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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 813
OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT

FILED
09/27/2024 2:01 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Increasing SHOW Program incentives and clarifying measure requirements.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/31/2024 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Hilda Rodriguez

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Oregon Housing and Community Services

725 Summer St NE, Suite B

Salem, OR 97301

Filed By:

Joy Aldrich

Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/22/2024

TIME: 2:00 PM - 2:30 PM

OFFICER: Hilda Rodriguez

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 222897819

NEED FOR THE RULE(S)

These rules provide guidelines and requirements around the State Home Oil Weatherization (SHOW) Program. For dwelling owners and tenants who use primary heating fuels supplied by fuel oil dealers, this program is essential in supporting energy efficiency and reducing heating costs. These proposed rule changes clarify stipulations that are already in the rules and program manual and increase the incentives available to eligible applicants that will help to counter inflation and offer comparable rebates to those available from state and federal resources for dwellings that use other primary heating fuels.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Program statute (ORS 456.595-456.599), SHOW Program Manual, Energy Trust of Oregon incentive rates

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This program is a first-come, first-served rebate that is also supported by contractors (both for-profit and non-profit) around the state. OHCS makes all attempts to ensure equity with this program, providing outreach and technical support to all Oregonians who apply or are interested in the program. As it is a rebate program, OHCS works with

contractors and the Community Action Agency network to provide more direct assistance to income eligible households so that they are not impacted by the burden of a rebate. This network of contractors and CAAs provide services statewide.

FISCAL AND ECONOMIC IMPACT:

There is no anticipated fiscal impact for these proposed rule changes.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

As this program is public-facing and does not go through a Community Action Agency directly, there is no anticipated additional cost for compliance. The application process is not changing and no additional administrative costs are being proposed for the process. Many small businesses in Oregon may be affected by these rule changes, including fuel oil dealers, contractors, and non-profit agencies such as the Community Action Agencies. The impacts for collection and amount of the Petroleum Supplier Assessment to fund the SHOW Program will be minimal. However, these rule changes propose to clarify what is already established in rule and the manual as well as increase incentives due to inflation and to offer comparable rebates to those available to state and federal resources for dwellings that use other primary heating fuels. There is no additional expected reporting or administrative activities and no additional costs required to comply with the rules.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were involved in the rulemaking to inform and educate about the SHOW Program's current incentives, what equivalent incentives are available for dwellings with other primary heating fuels (or those not eligible for the SHOW Program), and demonstrate the effect the new incentives would have had on recent dwellings weatherized through the Community Action Agency network.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

OHCS collected data and worked closely with partners who have both received SHOW Program rebates and coordinated to administer the program historically. OHCS communicated with other partner agencies to develop proposed rule changes that are well-informed and will have no negative fiscal impact. Instead, these rule changes will have a very positive fiscal impact for applicants and small businesses.

HOUSING IMPACT STATEMENT:

These rules do not affect the cost of development of a 6,000 square foot parcel and the construction of a 1,200 square foot detached single-family dwelling on that parcel.

RULES PROPOSED:

813-207-0015, 813-207-0020, 813-207-0040, 813-207-0050, 813-207-0060, 813-207-0070

AMEND: 813-207-0015

RULE SUMMARY: Adopts the newest version of the program operations manual.

CHANGES TO RULE:

813-207-0015

Manuals

The State Home Oil Weatherization Program Manual (SHOW Program Manual) with the requirements and standards therein, dated ~~Sept~~December 23, 2024, is incorporated into and adopted as part of this division of administrative rules, by reference. The SHOW Program Manual may be accessed online at the OHCS website.

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: ORS 456.594-456.599, ORS 469.421

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

State Home Oil Weatherization (SHOW)

~~September 23, 2024~~ December 1,
2024



SHOW Program Manual

Contacts

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Acknowledgements

Oregon Housing and Community Services
Andrea Bell, Executive Director

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Program Summary

Oregon Housing and Community Services (OHCS) administers the State Home Oil Weatherization (SHOW) Program for the State of Oregon. Program funding originates through an annual assessment upon petroleum suppliers conducting distillate fuel oil business in Oregon. The SHOW Program provides cash incentives for energy conservation measures to Oregonians who obtain their primary heating fuel from fuel oil dealers.

This program manual provides the guidelines and specific regulations to administer and implement the SHOW Program. These guidelines apply to the program administrators and applicants of the program.

Authoritative Guidance

Statutory Authority: ORS 456.599

Statutes Implemented: ORS 456.594 to 456.599, 469.421(8)

Oregon Administrative Rules: OAR 813-207-0000 to 813-207-0090

Program Contact

For more information regarding the application process or administration of the SHOW Program, contact:

Mailing: Oregon Housing and Community Services
Attn: SHOW Program Analyst
725 Summer St NE, Suite B, Salem, OR 97301

Phone: 503-986-2000 (reception)

Fax: 503-986-2020

Website: www.oregon.gov/ohcs

Program Terminology

The following terminology is used for the SHOW Program:

