



Department of Energy
Washington, DC 20585

June 21, 2024

REQUEST FOR: DAVID STAUDT
ASSOCIATE DIRECTOR, FINANCIAL ASSISTANCE
NATIONAL ENERGY TECHNOLOGY LABORATORY
david.staudt@netl.doe.gov

FROM: ARIEL HOROWITZ
DEPUTY DIRECTOR, GRID MODERNIZATION
GRID DEPLOYMENT OFFICE
U.S. DEPARTMENT OF ENERGY
ariel.horowitz@hq.doe.gov

SUBJECT: **Puerto Rico-Energy Resilience Fund (PR-ERF)** DE-FOA-0003096, Revision to Definition of “Very Low-Income Single-Family Household”

Dear Mr. Staudt:

On June 6, 2024, DOE requested PR-ERF Topic Area 2 awardees feedback on additional programs DOE should consider as potential approaches for validating the eligibility of very low-income beneficiaries under the program. Importantly, DOE must be able to independently validate beneficiary eligibility regardless of the approach by which eligibility is demonstrated. On June 10, DOE received responses from Barrio Eléctrico (BE), Solar United Neighbors (SUN) and Environmental Defense Fund (EDF). On June 14, DOE received a response from Comunidad Toro Negro (TN). Let’s Share the Sun (LSTS) did not respond to the request.

In summary, GDO recommends including Plan Vital and USDA Section 502 and 504 programming as modalities for verifying very-low-income status. GDO also recommends including age verification as an appropriate modality for verifying energy-dependent disability status and including temperature control devices as eligible medical equipment for energy-dependent critical load purposes.

Below is the summary of the recommendations provided by awardees and GDO’s analysis. Appendix **A** includes the responses submitted by awardees.

1. *Awardee recommendation: Plan Vital beneficiaries- all awardees recommended Plan Vital as one alternative for proof of verification of very-low-income beneficiaries.*
 - a. GDO analysis: DOE can verify proof of eligibility by requesting the beneficiary the certification letter received annually from the PR Department of Health (PRDoH) or a copy of their insurance plan card (recommended by PRDoH officials). The certification letter includes the issued and expiration dates.
 - i. Plan Vital has 13 eligibility categories under which beneficiaries can qualify. The categories are:
 1. Parent/Caregiver
 2. Medicaid for underage children
 3. Adults
 4. Pregnant women
 5. Newborn
 6. Title IV-E for underage children
 7. Foster care
 8. CHIP
 9. ABD category (elderly, blind and disabled)
 10. Due to medical conditions
 11. Safety (Red de Seguridad)
 12. Government employees
 13. ADAP (HIV patients)
 - ii. Income Levels: For 2024, the monthly income level for eligible Plan Vital beneficiaries is \$1,677 for a family composition of one (1) individual, for an estimated annual income of \$20,124. For a family composition of two (2) the monthly income is \$2,800, for an estimated annual income of \$33,600. Table 1 includes data as of April 2023. GDO does not anticipate substantive changes for the 2024 eligibility levels. Similarly, to Plan Vital, the Nutritional Assistance Program (NAP) follows one island-wide income formula. It does not vary by municipality. Table 2 includes NAP's Maximum Monthly Net Income by Household Size.
 - b. GDO recommendation: As previously discussed, GDO recommends including Plan Vital as an acceptable approach for verifying beneficiary eligibility.

