

**2022 - Supporting Statement  
Rural Energy Pilot Program (REPP) Grant  
OMB control number- 0570-0078**

**Justification**

**1. Explain the circumstances that make the collection of information necessary.**

The Consolidated Appropriations Act, 2021 (Pub. L. 116–260) appropriated \$10 million to remain available until expended for the Secretary of Agriculture to carry out a pilot program to provide financial assistance for rural communities to further develop renewable energy.

The Rural Business-Cooperative Service (Agency) announced the availability of up to \$10 million in competitive grants awarded to Rural Energy Community Partnerships to further develop renewable energy to help meet our nation’s energy needs and combat climate change while prioritizing environmental justice, racial equity, and economic opportunity.

Cost-share grants of up to 80 percent of total eligible project costs but not more than \$2 million were made available to assist eligible entities with planning, installing, equipping, and maintaining community scale distributed/renewable energy technologies/systems/resources.

Targeted Assistance Priority was afforded to the following applicant entities as defined in the REPP NOFA:

- Distressed Rural Communities;
- Distressed Energy Communities;
- Communities with High Energy Burdens;
- Centers for Disease Control - Socially Vulnerable Communities;
- Qualified Opportunity Zone Communities; and
- (If not already included above) Rural Communities enduring Racial Inequity and/or Environmental Injustice, e.g. “EJ 40 Communities.”

Consideration for Alternative Renewable Energy Technologies is also afforded to communities that plan/execute/deploy renewable energy generation technologies other than solar photovoltaic of at least 40 percent of total generation capacity; as measured by megawatts of alternative generation capacity / megawatts of total generation capacity.

An emergency information collection was approved on January 19, 2022 with an expiration date of July 31, 2022. This collection requests a 3-year extension of the information collection approval.

**2. Indicate how, by whom and for what purpose the information is to be used. Except for new collections indicate the actual use the Agency has made of the information received from the current collection.**

RBCS will collect information to determine whether participants meet the eligibility requirements to be a recipient of grant funds, project eligibility, conduct the technical evaluation, calculate a priority score, rank and compete the application, as applicable, in order to be considered. Lack of adequate information to make the determination could result in the improper administration and appropriation of Federal grant funds.

Applications must be submitted electronically using the Government-wide [www.grants.gov](http://www.grants.gov) Web site. No other form of application will be accepted.

Eligible applicants to this program are Rural Energy Community Partnerships as defined in Section I.C. of the REPP NOFA, which may be comprised of, but are not limited to:

- 1) Non-profit entities;
- 2) State and local entities;
- 3) Tribal entities;
- 4) Municipalities and other public bodies.

The Rural Energy Community Partnership must have a lead applicant who is responsible for the administration of the grant proceeds and activities. A lead applicant must be one of the following entities:

- 1) A district organization;
- 2) An Indian Tribe, or a political subdivision of an Indian Tribe, including a special purpose unit of an Indian Tribe, or a consortium of Indian Tribes;
- 3) A state or a political subdivision of a state, including a special purpose unit of a State or local government engaged in economic development activities, or a consortium of political subdivisions; or
- 4) A public or private nonprofit organization.

The REPP Application is comprised of the following collection instruments:

**REPORTING REQUIREMENTS - NON-FORMS**

**Written - Non-Form - REPP Letter of Intent** – Used in the pre-award phase to advise the Agency of a rural energy partnership’s intent to request available funds subject to meeting specified requirements for eligible purposes under the REPP.

**Written – “Environmental Review Documents,” (Cleared Under OMB Docket No. 0575-0197)** For the Agency to consider an application, the application must include all environmental review documents with supporting documentation in accordance with 7 CFR part 1970. Any required environmental review must be completed prior to the obligation of funds or the approval of the application. Applicants are advised to contact the Agency to determine environmental requirements as soon as practicable to ensure adequate review time.

**Written - Transparency Act Reporting, (Cleared Under OMB Docket No. 3090-0292)** All recipients of Federal financial Assistance are required to report information about first tier sub awards and executive compensation in accordance with 2 CFR part 170. If an applicant does not have an exception under 2 CFR 170.110(b), the applicant must then ensure that they have the necessary processes and systems in place to comply with the reporting requirements to receive funding. GSA includes burden for this docket based on the number of prime-awardees and sub-awardees submitting reports through the FSRS website reporting system.

