

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2010

GRANTEE STATE OF WISCONSIN

EIN: 39-6028867

ADDRESS Wisconsin Department of Administration
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PLEASE CHECK ONE: TRIBE _____ **STATE** X **INSULAR AREA** _____

**Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20447**

**August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Approval No. 0970-0075
Expiration Date: 09/30/2011**

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13)

Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Assurances

The STATE OF WISCONSIN agrees to:
(Grantee Name)

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs,

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were

administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that—

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action

agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

*** This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.**

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

Certification to the Assurances: As Chief Executive Officer, I agree to comply with the sixteen assurances contained in Title XXVI of the Omnibus Budget Reconciliation Act of 1981, as amended.* By signing these assurances, I also agree to abide by the standard assurances on lobbying, debarment and suspension, and a drug-free workplace.

Signature of the Tribal or Board Chairperson or Chief Executive Officer of the State or Territory.**

Signature: _____

Title: Secretary, WI Department of Administration

Date: _____

*** Indian tribes/tribal organizations, and territories with annual regular LIHEAP allotments of \$200,000 or less, are not subject to assurance 15, and thus must only certify to 15 assurances.**

**** If a person other than the Chief Executive Officer of the State or territory, or Tribal Chairperson or Board Chairperson of a tribal organization, is signing the certification to the assurances, a letter must be submitted delegating such authority. (PLEASE ATTACH DELEGATION of AUTHORITY.) The delegation must include authority to sign the assurances, not just to administer the program.**

***** HHS needs the EIN (Entity Identification Number) of the State, territory or Tribal agency that is to receive the grant funds before it can issue the grant.**

In the above assurances which are quoted from the law, "State" means the 50 States, the District of Columbia, an Indian Tribe or Tribal Organization, or a Territory; "title" of the Act refers to Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (OBRA), as amended, the "Low Income Home Energy Assistance Act"; "section" means Section 2605 of OBRA; and, "subsection" refers to Section 2605(b) of OBRA.

statutory
references

2605(a)

2605(b)(1) → Please check which components you will operate under the LIHEAP program.
(Note: You must provide information for each component designated here as requested elsewhere in this plan.)

Dates of Operation

(use of
funds)

X heating assistance 10/01/09 to 5/15/10

 cooling assistance

X crisis assistance 10/01/09 to 9/30/10

X weatherization assistance 10/01/09 to 9/30/10

An early application period will be utilized prior to 10/01/09.

2605(c)(1)(C) → Please estimate what amount of available LIHEAP funds will be used for each component that you will operate: **The total of all percentages must add up to 100%.**

(use of
funds)

66 % heating assistance

 % cooling assistance

8 % crisis assistance

2605(k)(1) 15 % weatherization assistance

 % carryover to the following fiscal year

2605(b)(9) 10 % administrative and planning costs

2605(b)(16) 1 % services to reduce home energy needs
including needs assessment (assurance 16)

 % used to develop and implement leveraging activities (limited to the greater of 0.08% or \$35,000 for States, the greater of 2% or \$100 for territories, tribes and tribal organizations).

100 % **TOTAL**

statutory
references

GRANTEE: STATE OF WISCONSIN
2605(c)(1)(C)

FFY 2010

→The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

(alternate use
of crisis assistance
funds)

- heating assistance
- cooling assistance
- weatherization assistance
- Other(specify): Continue to use for Crisis Assistance

A portion of crisis assistance funds may be reserved by the State for later distribution to insure adequate crisis assistance throughout the heating season. Funds not used for crisis emergencies during the heating season may be used for crisis proactive services after May 15. Funds not expended in FFY 2009 will be allocated for expenditure as heating benefits in FFY 2010.

→Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served? (This is required by the statute.)

Yes No

2605(b)(2)
2605(c)(1)(A)

→What are your maximum eligibility limits?
(Please check the components to which they apply.)
Current year guidelines must be used.

(eligibility)

- 150% of the poverty guidelines:
heating cooling crisis wx
- 125% of the poverty guidelines:
heating cooling crisis wx
- 110% of the poverty guidelines:
heating cooling crisis wx
- 60% of the State's median income:
heating cooling crisis wx

Sixty percent of the State's median income is also the financial eligibility guideline used, by the state, for reporting of utility and charitable home heating/weatherization programs included in the LIHEAP leveraging report activities.

Other (specify for each component)

Heating and Weatherization

Financial eligibility will be determined from gross income in relation to household size for the three calendar months preceding the month in which the application is made, except for self-employed and seasonal workers who will be tested using 12 months. Court-ordered support for children will be deducted from income if paid in the covered three month period. Earned income from household members under age 18 will be ignored in determining household income.

Crisis

Financial eligibility for crisis assistance will be based on an eligible heating assistance application at any point during the heating season; or, alternately, may be based on the present or prior month's income in emergencies. Crisis assistance may include cooling measures.

