

EFS Application Processing Changes

Currently, OPS accepts and processes protests of unallowed EFS costs where the costs are not included on the EFS, or the costs exceed the activity budget. In these situations, typically, a CAP modification that includes these unallowed costs either will, or has been submitted. Upon negotiation and approval of the CAP modification, if the costs are determined to be allowable, the protest is then processed for payment. However, this process has resulted in a backlog of nearly 100 protests that are waiting on approval of the CAP modification.

Therefore, for all reimbursement applications submitted after July 1, 2009, OPS will begin enforcing the following requirement found in 7 CCR 1101-14 §8-2(e):

"Subject to Committee policies regarding reimbursement, all applications must comply with all corrective action requirements and a corrective action plan (including a technical and economic feasibility study) must be approved before costs, which would be associated with the corrective action are eligible. The applicant can be required to provide proof that all corrective action requirements have been met."

As of July 1, 2009 applications submitted with costs not included on the approved EFS or costs that exceed the approved activity budget are not eligible and associated protests will be dismissed. To avoid legitimate EFS costs from becoming not eligible, applications for reimbursement must not be submitted until after the corresponding EFS and/or CAP modification has been approved by OPS.

Any protests of unallowed EFS costs, as described, related to applications submitted prior to July 1, 2009 will be evaluated via the current process described in the first paragraph.