

§ 1709.217

section will be used to evaluate proposals submitted under this program. The total points available and the distribution of points to be awarded per criterion will be identified in the grant announcement.

(a) *Program Design.* Reviewers will consider the financial viability of the applicant's revolving fund program design, the proposed criteria for establishing eligible projects and borrowers, and how the program will improve the cost effectiveness of bulk fuel purchases in eligible areas. Programs demonstrating a strong design and the ability to improve cost effectiveness will receive more points than applications that are less detailed.

(b) *Assessment of needs.* Reviewers will award more points to programs that serve or give priority to assisting more costly areas than those that serve populations that suffer from less severe physical and economic challenges.

(c) *Program evaluation and performance measures.* Reviewers may award more points to performance measures that are relevant to the project objective and quantifiable than to performance measures that are more subjective and do not incorporate variables that reflect a reduction in fuel cost or improvement in service.

(d) *Demonstrated experience.* Applicants may be awarded points for relevant experience in administering revolving fund or other comparable programs.

(e) *Rurality.* Reviewers may award more points to proposals that give priority in access to funds to communities with low population density or that are located in remote eligible areas than to proposals that serve eligible, but less remote and higher population density communities.

(f) *Cost sharing.* Although cost-sharing is not required under this program, projects that evidence significant funding or contributed property, equipment or other in kind support for the project may be awarded points for this criterion where the aggregate value of these contributions exceed 25 percent of the annual funding operations.

(g) *Additional priority considerations.* The grant announcement may provide for additional points to be awarded to projects that advance identified Agen-

7 CFR Ch. XVII (1-1-10 Edition)

cy priority interests under this program.

§ 1709.217 Grant award.

(a) *Notification of applicants.* The Agency will notify all applicants in writing whether or not they have been selected for a grant award.

(b) *Letter of conditions.* The Agency will notify a selected applicant in writing, setting out the amount of grant approved and the conditions under which the grant will be made.

(c) *Applicant's intent to meet conditions.* Upon reviewing the conditions and requirements in the letter of conditions, the selected applicant must complete, sign and return the Agency's "Letter of Intent to Meet Conditions," or, if certain conditions cannot be met, the applicant may propose alternate conditions to the Agency. The Agency must concur with any changes proposed to the letter of conditions by the applicant before the application will be further processed.

(d) *Grant agreement.* The Agency and the grantee must execute a grant agreement acceptable to the Agency prior to the advance of funds.

§§ 1709.218-1709.300 [Reserved]

Subparts D-F [Reserved]

Subpart G—Recovery of Financial Assistance Used for Unauthorized Purposes

§ 1709.601 Policy.

This subpart prescribes the policies of the Rural Utilities Service (RUS) when it is subsequently determined that the recipient of an Assistance to High Energy Cost Rural Communities program loan or grant was not eligible for all or part of the financial assistance received or that the assistance received was used for unauthorized purposes. It is the policy of the Agency that when assistance under this part has been received by an ineligible recipient or used for unauthorized purposes the Agency shall initiate appropriate actions to recover from the recipient the sum that is determined to be ineligible or used for unauthorized purposes, regardless of amount, unless any applicable statute of limitation

Rural Utilities Service, USDA

Pt. 1710

has expired. The Agency shall make full use of available authority and procedures, including but not limited to those available under 7 CFR part 3015, subpart N.

§§ 1709.602–1709.999 [Reserved]

PART 1710—GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO ELECTRIC LOANS AND GUARANTEES

Subpart A—General

Sec.

- 1710.1 General statement.
- 1710.2 Definitions and rules of construction.
- 1710.3 Form and bulletin revisions.
- 1710.4 Exception authority.
- 1710.5 Availability of forms.
- 1710.6 Applicability of certain provisions to completed loan applications.
- 1710.7–1710.49 [Reserved]

Subpart B—Types of Loans and Loan Guarantees

- 1710.50 Insured loans.
- 1710.51 Direct loans.
- 1710.52 Loan guarantees.
- 1710.53–1710.99 [Reserved]

Subpart C—Loan Purposes and Basic Policies.

- 1710.100 General.
- 1710.101 Types of eligible borrowers.
- 1710.102 Borrower eligibility for different types of loans.
- 1710.103 Area coverage.
- 1710.104 Service to non-RE Act beneficiaries.
- 1710.105 State regulatory approvals.
- 1710.106 Uses of loan funds.
- 1710.107 Amount lent for acquisitions.
- 1710.108 Mergers and consolidations.
- 1710.109 Reimbursement of general funds and interim financing.
- 1710.110 Supplemental financing.
- 1710.111 Refinancing.
- 1710.112 Loan feasibility.
- 1710.113 Loan security.
- 1710.114 TIER, DSC, OTIER and ODSC requirements.
- 1710.115 Final maturity.
- 1710.116 [Reserved]
- 1710.117 Environmental considerations.
- 1710.118 [Reserved]
- 1710.119 Loan processing priorities.
- 1710.120 Construction standards and contracting.
- 1710.121 Insurance requirements.
- 1710.122 Equal opportunity and non-discrimination.

- 1710.123 Debarment and suspension.
- 1710.124 Uniform Relocation Act.
- 1710.125 Restrictions on lobbying.
- 1710.126 Federal debt delinquency.
- 1710.127 Drug free workplace.
- 1710.128–1710.149 [Reserved]

Subpart D—Basic Requirements for Loan Approval

- 1710.150 General.
- 1710.151 Required findings for all loans.
- 1710.152 Primary support documents.
- 1710.153 Additional requirements and procedures.
- 1710.154–1710.199 [Reserved]

Subpart E—Load Forecasts

- 1710.200 Purpose.
- 1710.201 General.
- 1710.202 Requirement to prepare a load forecast—power supply borrowers.
- 1710.203 Requirement to prepare a load forecast—distribution borrowers.
- 1710.204 Filing requirements for borrowers that must maintain a current RUS approved load forecast on an ongoing basis.
- 1710.205 Minimum requirements for all borrower load forecasts.
- 1710.206 Requirements for load forecasts prepared pursuant to RUS approved load forecast work plans.
- 1710.207 RUS approval criteria for approval of load forecasts by distribution borrowers not required to maintain a current load forecast on an ongoing basis.
- 1710.208 RUS approval criteria for load forecasts submitted by all power supply borrowers and by distribution borrowers required to maintain a current load forecast on an ongoing basis.
- 1710.209 Requirements for load forecast work plans.
- 1710.210 Waiver of requirements or approval criteria.
- 1710.211–1710.249 [Reserved]

Subpart F—Construction Work Plans and Related Studies

- 1710.250 General.
- 1710.251 Construction work plans—distribution borrowers.
- 1710.252 Construction work plans—power supply borrowers.
- 1710.253 Engineering and cost studies—addition of generation capacity.
- 1710.254 Alternative sources of power.
- 1710.255–1710.299 [Reserved]

Subpart G—Long-Range Financial Forecasts

- 1710.300 General.
- 1710.301 Financial forecasts—distribution borrowers.