

ATTACHMENT 3

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2012

GRANTEE Rhode Island Office of Energy Resources

EIN: 056000-522

ADDRESS One Capitol Hill 4th Floor

Providence, RI 02908

NAME OF LIHEAP COORDINATOR Lewis Babbitt III

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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: 09/30/2011

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 Rhode Island Office of Energy Resources 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 disbursement 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: Administrator, Rhode Island Office of Energy Resources

Date: August 30, 2011

*** 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.)

	<u>Dates of Operation</u>	
(use of funds)	<u>X</u> heating assistance	<u>10/01/2011-4/15/2012(estimated)</u>
	<u> </u> cooling assistance	_____
	<u>X</u> crisis assistance	<u>10/01/2011-09/30/2012</u>
	<u>X</u> weatherization assistance	<u>10/01/2011-09/30/2012</u>

2605(c)(1)(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)	<u>61.8</u> % heating assistance
	<u> </u> % cooling assistance
	<u>13.2</u> % crisis assistance
2605(k)(1)	<u>15</u> % weatherization assistance
	<u> </u> % carryover to the following fiscal year
2605(b)(9)	<u>7</u> % administrative and planning costs
2605(b)(16)	<u>3</u> % services to reduce home energy needs including needs assessment (assurance 16)
	<u> </u> % 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).
	<u>100</u> TOTAL

statutory
references

2605(c)(1)(C)

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

(alternate use
of crisis assistance
funds)

heating assistance

cooling assistance

weatherization assistance

Other(specify): **Summer or Year Round Crisis**

→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 No

2605(b)(2)

2605(c)(1)(A)

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

(eligibility)

175% of the poverty guidelines:
heating cooling crisis wx

150% of the poverty guidelines:
heating cooling crisis wx

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

Other (specify for each component)

Households automatically income eligible if one person is receiving
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 No

→Do you use: Yes No

Assets test? _____

→Do you give priority in eligibility to:

Elderly? _____

Disabled? _____

Young children? _____

→Other: Eligible applicants
Subsidized housing tenants eligibility:

If heat is included in rent _____ * _____

If heat is paid directly to vendor _____ _____

*** HUD Section 8 housing applicants are only eligible for assistance if they are responsible to pay for a secondary heat source, provided their name is on the bill.**

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

→Do you have additional eligibility requirements for:
COOLING ASSISTANCE * **Not Applicable***

statutory
references

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

→Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (Yes No)

(eligibility)

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

*** In the instance where the crisis is due to the breakdown of a heating system, the primary grant is not required to be exhausted.**

**** For clients whose heat is included in their rent, documentation is required from the landlord stating that the client will be evicted if rent is not paid or that the client's rent is at least two months past due.**

→What constitutes a crisis? (Please describe)

A Crisis is considered to occur when a client is unable to maintain heat in the home. This may be the result of:

- 1. Heat shut-off due to failure to pay a regulated heating bill (gas or electricity), or**
- 2. The inability of a client to pay for additional deliverable fuel (oil, propane or wood), or**
- 3. Breakdown of a heating system.**

SUMMER CRISIS

- 1. Household is determined income eligible.**
- 2. If the household has a primary or secondary service disconnected they may be eligible for a Crisis Grant.**
- 3. Depending on availability of funds and the severity of the summer heat, electric fans and or window air conditioning units may be purchased and distributed to households in need.**

statutory
references

2605(c)(1)(A)

→Do you have additional eligibility requirements for:
WEATHERIZATION (___ Yes **X** No)

(eligibility)

→Do you use: Yes No

Assets test? _____ **X**

Priority groups? (Please list) **X** _____

The Community Action Agencies (CAPS) use a waiting list to determine in what priority clients are served. Categories of applicant households given priority include (in alphabetical order):

- 1. Children**
- 2. Emergencies**
- 3. Fuel Assistance Recipients**
- 4. Handicapped**
- 5. High energy users**
- 6. Senior Citizens**
- 7. Time on waiting list**

→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? _____ **X**
Please list below.

