must complete the Environmental Checklist (DOE PMC EF-1) on-line at the following site: https://www.eere-pmc.energy.gov/NEPA.asp

3. SF-LLL Disclosure of Lobbying Activities

If applicable, complete SF- LLL. Applicability: If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form – LLL, "Disclosure Form to Report Lobbying."

Summary of Required Forms/Files

Your application must include the following documents:

Name of Document	Format	File Name
Application for Federal Assistance – SF424	Form	N/A
Project/Performance Site Location(s)	Form	N/A
Other Attachments Form: Attach the following files to this form:	Form	N/A
Project Narrative File	PDF	Project.pdf
Project Summary/Abstract File	PDF	Summary.pdf
SF 424 A Excel, Budget Information – Non-Construction Programs File	Excel	SF424A.xls
Budget Justification File	PDF	Budget.pdf
ARRA 2009 Prevailing Wage Information	PDF	ARRAWage.pdf
NEPA	PDF	See Instructions
SF-LLL Disclosure of Lobbying Activities, if applicable.	Form	N/A

D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS

If selected for award, DOE reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- Indirect cost information
- Other budget information
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)
- Representation of Limited Rights Data and Restricted Software, if applicable
- Commitment Letter from Third Parties Contributing to Cost Sharing, if applicable

E. SUBMISSION DATES AND TIMES

1. Pre-application Due Date

Pre-applications are not required.

2. Application Due Date

Applications should be received by August 31, 2009, not later than 3:00 PM Eastern Time. You are encouraged to transmit your application well before the deadline.

F. INTERGOVERNMENTAL REVIEW

This program is not subject to Executive Order 12372 – Intergovernmental Review of Federal Programs.

G. FUNDING RESTRICTIONS

Cost Principles: Costs must be allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. The cost principles for commercial organization are in FAR Part 31.

H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

1. Where to Submit

APPLICATIONS MUST BE SUBMITTED THROUGH FEDCONNECT TO BE CONSIDERED FOR AWARD. Submit electronic application through the FedConnect portal at www.FedConnect.net. Information regarding how to submit application via FedConnect can be found at https://www.fedconnect.net/FedConnect/PublicPages/FedConnect_Ready_Set_Go.pdf. Further, it is the responsibility of the applicant, prior to the offer due date and time, to verify successful transmission.

2. Registration Process

There are several one time actions you must complete in order to submit an application in response to this Announcement (e.g., obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, register with the Central Contract Registry (CCR), and register with FedConnect). Applicants, who are not registered with CCR and FedConnect, should allow at least 10 days to complete these requirements. It is suggested that the process be started as soon as possible.

Part V - APPLICATION REVIEW INFORMATION

A. REVIEW AND AWARD PROCESS

Applications under this funding opportunity will be reviewed and awarded in accordance with the final 2009 American Recovery and Reinvestment Act (ARRA) Formula Allocations, included as Attachment A to this announcement.

B. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES

DOE anticipates making all awards by December 15, 2009.

Part VI - AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

1. Notice of Award

An Assistance Agreement issued by the contracting officer is the authorizing award document. It normally includes either as an attachment or by reference: (1). Special Terms and Conditions; (2). Applicable program regulations, if any; (3). Application as approved by DOE; (4). DOE assistance regulations at 10 CFR part 600; (5). National Policy Assurances To Be Incorporated As Award Terms; (6). Budget Summary; and (7). Federal Assistance Reporting Checklist, which identifies the reporting requirements.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. Administrative Requirements

The administrative requirements, which includes Property/Equipment purchases, for DOE grants and cooperative agreements are contained in 10 CFR part 600 (See: http://ecfr.gpoaccess.gov). Grants and cooperative agreements made to universities, non-profits and other entities subject to OMB Circular A-110 are subject to the Research Terms and Conditions located on the National Science Foundation web site at http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp.

2. ARRA 2009 Award Administration Information

Special Provisions relating to work funded under American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 shall apply. These provisions can be found at http://management.energy.gov/policy_guidance/1672.htm.

3. Special Terms and Conditions and National Policy Requirements

Special Terms and Conditions and National Policy Requirements
The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at http://management.energy.gov/business_doe/business_forms.htm.
The National Policy Assurances To Be Incorporated As Award Terms are located at DOE http://management.energy.gov/business_doe/business_forms.htm.