- ◆ Cash payment: A payment made by OHCS to the dwelling owner or the contractor on behalf of the dwelling owner for energy conservation measures.
- ◆ Contractor: A person that installs or assists a dwelling owner to install energy conservation measures in a dwelling.
- ◆ Distillate fuel oil: A general classification of petroleum products, including diesel fuels and fuel oils, which is used for a variety of purposes, including, but not limited to, diesel engine and motor fuel, space heating, and electric power generation. Common names include, but are not limited to, dyed diesel #1 or #2, off-highway fuel, fuel oil, and heating oil.
- ◆ Dwelling: Real or personal property in Oregon inhabited as the principal residence of a dwelling owner or a tenant. This includes manufactured dwellings, floating homes, and single units in multiple-unit residential housing. This does not include recreational vehicles. For multiple-unit residential housing, all units that share a common space (i.e. kitchen, bathroom) or are not all-inclusive with independent common spaces are to be considered part of a single dwelling.
- ◆ Dwelling owner: The person who has legal title to a dwelling and whose dwelling receives space heating primarily from a fuel oil dealer.
- ◆ Energy conservation items: This includes, but is not limited to, air sealing, weatherstripping, ceiling and wall insulation, crawl space insulation, vapor barrier materials, programmable thermostats, insulation of heating ducts in unheated spaces, and replacement windows.
- ◆ Energy conservation measures (“measures”): This includes the installation of energy conservation items and the energy conservation items installed, where the items are primarily designed to improve the space heating and energy utilization efficiency of a dwelling. This does not include the dwelling owner’s own labor.
- ◆ Fuel oil dealer: A person, association, corporation or other form of organization that supplies fuel oil at retail for the space heating of dwellings. Eligible fuel oil dealers may include those who deliver or provide services into Oregon.
- ◆ Grantee: A non-profit contractor, including those established through government or other public entity service, which maintains a grant agreement with OHCS to be eligible for SHOW Program cash payments in exchange for providing no-cost weatherization services to low-income households occupying eligible dwellings.
- ◆ Gross operating revenue: The gross receipts from sales or service made or provided within Oregon during the regular course of the petroleum supplier’s business, but does not include either revenue derived from interutility sales within Oregon or revenue received from the sale of fuels that are subject to the requirements of Article IX, section 3a, of the Oregon Constitution, or ORS 319.020 or 319.530.
- ◆ Household: Any individual living alone, a family with or without children, or a group of individuals who are living together as one economic unit.
- ◆ Household income: The total annual income of a household before deductions.

- ◆ Low-income: Total annual household income at or below 200% of the Federal Poverty Level, as established and provided annually by the U.S. Department of Energy (USDOE).
- ◆ Petroleum supplier: A petroleum refiner in Oregon or any person engaged in the wholesale distribution of distillate fuel oil in Oregon.
- ◆ Space heating: The heating of living space within a dwelling through methods including, but not limited to, forced air heating and radiant heating.
- ◆ Tenant: A person, including a roomer, entitled under a rental agreement to occupy a dwelling unit to the exclusion of others.
- ◆ Wholesale: The sale to retailers for the purpose of resale.

Program Funding

The Petroleum Supplier Assessment (PSA), as established and described in ORS 456.595 and 469.421(8), is the sole funding source of the SHOW Program. OHCS conducts the PSA based on the state fiscal year, of July 1 through June 30. The statutes dictate specific guidelines through which OHCS must administer the PSA to generate the revenue.

Assessment upon Petroleum Suppliers

OHCS may elect to conduct the PSA each fiscal year based on program financial needs and forecasting. When electing to conduct the PSA, OHCS must assess only those petroleum suppliers who conduct business in Oregon related to the wholesale refinement or distribution of distillate fuel oil. There is no requirement as to the end use or purpose of the distillate fuel oil. However, petroleum suppliers must declare all gross operating revenue, indicating the amount of sales subject to Article IX, section 3a, of the Oregon Constitution, ORS 319.020 and 319.530. The petroleum suppliers must identify and classify their applicable fuel oil sales prior to reporting revenue to OHCS.

To comply with statute regulations for each PSA:

- ◆ OHCS must collect an annual aggregate amount from all petroleum suppliers of no more than \$400,000.
- ◆ OHCS must assess each petroleum supplier no more than 0.375% (0.00375) of the gross operating revenue reported on its submitted statement.
- ◆ OHCS must assess each petroleum supplier an amount proportionate of its own gross operating revenue to the aggregate gross operating revenues reported by all petroleum suppliers assessed.

Schedule of the Assessment

Prior to the beginning of a new fiscal biennium, the Director of OHCS must submit a proposed agency budget to the Oregon Department of Administrative Services for Governor Approval, which outlines the amount of each PSA collection, or lack thereof, during the biennium. During each year of the biennium, OHCS must [convene a public meeting to attempt to](#) engage SHOW Program stakeholders [and other interested parties during a public meeting, prior to initiating or foregoing the PSA whether or not the agency elects to conduct an assessment,](#) to provide a full accounting of the projected [funding requirements,](#) revenue collection, and allocation of funding.

[If OHCS elects to conduct an assessment and A](#)after engaging with stakeholders, OHCS must create and distribute specific documents to conduct the PSA:

- ◆ [Gross Operating Revenue Statement \(GORS\)](#): A form that enables petroleum suppliers to disclose their gross operating revenues of distillate fuel oil, for sales during the previous calendar year (January 1 to December 31), subject to the PSA.
- ◆ [Order for payment](#): An official order with Department of Justice approval that requires the petroleum suppliers to submit payment to OHCS upon their percentage of the assessment.
- ◆ [Payment invoice](#): A billing invoice, coupled with the order for payment, which states the amount of each petroleum supplier's percentage of the assessment and details regarding submission.

While the stakeholder engagement and GORS distribution dates are not explicitly outlined in statute, OHCS has created advised deadlines in order to successfully satisfy the remaining deadlines. [With the exception of the stakeholder engagement meeting \(which may be held earlier than the timeline\),](#) OHCS must conduct the PSA along the following timeline, based on the specific year of a biennium:



To comply with the statute, OHCS must make all efforts possible to involve all petroleum suppliers in the PSA who engage in distillate fuel oil wholesale in Oregon. Therefore, OHCS may conduct surveys and inquiries throughout the year prior to initiating the PSA in order to maintain an accurate and current listing of all suppliers. The SHOW Program stakeholder meeting may also serve as a point of communication to outstanding suppliers. Suggested stakeholders involved with this meeting may include, but are not limited to, petroleum suppliers, fuel oil dealers, and their representative organizations.

