

Department of Energy
Build America, Buy America Act
Proposed Project-Specific Non-availability Waiver

For Advance Metering Infrastructure (AMI) Technologies (Cellular Routers/Smart Meters)

Proposed Waiver Summary: The United States Department of Energy (DOE) Grid Deployment Office is issuing a project specific nonavailability waiver of the manufactured products domestic preference requirements of section 70914 of the Build America, Buy America Act (BABA) included in the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) as applied to one federal financial assistance award to the Indiana Office of Energy Development. This proposed limited nonavailability waiver allows the recipient to purchase non-compliant Advance Metering Infrastructure (AMI) technologies.

Duration of the Waiver: The effective date of this waiver is from date of issue through the project performance period (until December 2027).

Applicability: The waiver will apply to eligible expenditures incurred by the recipient on or after the effective date of the final waiver for the period that the waiver is active.

Recipient: Indiana Office of Energy Development (GU6MA18T2Q83)

Sub-Recipient: Town of Middletown (HNNXD2NNMMD3)

Total estimated project cost related to infrastructure: \$412,256

Estimated total cost of the products being waived: \$348,882

Waiver Type: Non-availability waiver of the BABA manufactured products requirement for the products listed below.

Waiver Level: Project-specific waiver for one sub-award.

Funding Mechanics: Funding for the infrastructure project is made available through both the 2022 and 2023 Funding Opportunity Announcement Infrastructure Investment and Jobs Act (IIJA) - Preventing Outages and Enhancing the Resilience of the Electric Grid Formula Grants to States and Indian Tribes (DE-FOA-0002736). The location of the project is Middletown, Indiana.

Description of Covered Items:

- Itron C2SXD 2S CL200 Meter (PSC: 6625; NAICS: 334515)
- Tantalus VC934 Collector (PSC: 7G22; NAICS: 334290)
- Itron CP3SVL Polyphase Meter (PSC: 6625; NAICS: 334515)
- Tantalus VC932 Collector (PSC: 7G22; NAICS: 334290)
- Tantalus VC820 Cellular Modem (PSC: 7G22; NAICS: 334290)
- Tantalus TR1901 Repeater (PSC: 7G22; NAICS: 334290)
- Tantalus DT-116 Centron Reset Key (PSC: 5120; NAICS: 334290)

- Tantalus TC-1220 RD Module (PSC: 7G22; NAICS: 334290)
- Tantalus PP-1320 CL3SLV Module (PSC: 7G22; NAICS: 334290)

Description of Market Research and Justification: Recipient conducted their market research and outreach in May 2025 to determine which meters would be compatible with the Tantalus software. The recipient reached out to several vendors via email, and at conferences, determining that there were no suitable domestic options.

DOE completed market research between July 2025 and August 2025. Due to the project's requirement to use the Tantalus software, the recipient cannot utilize any of the competing US companies in the smart grid and advanced metering infrastructure (AMI) sector. The ISC AMI program enables participating municipalities to implement advanced, unified metering infrastructure essential for the operational efficiency of smaller utilities. Market research indicates support for Middletown's request, as the components from Tantalus and Itron do not currently meet the Build America, Buy America (BABA) requirements.

The requested waiver applies to the listed AMI technology products listed above for the Town of Middletown project. Despite rigorous efforts to identify domestically manufactured alternatives, no suitable substitutes can both use the Tantalus software, while also meeting Buy American requirements. The selected AMI products will provide superior benefits to grid resilience for many years to come. Given the requirement to use the Tantalus software system, the recipient is left with no choice but to source non-domestic components.

Impact Absent the waiver: Absent this waiver, this project would not be able to be completed given that the AMI meters and Tantalus communication components are the infrastructure components of the project. Without the meters and their ability to communicate to the programming, there would simply be no project.

Assessment of Cost Advantage of a Foreign-Sourced Product: Under OMB M-24-02, agencies are expected to assess "whether a significant portion of any cost advantage of a foreign-sourced product is the result of the use of dumped steel, iron, or manufactured products or the use of injuriously subsidized steel, iron, or manufactured products" as appropriate before granting a nonavailability waiver. DOE's analysis has concluded that this assessment is not applicable to this waiver as this waiver is not based on the cost of foreign-sourced products.

Solicitation for Comments: DOE is seeking public comments for all interested parties, including industry members and current manufacturers of the covered glass insulators product items listed above, regarding the potential availability of project-compliant products from domestic manufacturers. The proposed waiver is available for public comment for fifteen (15) calendar days. **Comments are due no later than February 20, 2026**, and must be submitted by email to the DOE Contracting Officer at **BABAWaiverComment@netl.doe.gov**. Please write "BABA WAV **2026-##** - Indiana Town of Middletown" in the subject line of the email.