



Department of Energy
Washington, DC 20585

WEATHERIZATION PROGRAM NOTICE 09-1-A
EFFECTIVE DATE: October 27, 2008

SUBJECT: GRANT GUIDANCE FOR PROGRAM YEARS 2008 AND 2009 TO ACCESS THE \$250 MILLION 2009 SUPPLEMENTAL FUNDING

PURPOSE: To issue guidance that defines the approach for grantees to access all or a portion of their share of the \$250 million 2009 supplemental funding. The Tentative State Allocations for the \$250 million are attached to this guidance.

SCOPE: The provisions of this guidance apply to all grantees of financial assistance under the Department of Energy (DOE) Weatherization Assistance Program. The Territories are not eligible for a share of the \$250 million because the rulemaking to add them has not yet been published.

The 1995 revised allocation formula is triggered when funding exceeds the \$233,027,512 threshold. Thus, hot climate states need to plan for a greater percentage of funds in excess of this amount that will be allocated in 2009. For more information on the formula, please reference Section II-12 of the August 2008 *U.S. Department of Energy Weatherization Assistance Program Briefing Book* distributed to State Program Managers and available online at www.waptac.org.

LEGAL AUTHORITY: Title IV, Energy Conservation and Production Act, as amended, authorizes the Department of Energy to administer the Weatherization Assistance Program. All grant awards made under this program shall comply with applicable law including regulations contained in 10 CFR Part 440 (issued February 1, 2002), 10 CFR Part 600, the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007, and other procedures applicable to this regulation as DOE may, from time-to-time, prescribe for the administration of financial assistance.

BACKGROUND: On September 30, 2008, the President signed into law H.R. 2638, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, Public Law 110-329. With respect to Weatherization, the Act provides for the following:

“Sec.130. (a) In addition to the amounts otherwise provided by section 101 for ‘Department of Energy - - Energy Programs - - Energy Efficiency and Renewable Energy’ for weatherization assistance under part A of title IV of the Energy Conservation

and Production Act (42 U.S.C. 6861 et seq.), there is appropriated \$250 million for an additional amount for Fiscal Year 2009, to remain available until expended.

(b) The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress) and section 301(b)(2) of S. Con. Res. 70 (110th Congress), the concurrent resolutions on the budget for Fiscal Years 2008 and 2009.”

On December 26, 2007, the President signed Public Law No. 110-161, Consolidated Appropriations Act, 2008, which directed the Secretary to make fiscal year 2008 weatherization funding available from October 1, 2007, through March 31, 2009, for States that submit plans requesting allocations for all or part of this period.

NOTE: Section 106 of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, at Sec. 106 states “Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2009, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2009 without any provision for such project or activity; or (3) March 6, 2009.”

ALSO NOTE: There is a provision in the Energy Policy Act of 2005 that whenever Weatherization Appropriation exceeds \$275 million the Secretary may use up to 2% of the appropriation for sustainable energy resources for consumer’s grants. DOE will provide a separate program notice to address this provision, as applicable. The supplemental appropriation has not been reduced for this amount.

POLICY: Under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, currently in effect, the WAP has \$250 million in FY 2009 supplemental funding. The DOE annual allocation for the Weatherization Assistance Program for FY 2009 has not been finally determined. Therefore, this guidance applies only to the \$250 million supplemental funding and not the FY 2009 annual allocation.

The Congressional intent is to make the \$250 million in supplemental funding available immediately. This supplemental guidance is being issued in advance of the regular Program Year 2009 Grant Guidance (which will be issued as Weatherization Program Notice 09-1) and may be used in conjunction with Weatherization Program Notice 08-1, Program Year 2008 Weatherization Grant Guidance.

OPTIONS TO ACCESS THE \$250 MILLION 09 SUPPLEMENTAL FUNDING:

This guidance is intended to advise grantees that they have the option to: 1) amend their 2008 State Plan through a budget revision application to access any portion of their 2009

supplemental funding early, or 2) include their 2009 supplemental funding with their 2009 annual allocation request.

Option 1: Grantees choosing to amend their 2008 Program Year State Plan will need to hold another public hearing and submit a budget revision application for Program Year 2008. The budget revision application shall include at a minimum, a SF 424, SF 424A (budget form), budget narrative and a revised annual file. Budget revision applications will need to be submitted through WinSAGA.

Option 2: Grantees choosing not to access any portion of their share of the \$250 million supplemental funding prior to the start of their 2009 program year will need to apply for their 09 supplemental funding in conjunction with their 2009 annual allocation. This will be done by submitting a complete application through Grants.gov, via WinSAGA or directly, in response to the Program Year 2009 Formula Grant Funding Opportunity Announcement. Under this option, the full 2009 funding (supplemental and annual allocation) will be issued consistent with the grantees' Program Year start date in accordance with the 2009 Grant Guidance.

Grantees should work closely with the PMC Project Officers and Contract Specialists to determine which option will work best for the individual grantees, considering the following at a minimum:

- Grantee's ability to expend allocated funds within their current 5-year grant cycle.
- Possibility of a 2-year budget period, as long as the grant project period does not exceed 5 years.

