

Department of Energy
Build America, Buy America Act
Proposed Project Specific Non-Availability Waiver
Single-phase Reclosers and Recloser Control Unit
BABA WAV 2026-06

Proposed Waiver Summary: The United States Department of Energy (DOE) Grid Deployment Office (GDO) is proposing a project nonavailability waiver of the manufactured products domestic preference requirement 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 Snohomish County Public Utility District (PUD). This proposed limited nonavailability waiver allows the recipient to purchase non-BABA compliant single-phase reclosers and associated remote control units.

Duration of the Waiver: The effective date of this waiver is from date of issue through the project performance period (until August 2029).

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 of the project performance.

Recipient: Snohomish County Public Utility District (PUD) (EM4RX1ZLK8K5)

Total estimated project cost related to infrastructure: \$63,039,833.00

Estimated total cost of the products being waived: approximately \$4,600 K

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

Waiver Level: Project-specific waiver for one award.

Funding Mechanics: Funding for the infrastructure project is made available through the 2023 Funding Opportunity Announcement for Grid Resilience and Innovation Partnerships (GRIP) – Bipartisan Infrastructure Law (BIL) – Smart Grid (DE-FOA-0002740). The location of the project is northern and eastern parts of Snohomish County in Washington state

Description of Covered Items:

- Siemens CMR Single-phase Recloser (NAICS: 335313, PSC: 5925)
- Siemens FuseSaver Single-phase Recloser (NAICS: 335313, PSC: 5925)
- Siemens RCU – Single-phase Recloser Remote Control Unit (NAICS: 335314, PSC: 6110)

Description of Market Research: The recipient performed exhaustive market research and cost analysis for the single-phase recloser equipment and has been evaluating the equipment since 2019. The single-phase recloser equipment is a very specialized piece of equipment that is only manufactured by a handful of companies. The recipient worked with vendors, manufacturers, and sales representatives to identify the companies that manufacture this technology, and the recipient evaluated each type of commercially available single-phase recloser.

The recipient evaluated single-phase reclosers from 6 different manufacturers. Of those, four manufacturers made equipment that fit the recipient's minimum voltage (12kV) and ampacity (200+ amp) requirements. The recipient purchased and performed field testing for three devices. The recipient purchased, configured, and installed three separate vendor options in the field to evaluate ease of installation, configuration, framing considerations, and real-world operational experience. Standards engineering involved line crews, line training coordinators, and standards committee members to discuss, evaluate, and decide on the best equipment to use for the single-phase recloser technology. Based on this evaluation, the Siemens CMR was selected because it can be deployed at any point on the distribution grid due to its 630-amp rating. The Siemens FuseSaver is the ideal low-amperage counterpart to the CMR for instances where the number of protective devices in series exceeds five. The FuseSaver is the only self-powered device requiring less than 200 milliamps of current to operate.

Justification:

Snohomish County Public Utility District is requesting a waiver to standardize on the Siemens single-phase recloser family (CMR and FuseSaver) because 1) the CMR is the only single-phase recloser that can be deployed at any point on the system due to its 630 amp rating, 2) the CMR is the only single-phase recloser that meets the critical functionality of the five protective settings groups required by the project objectives and 3) Siemens is the only manufacturer with equipment that is able to meet the needs of high amperage and low amperage use cases and fulfill all project wildfire mitigation goals. The recipient's and DOE's market research was not able to yield manufacturers who were able to meet the 55% cost of components requirement for the manufactured products listed above that are required for the project's completion. After extensive outreach, no domestic manufacture was able to provide the materials necessary to meet the BABA requirements for the product specified in this waiver.

Impact Absent the waiver: Without the waiver for the Siemens CMR, the recipient could not deploy equipment that would meet the project's wildfire mitigation goals which represent a significant portion of the project benefits. The recipient could continue with the Smart Switch and Smart Voltage elements of the project but would be unable to meet many of the Smart Wildfire goals and objectives. This would put the communities at higher risk of widespread wildfire damage and associated impacts of smoke. The recipient is requesting a non-availability waiver for both the Siemens CMR and the Siemens FuseSaver single phase reclosers.

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 reclosers and remote-control units 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 26, 2026**, and must be submitted by email to the DOE Contracting Officer at **BABAWaiverComment@netl.doe.gov**. Please put “BABA WAV **YEAR-##** - Snohomish County Reclosers” in the subject line of the email.