

## § 1700.58

## 7 CFR Ch. XVII (1–13 Edition)

### § 1700.58 Assistance to high energy cost rural communities.

(a) *Administrator*: The authority to approve the following is reserved to the Administrator:

(1) Allocation of appropriated funds among high energy cost community assistance programs;

(2) Awards of grants and loans to extremely high energy cost communities;

(3) Awards of grants and loans to the Denali Commission;

(4) Awards of grants to State entities for State bulk fuel revolving funds; and

(5) Grant agreements, loan contracts, security instruments and all other documents executed in connection with grants and loans agreements approved by the Administrator.

(b) *The Assistant Administrator, Electric Program* has the authority to make any required certifications and to approve all grant and loan servicing actions not specifically reserved to the Administrator.

[70 FR 5351, Feb. 3, 2005]

### §§ 1700.59–1700.99 [Reserved]

## Subpart D—Substantially Underserved Trust Areas

SOURCE: 77 FR 35250, June 13, 2012, unless otherwise noted.

### § 1700.100 Purpose.

This subpart establishes policies and procedures for the Rural Utilities Service (RUS) implementation of the Substantially Underserved Trust Areas (SUTA) initiative under section 306F of the Rural Electrification Act of 1936, as amended (7 U.S.C. 906f). The purpose of this rule is to identify and improve the availability of eligible programs in communities in substantially underserved trust areas.

### § 1700.101 Definitions.

*Administrator* means the Administrator of the Rural Utilities Service, or designee or successor.

*Applicant* means an entity that is eligible for an eligible program under that program's eligibility criteria.

*Borrower* means any organization that has an outstanding loan or loan

guarantee made by RUS for a program purpose.

*Completed application* means an application that includes the elements specified by the rules for the applicable eligible program in form and substance satisfactory to RUS.

*ConAct* means the Consolidated Farm and Rural Development Act, as amended (7 USC 1921 *et seq.*).

*Credit support* means equity, cash requirements, letters of credit, and other financial commitments provided in support of a loan or loan guarantee.

*Eligible community* means a community as defined by 7 CFR 1700.103.

*Eligible program* means a program as defined by 7 CFR 1700.102.

*Financial assistance* means a grant, combination loan and grant, loan guarantee or loan.

*Financial feasibility* means the ability of a project or enterprise to meet operating expenses, financial performance metrics, such as debt service coverage requirements and return on investment, and the general ability to repay debt and sustain continued operations at least through the life of the RUS loan or loan guarantee.

*Matching fund* requirements means the applicant's financial or other required contribution to the project for approved purposes.

*Nonduplication* generally means a restriction on financing projects for services in a geographic area where reasonably adequate service already exists as defined by the applicable program.

*Project* means the activity for which financial assistance has been provided.

*RE Act* means the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*).

*RUS* means the Rural Utilities Service, an agency of the United States Department of Agriculture, successor to the Rural Electrification Administration.

*Substantially underserved trust area* means a community in trust land with respect to which the Administrator determines has a high need for the benefits of an eligible program.

*Trust land* means “trust land” as defined in section 3765 of title 38, United States Code as determined by the Administrator under 7 CFR 1700.104.