After grant approval and through grant completion, grantees will be required to provide the following, as indicated in the Grant Agreement:

**Written - Semi-Annual Report** Written Non-Form project performance report will be required on a semiannual basis (due 30 working days after end of the semiannual period). For the purposes of this grant, semiannual periods end on March 31st and September 30th. The project performance reports shall include the elements prescribed in the grant agreement.

### **Final Reports**

- A *final project and financial status report* within 90 days after the expiration or termination of the grant, or as otherwise specified in 2 CFR 200.343 “Closeout”.  
Final status report
- Provide *outcome project performance reports* and final deliverables. Annual Sales and volume data 5 years after the report.

### **REPORTING REQUIREMENTS - FORMS APPROVED UNDER OTHER OMB DOCKET NUMBERS - NOT COMMON FORMS**

**Form RD 4280-4, “Letter of Conditions,” (Approved under OMB Docket No. 0570-0035)**– Letter from the Agency to the applicant (i.e. recipient) that has received approval for funds subject to the terms and conditions set forth in the letter.

**Form RD 1940-1, “Request for Obligation of Funds,” (Approved under OMB Docket No. 0570-0061 and 0570-0062)** - The reservation of funds with the obligation date inserted as required by the agreement between the recipient and Agency.

**Form RD 1942-46, “Letter of Intent to Meet Conditions,” OMB Docket No. 0575-0015, 0570-0021, 0570-0061, 0570-0062 and 0572-0137)** - Used to confirm the intent of the recipient to meet the conditions as required by the program for their application to receive further consideration.

**Form RD 4280-2, Rural Business-Cooperative Service Financial Assistance Agreement,” (Cleared Under OMB Docket No. 0570-0050)** – This is the Grant Agreement between the Recipient and Rural Business-Cooperative Service.

**Form RD 4280-4, “Letter of Conditions,” (Approved under OMB Docket No. 0570-0035)** – Letter from the Agency to the applicant (i.e. recipient) that has received approval for funds subject to the terms and conditions set forth in the letter.

**RD- 400-1 Equal Opportunity Agreement (Cleared Under OMB Docket No. 0575-0018)** Pursuant to the rules and regulations of the Secretary of Labor issued under the authority of Executive Order 11246 as amended and agreed to by Recipients of financial assistance exceeding \$10,000.

### **REPORTING REQUIREMENTS - FORMS APPROVED UNDER OTHER OMB DOCKET NUMBERS - COMMON FORMS**

**SF 424, “Application for Federal Assistance,” (Common Form approved under 4040-0004)** Used by Applicants in the pre-award phase as a required cover sheet for applications submitted for the HBIIP grants. The application is an official form required for all Federal grants and requests basic information about the applicant and the proposed project. This common form is submitted as part of the application.

**SF 424A, “Budget Information – Non-Construction Programs,” (Common Form Approved under OMB Docket No. 4040-0006)** Used in the pre-award phase by applicants only in construction grant applications and repair, renovation, and modernization grant applications

**SF 424C, “Budget Information - Construction Programs,” (Common Form Approved under OMB Docket No. 4040-0008)** Used in the pre-award phase by applicants only in construction grant applications and repair, renovation, and modernization grant applications

**SF 424D, “Assurances for Construction Programs.” (Common Form Approved under OMB Docket No. 4040-0009)** Used to confirm that the applicant has legal authority to apply for Federal assistance and will comply with all applicable requirements and statutes.

**SF-425, “Federal Financial Report,” OMB Docket No. 4040-0014** Grant recipients must report the status of grant funds on SF-425 on a quarterly basis. The use of this form complies with 2 CFR, Part 215. The project performance report summarizes the project’s progress for the quarter and supports expenditures claimed.

**SF 270, “Request for Advance or Reimbursement,” OMB Docket No. 4040-0012.** Grant recipients will submit SF 270 for disbursement of grant funds. RBCS uses it to approve the disbursement. The use of this form complies with 2 CFR Part 215.