_____ Households automatically eligible if one person is receiving _____ TANF, _____ SSI, _____ Food Stamps, _____ Certain means-tested veterans programs (heating _____ cooling _____ crisis _____ wx _____)

Categorical Eligibility - Households which are composed entirely of persons receiving Supplemental Security Income (SSI), Temporary Assistance to Needy Families (TANF), or Food Stamps (FS) for the previous three months will be deemed to be income eligible. (heating X, crisis X, weatherization X)

statutory
references

2605(c)(1)(A)
2605(b)(2)
(eligibility)

→ Do you have additional eligibility requirements for:
HEATING ASSISTANCE X Yes _____ No)

→ Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	<u>X</u>
→ Do you give priority in eligibility to:		
Elderly?	<u>X</u>	_____
Disabled?	<u>X</u>	_____
Young children?	<u>X</u>	_____
Other: (If Yes, please describe)	_____	_____

There is no differentiation in the formula for calculating benefits however; funds are allocated specifically to allow for outreach to vulnerable households including those with elderly, disabled or young children as

residents. These households are encouraged and assisted to apply for LIHEAP benefits.

Non-financial eligibility for heating assistance will depend on the existence of an energy burden, i.e. responsibility for the costs of home energy. Applicants not eligible because they do not have an energy burden will include residents of government assisted housing (including subsidized housing) with heating included in the cost of rent. Except that cooling devices such as fans and air conditioners may be made available in such situations. Additionally, residents of medical or correctional institutions, some group living arrangements and some post secondary school students do not meet the non-financial eligibility criteria.

No household will be eligible for payment under the heating assistance program until the social security number or proof that a number has been applied for is provided for each household member.

A household may receive only one heating assistance benefit for each heating season, except:

If projected circumstances change (for example, significant increase in the cost of home heating fuel or additional federal funds become available), supplemental heating assistance benefits may be paid to eligible households statewide. If a portion of federal funds is delayed, heating assistance benefits may be delayed or partially paid.

If the household has received the WHEAP FoodShare benefit payment, it can become eligible for a full regular heating benefit by applying for heating assistance.

statutory references

2605(c)(1)(A)
2605(b)(2)

→Do you have additional eligibility requirements for:
COOLING ASSISTANCE (___ Yes ___X___ No)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	_____
→Do you give priority in eligibility to:		
Elderly?	_____	_____
Disabled?	_____	_____
Young children?	_____	_____

Other: _____
 (If Yes, please describe)

statutory
 references

2604(c)
 2605(c)(1)(A)

→Do you have additional eligibility requirements for:
CRISIS ASSISTANCE (X Yes _____ No)

(eligibility)

	<u>Yes</u>	<u>No</u>
→Do you use:		
Assets test?	_____	_____ <u>X</u> _____
Must the household have received a shut-off notice or have an empty tank?	_____	_____ <u>X</u> _____
Must the household have exhausted regular benefit?	_____	_____ <u>X</u> _____
Must the household have received a rent eviction notice?	_____	_____ <u>X</u> _____
Must heating/cooling be medically necessary?		
Heating	_____	_____ <u>X</u> _____
Cooling	_____ <u>X</u> _____	_____
Other (Please explain):	_____ <u>X</u> _____	_____

Households will be expected to have paid at least \$25 towards their heating costs in the six months prior to applications for crisis assistance.

→What constitutes a crisis? (Please describe)

Household must have existing/imminent lack of adequate heat/cooling in dwelling (emergency), or a risk of a heating emergency (proactive). While there is not a formal asset test, consideration may be given to resources available to the household before assistance is provided.

A household may receive more than one crisis assistance payment.

Determination of eligibility for regular heating assistance benefits will determine a household eligible for crisis assistance for the remainder of the program period if the household has contributed \$25 or more towards their heating costs in the six months prior to applications.

statutory
references

2605(c)(1)(A)

→Do you have additional eligibility requirements for:
WEATHERIZATION (X Yes ___ No)

(eligibility)

→Do you use:	<u>Yes</u>	<u>No</u>
Assets test?	_____	<u>X</u>
Priority groups? (Please list)	<u>X</u>	_____

There is an automatic referral to weatherization agencies of households with high energy burdens, households having received emergency furnace repairs or replacements, and households including elderly, young children, or handicapped persons.

→Are you using Department of Energy (DOE) Low Income Weatherization Assistance Program (LIWAP) rules to establish eligibility or to establish priority eligibility for households with certain characteristics? X _____

→If Yes, are there exceptions? X _____
Please list below.

Non-financial eligibility for weatherization will be the same as for heating assistance. There will also be an evaluation of the dwelling unit eligibility.

DOE guidelines will be used for weatherization services. LIHEAP funds will allow the services of these programs to be provided to additional LIHEAP eligible households and to be more comprehensive in the scope of work performed.

LIHEAP crisis assistance eligible households may receive furnace repair/replacement to alleviate an emergency resulting from a defective or inoperable heating unit without regard to DOE regulations.

statutory
references

2605(b)(3)
2605(c)(3)(A)

→Please check the outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

(outreach)

provide intake service through home visits or by telephone for the physically infirm (i.e. elderly or disabled).

place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.

publish articles in local newspapers or broadcast media announcements.

include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.

make mass mailing to past recipients of LIHEAP.

inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.

execute interagency agreements with other low-income program offices to perform outreach to target groups.

other (Please specify):

Allocate funds specifically for the purpose of outreach to households with elderly, disabled, rural poor, and/or young children residing in them.

