Grid Deployment Office
Request for Information (RFI) #DE-FOA-0002762
Energy Policy Act of 2005 Section 243 and 247 Hydroelectric Incentive Programs
(Bipartisan Infrastructure Law Section 40332 and 40333)

ISSUE DATE: June 30, 2022
SUBJECT: Request for Information (RFI): DE-FOA-0002762
DUE DATE: September 6, 2022, 11:59 pm ET
SUBMIT TO: WPTORFI@ee.doe.gov

Description

The U.S. Department of Energy (DOE) Grid Deployment Office (GDO) is requesting information and feedback from stakeholders on issues related to the development of hydroelectric incentive programs authorized under sections 243 and 247 of the Energy Policy Act of 2005 (Pub. L. 109-58) (EPAct 2005), as amended by sections 40332 and 40333 of the Bipartisan Infrastructure Law. *See* 42 U.S.C. 15882 and 15883.[1]

Background

The United States currently gets 7% of its electricity—and 37% of its renewable electricity—from hydropower facilities, which provide a reliable and flexible source of carbon-free power. Hydropower also provides critical energy storage, and pumped storage hydropower accounts for 93% of all utility-scale energy storage in the United States. Hydropower is key to building a 100% clean energy future. But as today's facilities age and become more expensive to maintain, the United States risks losing important sources of clean energy and high-quality jobs.

On November 15, 2021, President Joseph R. Biden, Jr. signed the Bipartisan Infrastructure Law (BIL). The BIL is a once-in-a-generation investment in infrastructure, which provides the backbone for a more sustainable, resilient, and equitable economy through enhancing U.S. competitiveness in the world, diversifying regional economies to include supply chain and

[1] Section 243 (Hydroelectric Efficiency Improvement Incentives Program) and Section 247 (Maintaining and Enhancing Hydroelectricity Incentives Program) will be referred to as the Hydroelectric Incentive Programs.

manufacturing industries, creating good union jobs, and ensuring stronger access to economic and other benefits for underserved communities. The BIL appropriates more than $62 billion to DOE to ensure the clean energy future delivers true economic prosperity to the American people by:

- Investing in American manufacturing and workers, by creating good-paying jobs with the free and fair chance to join a union and supporting workforce development that enables workers to advance in their careers.
- Expanding access to energy efficiency and clean energy for families, communities, and businesses.
- Delivering reliable, clean, and affordable power to more Americans.
- Building the technologies of tomorrow through clean energy demonstrations.

Principles of equity and justice will guide BIL implementation, consistent with the Biden Administration's commitments to ensure that overburdened, underserved, and underrepresented individuals and communities have access to federal resources pursuant to EO 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*; EO 14020, *Establishment of the White House Gender Policy Council*; and EO 14008, *Tackling the Climate Crisis at Home and Abroad*. Moreover, the BIL implementation process should advance equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.

Strengthening prosperity – by expanding good-paying, safe union jobs and supporting job growth through investments in domestic manufacturing – is a key goal set by President Biden and is discussed in depth in his EOs on *Ensuring the Future Is Made in All of America by All of America's Workers* (EO 14005), *Tackling the Climate Crisis at Home and Abroad* (EO 14008), *Worker Organizing and Empowerment* (EO 14025), *Promoting Competition in the American Economy* (EO 14036), and *Implementation the Infrastructure Investment and Jobs Act* (EO 14052). The Hydroelectric Incentive Programs will support the creation of good-paying jobs with the free and fair choice to join a union, the incorporation of strong labor standards, and high-road workforce development, especially registered apprenticeship and quality pre-apprenticeship.[2, 3]

[2] Registered Apprenticeship Program (RAPs) are a proven model of job preparation, registered by the U.S. Department of Labor (DOL) or a DOL-recognized State Apprenticeship Agency, which employ workers and combine paid On-the-Job Learning (OJL) (also referred to as On-the-Job Training) with Related Instruction (RI) to progressively increase workers' skill levels and wages. RAPs are also a business-driven model that provide an effective way for employers to recruit, train, and retain highly skilled workers. RAPs allow workforce partners, educators, and employers to develop and apply industry standards to training programs, thereby increasing the quality of the workforce and workforce productivity. RAPs offer job seekers immediate employment opportunities that pay sustainable wages and offer advancement along a career path as they complete their training. Registered Apprentice completers receive industry-recognized certificates of completion leading to long-term career opportunities. For more information on RAPs, please visit www.apprenticeship.gov.

