

This document describes requirements for the Part I Application to the Department of Energy (DOE) ~~Loan Programs Office (LPO)~~ [Office of Energy Dominance Financing \(EDF\)](#) Title 17 ~~Clean Energy Financing Program~~. For more information about the program, please visit ~~LPO's~~ [EDF's](#) [T17 Overview] page or refer to the [Program Guidance]. To proceed with the Part I Application, please prepare responses to all items, consistent with the instructions below.

## Part I Application

The intent of the Part I Application is to determine the project's eligibility and readiness to proceed through the application process. ~~The Part I Application may be submitted at any time.~~ [LPO-EDF](#) strongly recommends that the Applicant engage in a pre-application consultation with ~~LPO~~ [EDF](#) staff prior to submission. Applicants must file Part I and Part II submissions via the DOE ~~Loan Program Office~~ [Office of Energy Dominance Financing](#)'s online application portal ("**Application Portal**"). Specific instructions regarding the Application Portal can be found in Attachment I.C (Application Submission Instructions).

Refer to Section VI (Additional Provisions) of the Title 17 Program Guidance for guidance on the steps an Applicant must take to restrict the use and disclosure of certain data submitted in the Application.

The following table summarizes key items for attention during a Part I Application, including those items that are unique to each Title 17 project category.

	Innovative Energy	Innovative Supply Chain	SEFI	<del>LPO</del> <a href="#">EDF</a>
<b>Pre-application consultation(s)</b>	Yes	Yes	Yes	Yes
<b>Application Information (Section A)</b>	Yes	Yes	Yes	Yes
<b>Organization Details (Section B)</b>	Yes	Yes	Yes	Yes
<b>Project Description (Section C),</b> including: <ul style="list-style-type: none"> <li>Executive Summary</li> <li>Project Category</li> <li>Project Sponsors' Capabilities and Relevant Experience</li> </ul>	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> <li>SEFI Description and Qualifications</li> </ul>			Yes	
<ul style="list-style-type: none"> <li>Details of qualifying Energy Infrastructure <del>or the project enabling the provision of known or forecastable electric supply</del></li> </ul>				Yes

<ul style="list-style-type: none"> <li>Description of the nexus of qualifying Energy Infrastructure with new investment</li> </ul>				As applicable
<b>Technical Information (Section D),</b> including: <ul style="list-style-type: none"> <li>Description of project design</li> <li>Diagrams</li> <li>Acquisition Strategies</li> <li>Critical Path</li> <li>Agreements Status</li> <li>Planning Documents Status</li> <li><del>Pollution Control and Emissions Information</del></li> </ul>	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> <li><del>Pollution Control and Emissions Information</del></li> </ul>	<del>Yes</del>	<del>Yes</del>	<del>Yes</del>	
<ul style="list-style-type: none"> <li>Description of New or Significantly Improved Technology</li> </ul>	Yes	Yes		
<ul style="list-style-type: none"> <li>Front-End Engineering Design (FEED) study</li> </ul>	Encouraged	Encouraged	Encouraged	Encouraged
<ul style="list-style-type: none"> <li><del>Lifecycle-GHG Emissions Data Worksheet</del></li> </ul>	<del>As applicable</del>	<del>As applicable</del>	<del>As applicable</del>	<del>As applicable</del>
<b>Legal and Regulatory Information (Section E),</b> including: <ul style="list-style-type: none"> <li>Status and Timelines for Regulatory Approval</li> <li>Federal Support</li> <li>Other Governmental Support</li> </ul>	Yes	Yes	Yes	Yes
<b>Application Certifications (Section F)</b>	Yes	Yes	Yes	Yes

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Applicants must enter the information requested in Section I.A directly into the text fields provided in the Application Portal. (A guide to the Application Portal is available [here](#)<sup>1</sup>). The information requested in the remaining sections can be provided as a narrative structured according to the outline provided below or through inclusion of supporting documentation (or both). Applicants should tailor their responses based on their reasonable judgement of the project. Applications should avoid duplication of information and excessive detail to allow ~~LPOEDF~~ to conduct an efficient evaluation of the Part I Application. ~~LPOEDF~~ will contact the Applicant if there are any questions or if additional information is required. Additional detail will be requested in the Part II Application.