An early application period will be utilized prior to the heating season. This process includes accepting applications during the summer for the following Federal Fiscal Year from targeted households.

Accept applications for energy assistance at sites geographically accessible to all households in the area to be served. This includes setting up LIHEAP application sites for targeted households (contacting targeted persons or their representatives to ascertain convenient times and places, contacting community leaders to locate and serve application sites, providing information on alternate sites to organizations/programs likely to reach targeted persons, contacting targeted persons to arrange application appointments, transportation, etc.).

Provide information directly or by selective mailing to targeted applicants, e.g., assistance to understand the application form, translation of material, interpretation services for deaf, reading for blind.

Assist targeted applicants to gather needed documentation e.g., sorting documents, explaining what is needed.

Facilitate access to state weatherization programs targeted to LIHEAP eligible households and other energy-related services e.g., utility early identification and emergency intervention.

Generate and use computerized application information for some households that received heating assistance last year.

Counties and tribal agencies are required to provide outreach services to maximize participation of eligible persons in the Low Income Home Energy Assistance Program. It is the responsibility of each county/tribe to provide application sites accessible to the eligible population in the county/tribe, with particular attention to overcoming barriers for targeted households. Outreach client benefits include: taking applications, certifying application information, and processing applications at an alternate site.

statutory
references

2605(b)(4)

➔ Please describe how you will assure that LIHEAP is coordinated with similar and related programs. The description provided applies to all components unless specifically noted.

(coordination)

Wisconsin administers LIHEAP, DOE, and weatherization programs through the same state office, the Department of Administration, Division of Energy Services. LIHEAP is coordinated at the state level with income maintenance programs through agreements and data collection/sharing with the Department of Children and Families (DCF) and Department of Health Services (DHS). DCF operates the Temporary Assistance to Needy Families (TANF), W-2, including the jobs and welfare to work program as well as other assistance programs DHS operates FoodShare (SNAP).

Wisconsin coordinates with its FoodShare (SNAP) program to provide a token benefit which is intended to encourage FoodShare recipients to apply for full regular heating benefits and to enable increasing the size of the FoodShare benefit recipients are eligible to receive.

Beginning in the FY2001 program Public Benefits funds were used to make payments to eligible recipients. Public Benefit funds are fully integrated into the Wisconsin Home Energy Assistance Program, WHEAP.

Coordination between the state and local level is achieved by including representation from a variety of private and government agencies interested in energy services and/or services for low-income persons on the Low Income Energy Advisory Committee (LIEAC).

Local service providers are expected to coordinate their programs with each other, with utility-operated programs and with other government and nonprofit programs operated within their local area. Local service providers are required to develop a local coordination plan annually to show what is being done to coordinate with weatherization agencies, fuel providers (utility and bulk fuels), and other local groups.

2605(b)(5) →The statute requires that there be no difference in the treatment
 2605(b)(2) of households eligible because of their income and those eligible
 2605(b)(8A) because they receive benefits under TANF, Food Stamps, SSI, or certain
 means-tested veterans programs ("categorically eligible"). How do you
 ensure there is no difference when determining eligibility and benefit
 amounts? This applies to all components unless specifically noted below.

(benefit
 levels)

All households at or below 60% of the state median income will be eligible for benefits calculated in the same manner, regardless of whether there is a household member who receives categorical assistance or not. Households entirely composed of persons receiving Supplemental Security Income (SSI), TANF, or Food Stamps will be deemed to be income eligible, i.e. the benefit for a categorically eligible household will be calculated using sixty percent of state median income when household's income is greater than sixty percent.

This is not an ongoing entitlement program; payments are made subject to the availability of federal funds. Payments may be suspended, reduced or terminated if federal funds are insufficient to maintain payments through the scheduled termination date of the program.

statutory
 references

HEATING COMPONENT

2605(b)(5) →Please check the variables you use to determine your benefit levels (check all
 that apply):

(determination
 of benefits)

- income
- family (household) size
- home energy cost or need
 - fuel type
 - climate/region
 - individual bill
 - dwelling type
 - energy burden
 (% of income spent on home energy)
 - energy need
 - other (describe)

2605(b)(5) →Describe how you will assure that the highest benefits go to households
 2605(c)(1)(B) with the lowest incomes and the highest energy costs or needs in relation
 to income, taking into account family size.

(benefit
 levels)

Please describe benefit levels or attach a copy of your payment matrix.

Heating assistance benefits will be paid based on a sliding scale benefit structure. The highest amount of assistance will be provided to those households with the highest annual home heating costs and the lowest incomes. Heating assistance benefits will be calculated from a formula and will depend on the household's poverty level (income and household size) and past home heating costs such that:

- A household at 60% of the state median income will receive a lower benefit than a household at 100 percent of the federal poverty level when both have the same home heating costs; and,
- A household with low home heating costs will receive a lower benefit than a household with high heating costs when both are at the same poverty level.

