

The State LEAP office is seeking public comment on the Colorado Low Income Home Energy Assistance (LIHEAP) State Plan that is submitted to the United States Department of Health and Human Services each year in order for the State to receive funding to administer the program. Please provide your comments by August 24, 2012 to LEAP.Program@state.co.us or by mail to CDHS/LEAP, 1120 Lincoln St., Suite 1007, Denver, CO 80203.

| Please scroll below for the state plan

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

DETAILED MODEL PLAN

PUBLIC LAW 97-35, AS AMENDED

FISCAL YEAR (FY) 2013

GRANTEE State of Colorado

EIN: 1-840644C3

ADDRESS 1120 Lincoln Street, Suite 1007

Denver, CO 80203

NAME OF LIHEAP COORDINATOR Aggie Berens

EMAIL: aggie.berens@state.co.us

TELEPHONE: 303-861-0337 **FAX:** (303) 861-0275

PLEASE CHECK ONE: **TRIBE** **STATE** **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: 04/30/2014

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.

The State of Colorado 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: Executive Director, Colorado Department of Human Services

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(c)(1)(C) → 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):

→ 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) → What are your maximum eligibility limits?
2605(c)(1)(A) (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
- Other (specify for each component)

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

statutory
references

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

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

(eligibility)

→Do you use: Yes No

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> </u>	<u> X </u>
Must the household have received a shut-off notice or have an empty tank?	<u> X </u>	<u> </u>
Must the household have exhausted regular benefit?	<u> </u>	<u> X </u>
Must the household have received a rent eviction notice?	<u> X </u>	<u> </u>
Must heating/cooling be medically necessary?	<u> </u>	<u> X </u>
Other (Please explain):	<u> X </u>	<u> </u>

→What constitutes a crisis? (Please describe)

Colorado expedites regular benefits if an applicant household’s utility service is off, pending shutoff, or if they are about to run out of bulk fuel. If the vendor has not signed an agreement with LIHEAP, or if the heat is included in rent and the applicant is in a crisis situation, LIHEAP will issue an advance of the basic benefit.

For the Crisis Intervention Program (CIP), the eligible household must be in a “non-fuel” emergency due an inoperable furnace, inability to access a fuel tank due to severe snowstorms, or the need for emergency clothing, blankets, alternative fuel provisions or emergency shelter in cases of severe cold, fire, flood or major heating system failure.

|

statutory
references

2605(c)(1)(A)

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

(eligibility)

→Do you use: Yes No

Assets test? _____ X_____

Priority groups? (Please list) X _____

The elderly and households with high heating costs.

→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?
Please list below. _____

statutory
references

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

(outreach)

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

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

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

X publish articles in local newspapers or broadcast media announcements.

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

X make mass mailing to past recipients of LIHEAP.

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

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

X other (Please specify): Conduct a mass mail campaign that targets prior year LIHEAP only recipients and households receiving Supplemental Nutrition Assistance Program (SNAP), Temporary Aid to Needy Families (TANF), Old Age Pension (OAP), Aid to Needy Disabled (AND), and Aid to the Blind (AB). Conduct paid advertising on television including call-in sessions to major news stations and ads on radio stations. Keep the State's website updated with a current application and information on how to apply for the program.

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)

LIHEAP coordinates with similar and related programs serving low income consumers in the following methods:

LIHEAP provides Colorado's Energy Office (CEO), the state agency responsible for the administration of the weatherization program, weekly lists of LIHEAP eligible households during the program year. CEO utilizes these lists to select households for weatherization services.

LIHEAP utilizes data from the Colorado Benefits Management System, which is the state's comprehensive eligibility system for public assistance and Medicaid programs to develop a mailing list for the LIHEAP mass mailing campaign that targets clients already enrolled in public assistance and categorically eligible programs. In addition county LIHEAP staff provide LIHEAP information and referral to individuals that are deemed eligible for other public assistance programs to assure coordination of services.

LIHEAP partners with the Colorado Property Tax Heat/Rent credit program to assure that promotional materials for each respective program contains information about the other, which is made available to low income elderly and disabled individuals.