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<sup>1</sup> <https://www.energy.gov/lpoedf/title-17-application-portal-guidebook>

Sections that are addressed through supporting documentation should include specific references by document name, section, and page number to facilitate review of the Application. Submissions should be provided in PDF or Excel documents uploaded through the Application Portal.

## Submission Requirements

### A. Application Information

The following information should be entered directly into the ~~LPQEDF~~ Application Portal. Applicants may consult with ~~LPQEDF~~ staff in advance of submission to ensure that information is written ~~at~~ the appropriate level of detail for entry to the portal.

1. **Project Information:**
  - a. Project name (a descriptive, short summary of the project not to exceed 5 words)
  - b. 1703 Eligible Technologies (from drop-down menu)
  - c. ~~ER-EDF~~ Category (from drop-down menu)
  - d. Project/generation capacity (in Megawatts, Gallons per Year, Tons per Year, or Other)
  - e. Project location: Street address, city, state, zip code for all project locations.
2. **Project Sponsor(s):** For each Project Sponsor with equity of five percent (5.0%) or more, indicate entity name, website address, mailing address, city, state, postal code, contact first name, contact last name, contact title/position, contact phone, and contact email. Indicate which sponsor is the lead sponsor (the project must have one lead sponsor).
3. **Applicant Information:** Applicant entity name, website address, mailing address, city, state, postal code, SAM number (if available<sup>2</sup>), NAICS code, primary contact information including first name, last name, title/position, phone, and email.
4. **Preliminary Questions:** Answer the following questions. If the answer to any of these questions is “No,” include an explanation of the circumstances that cause the answer to be “No” in the space provided.
  - a. Do you confirm you have read and understand the U.S. Department of Energy ~~Office of Energy Dominance Financing Loan Programs Office~~-Title 17 ~~Clean~~-Energy Financing Program Guidance?
  - b. Is the Applicant legally authorized to enter into loan guarantee transactions and in good standing with the U.S. Department of Energy and/or any other federal agency loan guarantee program?
  - c. Is the Applicant current on payment of all amounts owed to the federal government?
  - d. Will the Project be built and operated entirely within the United States or its territories?
  - e. Do you confirm that to the best of the Applicant’s knowledge, after making diligent inquiry, that no project participant has been charged with or convicted of a misdemeanor or felony (other than routine traffic violations) or been involved in any securities litigation?
  - f. ~~Does-Is~~ the Applicant ~~have-free of~~ any active or pending lawsuits?

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<sup>2</sup> If not provided in Part I, SAM number will be required at time of Part II Application.

5. **Summary of Loan Guarantee Request:** Provide the information in the table that appears on the portal:
  - a. Requested period of guarantee (years)
  - b. Total Project Costs
  - c. Proposed ~~Loan Programs Office~~ Office of Energy Dominance Financing guarantee amount
  - d. Debt and equity amounts (the sum of the amount entered for debt and the amount entered for equity should equal the amount entered for total Project Costs)

## B. Organization

*This information should be written in a separate document, for upload to the Application Portal.*

1. **Key Staff:** List the full names (including middle name or initial) of key staff to be involved with the Project and one paragraph professional bios.
2. **Applicant Organizational Chart:** Provide a current Applicant organizational chart indicating key staff names and functions.
3. **Project Organizational Chart:** Provide a current or proposed project organizational chart showing the Applicant's relationship to each Project Sponsor, the project, and to any subsidiaries or affiliates of any Project Sponsor involved in the project. The organizational chart should also include information regarding each Person that holds or controls 10% or more of the voting or economic interests in any Project Sponsor. Include the legal structure (e.g., corporation, partnership, or LLC) of each entity listed in the organizational chart. Include a short narrative description of the chart indicating the status and plans, if any, to create any entity.
4. **Evidence of Authority:** Submit evidence that the signatory of the Application has authority to bind the Applicant to the commitments and representations made in the Application and attests as to the accuracy of the information provided in the Application. Potential examples of authority include corporate resolutions, bylaws, or entity agreements.

