

Government Relations & Public Policy

DEPARTMENT OF ENERGY FUNDING

Comprehensive DOE Funding Capabilities

Van Ness Feldman has successfully represented clients in Department of Energy (DOE) funding initiatives for many years. We have supported a number of clients in developing successful applications for DOE funding, including applications for loan guarantees, tax credits, and stimulus funding programs under the American Recovery and Reinvestment Act (ARRA), and we are now counseling clients on the legal, regulatory and contractual issues associated with ARRA funding and DOE financial assistance agreements. Providing added value to our clients, a number of our professionals have had experience working within the DOE at senior levels.

Our experience and client engagements cover the landscape of traditional and alternative energy projects, and include DOE initiatives targeting the development and deployment of technologies relating to smart grid, demand response, and energy efficiency, cellulosic biofuels, advanced biorefineries, algal biomass, hydropower, carbon capture and sequestration, and clean coal technologies. We have assisted a number of clients in the preparation and review of applications totaling approximately \$5.5 billion dollars in federal funding assistance. Examples of our experience include:

- Advising the awardees of a successful application for \$334 million in DOE Clean Coal Power Initiative funding to support the **Mountaineer Carbon Dioxide Capture and Storage Demonstration Project**. The project will use a chilled ammonia process to capture at least 90 percent of the CO₂ in a 235 megawatt flue gas stream at the existing 1,300 megawatt Mountaineer Power Plant in West Virginia. The captured CO₂ will be treated, compressed, and then transported by pipeline to geologic injection sites near the facility.
- Assisting **PECO Energy Company** in its successful application for a \$200 million Smart Grid Investment Grant to deploy smart meters to all 600,000 customers, upgrade communication infrastructure to support a smart meter network, install 7 "intelligent" substations, and accelerate deployment of more reliable and secure smart grid technologies that will reduce peak energy load and increase cost savings.
- Assisting **Avista Utilities** in its successful application for a \$20 million Smart Grid Investment Grant to implement a distribution management system, intelligent end devices, and a communication network to reduce distribution system losses, enable automatic restoration to customers during outages, and allow for the integration of on-site generating resources.

- Advising **Enerkem Corporation** in its successful application for \$50 million in DOE funding under the Advanced Biorefinery program. Enerkem will develop a biorefinery near an existing landfill and will use feedstocks such as woody biomass and biomass removed from municipal solid waste to produce ethanol and other green chemicals through gasification and catalytic processes.
- Advising **Intellon Corporation** in its successful application and ongoing negotiations for a \$5 million Smart Grid Investment Grant to modify existing power line communications to enhance smart grid functionality.
- Assisting **Snohomish County Public Utilities District** in its negotiations with DOE to implement a \$15.8 million Smart Grid Investment Grant award to install a smart grid framework, including a digital telecommunications network, substation automation and a robust distribution system infrastructure that will enable the implementation of future smart grid technologies.
- Assisting **Sacramento Municipal Utility District** in its negotiations with DOE to implement a \$127.5 million Smart Grid Investment Grant award to install a comprehensive regional smart grid system from transmission to the customer that includes 600,000 smart meters, dynamic pricing, 100 electric vehicle charging stations and 50,000 demand response controls, including programmable smart thermostats and home energy management systems.
- Assisting **Skyonic** with its successful Phase One and Two DOE grant applications to convert captured CO₂ emissions from industrial sources into useful products. Skyonic is one of the six grant awardees and received \$25 million of the total \$106 million awarded by DOE's Office of Fossil Energy under the Carbon Capture and Sequestration from Industrial Sources and Innovative Concepts for Beneficial CO₂ Use funding opportunity.
- Assisting **Air Products and Chemicals, Inc.** with its application for funding for a project that will take CO₂ from their hydrogen facility to a refinery in Port Arthur. Air Products, one of only three companies granted funding in Phase 2 of the Industrial Carbon Capture and Sequestration (ICCS) Program from DOE's Office of Fossil Energy's National Energy Technology Laboratory, was awarded \$253 million.
- Serving as project counsel to the **FutureGen Industrial Alliance**, which is developing a multi-billion dollar, zero-emission, coal-fired power plant under a DOE cooperative agreement.
- Providing review and research for **Leucadia Energy's** successful loan guarantee applications pursuant to Title XVII of the Energy Policy Act of 2005 and investment tax credit application pursuant to section 48(B) of the Internal Revenue Code for projects to be located in Indiana and Mississippi.

We have prepared a short summary of the issues likely to arise for awardees of DOE funding, and our services in connection with these issues. [Download the PDF of this summary.](#)

We also offer complete energy project development services and depth of experience with the development and deployment of energy technologies.

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