Securing Program Grantees

To assist in outreach and providing services to low-income dwelling owners and tenants, OHCS may enter into grant agreements with eligible contractors who provide energy conservation items and measures through no-cost weatherization assistance. Amounts awarded to each grantee may be based on historical use and projected need within the affected service territory.

Eligible Applicants & Dwellings

There are two categories of applicants who are eligible to apply for SHOW Program cash payments. Those categories include:

- ◆ **Dwelling owners:** Persons who have legal title to a dwelling and are acting on behalf of themselves or their tenants and whose dwelling receives space heating primarily from a fuel oil dealer.
- ◆ **Contractors:** Persons or entities, acting on behalf of dwelling owners or their tenants, who provide weatherization services on eligible dwellings. Contractors may be for-profit, non-profit, or grantees.

Eligible applicants must satisfy ALL of the following requirements:

- ◆ The respective eligible dwelling must be considered the primary residence of either the dwelling owners or their tenants at the time of application.
 - Allowable dwellings may include detached homes, attached homes or apartments, manufactured dwellings, and floating homes.
 - Recreational vehicles are not eligible.

- ◆ The respective-eligible dwelling must be heated primarily from a fuel obtained from a fuel oil dealer at the time of application as well as once all eligible measures have been completed.
 - All primary heating fuels retailed by eligible fuel oil dealers ARE considered eligible.
 - Primary Hheating fuels not retailed by eligible fuel oil dealers ARE NOT considered eligible (i.e. natural gas, electricity, propane supplied by propane-only dealers).
 - ~~Heat pumps in tandem with oil furnaces are considered primary heat and are eligible.~~
- ◆ The applicant dwellings owners or their contractors must complete eligible energy conservation measures (as indicated in *Eligible Energy Conservation Measures*) upon the respective-eligible dwelling.
- ◆ For-profit contractors only: ~~For those for-profit contractors applying,~~ The amount of the SHOW Program cash payment must be passed forward as a discount to the dwelling owner at the time of payment for the contracted work. If this is not passed forward, the dwelling owner will be considered the applicant for the cash payment.
- ◆ Contractors only: Contractors must confirm that the dwelling owners or their tenants use the dwelling as their primary residence and that primary space heating fuel is obtained from an eligible fuel oil dealer both at the time of application and once all eligible measures have been completed.

Application Procedure

The ~~most recent version of the~~ SHOW Program Cash Payment Application will be available from OHCS on its website. Applicants may also request applications in-person and through mail, electronic mail, or fax. ~~Only o~~nce complete and determined eligible, ~~will~~ applications submitted to OHCS will be considered for SHOW Program cash payments.

Application Submission and Waiting List

Applicants must submit a SHOW Program Cash Payment Application to OHCS, completed to the fullest extent possible, via mail, electronic mail, fax, or in-person delivery. OHCS will date-stamp the applications on receipt prior to distribution to the Program Analyst. The Program Analyst will review applications by order of the receipt date-stamp and will request additional documentation from applicants as needed. All applicants will be informed with a decision regarding their applications by mail. SHOW Program cash payments, if awarded, will be issued by OHCS in the form of checks.

SHOW Program funding will determine the availability of cash payments. The SHOW Program funding year operates from July 1st through June 30th. OHCS will announce any reductions of funding or inabilities to award cash payments on its website. In the case of depleted funding, any applications received by OHCS during this time will be placed on a waiting list and prioritized based on the receipt date-stamp. Once funding becomes available, those applications on the waiting list will be served first, in date-stamp order, and then continue to applications as they are received by OHCS.

Complete Application Summary

To be considered a complete application, an application must have the following components and documentation:

- ◆ Most recent version of the SHOW Program Cash Payment Application
 - The most recent version document will be available on OHCS's website and, at request, by OHCS.
 - All sections of the application must be completed to the fullest extent possible.
 - Incomplete applications will be delayed in processing to await receipt of additional documentation upon request by the Program Analyst.
- ◆ Proof of purchase or delivery of primary heating fuels from a fuel oil dealer
 - Documentation may include, but is not limited to, delivery tags with dealer name and delivery address, billing invoice, or historical account detail printout from dealer.
 - Fuel oil dealers must retail, at a minimum, such fuels labeled as dyed diesel, diesel #1 or #2, or heating oil. If the dealer is considered eligible, other fuels may include, but are not limited to, kerosene, propane, or wood.
- ◆ Receipts or itemized billing statements of all eligible measure costs
 - Receipts must detail how the measures meet eligibility (as indicated in *Eligible Energy Conservation Measures*), including the item installed, the cost of the individual measure, and the value of energy savings (if applicable).
 - For dwelling owners as the applicant, receipts of all eligible energy conservation measures completed All measure costs must be marked paid in full on or before the date of the application (with the exception of non-profit contracted work).
 - For contractors as the applicant, invoices for all eligible energy conservation measures must be completed on or before the date of the application.
- ◆ ~~US Department of Revenue's Form W-9 (if applicable)~~
 - ~~Payment authorization may require verification of the applicant's address.~~
 - ~~OHCS will request the applicant to provide this document only as needed.~~
- ◆ Household income documentation (optional for Tier 1 cash payments)
 - Documentation is required for applicants applying for Tier 1 payments (as indicated in *Cash Payment Tiers and Requirements*) For dwelling owners or their tenants, documentation of income for the household occupying the eligible dwelling to verify proof of low-income status.