Total home heating costs for households who directly pay a fuel dealer will be utilized to calculate benefits. Payments will be based on household energy costs, including baseload, with the heating portion of the costs normalized for weather.

One heating assistance benefit, up to a maximum of \$1200, at the rate that is appropriate at the date of application, will be determined for an entire heating season. However, the benefit may be received in two or more payments if circumstances considered in determining the benefit payment formula change, if additional federal funds are received or if federal funding is delayed.

➔Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits?

___ Yes X No If Yes, please describe.

statutory
references

2605(b)(5)
2605(c)(1)(B)

(determination
of benefits)

COOLING COMPONENT

➔Please check the variables you use to determine your benefit levels (check all that apply):

- ___ income
- ___ family (household) size
- ___ home energy cost or need
 - ___ fuel type
 - ___ climate/region
 - ___ individual bill
 - ___ dwelling type
 - ___ energy burden

(% of income spent on home energy)

_____ energy need

_____ other (describe)

2605(b)(5)
2605(c)(1)(B)

(benefit levels)

➔ Describe how you will assure that the highest benefits will go to households with the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size. Please describe benefit levels or attach a copy of your payment matrix.

➔ Do you provide in-kind (e.g. fans) and/or other forms of benefits?

___ Yes ___ No If Yes, please describe.

statutory references

2605(b)(5)
2605(c)(1)(B)

(determination of benefits)

CRISIS COMPONENT

➔ How do you handle crisis situations?

X separate component _____ other (please explain)

➔ If you have a separate component, how do you determine crisis assistance benefits?

_____ amount to resolve crisis, up to maximum

X other (please describe)

Crisis emergency benefits will be determined based on the minimum required to meet the immediate threat to health and safety up to a maximum of \$1,200 per heating season (furnace repairs and replacements are not included in the maximum amount). Other resources available to the household are considered in determining benefit levels. Crisis heating emergency services may include emergency fuel delivery, furnace repair/replacement, education on energy conservation measures, and budget counseling. Crisis cooling emergency services may include room air conditioner repair/purchase, fans, education on energy conservation measures, or budget counseling.

No household will be eligible for crisis cooling assistance without a declaration by a local or state public health agency of a heat emergency and authorization is given by the Department of Administration.

Determination of a threat to health or safety of an eligible household is based on four factors: expected low temperature, condition of the dwelling unit (habitable, operable furnace, etc.), presence of vulnerable persons (persons with medical need for heat -- elderly, handicapped, children under six, etc.), and alternatives available to the household (place for temporary relocation, etc.) Medical need for heat and/or cooling may be considered in determining the presence of an emergency for vulnerable persons, including households with young children, handicapped and/or elderly persons. The presence of vulnerable persons may affect the amount and type of benefit provided to the household.

Proactive services and payments will be provided to prevent the occurrence of emergencies. Examples of proactive crisis heating and cooling assistance services provided to clients are budget counseling, co-payment plans, and energy conservation counseling.

Counties and tribes and their subcontractors will be required to provide some form of assistance to resolve home heating energy emergency situations within 48 hours of application and within 18 hours in a life-threatening situation in eligible households. This is not to be construed as requiring the issuance of a benefit payment within the above specified time period.

(benefit
levels)

➔ Please indicate the maximum benefit for each type of crisis assistance offered.

heating \$ ____*____ maximum benefit

cooling \$ ____*____ maximum benefit

year-round \$ 1,200* maximum benefit

*An annual maximum is set by the state at \$1,200; local providers determine the amount of the crisis assistance benefit based on the minimum necessary to alleviate the crisis situation. In extraordinary circumstances the state allows exceptions to be made above the annual maximum.

➔ Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

X Yes ___ No If Yes, please describe.

In-kind benefits may be provided as determined necessary by local LIHEAP providers in accordance with the above procedure.

statutory
references

GRANTEE :
2605(b)(5)
2605(c)(1)
(B) & (D)

STATE OF WISCONSIN

FFY 2010

**WEATHERIZATION & OTHER ENERGY RELATED
HOME REPAIR AND IMPROVEMENTS**

→What LIHEAP weatherization services/materials do you provide?
(Check all categories that apply.)

(types of
assistance)

- Weatherization needs assessments/audits.
 Caulking, insulation, storm windows, etc.
 Furnace/heating system modifications/repairs
 Furnace replacement
 Cooling efficiency mods/repairs/replacement
 Other (Please describe)

Refrigerators, freezers, water heaters, CFLs, water saving faucet aerators and shower heads.

(benefit
levels)

→Do you have a maximum LIHEAP weatherization benefit/expenditure per household? _____ Yes No

If Yes, what is the maximum amount? \$_____

→Under what rules do you administer LIHEAP weatherization? (Check only one.)

(types of
rules)

- _____ Entirely under LIHEAP (not DOE) rules
_____ Entirely under DOE LIWAP rules
 Mostly under LIHEAP rules with the following DOE LIWAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply):

Weatherize buildings if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days

Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

_____ Other (Please describe)

_____ Mostly under DOE LIWAP rules, with the following LIHEAP rule(s) where LIHEAP and LIWAP rules differ (Check all that apply.)

