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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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August 2, 2007

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GREGG A. ROTHSCHILD, CHIEF COUNSEL

Gregory J. Yurek, Ph.D.  
President and CEO  
American Superconductor Corporation  
Two Technology Drive  
Westborough, MA 01581

Dear Dr. Yurek:

Under Rules X and XI of the Rules of the United States House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the history of the contract awarded by the Department of Homeland Security (DHS) to American Super Conductor (AMSC) and Consolidated Edison (ConEd) for "Project Hydra," a project to develop electricity grids in New York City, which can withstand major disruptions.

A May 21, 2007, press announcement states that the DHS Science and Technology Directorate, which is headed by Under Secretary Jay M. Cohen, will provide up to \$25 million of the total project cost of \$39.3 million to develop technology for "Secure Super Grids." The press release claims that the new grids will use high temperature superconductor wires, power cables, and ancillary controls to deliver more power, while suppressing power surges that can disrupt service.

While AMSC had initially proposed a joint project with the Long Island Power Authority (LIPA) to Under Secretary Cohen, he apparently required AMSC to contract with ConEd in New York City instead. We note, however, that AMSC subsequently persuaded the Department of Energy (DOE) to fund AMSC to conduct a project with LIPA.

In order to understand the genesis of the contract awarded by DHS, the Committee requests the following documents, which form the foundation for this contract award, including:

- 1) Written correspondence and e-mail communications between AMSC (and its representatives) and DHS officials and contractors or consultants between January 1, 2006, and June 19, 2007;

- 2) Written correspondence and e-mail communications between AMSC (and its representatives) and DOE officials between January 1, 2006, and June 19, 2007, pertaining to the AMSC proposal with LIPA;
- 3) The names, titles, and contact information for all AMSC employees, contractors, and consultants working on the DHS project;
- 4) The names, titles, and contact information for all AMSC employees, contractors, and consultants working on the DOE project;
- 5) The original proposal to DHS for a joint project with LIPA, including scope, schedule, budget, and purpose;
- 6) The proposal to DOE for a joint project with LIPA, including scope, schedule, budget, and purpose;
- 7) Proposals to DHS from AMSC, including the February 5, 2007, proposal, the February 10, 2007, revised proposal (Revision 1), the March 1, 2007, revised proposal (Revision 2), and a revised proposal (Revision 3) submitted at a subsequent date;
- 8) Joint proposed work scope submitted by AMSC and ConEd to DHS on March 20, 2007;
- 9) Documents related to the acceptance of the AMSC–ConEd proposal by DHS;
- 10) Criteria and methods for evaluation of both projects;
- 11) All records of communications between AMSC, its contractors or subsidiaries, and Jay M. Cohen from 1987 to date;
- 12) All records of AMSC, its contractors or subsidiaries, reflecting any meetings, communications, contacts, gifts, or remuneration made to or on behalf of Jay M. Cohen or any member of his family from 1987 to date; and
- 13) All records of meetings or communications between any member of the Board of Directors of AMSC, including but not limited to, Albert Bociocco, Jr. and David R. Oliver, Jr., and Jay Cohen or any member of his family from 1987 to date.

The Committee would welcome a briefing on your contracting with the United States Navy, both the DHS and DOE projects, the history of the DHS project, including the way in which DHS added ConEd as your teaming partner, the history of your efforts to secure the project with LIPA from DOE, the criteria and methods for evaluating both projects, and whether

Mr. Gregory Yurek  
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there is an interrelationship between the DOE and DHS projects. The Committee would also welcome an explanation of why AMSC approached DHS with the proposal for a project with LIPA, when DOE is the Federal agency with primary responsibility for ensuring electricity reliability.

Please note that, for the purpose of responding to these requests, the terms “records” and “relating” should be interpreted in accordance with the attachment to this letter.

Please provide these documents no later than two weeks from the date of this letter. If you have any questions or would like to schedule a briefing, please contact us or Richard Miller with Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell  
Chairman



Bart Stupak  
Chairman  
Subcommittee on Oversight and Investigations

Attachment

cc: The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable Ed Whitfield, Ranking Member  
Subcommittee on Oversight and Investigations

## ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.
2. The terms "relating," or "relate" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.