- ~~Grantees may substitute documentation with a summary of~~For contractors, verification of income for the household occupying the eligible dwelling to verify proof of low-income status.~~used for internal household eligibility qualification.~~
- The applicant and occupying household may coordinate to submit income documentation separate from the in a sealed envelope with the application, ~~or~~ directly to the SHOW Program Analyst.

Cash Payment Tiers and Maximums

There are two tiers of cash payments available to eligible applicants of the SHOW Program. Eligibility for Tier 1 cash payments is determined by the total household income of the dwelling occupants (i.e. dwelling owner or tenant) at time of application in addition to eligible measures completed. Eligibility for Tier 2 cash payments is determined solely on eligible measures completed.

Applications will be reviewed based on date-stamp submission rather than tier qualification. However, the Director of OHCS may designate a percentage of program funds specifically for the purposes of awarding cash payments to Tier 1 cash payment applicants.

Tier 1 Cash Payments

~~These cash payments are available to eligible applicants who are or who represent low-income households occupying eligible dwellings~~Eligible applicants may qualify for cash payments of Tier 1 based on eligible measures completed at the time of application and after verification of low-income status for the household occupying the eligible dwelling.

Income guidelines for eligibility are updated on an annual basis by USD OE and are available on the OHCS website. Cumulative measure costs have the following established maximums per measure category:

- ◆ Up to ~~\$3,200~~\$5,700 for eligible heating equipment system measures.
- ◆ ~~Up to \$1,000 for eligible heating duct measures.~~
- ◆ ~~Up to \$1,500~~A cumulative total up to \$17,600 for eligible insulation measures completed per dwelling envelope region, which include: (ceiling, subfloor, and wall), for a total across all regions of \$4,500 overall.
 - Up to \$5,900 for ceiling/attic region,
 - Up to \$6,500 for wall region, and
 - Up to \$5,200 for floor/subfloor region
- ◆ ~~Up to \$1,500~~1,800 for eligible window and door measures.
- ◆ Up to \$500 for air infiltration measures.
- ◆ Up to \$1,000 for occupant health and safety and building code requirements.

Tier 2 Cash Payments

~~These cash payments are available to eligible applicants who are or who represent above low-income households occupying eligible dwellings, or those applicants who choose not to disclose household income.~~ Eligible applicants may qualify for cash payments of Tier 2 based on eligible measures completed at the time of application. Cumulative measure costs have the following established maximums per measure category:

- ◆ Up to ~~\$2,000~~\$3,800 for eligible heating ~~equipment~~equipment system measures.
- ◆ ~~Up to \$600 for eligible heating duct measures.~~
- ◆ ~~Up to \$1,000~~A cumulative total up to \$6,600 for eligible insulation measures completed per dwelling envelope region, which include: (ceiling, subfloor, and wall), for a total across all regions of \$3,000 overall.
 - Up to \$3,000 for ceiling/attic region.
 - Up to \$1,800 for wall region, and
 - Up to \$1,800 for floor/subfloor region
- ◆ Up to ~~\$1,000~~\$1,800 for eligible windows and doors measures.
- ◆ Up to \$500 for air infiltration, and
- ◆ Up to \$1000 for occupant health and safety building code requirements.

Lifetime Maximum Payments

Total cash payments over the lifetime of the SHOW Program for all measure categories awarded to a single dwelling may not exceed ~~\$10,200~~\$26,600, which is the maximum cumulative total of Tier 1 cash payments. ~~Any applicant may not submit more than one SHOW Program Cash Payment Application per unique measure per dwelling.~~ No unique measure may be claimed more than once on any SHOW Program Cash Payment Application over the lifetime of the SHOW Program. The aggregate total of awarded cash payments is based on the dwelling rather than the applicant. Dwellings with previously awarded SHOW Program cash payments may still be eligible for the difference between the previous award and the maximums indicated above. The Program Analyst can determine remaining SHOW Program cash payment incentives.

Eligible Energy Conservation Measures

There are five categories of eligible energy conservation measures for SHOW Program cash payments, of which are indicated below. Minimum specifications are identified below, unless local building code or other applicable specifications apply (i.e., contractor-required specifications).;

Heating ~~Equipment System~~ Measures

These measures relate to the systems and equipment used in the production of heat for the dwelling. The goal of these measures is to promote more efficient and less costly heating of the dwelling. The following measures and respective requirements apply to heating equipment system measures in relation to eligibility for SHOW Program cash payments:

- ◆ Installation of new heating equipment that operates with heating fuel obtained from fuel oil dealers and that is more efficient than and replaces existing units, including, but not limited to, furnaces, stoves, and boilers.
 - ~~These units must comply with current USDOE Annual Fuel Utilization Efficiency (AFUE) standards for Oregon (according to 10 CFR 430.32).~~
 - Equipment may include, but is not limited to, furnaces, stoves, and boilers operated with heating fuel obtained from fuel oil dealers.
- ◆ Replacement of heating equipment components, including, but not limited to, burners, electrical controls, and combustion chambers.
- ◆ Installation, replacement, or repair of heating equipment or its components—attached or otherwise—that enables its safe and efficient operation, including, but not limited to, repair of fuel lines and tanks and annual maintenance.
 - ~~These costs may include, but are not limited to, repair of fuel lines, tanks, and ductwork.~~
 - ~~These costs must not include annual maintenance or servicing.~~
- ◆ Insulation, sealing, repair, or replacement of ductwork.
- ◆ Installation of programmable thermostats.
- ◆ ~~Insulation, sealing, repair, or replacement of duckwork.~~