## C. Project Description

*This information should be written in a separate document, for upload to the Application Portal.*

1. **Executive Summary:** Provide a description of the nature and scope of the project, including the technology used, a brief overview of the business plan with a focus on the revenue model, and a brief overview of the financing plan with a focus on sources and uses of funding. Include plans for and current status of any equity raise and site acquisition or preparation. Describe any environmental resources affected, project purpose, size, capacity, design features, key metrics, and key milestones. Include target dates for:
  - a. Financial close of the ~~Loan Programs Office~~ Loan Guarantee Agreement;
  - b. Commencement of site preparation and construction;
  - c. Commercial operation; and
  - d. Marketing the output.

2. **Project Category:** Provide an explanation of how and to what extent the project falls under a category of Title 17 eligible projects (see Section III of the Program Guidance). Applications may fall within more than one category.
3. **Project Sponsors' Capabilities and Relevant Experience:** Describe each Project Sponsor's prior experience as it relates to carrying out undertakings similar to the one being proposed, financial strengths, investment in the venture to date and as anticipated during the construction and operation phases of the venture (i.e., continuing financial support), and proposed equity investment in the project, as well as the project's strategic significance to each Project Sponsor. Applicants that are not able to include examples of successful implementation of similar project plans for projects of this scale should provide a description of prior and related experience that they believe is sufficient to demonstrate to DOE that they have the expertise that would be evidenced in examples of successful implementation of similar project plans for projects of this scale.
4. **SEFI Description and Qualifications (SEFI projects only):** Submit information to evidence a proposed SEFI's eligibility under this project category. This can include details of the proposed SEFI's formation, its relationship to the State or State agency, and program purposes. Information provided for this purpose could include formation and/or organizational documents, legislative history, legislative or regulatory language, mission statement, bylaws, or other language regarding the intended purposes of the organization.
5. **Details of Energy Infrastructure (~~EUR~~-EDF projects only):** For projects qualifying under section 1706(a)(1) that "retool, repower, repurpose, or replace Energy Infrastructure," provide a description of the Energy Infrastructure that has ceased operations, including details of its location, historical uses including past outputs (capacity, energy, MMBtus, gallons, or other), reasons for ceased operations, current and recent ownership structure, existing permits or other rights, and a description of its remaining useful assets. Be sure to include a description of the most recent use of the site and infrastructure.

For projects qualifying under section 1706(a)(2) that "[enable operating Energy Infrastructure to increase capacity or output](#); [enable operating Energy Infrastructure to avoid, reduce, utilize, or sequester air pollutants or anthropogenic emissions of greenhouse gases](#)," provide a description of the Energy Infrastructure associated with the proposed project, details of its location, historical uses including past outputs (capacity, energy, MMBtus, gallons, or other), current and recent ownership structure, existing permits or other rights, and the manner in which that infrastructure will be modified (some details can be included by reference to the Technical Information section). Applications should include engineering plans and analysis detailing the applicable technologies and their site-specific designs.

[For projects qualifying under section 1706\(a\)\(3\) that "support or enable the provision of known or forecastable electric supply at time intervals necessary to maintain or enhance grid reliability or other system adequacy needs," provide a description of the proposed project's ~~robust and direct~~ connection to the touchstones of electricity supply including proposed outputs \(generation capacity, energy storage capacity, MMBtus, gallons, miles of transmission line, or other\), current or proposed ownership structure, and status of permits or other rights.](#)

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Commented [GD5R4]: Edited to reflect that the most likely types of projects to apply under (a)(3) are generation, transmission, storage, or VPP

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[Applications should include engineering plans and analysis detailing the applicable technologies and their site-specific designs.](#)

6. **Description of Project Nexus with Existing or Retired Energy Infrastructure (~~EIR~~-required for EDF 1706(a)(1) or (a)(2) projects only, to be included as applicable for projects qualifying under 1706(a)(3)):** For ~~EIR~~-EDF projects that involve Energy Infrastructure that has or will cease operations, provide a detailed description of the nexus between the Energy Infrastructure ceasing operations and new investments associated with the project including how project costs supported by the ~~LPQEDF~~ loan guarantee will support new uses for, or replace, that Energy Infrastructure.

