VINCENT C. GRAY
MAYOR

AUG 22 2013

Jeannie Chaffin
Director
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, DC 20447

Dear Ms. Chaffin:

In response to your grant approval requirement, please be advised that for the Low Income Home Energy Assistance Program (LIHEAP), I have delegated signatory authority in all matters concerning this and all other District of Columbia energy grant applications to:

Keith A. Anderson
Director
District Department of the Environment
1200 First Street, N.E., 5th Floor
Washington, DC 20002

This delegation specifically includes certification of required assurances and monitoring procedures.

Thank you for your attention to this matter.

Sincerely,

Vincent C. Gray

Vincent C. Gray

ATTACHMENT 3

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2014

GRANTEE: District Department of Environment

EIN: 1-536001131

ADDRESS: 1200 1st Street NE Fifth Floor, Washington DC 20002

NAME OF LIHEAP COORDINATOR: Isaac Cotton

EMAIL: Isaac.Cotton@dc.gov

TELEPHONE: (202) 478-2423 FAX: (202) 671-0802

PLEASE CHECK ONE: TRIBE _____ STATE X INSULAR AREA _____

Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Approval No. 0970-0075
Expiration Date: 04/30/2014

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)
Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The District Department of Environment agrees to:
(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level for such State; or
(ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

> (A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and
>
> (B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

> (A) notify each participating household of the amount of assistance paid on its behalf;
>
> (B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursal of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed $200,000. Neither territories with annual allotments of $200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature: _____

Title: Director, District Department of Environment, District Department of Environment

Date: 08/29/13

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of $200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory references

2605(a)
2605(b)(1) ➔Please check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)

(use of funds)		Dates of Operation
X	heating assistance	10/01/13 to 09/30/14
X	cooling assistance	10/01/13 to 09/30/14
X	crisis assistance	10/01/13 to 09/30/14
X	weatherization assistance	10/01/13 to 09/30/14

2605(c)(l)(C) ➔Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of funds)

55 % heating assistance

10 % cooling assistance

5 % crisis assistance

2605(k)(1) 15 % weatherization assistance

0 % carryover to the following fiscal year

2605(b)(9) 10 % administrative and planning costs

2605(b)(16) 5 % services to reduce home energy needs including needs assessment (assurance 16)

0 % used to develop and implement leveraging activities (limited to the greater of 0.08% or $35,000 for States, the greater of 2% or $100 for territories, tribes and tribal organizations).

100% **TOTAL**

statutory references

2605(c)(1)(C)

(alternate use of crisis assistance funds)

➔The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

__X__ heating assistance

__X__ cooling assistance

_____ weatherization assistance

_____ Other(specify):

➔Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes __X__ No _____

2605(b)(2)
2605(c)(1)(A)

(eligibility)

➔What are your maximum eligibility limits?
(Please check the components to which they apply.)
Current year guidelines must be used.

_____150% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____125% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

_____ 110% of the poverty guidelines:
heating _____ cooling _____ crisis _____ wx _____

__X__ 60% of the State's median income:
heating __X__ cooling __X__ crisis __X__ wx __X__

_____Other (specify for each component)

_____

_____ Households automatically eligible if one person is receiving
____ TANF, ____SSI, _____ Food Stamps, _____ Certain means-tested veterans programs (heating ____ cooling ____ crisis ____ wx ____)

statutory
references

2605(c)(1)(A)
2605(b)(2)
(eligibility)

➔Do you have additional eligibility requirements for:
HEATING ASSISTANCE _____ Yes __X__ No)

➔Do you use:	Yes	No
Assets test?	_____	__X__

➔Do you give priority in eligibility to:

Elderly?	_____	__X__
Disabled?	_____	__X__
Young children?	_____	__X__
Other: (If Yes, please describe)	_____	__X__

statutory
references

2605(c)(1)(A)
2605(b)(2)

➔Do you have additional eligibility requirements for:
COOLING ASSISTANCE (____ Yes __X__ No)