Intellectual Property Provisions
The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at http://www.gc.doe.gov/financial_assistance_awards.htm. The provision that applies to the PUCs is NRD-1003.

C. REPORTING

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2. A sample checklist is included in Attachment B of this FOA. Financial and progress reports will be used to adhere to transparency and oversight requirements detailed in the Recovery Act and posted on http://www.recovery.gov. Please note that the due date of certain reports may change.

PART VII - QUESTIONS/AGENCY CONTACTS

A. QUESTIONS

Questions regarding the content of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. More information is available at http://www.compusearch.com/products/fedconnect/fedconnect.asp. DOE/NNSA will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website.

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to Grants.gov at 1-800-518-4726 or support@grants.gov. DOE cannot answer these questions.

B. AGENCY CONTACT

Name:	Amanda Lopez
E-mail:	Amanda.Lopez@netl.doe.gov
FAX:	(304) 285-4683
Telephone (Optional):	(304)285-4220

PART VIII - OTHER INFORMATION

A. MODIFICATIONS

Notices of any modifications to this announcement will be posted on Grants.gov and the FedConnect portal. You can receive an email when a modification or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after release of the FOA as possible to ensure you receive timely notice of any modifications or other announcements. More information is available at http://www.fedconnect.net and http://www.compusearch.com/products/fedconnect.asp.

B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE

DOE reserves the right, without qualification, to reject any or all applications received in response to this announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

C. COMMITMENT OF PUBLIC FUNDS

The Contracting Officer is the only individual who can make awards or commit the Government to the expenditure of public funds. A commitment by other than the Contracting Officer, either explicit or implied, is invalid.

APPENDICES/REFERENCE MATERIAL

- Attachment A – Proposed Fund Allocation
- Attachment B – Reporting Requirements Checklist
- Attachment C – Project Management Plan Template

ATTACHMENT A

Proposed Fund Allocation for Recovery Act – State Electricity Regulators Assistance

The formula for allocating the $46,000,000 is comprised of a base allocation ($38,250,000), with the balance ($7,750,000) distributed based on population according to the 2008 U.S. Census data.

States, Territories and District of Columbia	Population (according to the 2008 U.S. Census data)	Percent of U.S. Population	Funding Based on Population	Funding Base	Total Funding
Alabama	4,661,900	1.53%	$ 118,824	$ 750,000	$ 868,824
Alaska	686,293	0.23%	$ 17,493	$ 750,000	$ 767,493
Arizona	6,500,180	2.14%	$ 165,679	$ 750,000	$ 915,679
Arkansas	2,855,390	0.94%	$ 72,779	$ 750,000	$ 822,779
California	36,756,666	12.09%	$ 936,869	$ 750,000	$ 1,686,869
Colorado	4,939,456	1.62%	$ 125,899	$ 750,000	$ 875,899
Connecticut	3,501,252	1.15%	$ 89,241	$ 750,000	$ 839,241
Delaware	873,092	0.29%	$ 22,254	$ 750,000	$ 772,254
District of Columbia	591,833	0.19%	$ 15,085	$ 750,000	$ 765,085
Florida	18,328,340	6.03%	$ 467,160	$ 750,000	$ 1,217,160
Georgia	9,685,744	3.19%	$ 246,874	$ 750,000	$ 996,874
Hawaii	1,288,198	0.42%	$ 32,834	$ 750,000	$ 782,834
Idaho	1,523,816	0.50%	$ 38,840	$ 750,000	$ 788,840
Illinois	12,901,563	4.24%	$ 328,840	$ 750,000	$ 1,078,840
Indiana	6,376,792	2.10%	$ 162,534	$ 750,000	$ 912,534
Iowa	3,002,555	0.99%	$ 76,530	$ 750,000	$ 826,530
Kansas	2,802,134	0.92%	$ 71,422	$ 750,000	$ 821,422
Kentucky	4,269,245	1.40%	$ 108,816	$ 750,000	$ 858,816
Louisiana	4,410,796	1.45%	$ 112,424	$ 750,000	$ 862,424
Maine	1,316,456	0.43%	$ 33,554	$ 750,000	$ 783,554
Maryland	5,633,597	1.85%	$ 143,591	$ 750,000	$ 893,591
Massachusetts	6,497,967	2.14%	$ 165,623	$ 750,000	$ 915,623
Michigan	10,003,422	3.29%	$ 254,971	$ 750,000	$ 1,004,971
Minnesota	5,220,393	1.72%	$ 133,060	$ 750,000	$ 883,060
Mississippi	2,938,618	0.97%	$ 74,901	$ 750,000	$ 824,901
Missouri	5,911,605	1.94%	$ 150,677	$ 750,000	$ 900,677
Montana	967,440	0.32%	$ 24,659	$ 750,000	$ 774,659
Nebraska	1,783,432	0.59%	$ 45,457	$ 750,000	$ 795,457
Nevada	2,600,167	0.86%	$ 66,274	$ 750,000	$ 816,274
New Hampshire	1,315,809	0.43%	$ 33,538	$ 750,000	$ 783,538
New Jersey	8,682,661	2.86%	$ 221,307	$ 750,000	$ 971,307
New Mexico	1,984,356	0.65%	$ 50,578	$ 750,000	$ 800,578
New York	19,490,297	6.41%	$ 496,777	$ 750,000	$ 1,246,777
North Carolina	9,222,414	3.03%	$ 235,065	$ 750,000	$ 985,065
North Dakota	641,481	0.21%	$ 16,350	$ 750,000	$ 766,350
Ohio	11,485,910	3.78%	$ 292,758	$ 750,000	$ 1,042,758
Oklahoma	3,642,361	1.20%	$ 92,838	$ 750,000	$ 842,838
Oregon	3,790,060	1.25%	$ 96,603	$ 750,000	$ 846,603

