

**Q: If DOE has sent me a response to my Concept Paper flagging criteria for further strengthening, what should I do?**

A: In some cases, DOE may flag certain review criteria for Applicants directly. DOE's purpose in doing so is to provide feedback to support your completion of the Full Application. This will be indicated by a checkmark on the letter that DOE sends either "encouraging" or "discouraging" you to submit a Full Application.

See below for FAQs related to each review criteria flag.

#### **Criterion 1**

**Q: My determination letter was marked for C1. Why?**

A: Your Concept Paper was partially clear but not fully clear as to whether the prime applicant is an eligible entity as described in Section III.A of the FOA. For example, if you applied under AOI 1, it is possible that your Concept Paper did not clearly establish that the prime applicant is a siting authority with the authority to make a final determination regarding the siting, permitting, or regulatory status of a covered transmission project that is proposed to be located in an area under the jurisdiction of the entity. As another example, if you applied under AOI 2, it is possible that your Concept Paper did not clearly establish that the prime applicant is: (1) a siting authority as defined above; or (2) a State, local, or Tribal governmental entity. Additionally, it is possible that the primary applicant listed in your Concept Paper was neither a siting authority nor a State, local, or Tribal governmental entity but the Concept Paper described an intent to partner with an eligible applicant.

You should ensure that your Full Application clarifies how the prime applicant satisfies the eligibility criteria as described in Section III.A of the FOA.

**Q: The applicable transmission project for my proposal is currently being considered by a regional transmission organization or independent system operator (RTO/ISO) for potential inclusion in a regional transmission plan. I expect the RTO/ISO to make a public decision on whether to include the transmission project in its regional transmission plan by the Full Application deadline. Will that public decision by the RTO/ISO suffice to satisfy the requirement that the project developer has applied "or informed a siting authority of...intent to apply, for regulatory approval" as required by Section 50152 of the Inflation Reduction Act?**

No. A siting authority, meaning a State, local, or Tribal governmental entity with authority to make a final determination regarding the siting, permitting, or regulatory status of a covered transmission project that is proposed to be located in an area under the jurisdiction of the entity, must have received some form of notice that the developer of the applicable transmission project intends to apply for approval from that siting authority to site the transmission project. This does not have to be in the form of a formal application. It could be written or oral notice but must be documented in writing at the time of the Full Application.

## **Criterion 2**

### **Q: My determination letter was marked for C2. Why?**

A: Your Concept Paper was either lacking a draft project schedule or was partially clear but not fully clear as to: (1) the proposed period of performance, which may have been beyond the period of performance stated in the FOA (For Area of Interest 1 – within 24 months; For Area of Interest 2 – between 24-48 months); (2) when TSED funds will be required and/or by when funds will be used; (3) whether TSED funds were to be dispersed before the “commencement of construction of the applicable transmission project;” and/or (4) project milestones, including the go/no-go decision.

You should ensure that your Full Application includes a full draft project schedule detailing the key project milestones, and the period of performance that meets the TSED fund disbursement requirements: that TSED funds can only be dispersed “upon commencement of construction of the applicable transmission project” if the applicant is a State, local, or Tribal governmental entity; and that the proposed period of performance is within the timeframe detailed in the FOA.

## **Criterion 3**

### **Q: My determination letter was marked for C3. Why?**

A: Your Concept Paper was partially clear but not fully clear as to whether the proposed use of the funds was associated with an eligible “covered transmission project.” For example, it is possible that you have not clearly identified: the covered transmission project relevant kV minimum; which state boundaries the covered transmission project crosses if it is an onshore transmission line; and/or whether the developer of the covered transmission project has applied to, or otherwise informed, a siting authority of the developer’s intent to apply for regulatory approval. As another example, your Concept Paper may reference multiple possible covered transmission projects without clearly explaining how each satisfies all TSED criteria. TSED funds must be used for projects associated with covered transmission projects. You should clarify in the Full Application. See definition of “[covered transmission project](#)” (FOA Section III.A.i. Restricted Eligibility) for more details.

## **Criterion 4**

### **Q: My determination letter was marked for C4. Why?**

A: Your Concept Paper was partially clear but not fully clear as to what FOA objectives the project will further and how. For example, under AOI 2 it is possible that you have not clearly described how or why you expect that your community will be impacted by the covered transmission project. As another example, it is possible that you have not indicated whether or how the community has expressed an interest in or desire for the economic development project proposed. You should ensure that your Full Application clarifies how your economic development project will advance FOA objectives, including by explaining: (1) how the construction and operation of the covered transmission project(s) is likely to impact your community; and (2) how the community has expressed an interest in the economic development project. If the community does not yet know about the economic development project that you propose, you should indicate when and how you will solicit input.