Heating Duct Measures

~~These measures relate to the heating ducts that circulate conditioned and unconditioned air to and from the heating equipment. The goal of these measures is to promote better heat retention and more consistent and equal distribution of heat. The following measures and respective requirements apply to heating duct measures in relation to eligibility for SHOW Program cash payments:~~

- ◆ ~~Insulation of ducts and plenums in unheated spaces (i.e. in crawlspaces and attics); this must be to a minimum of R-8 or to the greatest extent possible.~~
- ◆ ~~Sealing of ducts and plenums.~~

Insulation Measures

These measures relate to the insulation added in the three dwelling envelope regions (ceilings or attics, subfloors, and walls). The goal of these measures is to promote better heat retention. The following measures and respective requirements apply to insulation in dwelling envelope regions in relation to eligibility for SHOW Program cash payments:

- ◆ Insulation of ceiling and attic regions; this must be to a minimum of R-38 or that fills the cavity.
- ◆ Insulation of subfloor regions; this must be to a minimum of R-25 or that fills the cavity.
- ◆ Insulation of exterior or knee wall regions; in exterior walls, this must be to a minimum of R-13 or that fills the cavity; in knee walls, this must be to a minimum of R-21 or that fills the cavity.

Window and Door Measures

These measures include the replacement and weatherization of external windows and doors. The goal of these measures is to promote better heat retention. The following measures and respective requirements apply to window and door measures in relation to eligibility for SHOW Program cash payments:

- ◆ Replacement of windows and storm windows.
 - Each window must meet ~~Energy Star certification for Oregon~~ minimum value rating of U-0.30.
 - In the case where window replacement is not possible, pre-assembled glass or solid acrylic storm windows may be installed. Installation of plastic window weatherizing kits are not eligible measures.
- ◆ Replacement of exterior doors.
 - Exterior doors must either be solid core or ~~insulated with a~~ have a minimum ~~insulation~~ value rating of R-7.
 - Exterior sliding glass doors or ~~patio doors~~ those with glass panels must meet Energy Star certification for Oregon minimum value rating of U-0.30.
 - ~~All exterior doors must be weatherstripped, caulked, and sealed.~~
 - Exterior doors are those in which separate unheated spaces (including garages and basements) from heated, living spaces.

Air Sealing Measures

The goal of these measures is to promote less conditioned air loss, reduce moisture intrusion, and support the other measures applied to the pressure boundary. These measures include, but are not limited to, the ~~but is not limited to,~~ application of caulking, installation of weatherstripping and conducting pressure testing.

~~Whole Dwelling Measures~~ Occupant Health and Safety Measures and Building Code Requirements

The goal of these measures is to address hazards to occupant health and safety. These measures include, but are not limited to, performance of combustion appliance safety testing, repair of electrical components or physical hazards, assessment of fire hazards, addressing moisture intrusion issues, and addressing indoor air quality issues. the

~~installation, replacement, or repair of dwelling construction elements necessary for meeting building code or the specifications of the National Renewable Energy Laboratory (NREL) or required in support of other measures. The goal of these measures is to promote better heat retention and reduce moisture. Measure costs are to be divided across all applicable, eligible measures and count towards those measure maximums (see *Cash Payment Tiers and Maximums*).~~

~~Installation, replacement, or repair of preventative heat loss measures (i.e. weatherstripping and door sweeps).~~

~~Installation, replacement, or repair of moisture reduction measures (i.e. ventilation fans and vapor barriers).~~

~~Installation, replacement, or repair of health and safety measures (i.e. mold and mildew mitigation).~~

~~Installation, replacement, or repair of building code requirements (i.e. crawlspace access and insulation support systems).~~

Measure Specifications

Applicants must submit SHOW Program Cash Payment Applications no more than one year from the date of the installation of eligible measures. Exceptions may be provided by OHCS on a case-by-case basis.

The following specifications apply to multiple-unit residential housing in relation to completed measures:

- ◆ Measures are not required to be uniform across all individual dwellings in a multiple-unit residential housing building.
- ◆ Applications shall only include those [measures and](#) dwellings for which measures were applied.
- ◆ For common or shared measures (i.e. heating systems, insulated dwelling envelope regions, etc.), measure costs shall be prorated by the square footage of each unit affected to the total square footage served by the measures.
- ◆ For dwellings housed among commercial space, the same specifications apply as indicated above in regards to the specifically residential square footage.

In relation to the proration of measure cost in common or shared situations, the following example applies for guidance purposes:

The applicant installs insulation in the entire subfloor region of a duplex. Submitting two applications (one for each unit of the duplex), the applicant will take the total measure cost for the insulation and divide it by two. This will be the measure cost per application for subfloor insulation.

Measures ~~that shift or switch primary heating fuel from that obtained from a fuel oil dealer to another source, such as electricity or natural gas, are not eligible for the SHOW Program.used to eliminate or “switch” the use of primary heating fuel obtained from a fuel oil dealer are not eligible for the SHOW Program. Such measures prohibited through this program may include, but are not limited to, installing a natural gas furnace and disconnecting the fuel oil tank to discontinue use.~~

Household Income Verification

Documents used for the purposes of household income verification are only required for applicants of Tier 1 cash payments. Contractors who screen income verification as part of an entry or intake process may provide OHCS with summary documentation rather than originals. All complete applications and supporting documentation for applicants of both Tier 1 and Tier 2 cash payments will remain confidential with OHCS throughout the duration of file retention until securely shredded.