_____ Weatherization not subject to DOE LIWAP maximum statewide average cost per dwelling unit.

_____ Other (Please describe.)

2605(b)(6) The state or tribe administers LIHEAP through the following local agencies:

- county welfare offices
 community action agencies (weatherization component only)
 community action agencies (heating, cooling or crisis

(agency designation) charitable organizations
 not applicable (i.e. state energy office)
 tribal office
 other, describe:

➔Have you changed local administering agencies from last year?
 _____ Yes No

If Yes, please describe how you selected them.

➔What components are affected by the change?

2605(c)(1)(E) ➔Please describe any additional steps (other than those described elsewhere in this plan) that will be taken to target assistance to households with high home energy burdens. **(This applies to all components. If all steps to target households with high home energy burdens are described elsewhere in the plan, no further information is required here.)**

(targeting of assistance)

statutory references

2605(b)(7) ➔Do you make payments directly to home energy suppliers?
 (energy suppliers)

Heating Yes _____ No

Cooling _____ Yes _____ No

Crisis Yes _____ No

If Yes, are there exceptions? Yes _____ No
 If Yes, please describe.

Households that heat entirely with wood, and non-subsidized renters whose heat is included in rent receive a single party check sent directly to the household.

2605(b)(7)(A) ➔If you make payments directly to home energy suppliers, how do you notify the client of the amount of assistance paid? (Please describe)

A payment notification is generated and sent to the client, indicating the amount of the payment and the vendor to whom the payment was made, at the time the LIHEAP payment is sent to the vendor.

Households receiving weatherization and/or energy related repairs receive a written statement of work to be performed.

2605(b)(7)
(B) & (C)

→How do you make sure the home energy supplier performs what is required in this assurance? If vendor agreements are used, they may be attached. Indicate each component for which this description applies.

The Department of Administration requires vendors to register for participation in the heating assistance program. To register, fuel suppliers agree that clients will be: treated equally with non-LIHEAP households, not be adversely affected, e.g., the eligible household will be charged in the supplier's normal billing process, the price charged will be the price normally charged non-eligible households, invoices will clearly indicate the amount and cost of home energy provided, and no discrimination will occur against eligible households with respect to terms, deferred payment plans, credit, conditions of sales or discounts offered other home energy customers.

The state may purchase fuel in bulk or pre-purchase fuel for benefits in the current or the following heating season. Fuel suppliers participating in the pre-purchase of heating fuel will be required to have signed agreements with the state. The Department can terminate the registration of any vendor found not in compliance with the agreement.

Crisis assistance fuel payments are made primarily to vendors registered for heating assistance. In addition to signing assurances guaranteeing that LIHEAP clients will be treated equally with non-LIHEAP households and will not be adversely affected, registered vendors are required to provide information on costs and procedures for emergency fuel delivery.

Energy related home repair and weatherization purchases made by LIHEAP weatherization providers follow appropriate state or federal procurement guidelines and applicable material standards.

statutory
references

2605(b)(8)(B)

→Is there any difference in the way owners and renters are treated? If Yes, please describe.

(owners
and
renters)

HEATING ASSISTANCE

_____ Yes X No

COOLING ASSISTANCE

_____ Yes _____ No

CRISIS ASSISTANCE

_____ Yes No

Crisis assistance will be supplied to both renters and homeowners. Whether a household rents or owns their dwelling will not be a basis for determining eligibility. Renters will not be eligible for emergency furnace replacements because the provision of heating equipment is the responsibility of the landlord. However, crisis assistance may include repair of the heating/cooling equipment, the purchase of a room air conditioner (in conjunction with a medical statement of need) and/or advocacy with the landlord on behalf of the client, or assistance to relocate.

WEATHERIZATION

_____ Yes No

Weatherization assistance will be supplied to both renters and homeowners. Whether a household rents or owns their dwelling will not be a basis for determining eligibility. Rental status and landlord responsibility and cooperation may affect the kind or level of benefits provided.

statutory
references

2605(b)(10)

→How do you ensure good fiscal accounting and tracking of LIHEAP funds? (Please describe. Include a description of how you monitor fiscal activities.)

Tracking of LIHEAP funds is accomplished through an on-line, computerized database. Benefits cannot be generated without entry to the database. All heating and crisis benefits details are stored in the database. Local contract agencies also claim their expenditures on-line through the database system. The LIHEAP system interfaces with the overall state accounting system "WISMART". The state accounting system generates appropriate payments and tracks cumulative expenditures.

All expenditures are monitored by both the LIHEAP program area, and the accounting section of the Department of Administration, for propriety and accuracy. Generally accepted accounting principles are practiced by the state and built into the state accounting system.

The state will not use, for purposes of administration, funds under this title that exceed ten percent of the funds payable for a fiscal year.

Administrative costs for the purposes of this program are defined as follows: the general costs associated with administering the LIHEAP Block Grant funds, including both direct and indirect costs, the costs for planning and issuing benefits. Outreach services are included in client

benefit costs and include alternate intake and the taking of applications and determination of eligibility incidental to outreach.

(program, fiscal monitoring, and audit)

➔How do you monitor program activities? (Please be sure to include a description of how you monitor eligibility and benefit determination.)