Table 1: Plan Vital: Income Levels

Apéndice E: Tablas de Elegibilidad

NIVELES DE ELEGIBILIDAD ECONOMICA (NUEVA)															
PROGRAMA MEDICAID															
MAGI	FAMIL Y SIZE	PRPL	MAGI133	MAGI266	MAGI 5%	MAGI 5%		CAT ABD			MN	*DISREG ARD FORMULA	MN-ALL GROUPS	STATE	TRANSITION WITH TEMPORARY MEDICAL EXPENSE (MEDICAID)
						MECAID	CHIP	ABD Cash Assistance Levels	disregard	effective monthly income					
	1	\$1,033	\$1,374	\$ 2,747	\$ 52	\$ 1,425	\$ 2,799	\$ 64	\$1,361	\$1,425	\$ 400	\$ 1,025	\$ 1,425	\$ 800	\$ 400
	2	\$1,397	\$1,858	\$ 3,716	\$ 70	\$ 1,928	\$ 3,785	N/A	N/A	N/A	\$ 495	\$ 1,433	\$ 1,928	\$ 1,000	\$ 495
	3	\$1,761	\$2,342	\$ 4,684	\$ 88	\$ 2,430	\$ 4,772	N/A	N/A	N/A	\$ 590	\$ 1,840	\$ 2,430	\$ 1,200	\$ 590
	4	\$2,125	\$2,826	\$ 5,653	\$ 106	\$ 2,933	\$ 5,759	N/A	N/A	N/A	\$ 685	\$ 2,248	\$ 2,933	\$ 1,400	\$ 685
	5	\$2,489	\$3,310	\$ 6,621	\$ 124	\$ 3,435	\$ 6,745	N/A	N/A	N/A	\$ 780	\$ 2,655	\$ 3,435	\$ 1,600	\$ 780
	6	\$2,853	\$3,795	\$ 7,589	\$ 143	\$ 3,937	\$ 7,732	N/A	N/A	N/A	\$ 875	\$ 3,062	\$ 3,937	\$ 1,800	\$ 875
	7	\$3,217	\$4,279	\$ 8,558	\$ 161	\$ 4,440	\$ 8,719	N/A	N/A	N/A	\$ 970	\$ 3,470	\$ 4,440	\$ 2,000	\$ 970
	8	\$3,581	\$4,763	\$ 9,526	\$ 179	\$ 4,942	\$ 9,705	N/A	N/A	N/A	\$ 1,065	\$ 3,877	\$ 4,942	\$ 2,200	\$ 1,065
	9	\$3,945	\$5,247	\$ 10,495	\$ 197	\$ 5,445	\$ 10,692	N/A	N/A	N/A	\$ 1,160	\$ 4,285	\$ 5,445	\$ 2,400	\$ 1,160
	10	\$4,310	\$5,732	\$ 11,463	\$ 215	\$ 5,947	\$ 11,679	N/A	N/A	N/A	\$ 1,255	\$ 4,692	\$ 5,947	\$ 2,600	\$ 1,255
	11	\$4,674	\$6,216	\$ 12,432	\$ 234	\$ 6,450	\$ 12,665	N/A	N/A	N/A	\$ 1,350	\$ 5,100	\$ 6,450	\$ 2,800	\$ 1,350
	12	\$5,038	\$6,700	\$ 13,400	\$ 252	\$ 6,952	\$ 13,652	N/A	N/A	N/A	\$ 1,445	\$ 5,507	\$ 6,952	\$ 3,000	\$ 1,445
	13	\$5,402	\$7,184	\$ 14,369	\$ 270	\$ 7,454	\$ 14,639	N/A	N/A	N/A	\$ 1,540	\$ 5,914	\$ 7,454	\$ 3,200	\$ 1,540
	14	\$5,766	\$7,669	\$ 15,337	\$ 288	\$ 7,957	\$ 15,625	N/A	N/A	N/A	\$ 1,635	\$ 6,322	\$ 7,957	\$ 3,400	\$ 1,635
	15	\$6,130	\$8,153	\$ 16,306	\$ 306	\$ 8,459	\$ 16,612	N/A	N/A	N/A	\$ 1,730	\$ 6,729	\$ 8,459	\$ 3,600	\$ 1,730
	16	\$6,494	\$8,637	\$ 17,274	\$ 325	\$ 8,962	\$ 17,599	N/A	N/A	N/A	\$ 1,825	\$ 7,137	\$ 8,962	\$ 3,800	\$ 1,825
	17	\$6,858	\$9,121	\$ 18,243	\$ 343	\$ 9,464	\$ 18,585	N/A	N/A	N/A	\$ 1,920	\$ 7,544	\$ 9,464	\$ 4,000	\$ 1,920
	18	\$7,222	\$9,605	\$ 19,211	\$ 361	\$ 9,967	\$ 19,572	N/A	N/A	N/A	\$ 2,015	\$ 7,952	\$ 9,967	\$ 4,200	\$ 2,015

Estos niveles economicos están vigentes desde el 1 de abril de 2023

Table 2: Maximum Monthly Net Income by Household Size, NAP 2021

Maximum Monthly Net Income by Household Size (effective date October 2021).