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:

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

place 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.

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)

➔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.

(coordination)

The Rhode Island Office of Energy Resources (OER) administers the LIHEAP, the WAP and the Appliance Management Program (AMP) through local CAPS. Agency staff refers LIHEAP clients to other programs administered through the CAPS. In addition, OER works closely with the Division of Public Utilities, the Department of Human Services, housing authorities and the Salvation Army to ensure appropriate client referrals for LIHEAP and other social programs are made to low-income families.

2605(b)(5)

2605(b)(2)

2605(b)(8A)

➔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.

(benefit
levels)

Rhode Island has established LIHEAP eligibility strictly on income limits set in accordance with Statute 2605(b)(2) without prejudice as to the source of income.

statutory
references

HEATING COMPONENT

2605(b)(5) → Please check the variables you use to determine your benefit levels (check all that apply):

(determination
of benefits)

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

2605(b)(5)
2605(c)(1)(B) → 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.
(benefit levels) Please describe benefit levels or attach a copy of your payment matrix.

For households who heat with a deliverable fuel or regulated utility, this year's LIHEAP Benefits will be broken down into three different grant categories. These categories are based on the household's poverty level. The benefit determination is based on fuel type and the cost of fuel in relation to the household's poverty level.

Subsidized renters who are directly responsible to a vendor for either their primary and/or secondary heating source are eligible for a moderately reduced primary grant.

Subsidized renters whose primary heating and secondary heating source are included in their rent, are not responsible or vulnerable to increases in energy costs, and therefore not eligible for LIHEAP assistance.

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

Yes No If Yes, please describe. **Refer to CRISIS COMPONENT ON PAGE 17.**

statutory
references

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

COOLING COMPONENT **** Not Applicable ****

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

(determination
of benefits)

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

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

➔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.

(benefit
levels)

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

Yes No If Yes, please describe.

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

_____ other (please describe)

(benefit
levels)

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

Heating \$ 1,000.00 maximum benefit

Secondary \$ 1,000.00 maximum benefit

Maximum benefit if receiving both Primary and secondary crisis is \$ 1,500.

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

X Yes _____ No If Yes, please describe.

Depending on funds available and the severity of the winter weather, the Crisis Program may make blankets available for LIHEAP eligible elderly households. If so, this effort will be coordinated through the RI Department of Elderly Affairs

Depending on availability of funds and the severity of the 2012 summer, the Crisis Program may distribute electric fans and/or window A/C units to LIHEAP eligible households.

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)

- Weatherization needs assessments/audits.
- Caulking, insulation, storm windows, etc.
- Furnace/heating system modifications/repairs
- Furnace replacement
- Cooling efficiency mods/repairs/replacement
- Other (Please describe) **Health and Safety Measures**

(benefit
levels)

➔Do you have a maximum LIHEAP weatherization benefit/expenditure
per household? Yes No

If Yes, what is the maximum amount? \$ _____

➔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
- Mostly under LIHEAP rules with the following DOE LIWAP rule(s)
where LIHEAP and LIWAP rules differ (Check all that apply):

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.)

Weatherization not subject to DOE LIWAP maximum
statewide average cost per dwelling unit.

Other (Please describe.)

LIHEAP WAP is not subject to the 70% - 30% Program support to
materials restrictions of DOE LIWAP.

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

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

→ Have you changed local administering agencies from last year?
 Yes 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)

statutory
references

2605(b)(7) → Do you make payments directly to home energy suppliers?

(energy
suppliers)

Heating X* Yes No

Cooling Yes No ***Not Applicable***

Crisis X* Yes No

If Yes, are there exceptions? X Yes No

If Yes, please describe.

Eligible applicants whose heat is included in their rent are granted assistance with a payment in one of two methods: (1) direct payment to their secondary utility or (2) direct payment to the applicant. For any form of assistance the applicant must have the “Heat Included in Rent” form completed by the landlord.

