

REGISTERED LOBBYIST CONTACT DISCLOSURE FORM

This form is to be completed by Executive Branch employees who are contacted by registered lobbyists regarding the Recovery Act. This report includes a written description of each contact, the date and time of the contact, and the names of the registered lobbyist(s) and the employee(s) with whom the contact took place. The information on this form will be available to the public on the Executive Branch agency's recovery website. **Written materials prepared by registered lobbyists should be attached to this form for posting on the website.**

To be completed by the employee contacted.		
Date and time of contact:	Name of the Employee(s) Contacted (Name and Title)	Brief description of the contact: (attach separate sheet if necessary)
Oct 29, 2009	Matt Rogers Scott Blake Harris Steve Spinner	Asking about multiple loan applications for RIPP
Name of the Employee(s) who prepared this form: Steven Spinner		Date: Nov 4, 2009

Registered Lobbyist(s) Name:	Title:	Firm or Organization, if applicable:	Client:
Charlie Shipp		SC Partners	

From: Charlie Shipp [mailto:cshipp@scprtnrs.com]
Sent: Thursday, October 29, 2009 3:36 PM
To: Spinner, Steve; Rogers, Matt
Cc: Harris, Scott Blake
Subject: Multiple Loan Applications per Developer under Section 1705 Program

Matt and Steve,

One issue that continues to be of concern by all of the Clean Energy Associations is will the Section 1705 Program, New and Innovative and Commercial Solicitations, allow a developer submit multiple loan applications? I have attached a paper about the multiple applications issue approved by all of the Clean Energy Associations, AWEA, SEIA, Biomass, USCHPA and Geothermal.

Many of the "shovel-ready" utility scale projects that can meet the ARRA timelines are being developed by a few developers. Many of these projects also are very far along in the BLM environmental review queue and are in the "fast-track" program. We do not think the ARRA intent was to exclude these projects.

Charlie Shipp

ALLOWING MULTIPLE PROJECTS PER APPLICATION FOR SECTION 1705 LOAN GUARANTEES

The American Recovery and Reinvestment Act of 2009 (Recovery Act), P.L. 115-5 was enacted to create and preserve jobs; invest in infrastructure, economic efficiency, and science; assist the unemployed; and stabilize state and local budgets. Section 406 of the Recovery Act amended Title XVII to create Section 1705 authorizing a new program for rapid deployment of renewable energy and electric power transmission projects (the “Section 1705 Program”). Section 1705 of Title XVII is authorized by the Recovery Act notwithstanding Section 1703 of Title XVII. The Section 1705 Program is designed to address the current economic conditions of the nation, in part, through rapid deployment of renewable energy and transmission projects.

The Department of Energy (DOE) issued two solicitations on July 29, 2009 under Section 1703/1705, one for innovative technology projects for renewable energy and one for electric power transmission infrastructure investment projects. Each solicitation had a section for “multiple applications”, the transmission infrastructure solicitation stated “More than one application may be submitted by an applicant.” and the innovative renewable energy solicitation stated “A Project Sponsor may only submit one application for one project employing a particular technology”. Similarly, the solicitation issued on October 7, 2009 for commercial technology renewable energy projects states that “More than one application may be submitted by a Lender-Applicant.” However, given that it is the financial institutions that apply under the 1705 commercial program, it is unclear whether this language allows multiple applications by Lenders with the same borrower/developer using the same technology. If that is the intent of the original language, DOE should say so. The Energy Policy Act of 2005 which authorized DOE’s loan program does not require these limitations.

Today, there are significant number project developers that have multiple innovative and/or commercial renewable energy projects employing the same technology (wind, solar, etc.) that are “shovel-ready” and can meet the ARRA timelines and the requirements of DOE’s solicitation. The rules as stated above are inconsistent and could force project developers to pick only one project to apply for a loan. The economic conditions for loans in the private sector have not changed since the inception of the financial crisis, so many projects that are being developed may not be completed due to this limitation. This was not the intent of the ARRA or the Temporary Loan Program.

At a time when the United States has a 9.8 percent unemployment rate, along with a multitude of underemployed and discouraged workers, and needs to begin leading a global effort to reduce carbon dioxide emissions, why should the DOE limit investments in competitive clean renewable energy? Unlike the Section 1703 program, the Recovery Act created the Section 1705 program to finance projects that are ready to begin construction and create jobs in the near-term. Without modification, we fear that the program will fall short of the objectives of Congress, the Administration and the DOE to create jobs and double renewable energy penetration by 2012. The DOE should evaluate each project application based on the project’s merits: its development team, creditworthiness, environmental benefits, and technology risk with the objective of deploying clean energy technology, and putting people to work as quickly as possible. This will allow the DOE to select those projects that are ready to be constructed today, and are most worthy of taxpayer investment.