

FORM OF ORDER A. TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Community Development

(agency name)

Administrative Order No. 88-01

(1) I, John Swannack, Acting Deputy Director, director of the Department of Community Development.

do promulgate and adopt at Ninth and Columbia Building, Olympia, Washington (place)

the annexed rules relating to:

the Energy Matchmakers Program

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 87-19-158 filed with the code reviser on September 23, 1987. These rules shall take effect: [x] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[x] (a) This rule is promulgated pursuant to RCW Chapter 36, Laws of 1987 and is intended to administratively implement that statute.

[ ] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED January 4 1988

STATE OF WASHINGTON FILED

JAN 4 1988

CODE REVISER'S OFFICE WSR 88-02-042

By John Swannack Acting Deputy Director Title

## Chapter 365-180 WAC

## ENERGY MATCHMAKERS

## WAC

365-180-010	Authority.
365-180-020	Purpose.
365-180-030	Definitions.
365-180-040	Program funding.
365-180-050	Proposal for use of funding--Eligible sponsors.
365-180-060	Sponsor match.
365-180-070	Local coordinated plan--Funding proposal process--Award of contracts.
365-180-080	Eligibility criteria for clients.
365-180-090	Program services.

NEW SECTION

WAC 365-180-010 AUTHORITY. These rules are adopted under the authority of chapter 70.164 RCW.

NEW SECTION

WAC 365-180-020 PURPOSE. To set forth the conditions and procedures under which funding will be made available to be used in combination with contributions to support local low-income weatherization programs.

NEW SECTION

WAC 365-180-030 DEFINITIONS. (1) "Department" means the department of community development.

(2) "Energy matchmakers local coordinated plan" means a proposal(s) for use of funding for local low-income weatherization programs in a specific geographical area.

(3) "Low-income" means household income that is at or below one hundred twenty-five percent of the federally established poverty level.

(4) "Nonutility sponsor" means an organization that is not an energy supplier and that submits a local coordinated plan.

(5) "Residence" means a house, including a stationary mobile home, an apartment, a group of rooms, or a single room occupied as separate living quarters; but excluding institutional buildings such as: A university, group care facility, nursing home, half-way residence, hospital, hotel, motel, etc.

(6) "Sponsor" means an organization that submits a match proposal as part of the energy matchmakers local coordinated plan.

(7) "Sponsor match" means the share, if any, of the cost of weatherization to be paid by the sponsor.

(8) "Weatherization" means materials or measures, and their installation, that are used to improve the thermal efficiency of a residence.

(9) "Weatherizing agency" means a public or nonprofit private organization, approved by the department, responsible for doing all aspects of the weatherization work.

#### NEW SECTION

WAC 365-180-040 PROGRAM FUNDING. The legislature determines the amount of funding available during a specific biennium for low-income weatherization. Each county receives a "planning estimate" based on the number of low-income households and the climatic conditions of the county. This "planning estimate" is available for low-income weatherization in each county if matching requirements are met. Contingent on the availability of funds, the department may award funds in an amount that exceeds the county's "planning estimate".

#### NEW SECTION

WAC 365-180-050 PROPOSAL FOR USE OF FUNDING. (1) Any public or private organization in Washington, Idaho, or Oregon that conducts business in Washington state may propose funding for a geographical area(s) by submitting an energy matchmakers local coordinated plan.

(2) Plans submitted to the department shall be the result of local coordination and cooperation.

(3) Plans shall identify weatherizing agencies.

#### NEW SECTION

WAC 365-180-060 SPONSOR MATCH. (1) Plans submitted by energy suppliers shall include a commitment of a matching contribution. Matching contributions can be either cash, in-kind contributions, or both. The match must cover half of the total cost of the low-income weatherization being proposed in the local area.

(2) Only resources that would not otherwise have been used for low-income weatherization will be considered as match.

(3) A sponsor may pay the sponsor match as lump sum at the time of weatherization, or make yearly payments over a period not to exceed ten years. When the sponsor elects to make yearly payments, the value of the payments shall be determined by the department, but shall not be less than the value of the lump sum that would have been made.

(4) All match committed shall result in increasing the number of residences weatherized or increasing weatherization measures installed on or in the residence.

(5) Match waivers may be granted by the department for plans submitted by nonutility sponsors.

#### NEW SECTION

WAC 365-180-070 LOCAL COORDINATED PLAN--FUNDING PROPOSAL PROCESS--AWARD OF CONTRACTS. (1) A sponsor shall make a formal proposal using forms issued by the department.

(2) A review team will evaluate the energy matchmakers local coordinated plans, and will be composed of persons with knowledge of energy conservation and of community-based public and private service organizations.

(3) Plans which include a commitment of matching resources will be given priority for funding.

(4) The department shall have the final discretion to award funds.

(5) The department will enter into a contract with weatherizing agencies identified in successful local coordinated plans. This contract shall be signed by an official with authority to bind the weatherizing agency and returned to the department prior to the release of any funds under this program.

#### NEW SECTION

WAC 365-180-080 ELIGIBILITY CRITERIA FOR CLIENTS. (1) Total income of all household members shall be at or below one hundred twenty-five percent of the federally established poverty level; or households shall meet other qualifications established by the department for its low-income weatherization program.

(2) Residences shall meet the qualifications established by the department for its low-income weatherization programs.

#### NEW SECTION

WAC 365-180-090 PROGRAM SERVICES. (1) Weatherizing agencies shall provide weatherization services to eligible low-income households in accordance with the "Washington state low-income weatherization assistance program procedures and guidelines" established by the department.

(2) No contribution may be required from the eligible household.

(3) Full levels of all cost-effective structurally feasible measures, as determined by the department, shall be installed when a residence is weatherized.

(4) No undue or excessive enhancement to a residence shall occur as a result of weatherization provided under this chapter.

(5) Before a leased or rented residence is weatherized, the department's "weatherization program owner/authorized agent approval form" must be signed by the owner of the building or the owner's authorized agent. Through this form the landlord ensures that, for twelve months from the date the form is signed, rent will not be increased, nor the tenant evicted, as a result of the weatherization provided.

(6) Benefits of weatherization work performed on behalf of a low-income tenant shall accrue primarily to the low-income tenant.