

Cypress Creek Renewables (“CCR”), LLC appreciates the opportunity to respond to the Illinois Power Agency’s (“IPA”) request for comments related to community solar capacity allocation for the waitlist blocks.

CCR is in general agreement with the responses provided by the Joint Solar Parties (“JSP”) on the IPA’s questions on this subject with one exception. We provide our view on this exception below.

F. Should a 500 kW minimum award apply across both waitlists for Approved Vendors eligible for a minimum award from each? Stated differently, if an Approved Vendor has only one project on each waitlist, should a 500 kW allocation be made for each? If not, how should the Agency determine to which group the allocation is made?

Cypress Creek Response: No, on the matter of the community solar waitlist allocation, the legislation says: *Each participant firm having a waitlisted project eligible for selection shall receive no less than 500 kilowatts in awarded capacity across all groups, and no approved vendor may receive more than 20% of each Group’s waitlist allocation.*¹ (emphasis added) The legislation makes a clear distinction here between *across all groups* and *each group*. If it intended to apply the 500 kW minimum award to each group, it would have said *each*, as it did in the case of the Approved Vendor (“AV”) cap. Instead, it clearly specifies that this is to be applied *across all groups* (Group A and Group B), meaning that no Approved Vendor should be allocated less than 500 kW in aggregate. If the AV has under 500 kW in each group and the sum across all groups is less than 500 kW, then we believe that the AV should receive additional capacity in the Group where they had the higher allocation of capacity in absolute (kW) terms based on their proportional allocation, up to the point that they receive an aggregate capacity allocation of 500 kW across all groups. If they receive an allocation under 500 kW in one or both groups but an allocation above 500 kW across all groups, then the AV should not receive any additional allocation.

¹ SB2408, Page 346