**SF-LLL - Disclosure of Lobbying Activities (Cleared Under OMB Docket No. 4040-0013)** All recipients of Federal financial Assistance are required to disclose lobbying activities pursuant to 31 U.S.C.1352. This form is used by Applicants to disclose any covered lobbying activities.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decisions for adopting this means of collection. Also describe any consideration of information technology to reduce burden.**

To be considered for funds under the REPP, applications must be received by [www.grants.gov](http://www.grants.gov) by the specified deadline and deemed complete and eligible. All forms are available at Grants.gov and the USDA REPP web site.

**4. Describe efforts to identify duplication. Show specifically why similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

There is no duplication of information.

**5. Methods to minimize burden on small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods to minimize burden.**

Information to be collected is in a format designed to minimize the paperwork burden on community partnerships and other small entities.

**6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The Notice of Funding Opportunity (NOFO) requires the minimum information necessary to determine whether an applicant for the REPP is competitive for Federal assistance, reporting requirements, and mid-year reports. Failure to collect proper information could result in improper determinations of eligibility or improper use of funds. This minimum reporting of information is necessary for the RBCS to administer REPP in an equitable and cost-effective manner. For the remaining information collected as indicated, USDA has exercised discretion that the information is needed to appropriately award grants or loans for the program.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- a) Requiring respondents to report information more frequently than quarterly. There are no information collection requirements that require information more frequently than quarterly.
- b) Requiring written responses in less than 30 days. There are no information collection requirements that require written responses in less than 30 days.
- c) Requiring more than an original and two copies. There are no information collection requirements that require more than an original or single copy of a document.
- d) Requiring respondents to retain records for more than 3 years. There are no such requirements.
- e) No utilizing statistical sampling. There are no such requirements.
- f) Requiring the use of statistical sampling which has not been reviewed and approved by OMB. There are no such requirements.
- g) Requiring the pledge of confidentiality. There are no such requirements.
- h) Requiring submission of propriety trade secrets. There are no such requirements.

**8. Describe efforts to consult with persons outside the Agency to obtain their view on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on data elements to be recorded, disclosed, or reported.**

Prior to publishing this Notice, RBCS determined it to be in the public interest to solicit informal comments from the public and interested stakeholders to help develop options for the Rural Energy Pilot Program (REPP) to support the Nation’s critical energy needs to combat climate change while advancing environmental justice, racial equity, and economic opportunity through the development and deployment of distributed energy technologies, innovations, and/or solutions.

A Request for Information and Notice of Stakeholder Listening Session on a Rural Energy Pilot Program was published in the Federal Register (86 FR 16575) on March 30, 2021. Information received from the public was intended to inform the Agency as well as private sector and other stakeholders with interest in and expertise relating to such an effort in order to build on prior investments and experience gained through past small-scale energy solutions, social justice reforms, and climate change mitigation programs. Seventy-five (75) comments were submitted from the public which served to inform the Agency on an array of issues, including but not limited to: Program purposes, goals, metrics, and standards; Eligible applicants, participants, partners including but not limited to communities, residencies, industry, and commercial entities; Eligible technologies including but not limited to generation, storage, controller, and grid; Potential impact of the pilot program and renewable energy systems more broadly on each of the following: Environmental justice, racial equity, and economic opportunity; Options to measure and maximize the benefits of renewable energy systems for environmental justice, racial equity, and economic opportunity in rural areas.

Additionally, on May 13, 2021, the Agency convened a Federal Inter-Agency Task Force of experts with relevant knowledge, including technical experts from the Environmental

Protection Agency, Department of Energy, National Renewable Energy Laboratory, Pacific Northwest National Laboratory, and the Appalachian Regional Commission to assist with the review of the public comments and provide recommendations for the guiding principles of the REPP NOFA.

The 60-day notice requesting public comment on this collection of information was included in the REPP NOFA that published in the **Federal Register** on January 19, 2022 (87 FR 2747). No comments concerning the collection were received.