As applicable, identify or include integrated system plans and relevant regulatory approvals that demonstrate ways in which new investments will replace the services no longer provided by the legacy infrastructure, or will utilize legacy infrastructure for new uses. Applicants are encouraged to speak with ~~LPQEDF~~ staff to discuss qualifying documents or plans that can demonstrate the status and, as applicable, closure plans for infrastructure.

#### D. Technical Information

*This information should be written in a separate document, for upload to the Application Portal.*

Necessary technical information varies depending on the nature of the Title 17 project. Applicants should work with ~~LPQEDF~~ staff to ensure they provide the correct details for their application.

1. **Description of Project Design (all projects):** Provide a technical description of the project, including key outputs, inputs, and processes involved in the project design.
2. **Description of New or Significantly Improved Technology (Innovative Energy and Innovative Supply Chain projects only):** Provide a description of the New or Significantly Improved Technology to be used in the project and a description of how and why the technology is new or significantly improved compared to technology already in general use in the commercial marketplace (i.e., the business-as-usual case) in the United States (see definition of *New or Significantly Improved Technology* in Section III of the Title 17 Program Guidance). Describe the commercial feasibility of the technology(ies) and how the project intends to employ such technology(ies). Describe how the Applicant assures, to the extent possible, that success of the project will lead to further commercial availability of the technology(ies) in the United States (i.e., replicability). For applications for an Innovative Supply Chain project, identify whether the innovation or improvement is applicable to (1) the manufacturing process of the qualifying product or (2) to the resulting product itself, and describe how that improvement meets New or Significantly Improved Technology requirements described in the Program Guidance.

If the project has more than one location, include a description of how the project qualifies as a single, integrated project with a common or related output. Expanded detail for the integrated and comprehensive business plan is required in the Part II Application; this Part I detail provides initial qualifying details for ~~LPQEDF~~'s consideration of project eligibility.

3. **Diagrams (all projects):** Provide conceptual level diagrams with descriptions outlining general plant layout, process and materials flows, and operating parameters and throughputs for key processes. Include any supporting photos, maps, or drawings.
4. **Front-End Engineering Design (FEED) study (encouraged for all projects):** A Front-End Engineering Design (FEED) study is particularly useful as it serves to convey that the technical requirements as well as rough investment cost for the project have been thoughtfully considered. A FEED study can also support LPOEDF's review to confirm commercial readiness of the project.
5. **Acquisition Strategies (all projects):** Provide a description of key raw material, equipment, and component supply chain acquisition strategies as well as any deployment-related services such as construction, installation, sales, and/or service infrastructure required for startup or commissioning the project.
6. **Critical Path Agreements Status (all projects):** Provide a status for each critical path contract and agreement, such as a front-end engineering agreement, technology licensing and teaming agreements, Engineering, Procurement, and Construction ("EPC") contracts, long-lead contracts, feedstock agreements, and plant off-take or sales contracts. Use the table below and expand or modify as needed.

Agreement	Status	Comment
Front-End Engineering Design (FEED) (if applicable)		
Technology Licensing		
Teaming Agreement		
Operating Agreement		
Engineering, Procurement and Construction Contract		
Long-Lead Equipment Contracts		
IP and Licensing Agreements		
Feedstock Agreements		
Off-Take or Sales Contracts		

Status: 1. Not started, 2. Initiated, 3. Completed, 4. N/A (for items marked 1 or 2, please identify the estimated completion date in the "Comments" column).

7. **Planning Documents Status (all projects):** Provide a status of the construction plan (including site acquisition and equipment deployment, as applicable), operation and maintenance plan,

waste disposal plan, and preliminary risk management plan. Use the table below and expand or modify as needed.

Document	Status	Comment
Construction Plan		
Operation and Maintenance Plan		
Waste Disposal Plan		
Risk Management Plan		

Status: 1. Not started, 2. Initiated, 3. Completed, 4. N/A (for items marked 1 or 2, please identify the estimated completion date in the “Comments” column).

