



November 17, 2021

via Email

Illinois Power Agency
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Re: Response to Community Solar Capacity Allocation Feedback Request

Illinois Power Agency,

US Solar offers the following in response to the Agency's November 3, 2021 request for feedback regarding the Agency's proposed approach to capacity allocation for waitlisted community solar projects.

Response to questions for stakeholder feedback:

A. After allocations, but prior to Approved Vendors providing project portfolios back to the IPA, should Approved Vendors be permitted to transfer allocated capacity to other Approved Vendors?

US Solar does not have an objection to allowing this. In theory, allowing transfers should allow for more of the allocated MWs to be actually built in a timely manner at scale.

B. If an Approved Vendor (and its affiliates) presently has more than 20% share of a waitlist's capacity, should that excess allocation automatically be reapportioned to other Approved Vendors? Or should that allocation above 20% instead be available to the original Approved Vendor for transfer, with a requirement instead that the original Approved Vendor's final portfolio of projects does not exceed 20% of waitlist capacity?

The maximum 20% allocation should apply to each Approve Vendors' waitlisted projects **prior** to the transfer of any projects to another Approved Vendor, otherwise the 20% limit in statute would be illusory from an economic perspective.



- C. *Should the confirmation of affiliations of Approved Vendors include adjustments made between September 15, 2021 and the due date for confirmation of responses, whether due to the sale of either specific projects, or changes in the ownership of Approved Vendors?*

We believe the relevant date for affiliation confirmation should be September 15, 2021, since that is the effective date of the Clean and Equitable Jobs Act.

- D. *Are the Agency's proposed guidelines for project nameplate capacity and expected production adjustments appropriate?*

The proposed guidelines strike us as both reasonable and workable.

- E. *Should Approved Vendors be allowed to propose projects based on an overall award of capacity (with that capacity allocated taken from a proportionate amount of each waitlist), regardless of the Group (i.e., geographic location) of those projects? If so, how can the Agency maintain the integrity of the 30% Group A/70% Group B split outlined in Section 1-75(c)(1)(G)(iv)(3)(A)?*

We enthusiastically support the ability for Approved Vendors to allocate the awarded capacity to their preferred community solar projects across the two waitlist groups. Providing this additional flexibility would allow Approved Vendors to better optimize and select the projects that are in the best position to quickly move forward and interconnect at the lowest reasonable cost. It would allow for the best community solar projects to move forward, and could reduce REC costs for the IPA by unlocking additional opportunities for project co-location.¹

Because each Approved Vendor is differently situated, there is a good chance that capacity transfers would take place in both directions: from Group A to Group B and vice versa. If it's thought necessary to satisfy the 30/70 percent capacity ratio, the Administrator could award capacity transfers requests in a pairwise fashion, as additional capacity transfer requests are submitted. For example, the first application to transfer a 2-MW award from the Group A waitlist to the Group B waitlist would be held until the Administrator receives an offsetting application to transfer capacity in the other direction (from Group B to Group A). Under this approach, most (if not all) capacity-transfer requests could likely be accommodated while also satisfying the 30/70 percent capacity ratio.

¹ For example, if an Approved Vendor were awarded 2 MWs of waitlist capacity in Group A and 2 MWs in Group B, the ability to transfer capacity across groups could enable a 4-MW co-located project in Group A (or Group B) territory, assuming the Approved Vendor had 4-MW of co-located project on either of the two waitlists.



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?

Yes, as the language of the Clean and Equitable Jobs Act makes clear, the 500-kW minimum capacity should apply to each Approved Vendor across both ordinal waitlists (*i.e.*, Group A and Group B combined):²

(B) Contract awards for waitlisted projects shall be allocated proportionate to the total nameplate capacity amount ***across both ordinal waitlists*** associated with that applicant firm or its affiliates, subject to the following conditions.

(i) Each applicant 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.

For the scenario referenced in the prompt, where a hypothetical Approved Vendor has one community solar project on each waitlist, the Agency should award no less than 500 kilowatts total to the Approved Vendor, in consideration of the Approved Vendor's community solar projects across both waitlists. Once the Agency allocates the 500 kilowatts (total) to the hypothetical Approved Vendor, they should then be allowed to choose which of their community solar projects in either of the two waitlist groups will move forward with the 500-kW capacity award.

G. Are there additional aspects of capacity allocation that the Agency should consider to ensure that all capacity can be used by waitlisted projects to fill the 250 MW total block capacity?

No comment at this time.

² Section 1-75(c)(1)(G)(iv)(3) of the IPA Act, as amended (emphasis added).



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Sincerely,

s/ *Ross Abbey*

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