**Q: If I have submitted a Concept Paper that outlines several potential projects under either AOI 1 or AOI 2, am I required to submit a Full Application that proposes to complete all those projects? Also, if I do submit a Full Application that proposes to carry out several different qualifying projects, should I expect DOE to accept or deny the full set of activities as a package?**

A: If you have submitted a Concept Paper that identifies multiple potential projects, you have the option to reduce the number of proposed projects in your Full Application. However, you are not required to do so. At the time that DOE reviews your Full Application, DOE reserves the right to select for funding all your proposed projects or a subset of those projects. DOE also reserves the right to issue an award at the requested funding level or a lower (or higher) total dollar figure than you requested. If DOE declines to fund all the projects or declines to provide the full amount of money requested, there will be an opportunity for discussion with DOE.

**Q: I submitted a Concept Paper that identified multiple potential projects, but I was not clear whether I planned to carry out all of the projects or whether: (1) I plan to narrow the scope of projects in the future after I have collected public input; or (2) I plan to establish a sub-grant program that may or may not ultimately support all of the activities described, depending on what applications I receive from potential sub-grantees. Does DOE require me to clarify these details in my Full Application?**

A: Yes, your Full Application should make clear whether you intend to carry out all the projects described in your Concept Paper, whether and how you plan to conduct a stakeholder engagement process to narrow down the project list, and/or whether you plan to conduct a sub-grant program. If you plan to conduct a sub-grant program, your Full Application will be stronger if you can clearly describe the intended scope of the program, who will be eligible to apply, and how you plan to select and prioritize among potential sub-grant awardees.

**Q: I submitted a Concept Paper that identified the use or creation of a fund under AOI 2. How should the Full Application describe the proposed use of sub-grants?**

A: When describing a proposed sub-grant program in the Full Application, you should clearly identify whether you will create a new fund or intend to use an existing fund for the purposes of issuing sub-grants. The Full Application should detail who will manage the fund. You should ensure the Full Application defines the types of projects that will potentially receive sub-grants and the process for selecting awardees. Additionally, if the Full Application identifies more than one proposed use for the requested TSED funds, you should clearly distinguish which proposed projects fall within the sub-grant program and which will be completed through other means, such as direct action by the applicant.

## **Criterion 5**

**Q: My determination letter was marked for C5. Why?**

A: Your Concept Paper either did not include project risks and associated mitigation strategies, or was partially clear but not fully clear as to such risks/mitigation strategies. For example, it is possible that your Concept Paper described the project-specific risks and challenges but not the possible mitigation strategies to address those risks and challenges. As another example, it is possible that your Concept Paper did not identify material risks specific to the proposed project, such as the potential to be denied necessary permits or supply chain, access to labor, and inflationary risks.

You should ensure your Full Application fully defines the risks and challenges associated with completing the proposed project **AND** the corresponding mitigation plans/strategies.

#### **Criterion 6**

##### **Q: My determination letter was marked for C6. Why?**

A: Your concept paper either did not include relevant information or was partially clear but not fully clear as to what qualifications, experience, capabilities, and other resources the applicant and any proposed partners possess to complete the proposed project. For example, it is possible that your Concept Paper does not list the roles, credentials, capabilities, and experience of partnering organizations. You should ensure that your Full Application states the specific nature of any partnership and includes the Community Partnership Documentation described in the FOA, such as letters of commitment outlining the planned partnership(s), memorandum(s) of understanding, and other similar agreement(s).

#### **Criterion 7**

##### **Q: My determination letter was marked for C7. Why?**

A: Your Concept Paper either did not identify partners or was partially clear but not fully clear as to why the partners identified are appropriate to support the successful implementation of the proposed project (or projects). As another example, it is possible that you did not provide a sufficient amount of information about the partners listed. Additionally, it is possible that you did not list any partners and did not provide a clear explanation as to why no partners would be necessary to support the successful implementation of the proposed project.

You should ensure that your Full Application provides sufficient information about any partners listed and clarifies why any potential partners are appropriate to support implementation of the proposed project. If you do not believe any partners are necessary, you should ensure that your Full Application provides a sufficient rationale as to why no partners are necessary.