LIHEAP works with Energy Outreach Colorado (EOC), a non-profit organization that provides utility assistance to low income households, by referring non-eligible LEAP households to community agencies funded through EOC. Also, community agencies funded through EOC automatically refer individuals applying for energy assistance to local LIHEAP offices during the months November through April.

LIHEAP will be coordinating with Colorado's five regulated utilities as they implement percentage of income payment plans (PIPP) that provide energy assistance to low income gas and electric consumers pursuant to rules established by the Public Utilities Commission.

The PIPP program will be offered to LIHEAP recipients that are customers of Xcel Energy, Atmos Gas, Source Gas, and Summit Energy. Black Hills Utilities will offer their electric program to non-LIHEAP low income customers as well as LIHEAP customers and the gas program only to customers receiving LIHEAP.

LIHEAP will provide LIHEAP eligibility criteria to the utilities through a secure automated transmission method for participating PIPP households upon written consent of the PIPP applicant.

Utilities will calculate the “affordable” part of the bill as a prescribed percentage of the total household income as defined in the PUC ruling. The residual difference between the “affordable” amount and the annual bill will become the “non-affordable” portion. The LIHEAP benefit will be applied to the “non-affordable” portion of the bill for all the plans that are offered to LIHEAP eligible customers. Black Hills Utilities will apply the LIHEAP benefit to the “affordable” portion of the bill for those customers enrolled in their electric program because it is being offered to non-LIHEAP low-income customers.

Utilities must treat any individual LIHEAP benefit amounts that are in total greater than the amount applied to the “unaffordable” portion of the utility bill by applying it first to pre-existing arrearages, and secondly, to the account of the program participant. For Black Hills Utilities electric program participants, any LIHEAP benefit amounts that are in total greater than the amount applied to the “affordable” portion of the utility bill will first be applied to pre-existing arrearages and secondly to the account of the program participant.

2605(b)(5)
2605(b)(2)
2605(b)(8A)

(benefit
levels)

→The statute requires that there be no difference in the treatment of households eligible because of their income and those eligible 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.

LIHEAP income eligibility is set at 150% of the federal poverty index, therefore households determined eligible based on their income and households determined eligible based on a program or “categorical eligibility” are held to the same standard. Income for all applicants regardless of the type of household must be no greater than 150% percent of the federal poverty index. Also, all households are required to provide evidence of vulnerability for the primary residence at the time of application in order to be determined eligible.

Benefit amounts are calculated the same for all applicant households utilizing income and prior year heating costs with a \$200 minimum benefit level to assure that all households receive assistance.

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)

Actual heating costs for primary fuel as reported by the applicant's household's utility company from the previous November through April heating season.

2605(b)(5)
2605(c)(1)(B) → Describe how you will assure that the highest benefits go to households 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.

Colorado's benefit formula is based on estimated home heating costs, which are the prior year's actual expenditure for the applicant household's primary heating fuel for the dwelling in which he or she resides. Therefore, those with the highest heating costs and lowest incomes are assured the highest benefit level. Attached are state rules defining the methodology for calculating a LIHEAP benefit.

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

Yes No If Yes, please describe.

Clothing, blankets and alternative fuel provisions (space heaters) may be provided in cases of emergency due to severe cold, fire, flood, or a major heating systems failure.

statutory
references

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

COOLING COMPONENT

➔ 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)
2605(c)(1)(B)

➔ 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.

(benefit
levels)

➔ 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)

Colorado expedites regular benefits if an applicant household's utility service is off, pending shutoff, or if they are out or about to run out of bulk fuel. If the vendor has not signed an agreement with LIHEAP, or if heat is included in rent and the applicant is in a crisis situation, LIHEAP will issue an advance of the basic benefit.

Crisis funds are used to cover non-fuel emergencies like furnace repairs, furnace replacements, and the provision of clothing, blankets, alternative fuel provisions or emergency shelter in cases of severe cold, fire, flood or major heating systems failure.

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

 X amount to resolve crisis, up to maximum

 other (please describe)

(benefit
levels)

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

heating \$ 700 maximum benefit

cooling \$ maximum benefit

year-round \$ 2,000 maximum benefit

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

X Yes ___ No If Yes, please describe.