8. **Pollution Control and Emissions Information (all projects 1703 Innovative Energy, Innovative Supply Chain, and SEFI projects only):** Provide an explanation of how and to what extent the project avoids, reduces, utilizes, or sequesters air pollutants or anthropogenic emissions of greenhouse gases. Include a description of the project design and technologies that will be employed to conduct this pollution and emissions abatement. Technical descriptions and engineering reports can be included; a more complete technical description will be required as part of the Part II Application to support LPOEDF’s review of the project’s technical readiness. Identify and describe any assumptions made in an Applicant’s assessment of emissions reductions, including a comparison to the baseline or business-as-usual case.

9. **Greenhouse Gas (GHG) Emissions Data Worksheet (1703 projects as applicable):** LPOEDF conducts a comprehensive lifecycle GHG emissions analysis of proposed projects. Applicants should provide a Summary Lifecycle GHG Emissions Data Worksheet, described in Attachment I.A, to account for all system inputs and outputs to be used by LPOEDF in this analysis, and so a comparison to the “business as usual” case can be performed to quantify the emissions impact of the project. Attachment I.A must be completed by applicants for projects that provide product-based outputs (including but not limited to electricity, chemicals, fuels, and manufacturing projects), industrial process projects, or other projects that result in air emissions to function. LPOEDF will use these reports this information at its discretion and to the degree that they conform to LPO’s accepted standards for the GHG emissions analysis.

Applicants do not need to complete the Summary Lifecycle GHG Emissions Data Worksheet in Attachment I.A for the following types of projects applying under the Innovative Energy and SEFI, and EIR project categories (applications for all other types of projects must include the worksheet, unless otherwise directed by LPOEDF):

- Clean Energy (including Renewables and Nuclear) Renewables and Nuclear Generation – for such projects, LPOEDF will calculate the emissions avoided using the Environmental Protection Agency’s Emissions & Generation Resource Integrated Database (eGRID).
- Energy Storage Deployment – for such projects, LPOEDF will perform a qualitative analysis that takes into consideration the means by which the project contributes to more efficient operation of the grid and/or facilitates the greater penetration and

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utilization of variable renewable energy resources. Applicants are encouraged to specifically address this aspect in the Part I Application.

- End Use Efficiency Technologies – Applicants deploying End Use Efficient technology should provide sufficient information regarding the proposed energy efficiency solution and/or system (such as hardware, software, artificial intelligence, or cloud computing), and clearly identify the innovative features employed that achieve said energy efficiency savings. Quantitative assessments are encouraged.

LPOEDF recognizes there is a wide range of ~~clean~~ energy solutions eligible for financing, and that there will be projects that do not fit squarely into the above scenarios. As such, applicants are encouraged to address the specific emissions information required during a pre-application consultation with LPOEDF.

## E. Legal and Regulatory Information

*This information should be written in a separate document, for upload to the Application Portal.*

1. **Status and Timelines for Regulatory Approval:** Provide as a table the status and timelines for all required federal, State, and local permits, approvals, or reviews, including any relating to environmental matters. The table should include the date on which each approval was or is anticipated to be applied for, and the date on which each approval was or is anticipated to be completed or received.
2. **Litigation:** Disclose any current, threatened (in writing), or pending litigation involving the Applicant, a Project Sponsor, or, to the Applicant's knowledge, any other relevant party, related to permitting, public involvement, environmental issues, construction defects, fraud, securities fraud, conflict of interest, failure to perform under a local, State, or federal contract, or other charges which may reflect on the Applicant's, or any Project Sponsor's, reputation, financial position, or ability to complete the Project.
3. **Federal Support:** If the project is expected to benefit directly or indirectly from certain other forms of federal support, provide a description of each such federal support. Examples of federal support include: federal grants; other loan guarantees from federal agencies or entities, including DOE; agreements for federal agencies or entities to serve as a customer or off-taker of the project's products or services; or other federal contracts that support the project such as acquisitions, leases, and other arrangements. The Applicant should separately identify any previous federal support that the project or related technologies have received.

The Applicant should also indicate any federal income tax benefits the Applicant is anticipating and methods for achieving enhanced tax benefits through prevailing wage and apprenticeship requirements, domestic content, energy communities, low-income communities, or public housing.