(eligibility)

➔Do you use:	Yes	No
Assets test?	_____	__X__
➔Do you give priority in eligibility to:		
Elderly?	_____	__X__
Disabled?	_____	__X__
Young children?	_____	__X__
Other: (If Yes, please describe)	_____	__X__

statutory
references

2604(c)
2605(c)(1)(A)

➔Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (__X__ Yes ____ No)

(eligibility)

	Yes	No
➔Do you use:		
Assets test?	____	__X__
Must the household have received a shut-off notice or have an empty tank?	__**X**__	__X__
Must the household have exhausted regular benefit?	__X__	____
Must the household have received a rent eviction notice?	____	__X__
Must heating/cooling be medically necessary?	____	__X__
Other (Please explain):	__**X**__	____

➔What constitutes a crisis? (Please describe)

A household is considered in crisis if they have received a shut-off notice, or their energy service has been disconnected or their household heating oil is at 5% or less of capacity.

statutory references

2605(c)(1)(A)

➔Do you have additional eligibility requirements for:
WEATHERIZATION (___ Yes __X__ No)

(eligibility)

	Yes	No
➔Do you use:		
Assets test?	____	__X__
Priority groups? (Please list)	____	__X__
➔Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish eligibility or to establish priority eligibility for households with certain characteristics?	____	__X__
➔If Yes, are there exceptions? Please list below.	____	__X__

statutory references

2605(b)(3)
2605(c)(3)(A)

(outreach)

➔Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

__X__ provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

____ place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

____ publish articles in local newspapers or broadcast media announcements.

____ include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

_____ make mass mailing to past recipients of LIHEAP.

__X__ inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

_____ execute interagency agreements with other low-income program offices to perform outreach to target groups.

_____ other (Please specify):

statutory references

2605(b)(4)

(coordination)

➔Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

LIHEAP energy assistance offices are located in the same building with the District of Columbia's Department of Human Services (DHS), which increases the effectiveness of reaching low income residents and sharing program information. DHS administers the Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) and Medicaid programs.

DDOE coordinates with DHS on the Heat and Eat program to maximize the allowable benefits participants receive. Awareness of LIHEAP is also increased with SNAP participants, who may not have been aware of its benefits, through this coordinated effort.

2605(b)(5)
2605(b)(2)
2605(b)(8A)

(benefit levels)

➔The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible because they receive benefits under TANF, Food Stamps, SSI, or certain means-tested veterans programs ("categorically eligible"). How do you ensure there is no difference when determining eligibility and benefit amounts? This applies to all components unless specifically noted below.

There are no categorically eligible households. All households must apply and the benefit levels are calculated on the same criteria: income level; household size; fuel type; and dwelling type.

statutory references

HEATING COMPONENT

2605(b)(5) (determination of benefits)

➔Please check the variables you use to determine your benefit levels (check all that apply):

__X__ income
__X__ family (household) size
__X__ home energy cost or need
- __X__ fuel type
- _____climate/region
- _____individual bill
- __X__ dwelling type
- _____energy burden
  (% of income spent on home energy)
- _____energy need
- _____other (describe)

2605(b)(5)
2605(c)(1)(B)

(benefit levels)

➔Describe how you will assure that the highest benefits go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size.
Please describe benefit levels or attach a copy of your payment matrix.

Benefits are determined using a matrix based on household income, family size, type of dwelling (single or multifamily) and fuel type. (See attached matrix). The matrix was developed in order to allocate scarce resources in such a way that, while serving as many households as feasible, the highest benefits would go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account the households' size.