Household Size	Income limit	Max benefit (current)	Max benefit 48 states and DC
1	\$ 619	\$ 140	\$ 250
2	\$ 1,179	\$ 257	\$ 459
3	\$ 1,706	\$ 368	\$ 658
4	\$ 2,206	\$ 468	\$ 835
5	\$ 2,666	\$ 556	\$ 992
6	\$ 3,199	\$ 666	\$ 1,190
7	\$ 3,599	\$ 737	\$ 1,316
8	\$ 4,112	\$ 842	\$ 1,504
9	\$ 4,632	\$ 948	\$ 1,692
10	\$ 5,152	\$ 1,053	\$ 1,880
11	\$ 5,666	\$ 1,158	\$ 2,068
12	\$ 6,186	\$ 1,263	\$ 2,256
13	\$ 6,699	\$ 1,369	\$ 2,444
14	\$ 7,219	\$ 1,474	\$ 2,632
15	\$ 7,732	\$ 1,579	\$ 2,820
16	\$ 8,252	\$ 1,684	\$ 3,008
17	\$ 8,766	\$ 1,790	\$ 3,196
18	\$ 9,286	\$ 1,895	\$ 3,384

add by each elderly \$ 28.00

2. *Awardee recommendation: Social Security benefits for disabled participants (Social Security Disability Insurance (SSDI)).*
 - a. GDO analysis: As proof of eligibility of an individual with an energy dependent disability, applicants can submit a certification letter from the Social Services Administration. This certification letter is available electronically. However, SSDI participation does not constitute validation of household income and DOE does not have the ability to independently validate household income based only on SSDI participation. While some beneficiaries recommended that DOE leverage SSDI participation combined with a separate independent income verification modality based on the HUD FY 2024 Income Limit Table, it is not clear what such a modality would be.
 - b. GDO recommendation: GDO does not recommend including SSDI as an acceptable approach for verifying beneficiary eligibility.
3. *Awardee recommendation: Government Retirement Pension Systems.*

- a. GDO analysis: The Government of Puerto Rico (GPR) has five retirement systems for: 1) Employees of the GPR, 2) Teachers, 3) Judiciary System, 4) University of Puerto Rico and 5) Employees of the Puerto Rico Electric Power Authority. The Retirement Systems Administration (ASR) implemented a defined contribution plan that is part of the pension reform demanded by the Fiscal Oversight Board. An individual receiving a pension can obtain certification through the ASR virtual platform. However, DOE would have no way of validating whether the individual applying under PR-ERF program has additional sources of income (for example, due to a new employment opportunity).
 - b. GDO recommendation: GDO does not recommend including public sector pension systems as an acceptable approach for verifying beneficiary eligibility.
4. *DOE Front Office recommendation: USDA programming*
 GDO also received the following recommendations from DOE’s FO on very-low- and low-income USDA programs for consideration:
- Section 502 – Single Family Housing Direct Loans
 - Eligibility: Low- and very-low-income in eligible rural areas
 - Section 504 – Home Repair Loans
 - Eligibility: Very-low-income homeowners
 - Section 504 – Home Repair Grants
 - Eligibility: Very-low-income homeowners aged 62 or older
 - Section 504 – Single Family Housing Rural Disaster Home Repair Grants
 - Eligibility: Very-low and low-income homeowners whose property sustained damage as a result of a [CY 2022 Presidentially Declared Disaster](#)
 - Section 504 – Single Family Housing Repair Loans & Grants in Presidentially Declared Disasters Pilot
 - Eligibility: Very-low-income homeowners whose property suffered disaster-related damage from Presidentially Declared Disaster on or after July 18, 2022
- a. GDO analysis: DOE met with USDA representatives on June 17, 2024 to discuss eligibility criteria for the programs listed above. In addition to income level, a FICO score between 620 (section 504) and 640 (Section 502) is required. HUD income limits varies per municipality; for an individual, it ranges from \$14,150-\$18,400 ([income tables](#)). USDA recommended DOE that as proof of eligibility, applicants can submit a copy of the loan. USDA indicated that applicants also receive a certification once eligibility criteria is verified indicating that the individual qualifies.
 - b. GDO recommendation: GDO recommends including USDA Section 502 and 504 programs as an acceptable approach for verifying beneficiary eligibility.

Table 3: Comparison of Monthly Income Levels per recommended program

Plan Vital	Nutritional Assistance Program	USDA	HUD
\$1,677	\$ 619	\$1,179-\$1,533	\$ 808

Some awardees included additional recommendations for DOE to consider as proof of eligibility for individuals with an energy dependent disability.