[3] DOL has developed a framework for Quality Pre-Apprenticeship Programs:

- Training and curriculum based on industry standards, approved by the Registered Apprenticeship sponsor with whom the pre-apprenticeship program is partnering.
  Strategies that increase Registered Apprenticeship opportunities for disadvantaged and under-represented individuals that will allow the participant to meet the entry requirements for a Registered Apprenticeship program upon completion. These involve:
    - » Strong recruitment efforts for populations under-represented in Registered Apprenticeship programs
    - » Educational and pre-vocational services that prepare participants to meet the minimum qualifications for entry into a Registered Apprenticeship program
    - » Activities introducing participants to Registered Apprenticeship programs and assistance in applying for those programs
- Access to support services that help participants remain in the program (such as childcare, transportation, counseling and ongoing career services).
- Collaboration with Registered Apprenticeship sponsors to promote apprenticeship to other employers as a quality approach to attain and retain a skilled workforce.
- Hands-on experience that simulates the work performed in the Registered Apprenticeship, while observing proper supervision and safety protocols.
- Formal agreements, wherever possible, with Registered Apprenticeship sponsors for entry into Registered Apprenticeship programs upon successful completion of the pre-apprenticeship program.

For additional information on pre-apprenticeship, please review USDOL's Training and Employment Notice 13-12.

The BIL provides funding to ensure the United States advances and deploys new technologies while keeping existing clean energy sources online. The BIL combined $753.6 million[4] to DOE for various hydroelectric incentive programs to enable existing facilities to:

- Improve efficiency,
- Improve grid resiliency,
- Maintain dam safety,
- Reduce environmental impacts,
- Enable generators to continue to provide emission-free electricity.

Section 40331 of the BIL amended Section 242 of EPAct 2005 and appropriated $125 million. The Secretary of Energy is directed to provide incentive payments to a qualified hydroelectric facility for up to a 10-year period to support the expansion of hydropower energy development at existing dams and impoundments. Congress had previously amended section 242 in the Energy Act of 2020 (Pub. L. 116–260) by expanding the eligibility window and amending the definition of a qualified hydroelectric facility to consider facilities located in an area of inadequate electric service.[5] As Section 242 has been administered by DOE previously, it is not covered in this RFI.

Section 40332 of the BIL amended Section 243 of EPAct 2005, and appropriated funds to encourage owners or operators of hydroelectric facilities to make capital improvements that directly relate to improving the efficiency of such facilities by at least 3 percent.[6] Under this provision, an eligible facility may receive an incentive payment of no more than 30% of the costs of the applicable improvement, but no facility may receive an incentive payment of more than $5 million in a single fiscal year.

Congress also, in Section 40333 of the BIL, amended EPAct 2005 to establish Section 247, which offers a new hydroelectric incentive payment to the owners and operators of qualified hydroelectric facilities for three types of capital improvement projects.[7] A qualified facility may be eligible to receive an incentive payment, issued by the Secretary, for a capital improvement that is directly related to: improving grid resiliency; improving dam safety to ensure acceptable performance under all loading conditions (including static, hydrologic, and seismic conditions); or making environmental improvements. An incentive payment is not to exceed 30% of the costs of the applicable improvement and shall not exceed $5M per facility per fiscal year. The Secretary "shall" issue incentive payments only in accordance with the parameters and

[4] While outside the scope of this RFI, this amount includes the $125 million appropriated to DOE for carrying out the hydroelectric production incentives program under Section 242 of the EPAct 2005, as amended by section 40331 of the BIL. *See* 42 U.S.C. 15881.
[5] See 42 U.S.C. 15881.
[6] *See* 42 U.S.C. 15882.
[7] *See* 42 U.S.C. 15883(b)(1)-(3).

limitations established by the statute. The Secretary may issue an appropriate payment only after a facility applies for an incentive payment for a project that meets the eligibility requirements.