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)

*** Payments to energy vendors are made directly by the Community Action agency. The CAPS send a letter to both the applicant and the energy supplier confirming a household’s eligibility for LIHEAP and the amount of assistance to be provided. Vendors submit invoices to the Community Action agency for reimbursement until the grant award is fully expended.**

-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.

OER reviews the invoices paid by the Community Action agencies for price discrepancies and billing errors. The findings from these reviews are shared with the Community Action agencies and the vendors. Any corrective actions, including repayments to OER for unexpended grants and billing errors are pursued. See Attached Vendor Agreements.

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 _____ No * Not Applicable*

CRISIS ASSISTANCE

X Yes _____ No

Only homeowners are eligible to receive a new heating system under our Emergency Heating System Replacement Program. In all other aspects of our Crisis Program, owners and renters are treated the same.

WEATHERIZATION

X Yes _____ No

Rental property weatherizations require the property owner sign a Rental-Assurance form prior to the commencement of weatherization work. In this Rental-Assurance, the owner agrees to/affirms:

- 1.) The property is not currently for sale, and that thirty (30) days notification is required if the property will be put up for sale during the term of work.
- 2.) Not to evict the tenant without due-cause, for a period of two (2) years.
- 3.) In multi-unit rental dwellings with currently vacant units, to prioritize the renting of dwelling units to income eligible households for a period of two (2) years.
- 4.) Not to raise rent on the property, except to cover the costs of property taxes and improvements, for a period of two (2) years.
- 5.) To undertake all health-related and structural repairs the Agency deems necessary, prior to weatherization work taking place.

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.)

The OER has established separate accounts, by grant year, to monitor disbursements by each component of the award. The OER has also developed a tracking mechanism to monitor cash flow and expenditures on a monthly basis.

(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.)

The Fiscal Management group of the OER assesses the seven Community Action Program Agencies (CAPS) compliance via the following review performed annually at the end of the LIHEAP season:

- **Client Review** – Two percent of client files are reviewed at each CAP to ensure documentation exists to support compliance with the LIHEAP Statute; Federal and State Regulations; and policies, including income eligibility calculations and awards to clients.

➔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)

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

During the summer months the OER held meetings with representatives of our vendors, local LIHEAP CAPS and consumer advocacy groups to gather their input on the development and operation of the 2012 LIHEAP program.

2605(a)(2)

➔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)

(public
hearings)

A public hearing was conducted on August 29, 2011 at the Rhode Island Department of Administration Building, Providence, Rhode Island. A transcript of the hearing will be made available upon request.

statutory
references

2605(b)(13)

→ 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?

(fair
hearings)

→ Denials

Households determined ineligible are notified in writing by the CAP of the reason for the denial along with documentation explaining the appeal procedure. CAPS are required to provide notification of denial in a timely manner. Applicants are given ten (10) days after the receipt of a Denial Notice to request a hearing. The CAP is to ensure that a hearing is scheduled not more than five (5) business days after a request for hearing has been made.

The applicant is first offered the opportunity for a hearing before an impartial representative(s) from the CAP from which the applicant requested assistance. Individuals assigned to hear and resolve the dispute will not have been involved in the decision or action being appealed. The applicant has the right to bring to the hearing a representative to present oral and written statements and other evidence, as well as to have witnesses and an interpreter. All hearings are to be held in a reasonable, convenient location for the applicant. The applicant has the right to review the case file and any written evidence prior to the hearing.

If a satisfactory resolution can not be reached at the CAP level the applicant has the right to bring the appeal to the Rhode Island OER. The same appeal procedure will be implemented at the State level. The State reserves funds for applicants who successfully appeal the original decision. Applicants are informed of their rights to a hearing during the application process.

→ Applications Not Acted On In a Timely Manner

The appeal procedure for Denials as detailed above applies.

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 No

If Yes, describe alternate process for outreach and intake:

COOLING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

Yes 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.

