

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) Office of Electricity 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 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 (estimated December 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 that the waiver is active.

Recipient: Kentucky Energy & Environment Cabinet (HNJKNXYHMDE3)

Sub-Recipient: Hopkinsville Electric System (G1PYP1RMET13)

Total estimated project cost related to infrastructure: \$1,890,030.58

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 the 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 Hopkinsville Electric System in Christian County, Kentucky.

Description of Covered Items:

- TC-1220RD Single Phase Remote Disconnect (Meter Module) (PSC: 7G22; NAICS: 334290)
- C2SXD 1S CL200 240V w/ Disconnect (Electric Meter) (PSC: 6625; NAICS: 334515)
- RT-4220 TRUSense Gateway (PSC: 7G22; NAICS: 334290)
- DT-410-BUN Programming Kit (PSC: 7E20; NAICS: 334290)
- 1210+C Meter w/ Disconnect (Meter & Module) (PSC: 6625; NAICS: 334515)

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. After a comprehensive search it was determined that no AMI Electric Meter Vendors offer BABA Compliant AMI/Smart meters.

DOE completed market research from September 2025 – December 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: If no waiver is issued, procurement delays would jeopardize project timelines and funding compliance. The approval of this waiver will ensure the continued service to the customers and the timely completion of critical infrastructure upgrades.

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 July 7, 2026, through July 22, 2026. No comments were received from the public, and therefore no substantive changes were made in response.