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Governor

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March 20, 2009

Serial: 418

The Honorable Steven Chu
Secretary
U. S. Department of Energy
1000 Independence Avenue, SW
Washington, D. C. 20585

RE: State Energy Program (SEP) Assurances

Dear Secretary Chu:

Pursuant to Title IV, Section 410 of the American Recovery and Reinvestment Act [P. L. 111-5 (Feb. 17, 2009)] (ARRA) and as a condition of receiving our Territory's share of the \$3.1 billion funding for the State Energy Program (SEP), I, Togiola T. A. Tulafono, the Governor of the Territory of American Samoa, do hereby notify you that I have obtained necessary assurances that each of the following will occur:

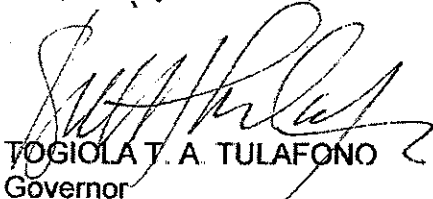
1. The Office of the Governor and other appropriate ASG agencies will earnestly work with the Territory's utilities to implement a general policy that ensures that utility financial incentives are aligned with helping their customers use energy more efficiently and that provide timely cost recovery and a timely earnings opportunity for utilities associated with cost-effective measurable and verifiable efficiency savings, in a way that sustains or enhances utility customers' incentives to use energy more efficiently.
2. The Territory of American Samoa will adopt – (a) a building energy code (or codes) for residential buildings that meets or exceeds the most recently published International Energy Conservation Code, or achieves equivalent or greater energy savings; (b) a building energy code (or codes) for commercial buildings throughout the Territory that meets or exceeds the ANSI/ASHRAE/IESNA Standard 90.1-2007, or achieves equivalent or greater energy savings; and (c) a plan for the Territory achieving compliance with the building energy code (or codes) described in (a) and (b) immediately above within 8 years of the date of enactment of the ARRA (i.e. February 17, 2017) in at least 90 percent of new and renovated residential and commercial building space. Such plan will include active training and enforcement programs and measurement of the rate of compliance each year.

3. The Territory of American Samoa will to the extent practicable prioritize the grants toward funding energy efficiency and renewable energy programs, including, but not limited to – (a) the expansion of existing energy efficiency programs approved by the Territory, including energy efficiency retrofits of buildings and industrial facilities, that are funded by the Territory or through utility rates, to the extent practicable; (b) the expansion of existing programs, approved by the Territory, to support renewable energy projects and deployment activities, including programs operated by entities which have the authority and capability to manage and distribute grants, loans, performance incentives, and other forms of financial assistance; and (c) cooperation and joint activities between States and Territories to advance more efficient and effective use of this funding to support the priorities described herein. American Samoa will continue to prioritize its energy investments to fully take advantage of existing programs and expand programs, where necessary and appropriate.

We are committed to a rigorous and balanced Territorial energy policy that will result in dramatic improvements in energy efficiency and renewable energy. Please be assured that, within the limits of my authority, we will forge ahead in these critical areas.

We look forward to the swift distribution of SEP funds provided under ARRA to allow American Samoa to make significant progress in energy efficiency and renewable energy.

Respectfully submitted,



TOGIOLA T. A. TULAFONO
Governor

cc: Hon. Faoa A. Sunia
Lt. Governor, Territory of American Samoa

Gil Sperling, Director
Office of Weatherization and Intergovernmental Programs
U. S. Department of Energy

Reupena Tagaloa, Acting Director, Territorial Energy Office, American Samoa

Pat M. Galea'i, American Samoa State ARRA Coordinator

David Terry, Executive Director, National Association of State Energy Officials