Pennsylvania	12,448,279	4.09%	$ 317,287	$ 750,000	$ 1,067,287
Rhode Island	1,050,788	0.35%	$ 26,783	$ 750,000	$ 776,783
South Carolina	4,479,800	1.47%	$ 114,183	$ 750,000	$ 864,183
South Dakota	804,194	0.26%	$ 20,498	$ 750,000	$ 770,498
Tennessee	6,214,888	2.04%	$ 158,408	$ 750,000	$ 908,408
Texas	24,326,974	8.00%	$ 620,056	$ 750,000	$ 1,370,056
Utah	2,736,424	0.90%	$ 69,747	$ 750,000	$ 819,747
Vermont	621,270	0.20%	$ 15,835	$ 750,000	$ 765,835
Virginia	7,769,089	2.56%	$ 198,022	$ 750,000	$ 948,022
Washington	6,549,224	2.15%	$ 166,929	$ 750,000	$ 916,929
West Virginia	1,814,468	0.60%	$ 46,248	$ 750,000	$ 796,248
Wisconsin	5,627,967	1.85%	$ 143,448	$ 750,000	$ 893,448
Wyoming	532,668	0.18%	$ 13,577	$ 750,000	$ 763,577
Total	304,059,724	100.00%	$ 7,750,000	$ 38,250,000	$ 46,000,000

U.S. Census data: (http://www.census.gov/popest/states/tables/NST-EST2008-01.xls)

DOE F 4600.2
(5/09)
All Other Editions Are Obsolete

ATTACHMENT B

U.S. Department of Energy
FEDERAL ASSISTANCE REPORTING CHECKLIST AND INSTRUCTIONS