To comply with the other requirements included in the BIL, DOE intends to consider the applicability of specific requirements for the Build America, Buy America Act[8] and the Davis-Bacon Act[9] when evaluating the future applications solicited under sections 243 and 247 of EPAct 2005.

Purpose

The purpose of this RFI is to solicit feedback from industry, Tribes, government agencies, state and local coalitions, academia, research laboratories, labor unions, community-based organizations (CBOs),[10] and other stakeholders on definitions, program structure, and selection related to the Department's authority to provide capital improvement incentives under Sections 243 and 247 of Epact 2005, as amended.

Responses to this RFI may address one or more of the questions presented.

Please use the bolded Category numbers and sub-headings in your response to the greatest extent possible and refer to the questions (e.g., C1.A, C2.B, etc.) in the body of your responses. This is solely a request for information and not a Funding Opportunity Announcement (FOA). DOE is not accepting applications at this time.

Request for Information Categories and Questions

Category 1: General

1. **Defining Capital Improvement:**
   DOE is considering the following definition of *capital improvement*:
   "The addition, improvement, modification, replacement, rearrangement, reinstallation, renovation, or alteration of tangible assets, such as real property, buildings (facilities),

[8] The new Buy American requirements are located in Division G – Other Authorizations; Title IX – Build America, Buy America of the BIL, sections 70901-70952. For more information regarding the implementation of the Buy America preference see M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

[9] Section 41101 of the BIL includes wage requirements and directs that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available through the BIL shall be paid wages at rates not less than those prevailing on similar projects in the locality.

[10] CBOs are public or private not-for-profit resource hubs that provide specific services to the community or ~~targeted population within the community.~~

equipment, and intellectual property (including software) used in hydroelectric operations that have a useful life of more than one year, which are capitalized in accordance with generally accepted accounting principles[11] within the Federal Energy Regulatory Commission (FERC) project boundary of a hydroelectric facility or the defined boundary pursuant to a permit or valid existing right-of-way granted prior to June 10, 1920."

1. Are there other terms, definitions, or alterations to the proposed definition of *capital improvement* that DOE should consider?
2. What benefits and/or limitations would result from requiring an eligible capital improvement to be exclusively within the FERC defined project boundary?[12]
3. Are there common methods to define capital improvement under U.S. Department of Treasury or other regulatory guidance that should be considered for the purpose of Sections 243/247?

2. Timing of Funds

1. When in the project development process would the funding from these incentive programs be best applied? This could include preliminary engineering stage, detailed engineering stage, pre-equipment procurement, post-procurement, pre-construction, or post-construction.

3. Collaboration with Federal Energy Regulatory Commission

1. How should DOE collaborate with the FERC's dam safety and license compliance programs to implement the incentive programs?

Category 2: Section 243 of the Energy Policy Act of 2005

A. Program Design

To assist with the specific implementation of the Section 243 incentive, DOE seeks to understand the eligible capital improvements, as well as align the incentive with other federal, state, or local programs that support efficiency improvements. In addition to the questions below, DOE seeks broad input into the Section 243 program implementation. Specific questions include:

1. What type of capital improvements are needed to improve operational efficiency at existing facilities by at least 3%?
2. How might DOE validate the efficiency improvements to ensure the capital improvements meet the 3% requirement?

[11] As defined in 2 CFR 200.1, which has the meaning specified in accounting standards issued by the Government Accounting Standards Board and the Financial Accounting Standards Board.