➔Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

__X__ Yes ____ No If Yes, please describe.

Households with inoperative heating units may be provided with electric space heaters. Blankets may also be provided to households.

statutory references

2605(b)(5)
2605(c)(1)(B)

COOLING COMPONENT

➔Please check the variables you use to determine your benefit levels (check all that apply):

(determination of benefits)

__X__ income
__X__ family (household) size
__X__ home energy cost or need
- __X__ fuel type
- _____ climate/region
- _____ individual bill
- __X__ dwelling type
- _____ energy burden (% of income spent on home energy)
- _____ energy need
- _____ other (describe)

2605(b)(5)
2605(c)(1)(B)

(benefit levels)

➔Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

Benefits are determined using a matrix based on household income, family size, type of dwelling (single or multifamily), fuel type and home energy need or cost. (See attached matrix). The matrix was developed in order to allocate scarce resources in such a way that, while serving as many households as feasible, the highest benefits would go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account the households' size.

➔Do you provide in-kind (e.g. fans) and/or other forms of benefits?

__X__ Yes ___ No If Yes, please describe.

Households may receive fans.

statutory references

2605(b)(5)
2605(c)(1)(B)

CRISIS COMPONENT

(determination of benefits)

➔How do you handle crisis situations?

__X__ separate component _____ other (please explain)

➔If you have a separate component, how do you determine crisis assistance benefits?

__X__ amount to resolve crisis, up to maximum **[one (1) time benefit per fiscal year]**

_____ other (please describe)

(benefit levels)

➔Please indicate the maximum benefit for each type of crisis assistance offered.

heating	$__600.00__	maximum benefit
cooling	$__600.00__	maximum benefit
year-round	$__600.00__	maximum benefit

➔Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

__X__ Yes ___ No If Yes, please describe.

Households experiencing a crisis may receive heaters, fans and/or weatherization kits.

statutory references

2605(b)(5)
2605(c)(1)
(B) & (D)

WEATHERIZATION & OTHER ENERGY RELATED HOME REPAIR AND IMPROVEMENTS

➔What LIHEAP weatherization services/materials do you provide? (Check all categories that apply.)

(types of assistance)

___X___ Weatherization needs assessments/audits.
___X___ Caulking, insulation, storm windows, etc.
___X___Furnace/heating system modifications/repairs
___X___ Furnace replacement
___X___ Cooling efficiency mods/repairs/replacement
___X____ Other (Please describe)

Also: Glazing, replacement doors and windows in certain situations, testing for and correcting infiltration and leaks.

(benefit levels)

➔Do you have a maximum LIHEAP weatherization benefit/expenditure per household? ___X___ Yes _____ No
If Yes, what is the maximum amount? $___6,904.00_____

➔Under what rules do you administer LIHEAP weatherization? (Check only one.)

(types of rules)

____ Entirely under LIHEAP (not DOE) rules
____ Entirely under DOE LIWAP rules
__X__Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):

___X___ Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days
_____Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).
_____ Other (Please describe)

_____ Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)

___X___ Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.
___X___ Other (Please describe.)

Maximum allowable per dwelling unit is federal maximum of $6,904.00.

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

(agency designation)

_____ county welfare offices
__X__ community action agencies (weatherization component)
_____ community action agencies (heating, cooling or crisis
_____ charitable organizations
__X__ not applicable (i.e. state energy office)
_____ tribal office
__X__ other, describe:

For the weatherization component, government agencies are allowed to apply to provide services as sub-grantee of DDOE.

➔Have you changed local administering agencies from last year?
_____ Yes __X____ No

If Yes, please describe how you selected them.

➔What components are affected by the change?

2605(c)(1)(E) ➔Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(targeting of assistance)

LIHEAP staff conduct during the summer months a targeted outreach to senior citizens, visiting senior citizen housing complexes, to present program information and perform on-site client intake/application for the upcoming fiscal year. After the start of the new fiscal year applications are processed that were accepted during the outreach visit.

statutory references

2605(b)(7) (energy suppliers)

➔Do you make payments directly to home energy suppliers?

Heating ___X___ Yes _____ No

Cooling ___X___ Yes _____ No

Crisis ___X___ Yes _____ No

If Yes, are there exceptions? _____Yes ___X___ No
If Yes, please describe.