1. *Awardee recommendation: Age-based qualifications for fans and air conditioning with regards to energy-dependent disability eligibility.*
 - a. GDO analysis: Specific age ranges can be defined as qualifiers for the need to control body temperature, focusing on the elderly at age 65 years and older and children at age 4 years and younger. For those that do not fall in these age ranges, GDO suggest that a doctor's note or equivalent would be a suitable justification for heat stress risk. By defining based on age, the PR-ERF program can more easily streamline the application qualification process, primarily based on date of birth, and provide greater impact to those that would most benefit.
 - b. GDO recommendation: GDO recommends allowing age verification as acceptable approach for verifying energy-dependent disability status.
2. *Awardee recommendation: Inclusion of air conditioning, dehumidifiers, and air purification devices as qualifying medical devices.*
 - a. GDO analysis: Fans are already listed as qualifying equipment and, therefore, air conditioning and other examples of body temperature cooling equipment seem reasonable to add to the list. As a separate need, during certain times of year when the Sahara Desert affects air quality in PR, many seniors' breathing is affected. The only things that help here are air conditioning units or oxygen tanks, leading to a double benefit for air conditioning. GDO consulted with NETL's Chief Medical Officer, Vicki Everly. Dr. Everly concluded that it is not unreasonable these requests be deemed appropriate for some form of cooling equipment based on age alone.
 - b. GDO recommendation: GDO including temperature control devices (including air conditioning) as eligible medical equipment for energy-dependent critical load purposes.

Lastly, Barrio Eléctrico also requested a location deviation from the Program Guidelines for Topic Area 2 selectees who work predominantly outside of the last mile communities (LMCs). On February 21, 2024, DOE had addressed this request and made the following program determination: TA2 awardees are able to install (1) low-income homeowners with energy-dependent disabilities in any geography, or (2) low-income homeowners inside of LMCs.

Based on the above recommended programs to add to the definition of “Very Low-Income Single-Family Household”, GDO recommends NETL Plan Vital as an acceptable program to confirm very low-income single-family households. DOE can request applicants the certification letter provided by PRDoH or copy of the health insurance card. GDO also recommends NETL to consider USDA's sections 502 and 504 programs. Since these programs are long-standing programs, GDO recommends establishing a cutout date for applicants to be considered eligible under the PR-ERF program. GDO recommends as a start date either September 17, 2022, when Hurricane Fiona hit the island, or December 29, 2022, when the Consolidated Appropriations Act was signed by Congress. DOE requested USDA information regarding number of applications received, under

review, rejected, approved as well as main reasons for rejected applications after the cutout dates stated above.

If recommendations are considered favorable by NETL, DOE will proceed to engage with DOE's Paper Reduction Act and GC-22 for the verification of the intake form currently in used and approved by the Office of Management and Budget (OMB).

Please do not hesitate to contact me with any questions.

Sincerely,

Ariel Horowitz

Appendix A: Potential Approaches for Validating the Eligibility of Very Low-income Beneficiaries submitted by TA2 Awardees, June 10, 2024

Organization	Recommendation
SUN	<p>We think that Plan Vital, social security for disabled participants, should also be considered, given that they are also low-income folks. We discussed this as a team and would like to support the idea.</p> <p>In addition, more importantly for our team, we would also appreciate the DOE's response to our suggestion to consider age-based qualifications for fans and air conditioning with regard to energy-dependent disability eligibility. Given that there is already evidence of the need for this type of medical equipment for ages 4 or less and 65 and over, we are wondering if a medical certification is not needed in this case.</p>
EDF	<ol style="list-style-type: none"> 1. To support the inclusion of Plan Vital (which provides government-run health services for low-income families) 2. To suggest the inclusion of beneficiaries of government retirement pension systems (teachers, firefighters, police officers, and others) and Social Security <p>EDF and partners would like to suggest DOE investigates if Social Security Retirement beneficiaries could be identified as potential beneficiaries for PRERF Program. Since social security monthly or yearly benefit varies for each person or family depending on multiple factors (total contribution, age of retirement, disabilities, payment of healthcare, etc); this criteria could be combined with an additional verification method to identify and confirm families that have low or very-low income using the HUD FY 2024 Income Limit Table (attached the table with income limits for Culebra) or tables that are used in Culebra to qualify residents that live in a local retirement home for elders, Felipa Serrano. These verification methods are used by the Culebra Municipality, Federal Program Office, and other programs to validate families or residents that qualify to receive federally funded services or benefits.</p>
BE	<p>First, we fully endorse the addition of Plan Vital enrollment as an income qualifier. We have surveyed our records of the more than 600 homes we have already assessed in the communities where we operate. We find that Plan Vital would expand the number of those with qualifying income by nearly 10%.</p> <p>Second, we recommend inclusion of air conditioning, dehumidifiers, and air purification devices as qualifying medical devices, and also request guidance on doing so. The FOA explicitly embraced those devices for “individuals who are unable to control body temperature.” We ask that homes with persons under 4 (infants) or over 65 be automatically qualified for air conditioning as a necessary medical device. Infants and elderly are especially susceptible to the humidity and high temperatures in Puerto Rico. Having access to air conditioning will improve the quality of life for many infants and elderly who are challenged to manage their own comfort, and may even save some from overheating.</p> <p>We ask that the inclusion of a/c, dehumidifiers, and air purifiers as qualifying medical devices also extend to those with chronic respiratory conditions such as asthma, or for any other reason that is supported by a doctor’s recommendation. As an expansion of the qualifying medical conditions, it would ensure the eligibility reaches a significant segment of the very low-income residents who would experience a measurable increase in quality of life with a DOE-funded solar system. The DOE team may be aware that Puerto Rico has one of the highest rates of asthma in the U.S., affecting 12-15% of the population and weighted heavily towards children. This percentage is not surprising given the tropical environment rich with humidity, mold, and other allergens. Asthma limits one’s ability for physical exertion and degrades sleep, and can worsen without management. Electric appliances such as a/c are a simple and effective mitigation that is out of reach for many very low-income homes; a DOE system would lower the cost of power and thus make temperature and air quality control accessible. A doctor’s</p>