1. Identification Number: FOA: DE-FOA-0000100	2. Program/Project Title: Recovery Act – State Electricity Regulators Assistance		
3. Recipient:			
4. Reporting Requirements:	Frequency	No. of Copies	Addressees
A. MANAGEMENT REPORTING ☒ Progress Report ☐ Special Status Report	Q,F	**Upload only 1 copy to the address in the next column at the interval specified in the previous column.**	https://www.eere-pmc.energy.gov/SubmitReports.aspx
B. SCIENTIFIC/TECHNICAL REPORTING (Reports/Products must be submitted with appropriate DOE F 241. The 241 forms are available at www.osti.gov/elink) Report/Product — Form ☐ Final Scientific/Technical Report — DOE F 241.3 ☐ Conference papers/proceedings* — DOE F 241.3 ☐ Software/Manual — DOE F 241.4 ☐ Other (see Special Instructions) — DOE F 241.3 ** Scientific and technical conferences only*			http://www.osti.gov/elink-2413 http://www.osti.gov/elink-2413 http://www.osti.gov/estsc/241-4pre.jsp
C. FINANCIAL REPORTING ☒ SF-425, Federal Financial Report	Q,F		https://www.eere-pmc.energy.gov/SubmitReports.aspx
D. CLOSEOUT REPORTING ☐ Patent Certification ☒ Property Certification ☐ Other (see Special Instructions)	F		https://www.eere-pmc.energy.gov/SubmitReports.aspx
E. OTHER REPORTING ☒ Annual Indirect Cost Proposal ☐ Annual Inventory Report of Federally Owned Property, if any ☐ Other	A		https://www.eere-pmc.energy.gov/SubmitReports.aspx
F. AMERICAN RECOVERY AND REINVESTMENT ACT REPORTING ☒ Reporting and Registration Requirements	Q		http://www.federalreporting.gov
FREQUENCY CODES AND DUE DATES: A - Within 5 calendar days after events or as specified. F - Final; 90 calendar days after expiration or termination of the award. Y - Yearly; 90 days after the end of the reporting period.	S - Semiannually; within 30 days after end of reporting period. Q - Quarterly; within 30 days after end of the reporting period. ARRA Reporting and Registration Requirements are due 10 days after the end of the reporting period.		
5. Special Instructions: Forms are available at https://www.eere-pmc.energy.gov/forms.aspx.			

Federal Assistance Reporting Instructions (5/09)

A. MANAGEMENT REPORTING

Progress Report

The Progress Report must provide a concise narrative assessment of the status of work and include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. The DOE award number and name of the recipient.

2. The project title and name of the project director/principal investigator.

3. Date of report and period covered by the report.

4. A comparison of the actual accomplishments with the goals and objectives established for the period and reasons why the established goals were not met.

5. A discussion of what was accomplished under these goals during this reporting period, including major activities, significant results, major findings or conclusions, key outcomes or other achievements. This section should not contain any proprietary data or other information not subject to public release. If such information is important to reporting progress, do not include the information, but include a note in the report advising the reader to contact the Principal Investigator or the Project Director for further information.

6. Cost Status. Show approved budget by budget period and actual costs incurred. If cost sharing is required break out by DOE share, recipient share, and total costs.

7. Schedule Status. List milestones, anticipated completion dates and actual completion dates. If you submitted a project management plan with your application, you must use this plan to report schedule and budget variance. You may use your own project management system to provide this information.

8. Any changes in approach or aims and reasons for change. Remember significant changes to the objectives and scope require prior approval by the contracting officer.

9. Actual or anticipated problems or delays and actions taken or planned to resolve them.

10. Any absence or changes of key personnel or changes in consortium/teaming arrangement.

11. A description of any product produced or technology transfer activities accomplished during this reporting period, such as:

    A. Publications (list journal name, volume, issue); conference papers; or other public releases of results. Attach or send copies of public releases to the DOE Program Manager identified in Block 15 of the Assistance Agreement Cover Page.

    B. Web site or other Internet sites that reflect the results of this project.

C. Networks or collaborations fostered.

D. Technologies/Techniques.

E. Inventions/Patent Applications

F. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.

B. SCIENTIFIC/TECHNICAL REPORTS

N/A

C. FINANCIAL REPORTING

Recipients must complete the SF-425 as identified on the Reporting Checklist in accordance with the report instructions. A fillable version of the form is available at http://www.whitehouse.gov/omb/grants/grants_forms.aspx.

D. CLOSEOUT REPORTS

Property Certification

The recipient must provide the Property Certification, including the required inventories of non-exempt property, located at http://grants.pr.doe.gov.

E. OTHER REPORTING

Annual Indirect Cost Proposal and Reconciliation

Requirement. In accordance with the applicable cost principles, the recipient must submit an annual indirect cost proposal, reconciled to its financial statements, within six months after the close of the fiscal year, unless the award is based on a predetermined or fixed indirect rate(s), or a fixed amount for indirect or facilities and administration (F&A) costs.

