

Department of Energy
Build America, Buy America Act
Project-Specific Non-availability Waiver
for AMI 2.0 Radio Frequency Metering Technology
BABA WAV 2025-09

Waiver Summary: The United States Department of Energy (DOE) Grid Deployment Office (GDO) is issuing a project nonavailability waiver of the manufactured products and construction materials 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 for the Tri-County Electric Cooperative (TCE). This limited nonavailability waiver allows TCE to purchase non-compliant AMI 2.0 Radio Frequency metering technology.

Duration of the waiver: The effective date of this waiver is from date of issue to project completion (anticipated December 2029)

Applicability: The waiver applies 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: TriCounty Electric Cooperative, Inc. (JDN7USEMDYG3)

Total estimated project cost related to infrastructure: \$7,617,726

Estimated total cost of products being waived: \$5,000,000-6,000,000

Waiver Type: Nonavailability waiver of the BABA manufactured product requirements for the product listed below.

Waiver Level: Project-specific waiver for one award.

Funding Mechanics: Funding for the infrastructure project is made available through Grid Resilience and Innovation Partnerships DE-FOA-0002740. The location of the projects proposed AMI installations includes several counties within the state of South Carolina. The period of performance of this award is approximately 5 years, from July, 2024 to April, 2029. Initial long lead procurement deposit for the items is expected no later than the end of Budget Period number two of the award, no later than July, 2026.

Description of Covered Items: This waiver covers advanced Radio Frequency (RF) meters that can provide timely and accurate energy consumption data.

This technology falls under NAICS codes 2211, 22112, and 221122, applicable to Electric Power Generation, Transmission, and Distribution, with a focus on Distribution system controls. Associated PSC codes include 59, 5935, 5940, 5998, 5999, 6021, 6032, 6060, 6099, 6140, 6150, 6160, 6625, 7G21, 7G22, and 7J20.

TCE (Tri-County Electric Cooperative) will upgrade existing 18,500 AMI 1.0 (Advanced Metering Infrastructure-Smart Meters) PLC (Power Line Carrier) meters to advanced AMI 2.0 Radio Frequency metering technology, also known as advanced grid sensors. AMI 2.0 will consist of a Landis + Gyr RF mesh system, comprised of RF (radio frequency) meters, repeaters, and collectors. The collectors will leverage TCEC's existing fiber network to backhaul data from AMI 2.0 to a centralized location.

TCE upgrade will allow real-time monitoring of member services, remote disconnect, data analytics, demand response, and personal energy management. This technology will enable the identification of temporary disruptions of power, thereby strengthening the distribution system and improving resiliency to widespread outages, such as those caused by wildfires

Market Research and Justification: The recipient completed exhaustive due diligence activities in January 2023 to March 2024 to support this project, including market research via email and phone with Product Manufacturers, online research, coordination with energy management consultants, presentations from three (Landis & Gyr, Sensus and Tantulus) industry-leading suppliers and other electric cooperatives in the state who had recently completed or were in the process of implementing AMI 2.0. After extensive outreach, the recipient determined that none of domestic manufacturers were able to provide the materials necessary to meet the BABA requirements for all products specified in this waiver. Suppliers, as well as other industry leaders, acknowledged via confidential email that it is difficult for smart grid hardware and software equipment to meet BABA due to the integration of computer chips, Printed Circuit Board Assemblies, internet-of-things (IoT) components, and other critical communications technologies are universally sourced internationally. This is in alignment with the Department of the Interior, Bureau of Reclamation, and the U.S. Environmental Policy Agency's (EPA) August 2024 General Applicability Non-Availability Waiver for AMI Water Meters¹. While AMI water meters are distinct from electrical meters, the design and function of these products are similar, particularly because they utilize computer components to collect and communicate data. As noted in the EPA's General Non-Availability Waiver for AMI Water Meters: "The industry universally sources the end points/transmitters, resins, printed circuit boards, meter electronics, and batteries internationally. As these components are the most expensive parts of the water meter, the meter system as a whole does not meet BABA's 55% of total cost of components domestic content requirement." Despite efforts like the U.S. CHIPS and Science Act, no supply chains exist today to procure these components from U.S. manufacturers. The relative cost of these components impedes any advanced meter from meeting the 55% cost of components requirement for manufactured products. This process resulted in the recipient choosing the supplier with the best value to support its grid modernization vision.

Impact Absent the waiver: As no BABA compliant advanced electric meter is available, there is no alternative but for these projects to be covered by a product or project waiver. Absent this waiver, the recipient's project may not progress, as the advanced meters are a key enabling technology to support the recipient's modernization efforts and no supplier can meet BABA today. The meters add an important communication layer to support TCE's other resiliency projects. If the waiver is not approved, project performance would be delayed, impacting project deadlines. The recipient's members (rate payers/customers) will not be able to achieve the benefits outlined in the project proposal, including reduced average duration of power outages, enhanced accuracy and responsiveness in energy consumption data collection, improved system resilience against disruptions and widespread outages, realization of AI-enabled analytics for consumers and grid operators, and avoided economic damages. The recipient will not be able to deliver on the goals of the Grid Resilience and Innovation Partnerships program: to improve the resilience of the power system against growing threats of extreme weather and climate change; reduce the likelihood and consequences of disruptive events; to address comprehensive transformational distribution technology solutions that will mitigate hazards across the state (SOUTH CAROLINA), including wildfires, floods, hurricanes, extreme heat, extreme cold, storms, and any other event that can cause a disruption to the power system; to leverage capital investment, and lead to scalable and repeatable solutions for other entities.. Advanced meters provide the backbone of situational awareness and control of the distribution grid and represent a critical component of this modernization 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 manufactures of the covered products and associated components 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 Month Day, Year**, and must be submitted by email to the DOE Contracting Officer at **BABAWaiverComment@netl.doe.gov**. Please put “BABA WAV 2025-## - TCE” in the subject line of the email.