

DEPARTMENT OF ENERGY
REDELEGATION ORDER NO. ~~00-002.19.02~~ LP1-DEL-LP10-2019
TO THE DIRECTOR, LOAN ORIGINATION DIVISION, LOAN PROGRAMS OFFICE

1. REDELEGATION. Under the authority vested in me as the Executive Director, Loan Programs Office, and pursuant to section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252) and Delegation Order 00.002.19, I delegate to the Director, Loan Origination Division, Loan Programs Office, authority to take the following actions:

- 1.1 Serve as the Contracting Officer to enter into, administer, and terminate:

- A. Loan guarantee agreements and all related nonprocurement documents associated with loan guarantees issued pursuant to Title XVII of the Energy Policy Act of 2005, as amended (42 U.S.C. 16511-16514) ("Title XVII") (such agreements and documents, collectively "Title XVII Loan Guarantee Agreements").
- B. Loan guarantee agreements and all related nonprocurement documents associated with loan guarantees issued pursuant to Title XXVI of the Energy Policy Act of 1992, as amended (25 U.S.C. 3502(c)) ("TELGP") (such agreements and documents, collectively "TELGP Loan Guarantee Agreements" and, together with Title XVII Loan Guarantee Agreements, "Loan Guarantee Agreements").
- C. Loan agreements and all related nonprocurement documents associated with loans issued pursuant to Section 136(d) of the Energy Independence and Security Act of 2007, as amended (42 U.S.C. 17013(d)) (the "ATVM Statute") (such agreements and documents, collectively "ATVM Loan Agreements").
- D. Term Sheets and conditional commitments related to Loan Guarantee Agreements and ATVM Loan Agreements (the "Conditional Commitments"), including the right to terminate Conditional Commitments in accordance with their terms; provided, however, that this authority shall not include the right to terminate a Conditional Commitment for loan guarantees issued under Title XVII pursuant to the authority that is expressly reserved to the Secretary under 10 CFR Part 609.2.
- E. The foregoing authority (under subparagraphs A through D above) to administer Loan Guarantee Agreements, ATVM Loan Agreements and

Conditional Commitments shall include, without limitation, the authority to:

1. Extend the date by which an offer of a Conditional Commitment must be accepted;
2. Extend the expiration date of a Conditional Commitment;
3. Enter into amendments to, or waivers and consents respecting the provisions of, Loan Guarantee Agreements, ATVM Loan Agreements, and Conditional Commitments, including in connection with the work out or restructuring plan approved by the Executive Director, Loan Programs Office, after consultation with the Secretary.

1.2 The foregoing authority shall be exercised only after the Secretary; the Under Secretary (of Energy); the Executive Director, Loan Programs Office; or his/her delegate has:

- A. With respect to a Loan Guarantee Agreement or ATVM Loan Agreement, granted final approval of such agreement; or
- B. With respect to a Conditional Commitment, granted approval of such Conditional Commitment.

2. RESCISSION. Redelelegation Order Nos. 00-014.02A and 00-014.05A and are hereby rescinded.

3. LIMITATION.

- 3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary.
- 3.2 Nothing in this Order precludes the Secretary; the Under Secretary (of Energy); or the Executive Director, Loan Programs Office from exercising any of the authority delegated by this Order.
- 3.3 Any amendments to this Order shall be made in consultation with the Department of Energy General Counsel.

4. AUTHORITY TO REDELEGATE. These authorities may not be redelegated.

5. DURATION AND EFFECTIVE DATE.

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to an in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective Sept. 18, 2019.

A handwritten signature in black ink, appearing to be 'Dong Kim', written over a horizontal line.

Dong Kim
Acting Executive Director
Loan Programs Office