The Department of Administration or its designee on an ongoing basis will review reports of payment records and other data from counties and tribal agencies. The Department of Administration or its designee will base payment of allocations to local programs on receipt of properly completed reports. The Department of Administration reviews selected facets of the applications to assure policies and procedures are being followed. In addition, the Department of Administration will monitor local program compliance with agency and case reviews. Where it seems appropriate the Department of Administration will conduct site visits to review local agency (county/tribe) procedures and activities. The Department of Administration conducts site visits to at least 20% of agencies each year.

➔How is your LIHEAP program audited?

Under the Single Audit Act? Yes No

If not, please describe:

The Low Income Home Energy Assistance Program is included in Wisconsin's single state audit performed annually by the Wisconsin Legislative Audit Bureau.

For States and Territories:

➔Is there an annual audit of local administering agencies? Yes No

If not, please explain.

LIHEAP is included as a major program in the state's single audit, performed annually by the Wisconsin Legislative Audit Bureau. All of Wisconsin's LIHEAP sub-grantees are also audited under the Single Audit Act. Sub-grantee's audits are reconciled and reviewed annually by the accounting section of the Department of Administration.

statutory references

2605(b)(12)

(timely and meaningful

➔How did you get timely and meaningful public participation in the development of the plan? (Please describe.)

public
partici-
pation)

Meetings were held with local LIHEAP staff, weatherization staff, utility representatives, and some other interested groups at a low-income energy programs training conference on February 24-5, 2009. All local service agencies were requested to have a representative at the session. During the session suggestions were requested for LIHEAP policy and program changes.

A draft document was available for review starting July 2, 2009 on the Wisconsin Home Energy Plus web site to provide a central location for the public and other parties to review the plan.

The Low Income Energy Advisory Committee (LIEAC) is a citizen's advisory committee appointed to make recommendations on the LIHEAP policies and programs. The committee consists of 16 citizens representing various interests and various areas of the State. This Committee met on July 7, 2009 to review and comment on the draft plan for FY2010 and the comments received at the public meeting.

2605(a)(2)

→ Did you conduct public hearings on the proposed use and distribution of your LIHEAP funds? When and where?

Yes No

(Not required for Tribes and tribal organizations)

(public
hearings)

A public meeting to receive comments and input on the FFY 2010 LIHEAP Block Grant Plan was held on July 23, 2009 in the Conference Room 1D of the Department of Administration Building, 101 E. Wilson Street, Madison, Wisconsin from 10:00 a.m. to 12:00 pm.

statutory
references

2605(b)(13)

→ Describe your fair hearing procedures for households whose applications are denied or not acted on in a timely manner. When are applicants informed of these rights?

(fair
hearings)

→ Denials

→ Applications Not Acted On In a Timely Manner

Households which are denied heating assistance, crisis assistance or weatherization assistance or which have not received response to an application within a reasonable time will have the opportunity for an appeal. All heating and crisis assistance applicants will be notified of their right to appeal when they complete an application (appeal information is a detachable page in the application form and may be

printed on line). The state or local operating agency will provide a fair hearing within 60 days of receiving a request. Hearings will be at a time and place convenient to the appellant. Applicants for weatherization assistance only will be notified of their right to appeal, and the process to make an appeal, when they are notified of the determination they are ineligible.

Reasonable time from completed application to response (assistance, notification of eligibility or notification of denial) will be 45 days for heating assistance, 30 days for crisis assistance, and 45 days for weatherization assistance. Exceptions to these time periods may result when there are delays in funding availability due to lack of congressional appropriations, when heating assistance applications are taken during the summer for the following heating season (early start-up), etc.

statutory references

2605(b)(15)

For States and Puerto Rico only (not applicable to Tribes and tribal organizations, or to territories whose annual regular LIHEAP allotments are \$200,000 or less):

➔ Does the State agency that administers the following LIHEAP component also administer the State's welfare program?

No

(alternate outreach and intake)

HEATING ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

COOLING ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

CRISIS ASSISTANCE

_____ Yes X No

If Yes, describe alternate process for outreach and intake:

statutory references

→ Do you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance? (This assurance refers to activities such as needs assessments, counseling, and assistance with energy vendors.)

X Yes No

If Yes, please describe these activities.

The State of Wisconsin may, through contract with local LIHEAP providers and/or under contract with the Wisconsin Community Action Program and/or through arrangements with other service providers engage in the following activities:

1. Budget counseling, energy conservation training, co-payment agreements, advocacy with fuel suppliers, household energy assessments and referrals.
2. Support for services provided by leveraged funds. These services will include those provided under regular crisis assistance, but only when non-federal funds are used toward co-payments, etc.
- 3 . Intensive case management targeted to households selected from those as "high heating costs compared to household income" and "high heating costs for dwelling type.
- 4 . Educational classes may be offered though third party contract agencies, utilities, state staff, or other qualified individuals.

If Yes, how do you ensure that you don't use more than 5% (statutory ceiling) of your LIHEAP funds for these activities?