4. **Other Governmental Support:** If the project is or anticipates receiving non-federal governmental (including State and local) incentives or other assistance to support the financing, construction, and operation of the project, provide a list of all non-federal governmental support with a description of each such non-federal governmental support. Examples of non-federal governmental incentives or assistance may include grants, tax credits, incentives,

guaranteed offtake agreements, and other loan guarantees. Provide detailed information on what commitments and obligations (such as community engagement, minimum wages, jobs created) were made for each such non-federal governmental support. Identify any reporting or application obligations associated with the non-federal governmental support, including future reporting and copies of any reporting made to date (or provide reference to where included elsewhere in this Part I Application). Indicate whether any such incentives or assistance are subject to clawback and the circumstances under which a clawback could occur. The Applicant should separately identify any previous other governmental support that the project or related technologies have received.

A SEFI supported project application should specifically include (or cross-reference where included elsewhere in this Part I Application):

- a. Evidence or rationale substantiating that the SEFI-provided financial support or credit enhancements to the project are meaningful;
- b. Information regarding the status and certainty of receiving each expected form of support;
- c. The timeline and milestones relevant to each expected form of support;
- d. Any relevant documents describing the SEFI support, including description of program (if applicable), intent, history, or other relevant details.

#### F. Application Certifications

*Separate documents for upload to the Application Portal.*

1. **Lobbying, Debarment, and Related Certifications and Assurances:** In submitting an Application for a loan guarantee under Title 17, Applicants must provide certain certifications and assurances contained in the form entitled "Certifications for Use with Applications for Department of Energy Loan Guarantees under Title XVII of the Energy Policy Act of 2005" which may be downloaded from the Program Website: <http://energy.gov/sites/prod/files/Certifications%20for%20Use%20with%20Doe%20Loan%20Guarantees.pdf>
2. **Letter of Commitment:** For an Application to be considered under this Guidance, Part I must include a letter of commitment signed by an authorized representative of the Applicant in the form provided on the next page under "Sample Letter of Commitment."
3. **Penalty of Perjury Statement:** The following certification must be included with each Application:

The undersigned certifies that the data and information submitted and the representations made in this Application and any attachments to this Application are true and correct to the best of the Applicant's knowledge and belief after due diligence, and the Applicant has not omitted any material facts. The undersigned further certifies that [s]he has full authority to bind the Applicant.

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Applicant (Organization Name)

\_\_\_\_\_  
Name of Applicant's Authorized Officer  
(will fulfill on-line certification)

\_\_\_\_\_  
Signature of Authorized Officer  
(for paper copy only)

\_\_\_\_\_  
Title of Authorized Officer  
Applicant (Organization Name)

\_\_\_\_\_  
Date

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**SAMPLE LETTER OF COMMITMENT**

[DATE]

Director  
U.S. Department of Energy, ~~Loan Programs Office~~ Office of Energy Dominance Financing  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Director:

This letter confirms our intent to seek a loan guarantee under the Title 17 ~~Clean~~-Energy Financing Program.

We have met all requirements as specified in [the [Title 17 ~~Clean~~-Energy Financing Guidance Document] most recently updated on \_\_\_\_, 20\_\_ (the "Guidance Document")], including all attachments to the Guidance Document.

We are committed to diligently implementing the project as described in our Application, including initiating and completing the project in a timely manner with a view to closing the financing on or about xx/xx/20\_\_.

If we decide to withdraw from consideration for a loan guarantee at any time, we will notify DOE in writing of that decision as soon as possible.

Sincerely,

\_\_\_\_\_  
Signature of Authorized Officer

[Name]

## A. Lifecycle-GHG Emissions Data Requirements

As required for applicable projects (see Section D, Part 9 in the Part I Application for exemptions), the linked ~~Lifecycle~~ GHG Emissions Data Worksheet is to be filled out and provided as part of the Part I Application. The Applicant may also provide reports, including those done by an independent company or government agency, to allow ~~LPOEDF~~ to assess the GHG emissions from the proposed project. ~~LPOEDF~~ will use ~~these~~ ~~this~~ information at its discretion ~~and to the degree that they conform to its accepted standards~~ for GHG emissions analysis.

