

Department of Energy
Build America, Buy America Act
Proposed Project Specific Non-Availability Waiver
For Advanced Metering Infrastructure (AMI) Technology
BABA WAV 2026-36

Proposed Waiver Summary: The United States Department of Energy (DOE) Office of Electricity (OE) 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 Rappahannock Electric Cooperative (REC). This proposed limited nonavailability waiver allows the recipient to purchase non-BABA compliant AMI products and associated components.

Duration of the Waiver: The effective date of this waiver is from date of issue through the project performance period (estimated September 2030).

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: Rappahannock Electric Cooperative (NCD5H8NB18Q4)

Total estimated project cost related to infrastructure: \$44,889,520

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) - Smart Grid (DE-FOA-0002740). The total infrastructure project includes the installation of Advanced Metering Infrastructure (AMI) technology throughout REC's 22-county service territory in Virginia.

Description of Covered Items:

- AMI 2.0 Electric meters (meter bodies, end points/transmitters, mounting equipment, collectors, baseplates, printed circuit boards, baseplates, repeaters, housing, and associated equipment)
 - o RF E360 2SE-SD
 - o RF E360 2S-SD
 - o RF E360 1S-SD
 - o RF E360 12S-SD

- RF E660 C&I (Forms 3S, 4S)
- RF E660 C&I (Forms 5S, 6S, 8/9S)
- RF E660 C&I (Form 15/16SE)
- Network Gateway (includes default 10-foot 16AWG power cable, 1 Series 6 Gen 2 radio, 1 cellular modem, utility pole mounting kit, +5.5dBi antenna gain)
- RF Router and Kit with 20-foot cable
- Mobile Radio (RF Field Tool Kit)
- Network Gateway (includes 10-foot default power cable, 3 Series 6 Gen 2 radios, 1 cellular modem, utility pole mounting kit, sectorized antenna, +5.5dBi antenna gain)

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.

Description of Market Research and Justification: The recipient completed due diligence activities in February 2024 to March 2025 to support this project, including market research via email and phone with product manufacturers, online research, coordination with energy management consultants, presentations from three industry-leading suppliers and other electric cooperatives in the U.S. who had recently completed or were in the process of implementing AMI 2.0. After extensive outreach, the recipient determined that no 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 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.

DOE/NETL is completing on-going market research on AMI technology, which began in September 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. Because of this, it is clear to DOE that a non-availability waiver is needed under this award.

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 REC's other resilience 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; To enhance regional and Commonwealth of Virginia system resilience by reducing the likelihood and severity of disruptive events through grid hardening and deployment of transformational distribution system technologies. The project addresses a comprehensive range of hazards across Virginia, including wildfires, flooding, hurricanes, extreme heat, extreme cold, severe storms, and other events that threaten reliable electric service. These investments advance measurable resilience outcomes by improving operational visibility, real-time monitoring, and control of the distribution grid, while supporting scalable and repeatable solutions that can be leveraged across the electric power sector. Advanced metering infrastructure serves as a foundational element of this effort, providing critical situational awareness, data integration, and system intelligence necessary to support modern grid operations and resilience objectives.

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 AMI products 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 YEAR-## - Rappahannock Electric Cooperative AMI" in the subject line of the email.