[12] The project boundary must enclose only those lands necessary for operation and maintenance of the project and for other project purposes as designated in the project license. https://www.ferc.gov/about/what-ferc/frequently-asked-questions-faqs/hydropower-frequently-asked-questions-faqs

3. Should DOE limit eligibility for incentive payments to only efficiency improvements that include specific project components (e.g., turbines, generators, and intakes) typically associated with electricity generation?
4. Should DOE consider other capital improvements that may improve overall facility efficiency?
5. Among existing federal and state programs that identify hydropower efficiency improvements (e.g., state clean energy standards/renewable portfolio standards, FERC Renewable Energy Production Tax Credit for Incremental Hydropower Production), are certain features or approaches within these programs particularly useful?

Category 3: Section 247 of the Energy Policy Act of 2005
Section 247 designates three categories of capital improvements to help improve and modernize existing hydropower – Grid Resiliency; Dam Safety; and Environmental Improvements.

Specifically, Section 247[13] has the following list of eligible improvements:

i. **Improving Grid Resiliency**
   - Adapting more quickly to changing grid conditions
   - Providing ancillary services
   - Integrating other variable sources of electricity generation
   - Managing accumulated reservoir sediments

ii. **Improving Dam Safety**
   - Maintenance or upgrade of spillways or other appurtenant structures
   - Dam stability improvements, including erosion repair and enhanced seepage controls
   - Upgrades or replacements of floodgates or natural infrastructure restoration

iii. **Environmental Improvements**
   - Adding or improving safe & effective fish passage
   - Improving quality of water retained or released by a qualified hydroelectric facility
   - Promoting downstream sediment transport processes and habitat maintenance
   - Improving Recreation access to project vicinity

This section of the RFI poses questions related to these categories and on the prioritization of funding.

[13] See 42 U.S.C. 15883(b) for complete language.

A. Prioritization & Distribution of Funds

A key design of Section 247 incentive program will be to determine how to best allocate resources specifically to this Section across three categories.

1. What are some ways to prioritize the funding for the Section 247 incentive across the three categories of capital improvements (grid resiliency, dam safety, and environmental improvements)?
2. On what basis might DOE prioritize specific incentives (e.g., type of investment, investment impact, first-in-line application, first-time applicant, geographic diversity, ownership type) within each category of the capital improvement?
3. Other incentive programs offer guidelines, which when met, automatically qualify for incentive payments, as well as "custom" tracks for equipment, services, and/or other activities that require additional analysis to determine incentive payments. Which type of incentive model would be most appropriate to consider in designing hydroelectric incentive programs?
4. Are there other considerations DOE should make in terms of distributing funding when designing the Section 247 program?

B. Grid Resiliency Improvements

1. What types of grid resiliency improvements should receive the highest priority under Section 247?
2. What are typical project costs, risks, and timelines for different types of grid resiliency improvements (e.g., adapting more quickly to changing grid conditions, providing ancillary services (including black start capabilities, voltage support, and spinning reserves), integrating other variable sources of electricity generation, and managing accumulated reservoir sediments)?
3. What methods and metrics should DOE consider for evaluating proposed grid resiliency improvements? How might these methods and metrics consider both cost and performance at the facility (e.g., increased ramp rate, automatic generation control capability) and value to the power system (e.g., system cost, system reliability, emissions reduction)?

C. Dam Safety Improvements

1. Are there any highly effective governmental or association-level dam safety programs that should be considered in developing the Section 247 incentive program? What type of dam safety improvements are most likely to be submitted for consideration?
2. Section 247 includes the potential for "natural infrastructure restoration" for flood risk reduction as a type of dam safety activity.[14] What types of activities might DOE consider as eligible under this part of the provision?

[14] *See* 42 U.S.C. 15883(b)(2)(C).

3. How might DOE consider prioritizing dam safety capital improvements? Should DOE consider prioritizing the specific aspects of dam safety investments, such as hazard classifications, improvements required by FERC, or measures to extend the life of the dam?
4. Please indicate any recommendations associated with dam safety metrics or independently available tools that DOE should consider when establishing the program under this provision.