Agencies that perform crisis furnace repair or replacement will often provide other forms of assistance such as blankets, space heaters or emergency shelter to assure a safe environment until the heating system is functional.

statutory
references

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

**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)

(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:

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

Colorado selected Energy Outreach Colorado as a general contractor for the Crisis Intervention Program through a Request for Proposal process.

➔ What components are affected by the change?

This only applies to the administration of the Crisis Intervention Program. County offices remain responsible for the administration of the LIHEAP heating assistance component.

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)

Colorado takes a comprehensive approach in targeting populations who struggle to meet home heating costs including those with high energy burdens. This involves coordination with partnering agencies such as the Colorado's Energy Office, Energy Outreach Colorado, utility providers and other community agencies serving low income populations to assure that households are provided with resources to assist in meeting home heating costs and methods to reduce high energy burdens.

The direct mail campaign is a major component of the state's outreach plan and involves the mailing of applications, information sheets detailing information about LIHEAP, weatherization and the Colorado Property Tax/Rent/Heat Rebate Program and instructions on how to apply for these services to prior year "LIHEAP only clients". Postcards are sent to all current public assistance and Supplemental Nutrition Assistance Program (SNAP) recipients providing LIHEAP eligibility criteria with instructions on how to access an application.

In addition to reaching out through a direct mail process, Colorado LIHEAP maintains a website that provides information on LIHEAP as well as links to other agencies that provide energy assistance to low income households. Colorado LIHEAP also maintains a toll-free "hotline (1-866-HEAT-HELP) to assure that consumers and especially those facing high home heating costs have access to the information. Customer service representatives are available to provide information on LIHEAP and other community resources to address energy assistance needs.

Colorado LIHEAP also works closely with the local county administering agencies to assure that each agency develop outreach plans to target households most in need.

statutory
references

2605(b)(7)
(energy
suppliers)

➔Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

If Yes, are there exceptions? Yes No

If Yes, please describe.

Colorado makes direct client payments in cases where the home Energy supplier chooses not to sign a LIHEAP vendor agreement.

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 notice is generated from the LIHEAP computer system detailing the benefit amount that is paid on behalf of the applicant household to the specified utility provider. The county administering agencies are responsible for mailing notices to applicant households.

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.

Please see the attached vendor agreements outlining the terms and agreements for metered and bulk fuel vendors.

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 No

COOLING ASSISTANCE

Yes No

CRISIS ASSISTANCE

Yes No

WEATHERIZATION

Yes No

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.)

State auditors conduct annual fiscal reviews. The auditors prepare a report detailing compliance with state and federal procedures regarding proper expenditures and accounting of program funds.

(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.)

Colorado follows a comprehensive monitoring plan to assure that county departments responsible for administering LIHEAP are compliant with program rules. The monitoring plan includes provision for on-site monitoring of the ten counties with the largest client base on a bi-annual basis and a desk review of cases for the remaining 54 counties on an annual rotating basis. Also, a review may be conducted outside of the scheduled monitoring plan if the state is informed of issues or concerns that warrant immediate attention.

Colorado utilizes a random selection process for case reviews and a standardized monitoring tool to assure that eligibility and benefit determination has been processed appropriately based on the program rules. Colorado also reviews each county's policies and procedures to assure that all key features are in place for effective administration of the program.

County agencies are informed on procedures and process prior to on-site reviews and desk reviews. Colorado LIHEAP staff conduct exit interviews with county agencies to review initial findings during on-site reviews and provide follow up reports with findings and requests for plans of corrective action, if necessary. In addition, a report and request for plan of action, if applicable, is provided to each agency for which a desk review was completed.

➔How is your LIHEAP program audited?

Under the Single Audit Act? X Yes No
If not, please describe:

For States and Territories:

➔Is there an annual audit of local administering agencies? X Yes
No
If not, please explain.

statutory
references

2605(b)(12)

(timely and
meaningful
public
participation

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

Proposed program rules are presented annually before the Colorado Board of Human Services for review and approval. Prior to final approval two public hearings are held in August and September to provide opportunity for public comment and input.