The OER plans to allocate three (3) percent of available 2012 LIHEAP funds for Assurance 16 activities. The OER assigns Assurance 16 funds via contracts with the CAPS. The contracts require that funding be used to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance. Services provided include needs assessments, counseling, and assistance with energy vendors.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

OER has contracts with CAPS identifying the amount of the award allocated to Assurance 16 services. In addition, the OER tracks funds assigned to Assurance 16 by assigning a purchase order number and tracking expenditures, by cost center, as a separate line item in the accounting system.

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).

Henry Shelton Act (LIHEAP Enhancement Plan):

- 1.) Natural gas and electric distributing companies charge ratepayers an Enhancement Plan fee. The funds collected through this plan are credited, to approved LIHEAP client accounts. The Office of Energy Resources will provide the energy distributing companies the amounts and the accounts to be credited. The annual projected amount to be collected from the ratepayers is 7.5 million dollars (this includes necessary administrative cost). Please note this projection is for a calendar year.
- 2.) National Grid
- 3.) 45 CFR 96.87 (d)(2)(iii)

Electric and Gas Discount Rate Program:

- 1.) National Grid Gas and Electric company offer a discount rate on both Natural gas and electric usage to LIHEAP recipients. This rate is statutory and approved by the RI Public Utilities Commission (PUC)
- 2.) Public Utility; National Grid
- 3.) 45 CFR 96.87 (d)(2)(iii) (D), Discounts & waivers

Gas Company Matching Grants:

- 1.) As part of a regulatory plan approved by Rhode Island PUC, National Grid Gas will provide a matching grant to LIHEAP households based on a percent of the amount of the primary grant.
- 2.) Public Utility; National Grid
- 3.) 45 CFR 96.87 (d)(2)(iii)(A) & (B)

Keep the Heat On - Providence Archdiocese

- 1.) Since it was established in 2005, 'Keep the Heat On' has provided more than \$600,000 in heating assistance to more than 2,000 Rhode Island households through grants from the Catholic diocese and private contributions. Last year more than 580 individuals and organizations contributed \$132,983 to the fund, far surpassing the \$75,000 goal. Combined with a Catholic Charity Fund grant and a grant from an anonymous individual, a total of \$282,983 was made available to assist more than 890 struggling Rhode Island households with their oil, natural gas and electric heating needs.
- 2.) Providence Archdiocese
- 3.) 45 CFR 96.87 (d)(2)(iii) (C) & (G)

Good Neighbor Energy Fund

- 1.) For the last 24 years the Rhode Island Good Neighbor Energy Fund has provided energy assistance to Rhode Islanders in temporary crisis who cannot pay their energy bills and do not qualify for federal or state funds. The Fund has raised a total of more than \$9 million which has assisted over 36,500 families. Last year, the Good Neighbor Energy Fund helped more than 2,275 families pay an electric, gas or oil bill.
- 2.) RI Good Neighbor Energy Fund
- 3.) 45 CFR 96.87 (d)(2)(iii) (C)&(G)

People's Power & Light

- 1.) PP&L is a nonprofit membership organization that operates like a buyers club or a co-op. Since 1982, the PP&L discount heating oil service has been a program for any household, regardless of income, who wants to save on heating costs. We use the buying power of 13,000 members to negotiate better prices for consumers. PP&L also administers an Oil Bank Program, funded through private donations. Last year the Oil Bank distributed over \$25,000 worth of fuel to provide warmth to those who need it the most. Please reach out to a neighbor through a tax-deductible donation.
- 2.) People's Power and Light; Oil Bank Program
- 3.) 45 CFR 96.87 (d)(2)(iii) (C)&(G)

The OER has statutory standing to participate in Public Utilities commission dockets, establish the Electric and Gas Discount Rate Program and the Gas Company Matching Grants Program. The CITGO Discount, Keep the Heat Program, and the Good Neighbor Energy Fund are individual needs based case-by-case awards, and the Community Action Agencies interact with the programs on behalf of LIHEAP eligible households. The OER also intervenes as necessary.

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) → Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**
(performance)
goals and
measures)

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: _____
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallotment report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.