Funds used for this purpose will be allocated by contract and will not exceed five percent of the LIHEAP funds available to the State of Wisconsin.

statutory
references

2607A
(leveraging)

→ Please describe leveraging activities planned for the fiscal year. (**This entry is optional.***) Complete this entry if you plan to apply for LIHEAP leveraging incentive funds and to include in your leveraging report resources/benefits provided to low income households this fiscal year under criterion (iii) in 45 CFR 96.87(d)(2). Provide the following information for each:

- (1) Identify and described each resource/benefit;
- (2) Identify the source(s) of each resource; and

- (3) Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

The 1999-01 Wisconsin State Budget, Wisconsin Act 9 s.16.957 Utility Public Benefits, contains a new public utility initiative referred to as "Reliability 2000". Included in the Reliability 2000 initiative is "Public Benefits", which charges the Department of Administration with the creation of comprehensive low-income and energy public benefit programs. The Wisconsin LIHEAP program works in conjunction with Wisconsin LIWAP program to assist households at or below 60% state median income. Public Benefit funds are paid to eligible households, in effect increasing the benefit amount.

* Leveraged resources/benefits that are counted under criterion (iii) in 45 CFR 96.87(d)(2) must be identified and described in the grantee's LIHEAP plan and distributed as indicated in the plan. In addition, leveraging resources/benefits that are counted under criterion (ii) must be carried out under one or more components of the grantee's regular LIHEAP program.

The State of Wisconsin, per Wis. Stat. 196.374, required Class A gas and electric utilities to spend funds on programs designed to promote and accomplish energy assistance or energy conservation activities. The "Reliability 2000" legislation requires those utilities to turn those funds into the Public Benefits Fund. The statute authorizes the Public Service Commission to prescribe the programs to be funded and specifies that low-income utility consumers must be included. Municipal and cooperative utilities (non-Class A) were provided options to participate in the state Public Benefits Fund or operate a Commitment to Community Program they designed. Programs covered under this law include weatherization, conservation services, and to assist low-income households with the costs of their fuel bills.

The Wisconsin LIHEAP program had an active, substantive, and significant role in the development of the "Reliability 2000" statutory requirements. The legislation provides that the 1998 level of utility funding for weatherization and bill assistance programs targeted at low-income to be transferred to the Public Benefits fund administered by the Department.

Contributions include those from landlords for weatherization services provided to LIHEAP eligible low-income households residing in a rental dwelling unit. Contributions are 15% or less of the total cost of the weatherization.

Weatherization and/or Energy Conservation Measures

Pursuant to Wis. Stat. 196.374, the Public Service Commission of the State of Wisconsin augments low-income energy assistance resources by mandating Class A utilities to fund weatherization programs for low-income households financed through utility rates, and turn the funds over to the Public Benefits Fund. These services are provided to households that meet the federal income guidelines for LIHEAP. To receive weatherization households must be eligible

for the LIHEAP program or meet the eligibility criteria under the Federal Standards set by section 2605(b)(2) of Public Law 97-35.

Utility/Bulk Fuel Dealers Arrears Forgiveness

Individual Class A utilities and/or bulk fuel dealers may augment available low-income energy assistance resources through individual programs which discount or waive fuel costs, re-connection charges, etc. and that are authorized by the Public Service Commission. Benefits provided under this category fit the criteria set forth in item (D) of the leveraging law. Eligibility for and/or receipt of assistance under the LIHEAP program in the base period and or eligibility under the Federal standards set by section 2605 (b)(2) of Public Law 97-35 is necessary to receive the discount or waiver. These programs include, but are not limited to, those which provide arrearage forgiveness for unpaid utility bills to federally qualified households or provide additional forgiveness for unpaid current balances to such households as part of agreed budget-billing or partial-payment plans. These programs, financed by the rate payers and/or utility stockholders, provide qualified households with benefits in addition to those provided by LIHEAP and are intended to further improve the affordability of basic energy services for low-income consumers. The programs covered by the above include, but are not limited to, the following:

- Alliant Energy
- Madison Gas & Electric
- Xcel Energy
- We-Energies
- Wisconsin Public Service

Voluntary charitable programs

This plan hereby sanctions certain voluntary charitable program such as Fuel Funds, whose specific purpose is to assist low-income people to make household energy more affordable but are not mandated by the Public Service Commission or state law. These programs are sanctioned when they provide their benefits to federally eligible households and enhance LIHEAP resources by providing benefits to households that may not qualify under the state's eligibility criteria or to households, which have exhausted available LIHEAP benefits. Revenues for sanctioned programs are derived from charitable contributions of private citizens, fuel supplier customers or fuel supplier stockholders. Benefits provided under this category fall under criteria (ii) and (iii). Under criteria (ii) the provider of the resource contracts directly with the LIHEAP program for distribution of the benefits through the LIHEAP program. Receipt of the benefit is dependent upon eligibility for LIHEAP and requires a completed LIHEAP application. Benefits counted under category (iii) fit the criteria set for in condition (E) of the leveraging law. Coordination between LIHEAP staff and the provider of the resource occurs on an ongoing basis. Staff communicates orally and/or in writing about how to meet the energy needs of specific individual households. During the LIHEAP program communication takes place before assistance is provided to each household unless the applicant shows documentation of application for LIHEAP. The programs covered by the above include, but are not limited to, the following:

- Alliant Energy, Hometown Program
- Keep Wisconsin Warm Foundation
- Energy Services, Inc.
- Madison Gas & Electric Energy Fund

- We-Energies
- Wisconsin Public Service, Fresh Start Program
- Xcel Energy, Pioneer in Energy Savings Program
- Wisconsin Homeless Prevention Program

State of Wisconsin

The State of Wisconsin provides assistance to low income LIHEAP eligible households in the following ways:

The Wisconsin Legislature designed and enacted legislation specifically intended to provide increased financial resources to households to help relieve the burden of home heating in low-income households. State and local sales tax was suspended for LIHEAP eligible households for the costs of home heating to direct additional funds to those households to relieve the costs of home heating. All LIHEAP eligible households benefited directly through suspension of state and local sales tax on heating fuels, or indirectly through reduced rental costs. The waiver of sales tax fits the criteria set forth in item (D) of the leveraging law.

The State of Wisconsin under Wis. Stat. Chapter 49 directs General Assistance funds to households without assets or means of support to provide a minimum of life's necessities including the cost of home heating. The same local agencies are under contract to the state to operate the LIHEAP and General Assistance programs. General assistance is provided only as a last resort to eligible households. Benefits counted under General Assistance fit criteria (E) of the leveraging law. During the period when the LIHEAP program is in operation LIHEAP and General Assistance staff communicate on how to meet the energy needs of the specific individual households. For the duration of the LIHEAP program this communication takes place before assistance is provided to each household to be served by the resource, unless the applicant presents documentation of LIHEAP eligibility.

The State of Wisconsin as part of its effort to make housing affordable and available to all, provides assistance with high utility costs under the Homeless Prevention Program. Funds are provided to households only when housing costs are more than 30% of the total income and all other sources of assistance including LIHEAP and utility funding has been exhausted. Criteria A of the leveraging rules and regulations applies to this resource.

statutory
references

2605(b) → Please describe performance goals and measures planned for the fiscal year. **(This entry is optional.)**

(performance)
goals and
measures)

ADDITIONAL CERTIFICATIONS AND REQUIREMENTS

Attached are additional certifications required as follows:

- * **Lobbying certification**, which must be filed by all States and territories. If applicable, Form LLL, which discloses lobbying payments, must be submitted. **(Tribes and tribal organizations are EXEMPT.)**
- * **Debarment and suspension certification**, which must be filed by all grantees.
- * **Drug-free workplace requirement certification**, which must be filed by all grantees, unless the grantee has filed a statewide certification with the Department of Health and Human Services. **STATES ONLY:** If you have filed a statewide certification for the drug-free workplace requirement, please check here: _____
- * One of the requirements included in the 1994 reauthorization of the statute is that state grantees must include in their annual application for funds a report on the number and income levels of households applying for and receiving LIHEAP assistance, and on the number of recipient households that have members who are elderly, disabled, or young children.

All Tribes and those territories with allotments of less than \$200,000 need only submit data on the number of households served by each component (heating, cooling, weatherization and crisis). The approval for the collection of information contained in the **LIHEAP Household Report** is covered by OMB approval number 0970-0060.
- * Though not a part of this application, the report on funds to be carried over or available for reallocation as required by section 2607(a) for the preceding year must be submitted by August 1 of each year. A grant award for the current fiscal year may not be made until the carryover/reallocation report is received. The approval for the collection of information contained in the **LIHEAP Carryover and Reallocation Report** is covered by OMB approval number 0970-0106.

PUBLIC HEARING NOTICE
Division of Energy Services
Department of Administration
101 E. Wilson, First Floor, Room 1D

Madison, WI 53702
Thursday, July 23, 2009
10:00 am to 12:00 pm

Testimony will be accepted on the draft 2010 "Wisconsin State Plan" (the Plan) for the administration of the **LOW INCOME HOME ENERGY ASSISTANCE PROGRAM** (LIHEAP). The Plan will be submitted to the U.S. Department of Health and Human Services to cover the Federal Fiscal year of October 1, 2009, through September 30, 2010. The Plan lists the conditions by which Wisconsin will administer and issue LIHEAP assistance through the Title XXVI Block Grant.

The meeting site is accessible to people with disabilities. Interested persons are invited to present information at the hearing. People appearing may make an oral presentation but are also urged to submit facts, opinions, and arguments in writing as well.

Written comments from persons unable to attend the meeting, or who wish to supplement testimony offered at the meeting should be directed to:

Division of Energy Services
Attn LIHEAP Plan
P.O. Box 7868
Madison WI 53707-7868.

Electronic comments should be sent to heat@doa.state.wi.us

Written, including electronic, comments must be received by noon, Thursday, July 23, 2009 to be included in the record of the proceedings.

The Plan is available electronically at: **homeenergyplus.wi.gov** in the Grantee Information section under WHEAP Grantee Information in the WHEAP Planning Information subsection.

Contact Person:
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