2605(b)(7)(A)

➔If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

At the conclusion of the intake process, clients are provided with a written notice which states the exact amount of assistance that will be paid on their utility bill and the payee. All payments are made directly to the energy supplier.

2605(b)(7) (B) & (C)

➔How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

Vendor agreements are executed with each energy supplier -- each of the electric and gas utilities and two oil suppliers. The agreements incorporate the applicable requirements of the assurance.

statutory references

2605(b)(8)(B)

➔Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners and renters)

HEATING ASSISTANCE

_____ Yes __X__ No

COOLING ASSISTANCE

_____ Yes __X__ No

CRISIS ASSISTANCE

_____ Yes __X__ No

WEATHERIZATION

__X__ Yes ____ No

Renters must obtain authorization from the dwelling owner granting permission for an energy audit and the installation of energy efficiency measures. The owner must also provide assurance that they will not raise the rent of the current resident for 2 years because of the installation of the energy efficiency measures.

statutory references

2605(b)(10)

➔How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

Federally accepted accounting practices and fiscal controls are used to track administrative and benefit expenditures. Authorized funding is assigned budgetary codes by funding type for tracking, monitoring and compliance purposes. The program is also subject to District of Columbia audits.

(program, fiscal monitoring, and audit)

➔How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

Heating, cooling and crisis component benefit expenditures to the electric and gas utility are monitored through online account review.

Weatherization component funds are awarded to a sub-grantee that must provide regular reports detailing dwellings serviced, measures installed and units inspected. DDOE performs desk audits and routine onsite monitoring visits. DDOE staff visit at least 10% of funded projects.

➔How is your LIHEAP program audited?

Under the Single Audit Act? __X__ Yes _____ No
If not, please describe:

For States and Territories:

➔Is there an annual audit of local administering agencies? _X_ Yes
No
If not, please explain.

statutory references

2605(b)(12)

(timely and meaningful public partici-pation)

➔How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

A public hearing notice was published in the District of Columbia Register and the DDOE website to inform the public about the proposed State Plan, how to obtain and review a copy, and how to submit comments. (See 60 DCR 010038, attached) The State Plan was published on DDOE's website: www://green.dc.gov/service/energy-assistance-and-weatherization. Public comments closed on August 23, 2013.

2605(a)(2)

(public hearings)

➔Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

__X__ Yes ____No

(Not required for Tribes and tribal organizations)

A Public Hearing was held on August 13, 2013, at 4:00 PM, at 1200 First Street, NE, Conference Room 719, Washington DC 20002.

statutory references

2605(b)(13)

(fair hearings)

➔Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

➔Denials
➔Applications Not Acted On In a Timely Manner

Hearings are held before an Administrative Law Judge at the independent Office of Administrative Hearings.

Every applicant for LIHEAP assistance receives as the agency decision a written packet containing (a) a letter describing the decision, (b) a printout of the database information on which the decision was based, (c) the matrix used to determine benefit level, and (d) detailed instructions on how to appeal if the applicant is dissatisfied with the decision. (See attached.)

statutory references

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are $200,000 or less):

➔Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

(alternate outreach and intake)

HEATING ASSISTANCE

_____ Yes ___X___ No

If Yes, describe alternate process for outreach and intake:

COOLING ASSISTANCE

_____ Yes ___X___ No

If Yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

_____Yes ___X___ No

If Yes, describe alternate process for outreach and intake:

statutory
references

2605(b)(16)

➔Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

__X__ Yes _____ No

If Yes, please describe these activities.

Up to five (5) percent of awarded funds are used to conduct educational workshops to educate participants on how to identify energy waste, increase energy efficiency, and to understand and read their utility bill. Educational workshops are conducted to assist clients in reducing their energy costs.

