

## **Key Points Regarding DOE's Notice of Intent for Implementation of IIJA Section 40101(d) – Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid**

The purpose of the Notice of Intent (NOI) is to provide information on DOE's plans for implementation of Section 40101(d) of the Infrastructure Investment and Jobs Act (IIJA) of 2021. DOE seeks input from all stakeholders, including States ("States" includes U.S. Territories and the District of Columbia) and Indian Tribes, on the Department's Section 40101(d) implementation plan, including the application and award requirements, the award formula allocation, and the technical assistance approach as detailed within this NOI and supporting documents. Supporting documents include the:

1. *Federal Register Notice on Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid*
2. *Draft Section 40101(d) Formula Grant Administrative and Legal Requirements Document (ALRD)* and
3. *Draft Allocation of Funds under the IIJA Section 40101(d) – Formula Grant Program*

All documents are available at: <https://netl.doe.gov/bilhub/grid-resilience/formula-grants>. In addition, DOE is requesting that interested parties respond to a set of questions presented within the NOI and Federal Register Notice. The Infrastructure Investment and Jobs Act (Pub. L. 117-58) Section 40101(d) is available at: <https://www.congress.gov/bill/117th-congress/house-bill/3684/text>.

Under the Section 40101(d) Formula Grant Program, the Department will provide grants on an annual basis to eligible applicants to improve the all-hazards resilience of their electric grids. The types of resilience investments permitted under this program may range considerably according to the needs of respective applicants. They may include the hardening of assets, i.e., making them less vulnerable to threats, as well as the deployment of more sophisticated capabilities such as the real-time control and coordination of system assets, including inverter-based resources (DERs) and microgrids, so that they may quickly provide services under emergency situations. They may also include the provision of tools for supporting modeling and analysis efforts that can assist in the determination of solutions that would improve all-hazards resilience.

Section 40101(d) stipulates that DOE allocate funding annually through grants to eligible applicants according to a formula that includes such parameters as population, land area, and the historical precedence for experiencing disruptive events. To receive a grant under Section 40101(d), a State or Indian Tribe shall submit an application to DOE that includes the following information (described in more detail in NOI Appendix A – Program Narrative):

1. A description of the criteria, methods, and intended outcomes benefiting the public that will be used by the State or Indian Tribe to award grants to eligible entities,
2. Evidence of a notice and public hearing on the criteria and methods proposed by the State or Indian Tribe, and
3. A description of the proposed funding distributions and recipients of the grants to be provided by the State or Indian Tribe.

Each State and Indian Tribe shall be required to match 15 percent of the amount of each grant provided to the State or Indian Tribe under Section 40101(d).

NOI questions/comments are due on: May 27, 2022, by 11:59 PM ET.

Question/comments should be sent to the following email address: 40101formulagrants@hq.doe.gov

DOE anticipates issuing the ALRD on or about July 1, 2022, with an open application period of 60 days.