A list of at least 3 individuals that applied for the program must be provided along with their comments:

| Organization                          | Position                           | Telephone number/Website  | Comment   |
|---------------------------------------|------------------------------------|---|---|
| Shake Energy Collaborative            | Chief Executive Officer            | <a href="http://shake-energy.com">shake-energy.com</a>                        | I am having issues with the CV link. Please accept Shake Energy's LOI attached.   |
| County of Monterey                    | Sustainable Infrastructure Analyst | <a href="#">website</a>   | Would you provide an estimate for the timeline of the grant award after the 7/18 final application submission? I have a few staff members excited to put hypothetical dates on the project. |
| Prairie Band Potawatomi Tribal Nation | Tribal Grants Manager              | <a href="https://www.pbpindiantribe.com/">https://www.pbpindiantribe.com/</a> | I was hoping to get confirmation that the LOI was received/uploaded correctly. Would it be possible to get such confirmation for our records?   |

The comments primarily concern processes and not the actual paperwork associated with the application process. Based on this input, the Agency assumes no issues with the paperwork requested. However, the Agency determined, outside of public comments, that the request for a technical report and planning documents was excessive as the program deals only with already accepted and available technologies and has removed that requirement for future funding rounds.

**9. Explain any decision to provide any payment or gift to respondents.**

There is no payment made nor gift given to respondents.

**10. Describe any assurance of confidentiality provided to the respondents and the basis for the assurance in statute, regulation, or Agency policy.**

The information collected pertains mostly to administering federal grant funds according to rules and regulations and to program and policy evaluation. The Agency does support maintenance of confidentiality when appropriate. The Agency published a Privacy Act of 1974; System of Records in the Federal Register on May 14, 2019 (84 FR 21315). A copy of that document can be found at <https://www.govinfo.gov/content/pkg/FR-2019-05-14/pdf/2019-09874.pdf>.

**11. Provide additional justification for any question of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

The information collected under NOFO is technical and financial in nature. As a condition for the receipt of federal grant funds, RBCS will handle financial information as part of the partnership operations. However, the information is required to properly administer federal funds.

**12. Provide estimates of the hour burden of the collection of information.**

The burden for the HBIIP collection of information includes both the upfront one-time application and the on-going reporting, which will include semi-annual, and annual reporting. The reporting may include additional reports for projects that run longer. So, the estimate of the annual burden and costs reflects the average of the one-time and the annual information collection activities. These estimates were prepared based on the variety of forms and other information collection methods that will be used by the RBCS.

For a detailed breakdown of the burden for the forms and activities, please see the attached spreadsheet. The collection is summarized as follows:

| Burden Item            | Estimated Yearly Average Burden |
|------------------------|---------------------------------|
| Number of respondents: | 100                             |
| Annual responses:      | 265                             |
| Total hours:           | 4,621.75                        |
| Cost per hour:         | \$82.49                         |
| Total annual cost:     | \$381,248                       |

The wage rate utilized in the cost calculation are based on the Bureau of Labor Statistics, May 2021 National Employment and Wage Estimates United States retrieved from [http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm). The category of occupations is management. The professional wage rate is the median hourly wage rate for Public Relations and Fundraising Managers, (Occupation Code 11-2030) of \$63.85. Historical data provided by the Bureau of Labor Statistics, Employer Cost for Employee Compensation, Supplementary Tables, National Compensation Survey, September 2020 is utilized to calculate the total cost of benefits. Benefits as a percentage of total compensation for private industry workers in professional and business services industries were 29.2% of total hourly compensation for a grand total of \$82.49 per hour.



**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.**

There are no capital and start-up costs involved with this collection. There are no requirements for respondents to report information other than what is project specific and associated with specific funding applications. Once a request for financial assistance has been approved, grantees will be required to provide information that is required of them, as indicated in the Grant Agreement. Additional information is information the applicant would have available and would not be expected to recreate and, only requested under limited situations where formal mitigations measures have been required.

**14. Provide estimates of annualized cost to the Federal Government.**

Agency employees provide guidance and assistance to applicants and awardees in obtaining and reporting the information needed. In addition, they will ensure information provided is complete and accurate, and to reduce the time it takes an applicant and awardee to gather and submit the required information. Lastly, employees review the information provided to effectively administer federal grant funds according to applicable rules and regulations.