The following guidelines are to be considered related to declaring household income:

- ◆ Household income includes all sources of income, before any deductions, of all household members occupying the dwelling at the time of application.
- ◆ Earned income (i.e. wages from employment) by household members ages 17 and younger or age 18 and enrolled in high school *is not counted* as household income.
- ◆ Benefit income (i.e. social security or child support) received by or on behalf of household members ages 17 and younger or age 18 and enrolled in high school *is counted* as household income.
- ◆ Household income must be declared consistently by the entire household for either:
 - The *full calendar month prior* to the date of the application; or
 - The *last 30 days prior* to the date of the application.

Types of Income

The following types of income must be declared if received by any member of the household as household income, using copies of the listed documents for income verification:

Type of Income	Required Documentation
Child support or alimony	- Court order - Written statement from person paying
Dividends, interest, or annuities	- Letter, check stub or statement from corporation/bank - Bank statement (if gross amount is deposited)
Earned income or wages	- Pay stubs (not the check) from each payday during the declared period - Written statement from employer indicating gross wages
Foster care support or adoption assistance	- Official state or court documents
Military pay	- Leave and earnings statement
Real property income	- Receipt of payment from tenant for all rental due dates during the declared period
Regular cash gifts	- Written statement from person providing support - Bank statement or other proof of payments
Retirement or pensions	- Letter, check stub or statement from corporation/employer - 1099 tax statement; Bank statement (if gross amount is deposited)
Self-employment income	- Completed Statement of Self-Employment Income with all supporting documentation
Social security, supplemental, and disability income	- Letter (mail or online printout), check stub or statement from the Social Security Administration - SSA 1099 tax statement with current year's increase notification statement - Department of Human Services (DHS) benefits and income printout

	- Bank statement (if gross amount is deposited)
Temporary Assistance for Needy Families (TANF)	- DHS benefits and income printout - Online statement of card deposits
Tribal assistance	- Per capita letter, statement or check stub - Bank statement (if gross amount is deposited)
Unemployment	- Letter or statement from employment office - Online printout of unemployment payments for each week of the declared period
Veterans' benefits	- Letter, check stub or statement from the Department of Veterans' Affairs - Bank statement (if gross amount is deposited)
Workers' compensation	- Current benefit award letter or check stub - Letter or written statement from corporation/provider - Bank statement

When considering household income, the following examples apply for guidance purposes:

The applicant applies for a Tier 1 cash payment on July 15th. The household members are two siblings, who both need to declare their income. The older sibling is retired and receives social security retirement benefits every month on the 5th. The younger sibling is employed full-time and receives wages every other Friday.

For the previous full calendar month (June 1st-June 30th): Documentation copies will include the social security award letter for benefits received on June 5th and paystubs for checks received on June 1st, 15th, and 29th.

For the previous 30 days (June 15th-July 14th): Documentation copies will include the social security award letter for benefits received on July 5th and paystubs for checks received on June 15th and 29th and July 13th.

The applicant receives social security benefits on behalf of a child in the household (age 3) who is disabled. The applicant must claim the benefits as household income.

Documentation copies include the social security award letter for benefits.

The applicant receives retirement benefits on behalf of a deceased spouse. The applicant must claim the benefits as household income.

Documentation copies include the letter for benefits.

Income Guidelines

To qualify for Tier 1 cash payments, applicants' household income must be at or below 200% Federal Poverty Level, as established by the USDOE. The income guidelines are available from the USDOE's website.

Installation Warranty Requirements

Any contractor or Grantee who completes eligible energy conservation measures, either as the applicant or on behalf of the dwelling owners and tenants, must provide warranty of installation. The following requirements must be met in relation to the installation:

- ◆ The installing contractor must comply with all applicable federal, state, and local laws and regulations when completing eligible measures.
- ◆ The installing contractor must provide warranties on labor and installation of energy conservation measures for up to one year after the installation date. The installing contractor must pass on any warranties on materials, manufacturing process, and design to the dwelling owner.

Remedies and Repayment of Falsified Applications

Applicants who knowingly make false statements or misrepresentations of any factor with respect to eligibility or who falsify application materials must repay all SHOW Program cash payments paid to them under the false information. The remedies provided for in this rule are in addition to any civil or criminal fines or penalties applicable under law, including any applicable provisions of federal, state, or local law. Failure to follow these rules will make the applicants ineligible for future eligibility under the SHOW Program.

AMEND: 813-207-0020

RULE SUMMARY: Establishes the program funding and statutory requirements surrounding its collection process.

CHANGES TO RULE:

813-207-0020

Program Funding

(1) The SHOW Program is funded through the Petroleum Supplier Assessment (PSA), which OHCS may conduct annually. When OHCS conducts the PSA, OHCS must assess the petroleum suppliers' gross operating revenue derived from wholesale distribution of distillate fuel oil in Oregon, which does not include gallons of fuel subject to tax outlined in Article IX, section 3a, of the Oregon Constitution, ORS 319.020, or ORS 319.530. ¶

(2) OHCS shall ~~attempt~~ convene a public meeting to engage essential program stakeholders and other interested parties on an annual basis to discuss proposed program funding requirements and projected allocations, even if OHCS elects not to conduct an assessment. Essential program stakeholders may include, but are not limited to, petroleum suppliers, fuel oil dealers, and related representative organizations. ¶

(3) OHCS must conduct the PSA following the specific instructions outlined in the Manual. ¶

(4) OHCS must deposit funds generated from the PSA into the Oil-Heated Dwellings Energy Account.

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: Oregon Constitution (Article IX, section 3a), ORS 319.020, 319.530, ORS 456.594-456.599

AMEND: 813-207-0040

RULE SUMMARY: Establishes the eligible program participants and dwellings.