~~Lifecycle~~ GHG Emissions Data Worksheet:

[[https://www.energy.gov/sites/prod/files/2015/02/f19/SUMMARY\\_GREENHOUSE\\_GAS\\_EMISSIONS\\_DATA\\_WORKSHEET\\_JANUARY\\_2015.xlsx](https://www.energy.gov/sites/prod/files/2015/02/f19/SUMMARY_GREENHOUSE_GAS_EMISSIONS_DATA_WORKSHEET_JANUARY_2015.xlsx)]

Applicants should err on the side of providing more information to explain a situation rather than the minimum amount needed to comply with the data request. Where data is absent or of low quality, ~~LPOEDF~~ will request additional information from applicants or will make reasonable estimates to fill data gaps.

In addition, applicants are encouraged (but not required) to submit the following information:

- Define the scope: State the systems included in the scope of the project, and specifically state the systems not included in the scope of the project;
- Define the functional unit: Describe the outputs of the project and how they will be utilized downstream of the project;
- Include a process flow diagram: Indicate on the diagram that data is provided in the data collection template for all processes show in the diagram, or clearly show in the diagram for which processes the applicant has provided data and for which processes data is absent.

## B. Waiver Request for Foreign Entity Participation

[As set forth Section III (Project Eligibility)], all borrowers receiving a loan guarantee under Title 17 must be incorporated (or otherwise formed) under the laws of a state or territory of the United States and have a physical location for business operations in the United States. To request a waiver of this requirement, an applicant must submit an explicit waiver request in the Part I Application.

### Waiver Criteria

Foreign entities seeking to participate in a project funded under Title 17 must demonstrate to the satisfaction of DOE that:

- a. Its participation is in the best interest of the United States industry and United States economic development;
- b. The project team has appropriate measures in place to control sensitive information and protect against unauthorized transfer of scientific and technical information;
- c. Adequate protocols exist between the United States subsidiary and its foreign parent organization to comply with export control laws and any obligations to protect proprietary information from the foreign parent organization;

- d. The work is conducted within the United States and the entity acknowledges and demonstrates that it has the intent and ability to comply with the U.S. Competitiveness Provision (see [Section XX] in the Program Guidance); and
- e. The foreign entity will satisfy other conditions that may be deemed necessary by DOE to protect United States government interests.

#### **Content for Waiver Request**

A Foreign Entity waiver request must include the following:

- a. Information about the entity: name, website, point of contact, and proposed type of involvement in the project;
- b. Country of incorporation, the extent of the ownership/level control by foreign entities, whether the entity is state owned or controlled, a summary of the ownership breakdown of the foreign entity and the percentage of ownership/control by foreign entities, foreign shareholders, foreign state or foreign individuals;
- c. The rationale for proposing a foreign entity participate (must address criteria above);
- d. A description of the project's anticipated contributions to the United States economy;
  - i. How the project will benefit United States research, development and manufacturing, including contributions to employment in the United States and growth in new markets and jobs in the United States;
  - ii. How the project will promote domestic American manufacturing of products and/or services;
- e. A description of how the foreign entity's participation is essential to the project;
- f. A description of the likelihood of Intellectual Property (IP) being created from the work and the treatment of any such IP; and
- g. Countries where the work will be performed (Note: if any work is proposed to be conducted outside the United States, the applicant must also complete a separate request foreign work waiver).

DOE may also require:

- a. A risk assessment with respect to IP and data protection protocols that includes the export control risk based on the data protection protocols, the technology being developed and the foreign entity and country. These submissions could be prepared by the project lead (if not the prime borrower), but the prime borrower must make a representation to DOE as to whether it believes the data protection protocols are adequate and make a representation of the risk assessment – high, medium or low risk of data leakage to a foreign entity.
- b. Additional language be added to any agreement or sub agreement to protect IP, mitigate risk or other related purposes.

DOE may require additional information before considering the waiver request.

DOE's decision concerning a waiver request is not appealable.

