Waiver Number: 2026-12

Department of Energy

Build America, Buy America Act

Proposed Project-Specific Non-availability Waiver

For Advance Metering Infrastructure (AMI) Technologies

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 Kentucky Energy & Environment Cabinet. This proposed limited nonavailability waiver allows the recipient/sub-recipient to purchase noncompliant 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 2028).

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: Kentucky Energy & Environment Cabinet (HNJKNXYHMDE3)

Sub-Recipient: Princeton Electric Plant Board (KVD8HCVK6DM7)

Total estimated project cost related to infrastructure: $2,248,665.65

Estimated total cost of the products being waived: $ 909,962

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

Waiver Level: Project-specific wavier 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 the City of Princeton in Caldwell County, Kentucky.

Description of Covered Items:

- I210+C Residential Electric meter with disconnect switch (PSC: 6625; NAICS: 334515)
- Kv2c commercial electric meter family (PSC: 6625; NAICS: 334515)
- RF Data Collector Units (DCUs) with cellular backhaul (PSC: 7G22; NAICS: 334220)

Description of Market Research and Justification: The recipient conducted market research and outreach from August 2025 – September 2025 to determine if domestically sourced AMI meters and associated components would be available for their project needs. Several vendors

were contacted via email, determining that there were no suitable domestic options that were suited for residential needs.

DOE completed market research from September 2025 – October 2025. Drawing on responses from leading AMI suppliers to a recent market survey (regarding product content and BABA compliance) - none of the surveyed manufacturers are currently able to comply with BABA content requirements. Most of the respondents' AMI material and equipment—meters, modules, and network devices—are built or assembled in Mexico, Thailand, the Philippines, India, Canada, with some content in the United States. Foreign manufacturers dominate the supply of critical components - printed circuit boards (PCBs), liquid crystal displays (LCDs), and metrology electronics - making BABA compliance unachievable for the respective U.S. meter products. The manufacturer-volunteered estimates of their respective U.S. content ranged from less than 5% up to about 15%, depending on supplier and their specific models. The most expensive components of leading U.S. AMI power meters (endpoints, resins, printed circuit boards, meter electronics and batteries), are manufactured and assembled outside of the U.S. While there was a single domestic source found producing AMI smart meters, it was determined that it is not suitable for the use case defined in this project. This industrial-grade, domestic product is used most notably at grid interconnection points such as substations, transmission, and distribution interfaces.

Impact Absent the waiver: Absent this waiver, procurement delays would jeopardize project timelines and funding compliance. A waiver is also in the public interest to ensure continuity of service and infrastructure upgrades. Pursuing a BABA-compliant alternative would extend procurement and implementation timelines substantially, causing the project to miss critical milestones for system upgrades and delaying reliable service improvements to customers.

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.

Summary of Public Comments: The proposed waiver request was publicly posted by the Department of Energy for comments during the period of March 11, 2026, through March 26, 2026. No comments were received from the public, and therefore no substantive changes were made in response.