

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF COMMUNITY SERVICES
COMMUNITY SERVICES UNIT**

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

ABBREVIATED STATE PLAN

FISCAL YEAR 2010

SUBMITTED TO

**U.S DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
OFFICE OF COMMUNITY SERVICES**

SEPTEMBER 2009

GRANTEE COMMONWEALTH OF MASSACHUSETTS FFY 2010

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

ABBREVIATED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2010

GRANTEE: COMMONWEALTH OF MASSACHUSETTS

EIN: 1-046002284-K4

**ADDRESS: MASSACHUSETTS DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT
100 CAMBRIDGE STREET, SUITE 300
BOSTON, MA 02114**

NAME OF LIHEAP COORDINATOR: Gerald Bell

EMAIL: gerald.bell@state.ma.us

TELEPHONE: 617-573-1438 FAX: 617-573-1460

LAST DETAILED MODEL PLAN FILED: FY 2009

PLEASE CHECK ONE: TRIBE _____ STATE X INSULAR AREA _____

**Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, D.C. 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 a grantee is not required to use the detailed model plan. Public reporting burden for this collection of information is estimated to average 20 minutes 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.

I. ASSURANCE

The Commonwealth of Massachusetts agrees to:

(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 vendored 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 not transferred pursuant to section 2604(f) for use under another block grant; 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. Territories with annual allotments of \$200,000 or less and Indian tribes/tribal organizations are not 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.

II. 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, in the administration of its Low Income Home Energy Assistance Program.

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 Chief Executive Officer of the State or Designee

Signature: Francena Brooks
Francena Brooks
Undersecretary
Massachusetts Department of Housing & Community Development

Date: 8/14/09

Employer Identification Number: 1-046002284-K4

These assurances, together with a description of how the Commonwealth of Massachusetts intends to carry out specific assurances, and all other application provisions and requirements are set forth in the following application.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

August 6, 2009

Mr. Nick St.Angelo
Director
Division of Energy Assistance
Office of Community Services
Administration for Children and Families
U.S. Department of Health and Human Services
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Dear Mr. St.Angelo:

In accordance with Title XXVI of the Low-Income Home Energy Assistance Act of 1981, Public Law 97-35, as amended, I hereby designate the Department of Housing and Community Development (DHCD) to act as the lead agency for the administration of the Low-Income Home Energy Assistance Program. Francena Brooks, as the Undersecretary of DHCD, is authorized to make the certifications, provide the assurances and execute all documents required to implement the Low-Income Home Energy Assistance Program.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deval Patrick", written over a large, stylized flourish.

III. Modified LIHEAP FY 2010 Application

Changes to the Fiscal Year 2009 LIHEAP State Plan (original Plan) are noted below. All other narrative sections, sub-sections, and responses to Statutory References included in the original Plan shall remain unchanged during Fiscal Year 2010.

Page #	Subject	Modifications								
7.	Introduction	Fiscal Year <u>2010</u>								
8.	Program Summary & Highlights	<p>First paragraph ... FY 2010 has not been finalized before the preparation of this Plan. FY 2009 was \$5.01 billion. ...provided Massachusetts with \$162,915,645 in LIHEAP block grant and \$50,498,727 in emergency contingency funds.</p> <p>Third paragraph \$111.54 million for FY 2010. ...FY 2010 LIHEAP in Massachusetts:</p> <ul style="list-style-type: none"> ➤ Program Year: October 1, 2009 to September 30, 2010 and November 1, 2009 to April 30, 2010. ➤ Benefit Levels: The initial benefit is \$635 per household as shown in Attachment B. This is based on an anticipated national appropriation of \$3.2 billion (approximately \$111.54 million for Massachusetts). 								
9.	Note: Statement of Statutory Assurances	<p>During FY 2009, HHS did not request a report on non-federal leveraging information. In FY 2010, using the same reporting format used in FY 2008, Massachusetts will collect non-federal leveraging information and will include awarded federal funds, if any as LIHEAP benefits.</p> <p>Included on pp. 3-7 of this Abbreviated LIHEAP State Plan for FY 2010.</p>								
11.	STATUTORY REFERENCE: 2605 (a), 2605 (b)(1)	<table border="0"> <tr> <td data-bbox="540 1463 909 1501">Use of Funds</td> <td data-bbox="909 1463 1482 1501">Dates of Operation</td> </tr> <tr> <td data-bbox="540 1501 909 1539"><u>X</u> heating assistance</td> <td data-bbox="909 1501 1482 1539">11/1/09 – 4/30/10</td> </tr> <tr> <td data-bbox="540 1539 909 1577"><u>X</u> crisis assistance</td> <td data-bbox="909 1539 1482 1577">11/1/09 – 4/30/10</td> </tr> <tr> <td data-bbox="540 1577 909 1612"><u>X</u> weatherization assistance</td> <td data-bbox="909 1577 1482 1612">10/1/09 – 9/30/10</td> </tr> </table>	Use of Funds	Dates of Operation	<u>X</u> heating assistance	11/1/09 – 4/30/10	<u>X</u> crisis assistance	11/1/09 – 4/30/10	<u>X</u> weatherization assistance	10/1/09 – 9/30/10
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