Grantees will use the PY 2009 statewide average expenditure limit of \$3,055 (\$3,243 for renewable energy systems) for those using the two-year budget option or those that are beginning PY 2009.

CONCLUSION: DOE wants to ensure that grantees wishing to receive any portion of their \$250 million supplemental PY 2009 funding early, are able to do so. DOE continues to encourage grantees to expend funding as soon as possible in order to meet the intent of the Program.



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Attachment

State	FY 2009 Program Supplemental Allocation	FY 2009 T&TA Supplemental Allocation	FY 2009 Total Supplemental Allocation
Alabama	\$2,362,672	\$362,562	\$2,725,234
Alaska	\$1,584,479	\$259,614	\$1,844,093
Arizona	\$1,330,929	\$226,071	\$1,557,000
Arkansas	\$1,901,834	\$301,597	\$2,203,431
California	\$6,356,040	\$890,852	\$7,246,892
Colorado	\$5,248,246	\$744,300	\$5,992,546
Connecticut	\$2,496,965	\$380,328	\$2,877,293
Delaware	\$523,321	\$119,231	\$642,552
District of Columbia	\$601,452	\$129,567	\$731,019
Florida	\$2,358,930	\$362,067	\$2,720,997
Georgia	\$2,991,539	\$445,756	\$3,437,295
Hawaii	\$170,655	\$72,576	\$243,231
Idaho	\$1,855,681	\$295,491	\$2,151,172
Illinois	\$12,967,142	\$1,765,446	\$14,732,588
Indiana	\$6,220,077	\$872,865	\$7,092,942
Iowa	\$4,722,145	\$674,701	\$5,396,846
Kansas	\$2,421,055	\$370,286	\$2,791,341
Kentucky	\$4,366,137	\$627,604	\$4,993,741
Louisiana	\$1,601,742	\$261,897	\$1,863,639
Maine	\$2,965,837	\$442,356	\$3,408,193
Maryland	\$2,594,080	\$393,175	\$2,987,255
Massachusetts	\$6,303,859	\$883,949	\$7,187,808
Michigan	\$14,367,284	\$1,950,673	\$16,317,957
Minnesota	\$9,420,965	\$1,296,316	\$10,717,281
Mississippi	\$1,606,502	\$262,527	\$1,869,029
Missouri	\$5,765,878	\$812,778	\$6,578,656
Montana	\$2,396,777	\$367,074	\$2,763,851
Nebraska	\$2,355,324	\$361,590	\$2,716,914
Nevada	\$871,199	\$165,252	\$1,036,451
New Hampshire	\$1,415,159	\$237,214	\$1,652,373
New Jersey	\$4,797,523	\$684,673	\$5,482,196
New Mexico	\$1,830,281	\$292,131	\$2,122,412
New York	\$19,763,080	\$2,664,492	\$22,427,572
North Carolina	\$4,044,491	\$585,053	\$4,629,544
North Dakota	\$2,359,930	\$362,199	\$2,722,129
Ohio	\$12,930,271	\$1,760,568	\$14,690,839
Oklahoma	\$2,480,567	\$378,159	\$2,858,726
Oregon	\$2,659,440	\$401,822	\$3,061,262
Pennsylvania	\$13,812,494	\$1,877,279	\$15,689,773
Rhode Island	\$1,101,669	\$195,742	\$1,297,411
South Carolina	\$1,720,178	\$277,565	\$1,997,743

South Dakota	\$1,782,231	\$285,774	\$2,068,005
Tennessee	\$4,112,382	\$594,034	\$4,706,416
Texas	\$6,079,192	\$854,227	\$6,933,419
Utah	\$1,960,474	\$309,355	\$2,269,829
Vermont	\$1,184,363	\$206,681	\$1,391,044
Virginia	\$3,941,821	\$571,470	\$4,513,291
Washington	\$4,306,347	\$619,694	\$4,926,041
West Virginia	\$2,966,342	\$442,423	\$3,408,765
Wisconsin	\$8,163,353	\$1,129,944	\$9,293,297
Wyoming	\$1,086,881	\$193,785	\$1,280,666
Headquarters T&TA			\$3,750,000
Total	\$215,227,215	\$31,022,785	\$250,000,000
Navajo Grant:	\$325,088	\$32,429	\$357,517
Inter-Tribal Council of America Grant:	\$87,308	\$14,830	\$102,138
Northern Arapahoe Grant:	\$92,831	\$16,551	\$109,382
Arizona (adjusted)	\$1,110,529	\$188,634	\$1,299,163
New Mexico (adjusted)	\$1,638,285	\$282,310	\$1,920,594
Wyoming (adjusted)	\$994,050	\$177,234	\$1,171,284

Note: The proposed FY2009 appropriation is above the threshold that triggers changes to the allocation formula mandated by the interim final rule published on June 5, 1995 in the Federal Register, Volume 60, No. 107, Pages 29469-29481.