Calculations are rounded. The cost to the Government is broken down as follows:

| Activity   | Number of applications | No. of Review hours per application | Total Review Hours | Rate    | Benefits | Total Costs  |
|--|------------------------|-------------------------------------|--------------------|---------|----------|--|
| <b>Step 1:<br/>Letter of Intent and Complete Application Review</b><br>(Includes the following activities:<br>1) eligibility<br>2) compliance<br>3) completeness                                   | 25                     | 4                                   | 100                | \$56.31 | 36.25%   | <b>\$7,672</b><br><br>\$5,631<br>\$2,041<br>benefits |
| <b>Step 2:<br/>Evaluation Process</b><br>Includes the following activities:<br>1) review of eligible applications<br>2) priority scoring<br>3) determine funding priority<br>4) awardee selection. | 25                     | 4                                   | 100                | \$56.31 | 36.25%   | <b>\$7,672</b><br><br>\$5,631<br>\$2,041<br>benefits |
| <b>Step 3:<br/>Post Award:</b>   | 5                      | 10                                  | 50                 | \$56.31 | 36.25%   | <b><u>\$3,836</u></b>                                |

|   |   |                           |    |         |        |  |
|---|---|---------------------------|----|---------|--------|--|
| Includes the following activities)<br>1) Advance of funds<br>2) Review of Semi-Annual reports<br>3) Servicing<br>4) Grant closing<br>5) Annual Audit review |   |                           |    |         |        | \$2,816<br>\$1,021<br>benefits             |
| <b>Post Award:</b><br>Record Keeping  | 5 | 2<br>(2 hrs. x 3 reports) | 10 | \$56.31 | 36.25% | <b>\$767</b><br>\$563<br>\$204<br>benefits |
| <b>TOTAL Annual Cost to the Federal Government</b>  |   |                           |    |         |        | <b>\$19,948</b>                            |

The estimated annualized cost to the Federal Government to be \$19,948. The method used to estimate cost was to rely on the estimated amount of time the national office program staff is expected to spend on each component of the program. The Office of Personnel and Management GS wage rate tables for 2021 are used to estimate the wage rates for each type of Agency function. Wage rates are adjusted to include 36.25% for employee benefits.

Salary Table 2021-DCB of the general schedule for a GS-13, step 5 for the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality area was used for wage calculation purposes. The cost of total benefits as a percentage of total hourly compensation for Federal Government employees has been calculated by multiplying 36.25% by the hourly OPM wage in accordance with OMB Memorandum M-08 13.

Cost per hour for staff is derived from the OPM GS Wage Table, January, 2021 at [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB_h.pdf)

**15. Explain the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

Changes from the previous collection are summarized in the following table:

| Item               | Change | Reason  |
|--------------------|--------|---|
| No. of Respondents | -110   | Removal of technical and planning document from pre-award activities.<br>Correction of miscategorized form. |
| Total Responses    | -110   | Removal of technical and planning document from pre-award activities.<br>Correction of                      |

|                  |           |  |
|------------------|-----------|--|
|                  |           | miscategorized form.   |
| Est. Total Hours | +1,125.5  | While there was a decrease due to the removal of the technical and planning documents from pre-award, the reduction was negated by an increase in number of letters of intent and change in wage rates from 2021 to 2022 tables. |
| Total Cost       | +\$85,493 | While there was a decrease due to the removal of the technical and planning documents from pre-award, the reduction was negated by an increase in number of letters of intent and change in wage rates from 2021 to 2022 tables. |

**16. For collection of information whose results will be published, outline plans for the tabulation and publication.**

RBCS has no such plans.

**17. If seeking approval to not display the expiration date for the OMB approval of information collection, explain the reasons that display would be inappropriate.**

N/A

**18. Explain each exception statement to the certification statement identified in Items 19 and 20 on OMB Form 83-I.**

RBCS is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

**19. Explain how this information collection relates to the Secretary of Agriculture’s Service Center Implementation Team initiative.**

This information collection is not related to the Service Centers as they are not involved in the administration of REPP.

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