## C. Application Submission Instructions

Applicants must file Part I and Part II submissions via the DOE ~~Loan Programs Office~~ Office of Energy Dominance Financing's online Application portal ("**Application Portal**"). Supporting documents for Applications will be accepted only in the following formats: Microsoft Excel or Adobe PDF. Do not encrypt, compress, or zip any files.

### A. Application Portal Submission Process

LPQEDF offers pre-application consultations to prepare prospective applicants for the application process. Please visit [PARC page] to request a no-cost pre-application consultation. If you have already had pre-application consultations with LPQEDF, please email or call your LPQEDF staff contact for instructions on how to access the Application Portal.

The Application Portal provides a process for making corrections to an Application if substantive changes or additions are required after it has been submitted.

### B. Portal Registration

When submitting a Part I Application via the Application Portal, Applicants are encouraged to include the following:

1. A North American Industry Classification System ("**NAICS**") code; and
2. A registration number from the federal System for Award Management ("**SAM**").

A SAM number will be required for the Part II Application.

### C. Formatting Instructions

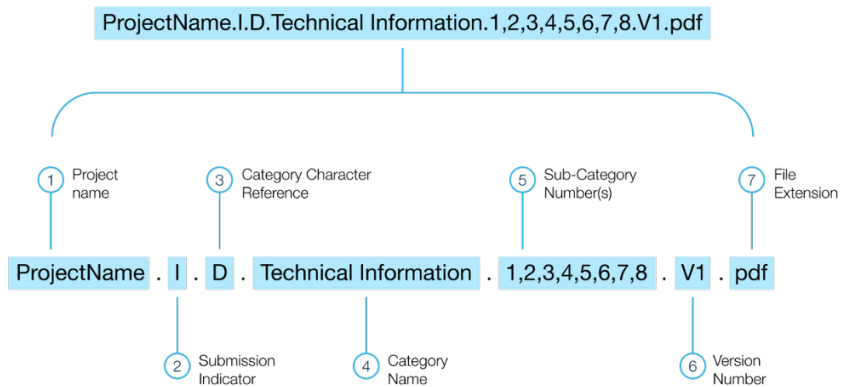
Applicants should provide all requested information in the following format:

1. Documents supporting and forming any part of an Application should:
  - a) Be typed in 11 point or greater font;
  - b) Conform to [the outlines given in Appendix A and Appendix B]. Adhere to a format consisting of standard 8.5" x 11" paper; and
  - c) Have at least 1" margins (top, bottom, left, and right) with exceptions for charts, graphics, and similar materials.
2. Applicants should provide a "short name" or other identifier that will allow for easy identification of the project.
3. The file naming standard that DOE will use for uploaded files is specified in [Table 1]. Certain documents uploaded through the Application Portal will be renamed automatically to conform to this convention, as shown in the example that follows [Table 1].

[Table 1]			
Order #	File Name Identifier	Identifier Specified as	Following separator

1	Project Name	Project Name	Period
2	Part I or Part II Submission Indicator	Roman numeral	Period
3	Category Character Reference	Capital letter identifier for the section in the Guidance specifying the document category	Period
4	Category name	Name of the section in the Guidance specifying the document category	Period
5	Sub-category Number(s)	Number identifier for the sub-section in the Guidance specifying the document sub-category.  If multiple sub-categories apply, list the sub-categories as a comma-separated list in ascending numeric order.	Period
6	Version Number	Capital 'V' followed by the next consecutive version number in the system. The first version of any document is specified as 1.	Period
7	File Extension	File extension representing the file type	NONE

Example:



#### D. Status Updates

In connection with an invitation to Part II of the application process, the Applicant will be provided a primary point of contact for any questions that the Applicant may have regarding the Application. Additionally, if DOE does not make a final decision on an Application by the date that is 180 days after receipt of a complete Part II Application, the Applicant may request, not more than once every 60 days thereafter, the current status of the Application, a summary of any factors that are delaying a final decision on the Application, a list of what items are required in order to reach a final decision, citation to authorities stating the reasons such items are required, a list of actions the Applicant can take to expedite the process, and an estimate of when a final decision on the Application will be made.