A separate budget is established for the funds that are used for this purpose. The funds are assigned an index number and are tracked and monitored on a monthly basis to assure compliance with funding guidelines.

statutory references	
2607A (leveraging)	➔Please describe leveraging activities planned for the fiscal year. **(This entry is optional.*)** Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each: (1) Identify and described each resource/benefit; (2) Identify the source(s) of each resource; and (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

statutory references	
2605(b) (performance) goals and measures)	➔Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, ``Disclosure Form to Report Lobbying,'' in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature

Title
Director

Organization
District Department of the Environment

Attachment 3: Your Appeal Rights

If you disagree with the decision which DDOE made on your LIHEAP application, you may request a fair hearing at "OAH", the District's Office of Administrative Hearings. **You MUST request a hearing within 90 calendar days of the date on this letter or lose your right to appeal.**

You can ask for the hearing in any one of these ways:

1. **Call 311** and ask for a fair hearing at the Office of Administrative Hearings, OAH.

2. **Write** the following address to ask for a fair hearing: OAH - LIHEAP Appeal, 441 4th Street, N.W., Suite 450 North, Washington, D.C. 20001.

3. **Visit** any one of DDOE's or OAH's offices in person and fill out a form requesting a fair hearing:

   (a) DDOE has offices at: (1) 1207 Taylor St., NW, Washington, DC 20011; (2) 2100 Martin Luther King, Jr. Ave., SE, Washington, DC 20020; and (3)1200 1st Street, NE, Washington DC 20002, 5th Floor reception desk;

   (b) OAH is at: 441 4th Street, N.W., Suite 450 North, Washington, D.C. 20001

4. **Email** your appeal to: Liheap.Appeals@dc.gov;

Hearings: You have the right to be represented by legal counsel or by a lay person who is not an employee of the District at your hearing. You can ask for free legal services that might be available to you. You may bring witnesses. The District will pay reasonable expenses related to the hearing, such as transportation costs for you and your witnesses.

Interpreter: If you or a witness is deaf, or have problems reading, writing or understanding English, you can ask OAH to provide an interpreter.

Reasons to appeal your LIHEAP decision: You might appeal for one or more of these reasons: (1) DDOE denied your application; (2) the LIHEAP payment is less than you believe it should be; (3) the payment is less than DDOE told you it would be; or (4) DDOE took no action on your application for 45 calendar days.

Remember, you MUST request a hearing within 90 calendar days of the date on this letter or lose your right to appeal. OAH will notify you of the date and time that you must appear for the hearing.

Authority: DC Administrative Procedures Act, DC Official Code 2-509; Public Asst. Act, DC Official Code 4-210.04. *See* 1 DCMR 2970-78, OAH Public Benefits Regulations. Filename: 0 liheap appeal rights sheet.docx Revision date: 11-30-12

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PUBLIC HEARING
AND
NOTICE TO COMMENT IN WRITING

LIHEAP State Plan for Fiscal Year 2014 –
Low Income Home Energy Assistance Program

WAP State Plan for Fiscal Year 2014 –
Weatherization Assistance Program

Hearing: Tuesday, August 13, 2012, 4:00 pm
District Department of the Environment
1200 First Street, NE, 7th Floor Conference Room 718
NoMa-Gallaudet University Metro Stop, Washington, D.C.

Written Comments due by: August 23, 2012, 4:30 pm

The District Department of the Environment ("DDOE") invites the public to present its views and comments on two aspects of its energy assistance: (1) DDOE's Fiscal Year 2014 Draft State Plan for the District's Low Income Home Energy Assistance Program ("LIHEAP" or "the LIHEAP Program") and its FY 2014 Draft State Plan for Weatherization Assistance ("WAP") ("State Plans"). DDOE intends to review all components of the two State Plans at the public hearing. Views may be expressed in person at the public hearing or in writing.