D. Environmental Improvements

1. How might DOE weigh capital investments under this provision with competing and mutually exclusive benefits such as an improvement that would improve environmental outcomes for one species, activity, or facility at the expense of another?
2. How might DOE prioritize the following aspects of environmental improvements:
    a. Acute environmental conditions or conditions that require immediate remediation by regulatory requirement.
    b. Potential and anticipated effects of climate change.
3. This provision includes capital improvements that improve water quality. How and where in relation to the facility should investments be made to achieve the greatest improvements in water quality?
4. What criteria is available to evaluate applications that address improving water quality?
5. How might DOE evaluate, monitor, and/or measure the results of water quality improvements?
6. The provision for environmental improvements, includes capital improvements that improve recreation access to project vicinity.[15] How should DOE determine that such an improvement is eligible under this provision and how should DOE verify that recreation is meaningfully improved beyond simply evaluating compliance with regulatory requirements?

E. Other.

1. Are there any other program design elements that DOE should consider?

Category 4: Equity, Environmental, and Energy Justice (EEEJ) and Labor Priorities

Under the Justice40[16] initiative, DOE seeks to ensure that EEEJ communities benefit from federal investment. For the purposes of this RFI, DOE has identified the following non-exhaustive list of policy priorities as examples to guide DOE's implementation of Justice40 in

[15] *See* 42 U.S.C. 15883(b)(3)(D).

[16] The Justice40 Initiative sets a goal that 40% of the overall benefits of certain federal investments flow to DACs. The Justice40 Interim Guidance defines benefits as direct and indirect investments (and program outcomes) that positively impact disadvantaged communities and provides examples (Page 4): https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf

disadvantaged communities: (1) decrease energy burden[17, 18, 19] (2) decrease environmental exposure and burdens[20] (3) increase access to low-cost capital; (4) increase the clean energy job pipeline and job training for individuals[21] (5) increase clean energy enterprise creation (e.g., minority-owned or diverse business enterprises); (6) increase energy democracy, including community ownership; (7) increase parity in clean energy technology access and adoption; and (8) increase energy resilience.

1. What strategies, policies, and practices can DOE deploy in the design of this program to support EEEJ goals (e.g., Justice40)? How should these be measured and evaluated for the hydroelectric incentive programs?
2. What EEEJ concerns or priorities are most relevant for the hydroelectric incentive programs?
3. What measures should applicants take to ensure that harm to communities with environmental justice concerns are mitigated in the capital improvements?
4. How can applicants ensure community-based stakeholders/organizations are engaged and included in the planning, decision-making, and implementation processes (e.g., including community-based organizations are advisory to the decision or directly benefit)?
5. How might DOE support meaningful and sustained engagement with relevant disadvantaged communities?
6. How can DOE best support the creation and retention of high-quality jobs, and clear workforce training pathways into those jobs, through these programs?

Category 5: Expanding Union Jobs and Effective Workforce Development

In keeping with the administration's goals, and as an agency whose mission is to help strengthen our country's energy prosperity, the Department of Energy strongly supports investments that expand union jobs, improve job quality through the adoption of strong labor standards, increase job access, strengthen local economies, and develop a diverse workforce for the work of building and maintaining the country's energy infrastructure and growing domestic manufacturing. Respondents to this RFI are encouraged to include information about how the capital improvements can best support these goals.

[17] The Initiative for Energy Justice https://iejusa.org/glossary-and-appendix/#glossary_of_terms
[18] DOE's LEAD tool illustrates energy burden in U.S. https://www.energy.gov/eere/slsc/maps/lead-tool
[19] Drehobl, A., Ross, L., and Ayala, R. 2020. How High are Household Energy Burdens? Washington, DC: ACEEE.
[20] Massetti, E., M. Brown, M. Lapsa, I. Sharma, J. Bradbury, C. Cunliff, Y. Li. (2017). Environmental Quality and the U.S. Power Sector: Air Quality, Water Quality, Land Use and Environmental Justice. Oak Ridge National Laboratory, Report ORNL/SPR-2016/772. Oak Ridge, TN. https://info.ornl.gov/sites/publications/files/Pub60561.pdf
[21] DOE's US Energy & Employment Jobs Report (USEER), https://www.energy.gov/us-energy-employment-jobs-report-useer; Department of Labor, Civilian Labor Force by Sex, https://www.dol.gov/agencies/wb/data/facts-over-time/women-in-the-labor-force