	<p>recommendation is an “operationally viable” way to confirm the need for the appliance due to asthma or other condition (or age), and falls within the program scope of supporting resiliency in the home and saving lives.</p> <p>Finally, we ask that the DOE team consider allowing a location deviation from the Program Guidelines for Topic Area 2 selectees who work predominantly outside of the LMCs. All of Puerto Rico experiences the hardship of frequent outages and also long outages in the wake of nature events. In January, Barrio Eléctrico provided the DOE team data from its existing installations showing the high number and frequency of area outages affecting those homes in Isabela and Coamo. Both are municipalities where we work and that are mostly devoid of LMCs. We ask that the DOE allow beneficiary status for very low-income homes in the communities where we work and have been working, even if those homes do not have a qualifying medical condition or do not sit within an LMC.</p> <p>To further support this request, BE offers an informative link, below, to the research and a map created by a University of Puerto Rico Mayagüez team, lead by professor (and BE board member), Dr. Marcel Castro-Sitiriche. The map shows the barrios within each municipality with outages of more than 122 days after Hurricane María. The data proves that many homes outside of the LMC areas also suffer from no resiliency. BE’s work in these communities serving low- and moderate-income homes proves that there are many homes that fit within the PR-ERF scope and spirit but for their location outside of an LMC. The deviation would be operationally viable if documented in the award documents for each entity as a negotiated agreement. The envisioned agreed deviation would extend eligibility to barrios that qualify from the matter of the map at the link below and based on the geographic reach of that entity’s operations.</p> <p>https://bit.ly/boricuaENERGYinjustice</p> <p>Easing of the LMC requirement as an allowable deviation for community programs like ours would be an excellent means to incorporate needy and deserving homes in the beneficiary ranks of the PR-ERF.</p> <p>We applaud your constant review of the PR-ERF program guidelines for the purpose of ensuring programmatic success. We are available to discuss further the above suggestions should you have any follow-up questions.</p>
<p>TN</p>	<p>Según lo conversado en nuestra última reunión, nuestra posición como entidad que agrupa a veinticinco (25) suscriptores que componen a la Comunidad Solar Toro Negro, es que podemos considerar cualquier criterio de elegibilidad que califique al grupo como un todo y que no excluya a ninguno de nuestros suscriptores. Dentro de estos criterios podrían ser, pero no necesariamente, varios como; la Certificación del Negociado de Energía de Puerto Rico (NEPR) como Microrredes Registradas según dispone el Reglamento 9028 del 18 de mayo de 2018, bloques censales, tractos censales, y/o cualquier otro criterio que nos permita atender la necesidad energética de todos nuestros suscriptores por igual.</p> <p><i>Translation: As discussed at our last meeting, our position as an entity that brings together twenty-five (25) subscribers that make up the Toro Negro Solar Community, is that we can consider any eligibility criteria that qualify the group as a whole and that does not exclude any of our subscribers. Within these criteria there could be, but not necessarily, several such as; the Certification of the Puerto Rico Energy Bureau (PREB) as Registered Microgrids as provided for in Regulation 9028 of May 18, 2018, census blocks, census tracts, and/or any other criterion that allows us to meet the energy needs of all our subscribers equally.</i></p>