Authority for each program is provided by:

- Home Energy Assistance Act of 1980, in Title III of the Crude Oil Windfall Profit Tax Act of 1980, PL 96-223, §§ 301- 13 (Apr. 2, 1980), as amended; 42 USC 8601 *et seq.*;

- Low Income Home Energy Assistance Act of 1981, in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35 (Aug. 13, 1981), as amended, 42 USCA § 8621 *et seq.*;

- Implementing regulations of the US Department of Health and Human Services, 45 CFR 96.80 *et seq.*;

- District Department of the Environment Establishment Act of 2005, §§ 101 *et seq.*, effective February 15, 2006, as amended (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2008 Repl. & 2013 Supp.));

- District of Columbia Office of Energy Act of 1980, §§ 2 *et seq.*, effective March 4, 1981, as amended (D.C. Law 3-132; D.C. Official Code §§ 8-171.01 *et seq.* (2008 Repl. & 2013 Supp.));

- Clean and Affordable Energy Act of 2008, §§ 101 *et seq.*, effective Oct. 22, 2008, as amended (D.C. Law 17-250; D.C. Official Code §§ 8-1773.01, 8-1774.01 *et seq.* (2008 Repl. & 2013 Supp.)); and

- Mayor's Order 2006-61, dated June 14, 2006, and its delegations of authority.

Comments may be provided in person or in writing. A person need not attend the public hearing in order to submit comments on a State Plan.

The public hearing will take place at the above-stated time and place. The public hearing will continue until the presiding officer determines that everyone has had a meaningful opportunity to be heard. The presiding officer may limit the time in which to comment. A person who cannot be present at the opening time may reserve a time to speak, by contacting DDOE, as described below, in this notice. A person attending the public hearing should check in with the guard in the building lobby, then go to DDOE's reception desk on the 5th floor.

Written comments may be submitted directly to DDOE by mail, hand delivery, or email. Instructions for submitting written comments appear below, in this notice. DDOE will accept written comments until Friday, August 23, 2013 at 4:30 p.m.

Obtaining text of a State Plan for LIHEAP or WAP. Each document will be available at DDOE's website and from DDOE's offices, as described below in this notice. Each document will become available at the DDOE web page, described below, in this notice, as follows:

The LIHEAP Draft State plan on Tuesday, July 30, 2013, at noon;

The WAP Draft State plan on Thursday, July 18, 2013, at noon.

A person may obtain a copy of the document by any of the following methods:

- Download, by visiting DDOE's website, green.dc.gov. Look for the title/section, "Energy in DC", click on it, choose "Energy Assistance and Weatherization" and click on it. Page down to the section titled "Publications" to find the document's listing. Click on it. Follow the link to the document in PDF format, which can be downloaded;

- Email a request to StatePlan.Year2014@dc.gov with "Request copy of LIHEAP (or WAP, or both) State Plan 2014" in the subject line;

- In person by making an appointment to examine a copy in DDOE's offices at the 5th floor reception desk at the street address below (call DDOE reception at 202-535-2600 and mention the State Plan by name). DDOE is located one block west of the NOMA Red Line Station, at the corner of M Street and First Street NE; or

- Write DDOE at 1200 First Street, N.E., 5th Floor, Washington, DC 20002, "Attn: Request copy of LIHEAP (or WAP, or both) State Plan 2014" on the outside of the letter.

The State Plan contact: For additional information regarding the public hearing or written comments please send an email to StatePlan.Year2014@dc.gov.

DDOE appreciates the time, insight, and expertise that go into submitting comments. DDOE will carefully consider all of the comments that it receives.

Instructions for Submitting Written Comments

Written comments should: (1) identify the commenter, and commenter's organization, if any; (2) be clearly marked "LIHEAP FY 2014" or "WAP FY 2014", and be delivered in one of the following ways: (a) mailed or hand-delivered to DDOE Energy Administration, Energy Assistance Branch, 1200 First Street, NE, Washington DC 20002, marked "Attn: State Plan 2014"; (b) e-mailed to StatePlan.Year2014@dc.gov, with the subject indicated as "State Plan 2014,"; or (c) delivered in person to the above address, with similar identification.