Cognizant Agency. The recipient must submit its annual indirect cost proposal directly to the cognizant agency for negotiating and approving indirect costs. If the DOE awarding office is the cognizant agency, submit the annual indirect cost proposal to the DOE Administrator at the address listed in Block 16 of the Assistance Agreement Cover Page.

F. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (RECOVERY ACT) REPORTING

Refer to the award term entitled, Reporting and Registration Requirements, of the Special Terms and Conditions for Grants and Cooperative Agreements for details on the reporting requirements under Section 1512 of the Recovery Act. The reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act.

ATTACHMENT C

PROJECT MANAGEMENT PLAN

{Agreement Title}[1]

{Date Prepared}

WORK PERFORMED UNDER AGREEMENT

DE-OE0000XXX

SUBMITTED BY

{Organization Name}

{Organization Address}

{City, State, Zip Code}

PRINCIPAL INVESTIGATOR

{Name}

{Phone Number}

{Fax Number}

{E-Mail}

SUBMITTED TO

U. S. Department of Energy

National Energy Technology Laboratory

{FPM Name}

{FPM Email}

[1]NOTE: { } denotes required information.

1. EXECUTIVE SUMMARY

Provide a description of the project that includes the objective, project goals and expected results. The summary should also include a succinct project background and project rationale. For purposes of the application, this information should be a summary of the pertinent information that is included in the Project Narrative (Field 7), so that the Project Management Plan is a stand-alone document.

2. RISK MANAGEMENT

The Applicant (Recipient) shall provide a summary description of the proposed approach to identify, analyze, and respond to perceived risks associated with the proposed project. Project risk events are uncertain future events that, if realized, impact the success of the project. Since risk is inherent to all projects, regardless of the level of complexity, cost or visibility, project risk must be addressed to the appropriate level for every project. It is recognized that the depth of analysis and the complexity and cost of the resulting risk management approach (and plan) will differ from project to project and among organizations. Commonly accepted approaches, such as those supported by The Project Management Institute's A Guide to the Project Management Book of Knowledge, should be considered.

As a minimum, the Recipient should provide sufficient information with the application to demonstrate an appropriate approach to managing risks during project execution. This must include the initial identification of significant technical, resource and management issues that have the potential to impede project progress and strategies to minimize impacts from those issues.

3. MILESTONE LOG

The Recipient is to provide milestones for the project. Each milestone is to include a title, planned completion date and a description of the method/process/measure used to verify completion. The milestones developed should be quantitative and show progression towards project goals. It is expected that the Recipient will have a milestone at least semi-annually or every six months of the project schedule: however, milestones should not be developed to meet this expected schedule. Milestones are different than success criteria (Section 6) in that milestones typically show progress through the execution of the project, whereas success criteria are used by the DOE to determine if specific goals were met the completion of the project.

Format for the milestone log should be as follows:

Title: {Milestone Title}

Planned Date: {Planned Completion Date}

Verification Method: {Milestone Verification Method}

4. FUNDING AND COSTING PROFILE

The Recipient shall provide a table that shows, by year, the amount of government funding going to each project member and cost share provided (if applicable) by members. The table shall also calculate totals and cost sharing percentages. Table 1 "Project Funding

Profile" below is an example.

Table 1 – Sample Project Funding Profile

Budget Category	Year 1	Year 2	Total
Personnel			
Fringe Benefits			
Travel			
Equipment			
Supplies			
Contractual			
Other			
Total Direct Charges			
Indirect Charges			
Total			

The Recipient shall also provide a table that projects, by month, the expenditure of the government funds for each year. While it is recognized that out year costing profiles are less certain and the nature of specific tasks are dependent on successful or unsuccessful completion of the current RD&D approach, the Recipient should provide their estimates of out-year costs to the extent practical. Table 2 – "Project Spending Plan" provides an example.