In addition, Colorado LIHEAP meets monthly with a stakeholder's group comprised of county LEAP staff to discuss various issues and gather feedback on program development and implementation.

Colorado also has a governor's Commission on low-income energy assistance. The Commission is represented by LIHEAP and weatherization clients, utilities, partner agencies and the general public. The Commission advises the Governor and the State LIHEAP program and makes recommendations regarding program improvements public participation).

Colorado posts the plan on the State's website providing an opportunity for public comment in a timely manner prior to the submission of the plan.

2605(a)(2)

(public
hearings)

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

X Yes No

(Not required for Tribes and tribal organizations)

Hearings will be held before the Colorado Board of Human Services each year during the months of June and July.

statutory
references

2605(b)(13)

(fair
hearings)

→ 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?

→ Denials

Applicant households denied a LIHEAP benefit are sent a notice immediately upon denial with information on appeal rights.

Applicants are given the right to request a dispute resolution conference at the county department within 10 days from the date of the notice, if they disagree with the action.

An applicant who chooses to bypass the local dispute resolution with the county or disagrees with the outcome of the local conference may request a state hearing within 90 days of the date of the notice.

→ Applications Not Acted On In a Timely Manner

Applicant households are also sent a notice immediately upon approval. Applicants may request a dispute resolution conference at the county department within 10 days from the date of the notice, if they believe the application was not acted upon in a timely manner.

An applicant who chooses to bypass the local dispute resolution with the county or disagrees with the outcome of the local conference may request a state hearing within 90 days of the date of the notice

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?

(alternate
outreach
and intake)

HEATING ASSISTANCE

Yes No

If Yes, describe alternate process for outreach and intake:

County and state offices mail or deliver outreach materials to a number of community agencies. These same community agencies, as well as utility companies, receive LIHEAP application forms, which interested parties may pick up, complete, and mail in. Colorado LIHEAP and Energy Outreach Colorado maintain websites from which interested parties can print an application, complete it, and mail it in. Colorado LIHEAP also maintains a toll-free phone line, which is highly publicized. People can call in, receive advice on how to apply for LIHEAP, and get an application mailed to their home.

COOLING ASSISTANCE

Yes 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

2605(b)(16)

→ 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.

Weatherization personnel provide energy conservation counseling as well as energy education materials to LIHEAP eligible households. County social services agencies provide counseling to categorically eligible clients on budget management and other issues to move recipients toward self-sufficiency and less reliance on LIHEAP and other public assistance.

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

The funds for energy conservation and energy education materials are covered in the funds dedicated to weatherization assistance, which is capped at 15% of the federal limit. Colorado monitors weatherization expenditures to ensure that no more than 5% of our LIHEAP funds are used for these activities. Counseling for categorically eligible households through county social services agencies is provided through other programs such as TANF.

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).

- Energy Outreach Colorado (formerly Colorado Energy Assistance Foundation) – Grants Program: Funds are available to LIHEAP eligible clients when LIHEAP is closed during the summer months and for applicants whose incomes exceed the LIHEAP limits. EOC agencies consult with LIHEAP to ensure eligibility.
- Colorado Property Tax/Rent/Heat Credit: LIHEAP and PTC staffs confer regularly on how to meet the home energy needs of common clients. PTC information is contained in LIHEAP outreach materials; LIHEAP information is contained in PTC applications.
- Care and Share, Inc./COPE: COPE provides assistance to applicants who have received and exhausted the LIHEAP benefits for which they are eligible. COPE is administered by Colorado Springs Utilities, whose staff confer with state and local LIHEAP officials regularly.
- Xcel Energy/State Weatherization Agency: Receipt of LIHEAP assistance in the base period is necessary for clients to receive assistance from the state weatherization program.
- Atmos Energy, Black Hills Utilities, Source Gas, Summit Energy and Xcel Energy: These utilities will be offering percentage of payment income plans (PIPP) to LIHEAP recipients. Those interested in participating will receive a credit from their respective utility company that will be applied to the “non affordable” portion of their bill after the LIHEAP benefit has been applied. LIHEAP will coordinate with the utilities and provide LIHEAP eligibility data.

* 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.

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.