CHANGES TO RULE:

813-207-0040

Eligible Applicants & Dwellings

The following applicants and dwellings are eligible to apply for SHOW Program cash payments, based on each eligible measure completed (see OAR 813-207-0060):¶

~~(1) For dwelling owners of eligible dwellings may receive cash payments for completing eligible measures as the applicant.¶~~

~~(a) Dwelling owners or their contractors may complete the measures. ¶~~

~~(b) Dwelling owners or their tenants must use the dwellings as their primary residence and obtain primary space heating fuel from an eligible fuel oil dealer at the time of application.¶~~

~~(2) ¶~~

~~(c) Dwelling owners must continue to obtain primary space heating fuel from an eligible fuel oil dealer once all eligible measures have been completed.¶~~

~~(2) For contractors (including for-profit, non-profit, and grantees), acting on behalf of dwelling owners or their tenants, may receive cash payments for completing eligible measures on eligible dwellings as the applicant.¶~~

~~(a) Contractors may complete the measures on behalf of dwelling owners or their tenants. ¶~~

~~(b) For-profit contractors must pass forward the amount of the cash payment as a discount to the dwelling owner at time of payment for the contracted work. ¶~~

~~(c) Contractors must confirm that the dwelling owners or their tenants ~~must~~ use the dwellings as their primary residence and ~~obtain that~~ primary space heating fuel ~~from a~~ is obtained from an eligible fuel oil dealer both at the time of application and once all eligible measures have been completed.~~

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: ORS 456.594-456.599

AMEND: 813-207-0050

RULE SUMMARY: Establishes the application process and documents required within.

CHANGES TO RULE:

813-207-0050

Application Procedure

(1) All applicants must submit a complete SHOW Program Cash Payment Application to OHCS to be considered for eligibility for SHOW Program cash payments. OHCS will make applications available for public access. Documentation for proof of eligibility is indicated in the Manual.¶

(2) Complete applications for SHOW Program cash payments must include:¶

(a) ~~The most recent version of the OHCS-SHOW Program Cash Payment Application, completed in full.~~¶

(b) Proof of purchase from or delivery by a fuel oil dealer for primary heating fuel for the eligible dwelling.¶

(c) ~~Receipts of all eligible~~Proof of energy conservation items and measures. ~~Dwelling owners and for-profit contractors must include purchase receipts for services~~measures installed:¶

(A) For dwelling owners as the applicant, receipts of all eligible energy conservation measures completed must be marked paid in full on or before the date of the application.¶

(dB) Completed Form W-9 of the U.S. Department of Treasury Internal Revenue Service (if applicable and requested by OHCS)For contractors as the applicant, invoices for all eligible energy conservation measures must be completed on or before the date of the application.¶

(ed) (For Tier 1 cash payments only) Documentation to provide proof of low-income status ofProof of low-income status (for Tier 1 cash payments only if eligible):¶

(A) For dwelling owners or their tenants, documentation of income for the household occupying the eligible dwelling to verify proof of low-income status.¶

(B) For contractors, verification of income for the households occupying the eligible dwellings, as specified in the Manual to verify proof of low-income status.¶

(3) OHCS will review applications for eligibility on a first-come, first-served basis and award cash payments subject to availability of funding.

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: ORS 456.594-456.599

RULE SUMMARY: Establishes the cash payment tiers and eligible measure category with lifetime cumulative payments.

CHANGES TO RULE:

813-207-0060

Specifications of Cash Payments

(1) All eligible applicants who submit a completed SHOW Program Cash Payment Application to OHCS may qualify for cash payments of the following tiers:¶

(a) ~~Tier 1: These cash payments may be available to eligible applicants who are or who represent low-income~~ Eligible applicants may qualify for cash payments of Tier 1 based on eligible measures completed at the time of application and after verification of low-income status for the households occupying the eligible dwellings. Cash payments may be awarded following these cumulative maximums per measure category and are subject to paragraph (2) of this section:¶

(A) ~~Up to \$3,25,700~~ for eligible heating equipmentsystem measures.¶

(B) ~~Up to \$1,000~~ for eligible heating duct measures.¶

~~(C) UA cumulative total up to \$1,57,600~~ for eligible insulation measures completed per dwelling envelope region (ceiling, subfloor, and wall), for a cumulative total of \$4,500, which include:¶

(i) Up to \$5,900 for ceiling/attic region.¶

(ii) Up to \$6,500 for wall region, and¶

(iii) Up to \$5,200 for floor/subfloor region.¶

~~(D)~~ Up to \$1,5800 for eligible window and door measures.¶

~~(b) Tier 2: These cash payments may be available to eligible applicants who are or who represent above low-income households occupying eligible dwellings, or those applicants who choose not to disclose household income~~ Up to \$500 for air infiltration, and¶

(E) Up to \$1,000 for occupant health and safety and building code requirements.¶

(b) Tier 2: Eligible applicants may qualify for cash payments of Tier 2 based on eligible measures completed at the time of application. Cash payments may be awarded following these cumulative maximums per measure category and are subject to paragraph (2) of this section:¶

(A) ~~Up to \$2,03,800~~ for eligible heating equipmentsystem measures.¶

(B) ~~Up to \$600~~ for eligible heating duct measures.¶

~~(C) UA cumulative total up to \$1,06,600~~ for eligible insulation measures completed per dwelling envelope region (ceiling, subfloor, and wall), for a cumulative total of \$3,000, which include:¶

(i) Up to \$3,000 for ceiling/attic region.¶

(ii) Up to \$1,800 for wall region, and¶

(iii) Up to \$1,800 for floor/subfloor region.¶

~~(D)~~ Up to \$1,0800 for eligible window and door measures.¶

(D) Up to \$500 for air infiltration, and¶

(E) Up to \$1,000 for occupant health and safety and building code requirements.¶

(2) Total cash payments over the lifetime of the SHOW Program for all measure categories awarded to a single dwelling may not exceed \$10,200. Any applicant may not submit 26,600.¶

(3) No unique measure may be claimed more than once on any SHOW Program Cash Payment Application over unique measure per dwelling the lifetime of the SHOW Program.¶

~~(34)~~ The OHCS Director may designate and reserve a percentage of SHOW Program funds specifically for the purposes of awarding Tier 1 cash payments.