1. In what ways, if any, do you anticipate the capital improvements incentivized by this program could impact the workforce? For example:
    a. To what extent do you anticipate job creation, loss, or changes in job quality?
    b. To what extent do you anticipate the creation of construction jobs? Ongoing operations and maintenance jobs? Other jobs across the supply chain?
2. What tools could be utilized to meet the goal of creating work opportunities for residents in the construction phase and long-term operations phase of the project? How should short-term build-out (i.e., construction phase) employment and long-term operational employment opportunities be measured and evaluated?
3. What tools could be utilized to meet the goals of providing opportunities for workers displaced from fossil industries and resource-based industries in decline?
4. How should the quality of and access to construction phase employment and operations and maintenance phase employment be measured and evaluated?

Disclaimer and Important Notes

This RFI is not a Funding Opportunity Announcement (FOA); therefore, DOE is not accepting applications at this time. DOE may issue a FOA in the future based on or related to the content and responses to this RFI; however, DOE may also elect not to issue a FOA. There is no guarantee that a FOA will be issued as a result of this RFI. Responding to this RFI does not provide any advantage or disadvantage to potential applicants if DOE chooses to issue a FOA regarding the subject matter. Final details, including the anticipated award size, quantity, and timing of DOE funded awards, will be subject to Congressional appropriations and direction.

Any information obtained as a result of this RFI is intended to be used by the Government on a non-attribution basis for planning and strategy development; this RFI does not constitute a formal solicitation for proposals or abstracts. Your response to this notice will be treated as information only. GDO will review and consider all responses in its formulation of program strategies for the identified materials of interest that are the subject of this request. DOE will not provide reimbursement for costs incurred in responding to this RFI. Respondents are advised that DOE is under no obligation to acknowledge receipt of the information received or provide feedback to respondents with respect to any information submitted under this RFI. Responses to this RFI do not bind DOE to any further actions related to this topic.

Confidential Business Information

Because information received in response to this RFI may be used to structure future programs and otherwise be made available to the public, respondents are strongly advised to NOT include any information in their responses that might be considered business sensitive, proprietary, or otherwise confidential. Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner.

Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this RFI contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this RFI, it is important that you clearly designate the submitted comments as CBI. If a respondent chooses to submit CBI, pursuant to 10 CFR 1004.11, you may ask DOE to give confidential treatment to information you give to DOE by taking the following steps: (1) Mark each page of the original document submission containing CBI as “Confidential”; (2) send to DOE, along with the original document, a second copy of the original document with the CBI redacted or deleted; and (3) explain why the information you are submitting is CBI. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

Evaluation and Administration by Federal and Non-Federal Personnel

Federal employees are subject to the non-disclosure requirements of a criminal statute, the Trade Secrets Act, 18 USC 1905. The Government may seek the advice of qualified non-Federal personnel. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The respondents, by submitting their response, consent to GDO providing their response to non-Federal parties. Non-Federal parties given access to responses must be subject to an appropriate obligation of confidentiality prior to being given the access. Submissions may be reviewed by support contractors and private consultants.

Informational Webinar

On Tuesday, August 9, 2022, from 1:30 pm to 3:30 pm ET, DOE will hold an informal webinar to discuss general feedback from interested parties regarding the content of this RFI. To register for this informational webinar, please sign up at: https://bit.ly/RFI_HydroIncentiveProgram. Additional webinar information, participant instructions, and information about the capabilities available to webinar participants will be published on https://www.energy.gov/eere/water/hydropower-incentives-funding-bipartisan-infrastructure-law. Participants are responsible for ensuring their systems are compatible with the webinar software.

The webinar is open to all members of the public. Any person who has an interest in the topics addressed in the RFI, or who is representative of a group or class of persons that has an interest in these issues, may request an opportunity to make an oral presentation at the webinar. Requests should be sent by email to WPTORFI@ee.doe.gov. Persons who wish to speak should include with their request a computer file in Microsoft Word, PDF, or text (ASCII) file format that briefly describes the nature of their interest in this this RFI and the topics they wish to discuss. Such persons should also provide a daytime telephone number where they can be reached.