Table 2 – Project Spending Plan

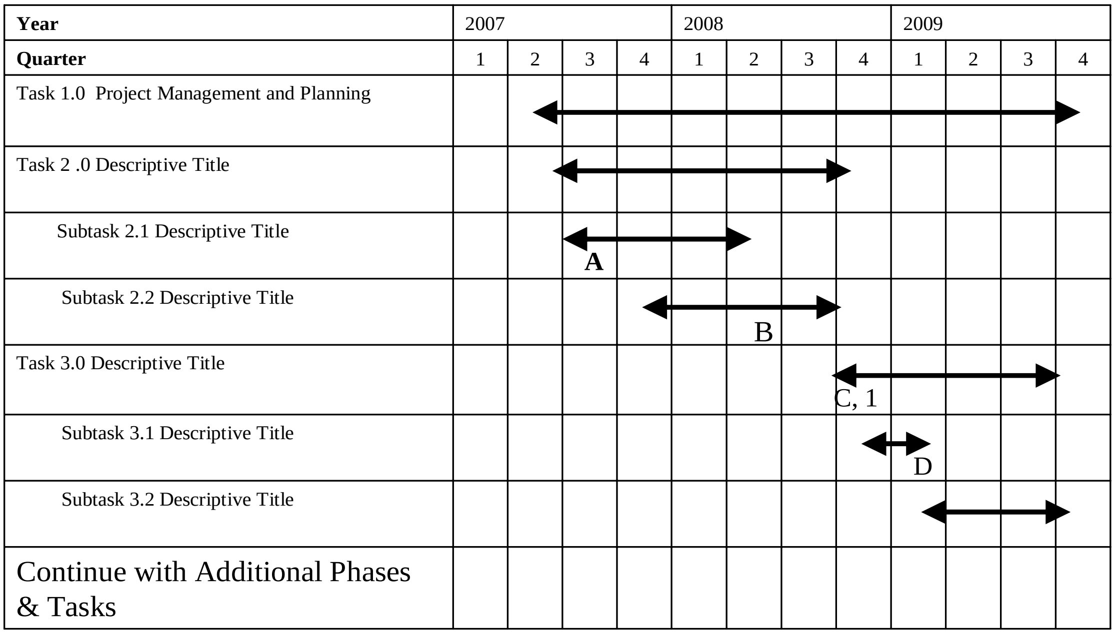
Monthly Spending Plan (Year 1)	
November	5
December	10
January	10
February	10
March	20
April	20
May	20
June	20
July	10
August	10
September	10
October	10
Total ($s in thousands)	**155**

Note: Create one spend plan for each year during the project period (actual starting month may be different than in the example). Cost sharing is not required for this grant. However, recipients may reflect non-federal funds in the Project Funding Profile and as a separate column in the Project Spending Plan, if applicable.

5. PROJECT TIMELINE

The Recipient shall provide a timeline of the project broken down by each task and subtask, as described in the Statement of Project Objectives. The timeline shall include for each task, a start date, end date, approximate cost and team members participating on the task and their role. The timeline shall also show any interdependencies with other tasks and note the milestones identified in the Milestone Log (Section 3). It is highly recommended that the Recipient consider using a commercial software package to generate the timeline as a Gantt chart (see Figure 1 as an example) or other applicable format.

Figure 1 – Sample Project Timeline (Gantt Chart)



A, B, C etc. – Milestones from Milestone Log

1,2,3 etc – Decision Points

Note: Timelines for each task and subtask has an associated level of effort, typically budgeted cost

6. SUCCESS CRITERIA

The success criteria should correlate to the performance metrics in the Funding Opportunity Announcement. Usually, the success criteria pertain to desirable outcomes, results and observations from the experimental efforts. The success criteria should not be based on interpretations.

Success Criteria are different than milestones (Section 3) in that milestones typically show progress through the execution of the budget period and project, whereas success criteria are used by the DOE to determine if specific project goals and objectives were met. Typically, these goals and objectives represent requirements established by the program as evidence of progress in advancing a technology area or scientific/engineering knowledge.

7. AGREEMENT STATEMENT OF PROJECT OBJECTIVES

The Statement of Project Objectives (SOPO) from the Agreement will be inserted here. Note that Task 1.0 (or other designation) of the SOPO entails the work necessary to manage the project and to update the Project Management Plan submitted with the application. The Project Management Plan submitted as a work product under Task 1.0 (or other designation) serves as the base project cost, schedule and scope and is the basis for reporting quarterly progress in the Progress Report defined in the ”Federal Assistance Reporting Checklist and Instructions”