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: ORS 456.594-456.599

RULE SUMMARY: Establishes the energy conservation measure categories and specifications around each category.

CHANGES TO RULE:

813-207-0070

Eligible Energy Conservation Items and Measures

(1) Energy conservation items and measures listed below are eligible for SHOW Program cash payments and are ~~subject to eligibility requirements in the Manual~~ intended for the purposes of improving the space heating and energy utilization. Measures are subject to eligibility requirements and specifications as outlined in the Manual. Minimum specifications are identified below, unless local building code or other applicable specifications apply (see OAR 813-207-0080).¶

(a) Heating equipment ~~system~~ measures:¶

(A) Installation of new heating equipment that ~~replaces existing units and complies with current USDOE Annual Fuel Utilization Efficiency (AFUE) standards for Oregon. Equipment may operate with heating fuel obtained from fuel oil dealers and is more efficient than and replaces existing units,~~ includeing, but is not limited to, furnaces, stoves, and boilers.¶

(B) Replacement of heating equipment components, including, but not limited to, burners, electrical controls, and combustion chambers.¶

(C) Installation, replacement, or repair of heating equipment or its components-attached or otherwise-that enables its safe and efficient operation. ~~Eligible measures may, include~~ing, but are not limited to, repair of fuel lines, tanks, and ductwork. ~~Ineligible measures include and tanks and annual maintenance and servicing.~~¶

(D) Installation of programmable thermostats.¶

~~(b) Duct measures:¶~~

~~(A) Insulation of ducts and plenums in unheated spaces to a minimum of R-8 or to the greatest extent possible.¶~~

~~(B) Sealing of ducts and plenum, sealing, repair, or replacement of ductwork.¶~~

~~(E) Installation of programmable thermostats.¶~~

~~(e) Insulation measures:¶~~

~~(A) Insulation of ceiling and attic regions to a minimum of R-38 (or that fills the cavity).¶~~

~~(B) Insulation of subfloor regions to a minimum of R-25 (or that fills the cavity).¶~~

~~(C) Insulation of exterior wall regions to a minimum of R-13 (or that fills the cavity) and knee wall regions to a minimum of R-21 (or that fills the cavity).¶~~

~~(d) Window and door measures:¶~~

~~(A) Replacement of exterior windows that meet Energy Star certification for Oregon a minimum value rating of U-0.30. Pre-assembled glass or solid acrylic storm windows may serve as a substitute in the case where window replacement is not possible are considered eligible substitutions of permanent glass windows.¶~~

~~(B) Replacement of exterior doors with insulation value to a minimum of R-7 or have a solid core. Exterior sliding glass or patio doors that meet a minimum value rating of U-0.30. To be eligible, exterior doors must separate unheated spaces (including glass doors or those with glass panels must meet Energy Star certification for Oregon. Exterior doors are those in which areas such as garages and basements) from heated, living spaces.¶~~

~~(C) Replacement of exterior insulated doors that meet a minimum value rating of R-7 or that have a solid core. To be eligible, exterior doors must separate unheated spaces (including areas such as garages and basements) from heated, living spaces.¶~~

~~(e) Whole dwelling Air sealing measures:¶~~

~~(A) Installation, replacement, or repair of dwelling construction elements necessary to meet local building code requirements or specifications of the National Renewable Energy Laboratory (NREL). Measures include, but is not limited to, application of caulking, installation of weatherstripping, and conducting pressure testing.¶~~

~~(e) Occupant health and safety measures and building code requirements: Includes, but are is not limited to, those that serve the purpose of:¶~~

~~(i) Preventing dwelling heat loss;¶~~

~~(ii) Promoting air exchange to reduce moisture; or¶~~

~~(iii) Promoting the health and safety of the occupying household members.¶~~

~~(B) Eligible costs in this measure category are to be distributed throughout and apply towards the maximum cash payments of the other categories listed in paragraphs (a)-(d). performance of combustion appliance safety testing, repair of electrical components or physical hazards, assessment of fire hazards, addressing moisture intrusion issues, and addressing indoor air quality issues.¶~~

(2) Applicants must submit SHOW Program Cash Payment Applications no more than one year from the date of installation of eligible measures. OHCS may provide exceptions on a case-by-case basis.¶

(3) For dwellings in multi-unit residential housing or commercial buildings:¶

(a) Applicants are not required to complete uniform measures across all dwellings. ~~Applicants must apply for only those dwellings in which they completed eligible measures.~~ SHOW Program Cash Payment Applications should reflect those actual measures completed.¶

(b) Common or shared measure costs, such as those incurred when replacing a shared heating system or insulating a common subfloor in a duplex, must be prorated by the square footage of each dwelling unit affected to the total dwelling square footage served by the measures.¶

(4) Fuel-switching measures that ~~eliminate the use of~~ shift primary heating fuel from that obtained from a fuel oil dealer to another source, such as electricity or natural gas, are not eligible for SHOW Program cash payments.

Statutory/Other Authority: ORS 456.594-456.599

Statutes/Other Implemented: ORS 456.594-456.599, 10 CFR 430.32 Chapter II Subchapter D