Persons requesting to speak should briefly describe the nature of their interest in these RFI and provide a telephone number for contact. DOE requests persons selected to make an oral presentation to submit an advance copy of their statements at least two weeks before the webinar. At its discretion, DOE may permit persons who cannot supply an advance copy of their statement to participate, if those persons have made advance alternative arrangements with DOE. As necessary, requests to give an oral presentation should ask for such alternative arrangements.

A DOE designated official will preside over the webinar and may also use a professional facilitator to aid discussion. The webinar will not be a judicial or evidentiary-type public hearing. The webinar will be recorded and a transcript of the proceedings will be made available on DOE's website. DOE reserves the right to schedule the order of presentations and to establish the procedures governing the conduct of the webinar. There shall not be discussion of proprietary information, costs or prices, market share, or other commercial matters regulated by U.S. anti-trust laws. After the webinar, and until the end of the comment period, interested parties may submit further comments on any aspect of the RFI via Written or Verbal responses.

The webinar will be conducted in an informal, conference style. DOE will allow time for prepared general statements by participants and encourage all interested parties to share their views on the issues identified in this RFI. Each participant will be allowed to make a general statement (within time limits determined by DOE), before the discussion of specific topics. DOE will permit, as time permits, other participants to comment briefly on any general statements.

At the end of all prepared statements on a topic, DOE will permit participants to clarify their statements briefly. Participants should be prepared to answer questions by DOE and by other participants concerning these issues. DOE representatives may also ask questions of participants concerning other matters relevant to this RFI. The official conducting the webinar will accept additional comments or questions from those attending, as time permits. The presiding official will announce any further procedural rules or modification of the above procedures that may be needed for the proper conduct of the webinar.

A transcript of the webinar will be made available on DOE's website.

Request for Information WRITTEN Response Guidelines

Responses to this RFI must be submitted electronically to WPTORFI@ee.doe.gov no later than 11:59 pm (ET) on Tuesday, September 6, 2022, with subject line "Organization/Name: Response to RFI on Hydroelectric Incentive Programs." Responses must be provided as attachments to an email. It is recommended that attachments with file sizes exceeding 25MB be compressed (i.e., zipped) to ensure message delivery. Responses must be provided as a Microsoft Word (.docx) or Adobe PDF (.pdf) attachment to the email, and no more than 15 pages in length, 12-point font, 1-inch margins. Only electronic responses will be accepted. **Please consider using the RFI questions, including the question numbering, to frame your response.** Respondents may answer as many or as few questions as they wish.

DOE will not respond to individual submissions or publish publicly a compendium of responses. A response to this RFI will not be viewed as a binding commitment to develop or pursue the project or ideas discussed.

Respondents are requested to provide the following information at the start of their written response to this RFI:

- Company / institution name
- Company / institution contact
- Contact's address, phone number, and e-mail address

Request for Information VERBAL Response Guidelines

In lieu of or in addition to providing written responses to this RFI, respondents may request a 30-minute individual unrecorded discussion with a DOE staff member regarding the content of their written responses to the RFI questions. Similarly, if a respondent is unable to submit written responses, or would otherwise prefer to do so, he/she may request a 30-minute individual discussion with a DOE staff member to verbally provide responses to the RFI questions. The discussion with a DOE staff member will be limited to the topics presented in the RFI. If a respondent wishes to participate in an individual discussion for either of these reasons, please submit your request to WPTORFI@ee.doe.gov by Friday, August 19, 2022 and you will be contacted by a WPTO staff member to schedule a time for the discussion. Requests for an individual discussion must be requested no later than 5:00 pm (ET) on Friday, August 19, 2022.

Respondents will be asked to provide the following information at the start of the verbal response to this RFI:

A. Company / institution name;
B. Company / institution contact;
C. Contact's address, phone number, and e-mail address.