

# Program Guidebook

Illinois Shines (Adjustable Block Program/~~Illinois~~  
~~Shines~~)

~~Updated October 25, 2022~~<sup>1</sup>-Draft Version Released for Public  
Comment March 14 2023

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<sup>1</sup>-~~Updated October 25, 2022 to adhere with corrected version of Traditional Community Solar Project Selection Final Guidelines.~~

# Program Guidebook – ~~Adjustable Block Program~~/Illinois Shines

## Table of Contents

Introduction .....	5
Section 1: Program Description and Background .....	7
A. Establishment of Program .....	8
B. Program Administrator and IPA .....	10
C. Program Requirements and Key Documents .....	11
D. Program Categories .....	12
E. Block Structure .....	42
F. Block Closing .....	43
G. Waitlist Procedures .....	43
H. Uncontracted Capacity .....	45
I. REC Pricing .....	47
Section 2: Approved Vendors .....	49
A. Approved Vendor Overview and Requirements .....	49
B. Equity Eligible Contractor Application .....	54
C. General AV Attestation and EEC Certification .....	55
D. Evaluation Criteria for Approved Vendors .....	58
E. Approved Vendor Application Review and Appeal Procedure .....	59
F. Confidentiality .....	60
G. Designees and Designee Registration .....	61
H. Equity Eligible Contractor Designees .....	64
Section 3: Consumer Protection .....	65
A. Customer Service and Consumer Complaints .....	65
B. Process for Consumer Protection Violations and Potential Violations .....	66
C. Consequences for Violations of Program Requirements .....	70
Section 4: System Eligibility .....	73

A. System Location.....	73
B. Interconnection Date.....	73
C. New Equipment.....	73
D. Installer Requirements.....	73
E. Expansions.....	74
F. Co-location of Distributed Generation Projects.....	75
G. Co-location of Community Solar Projects.....	76
H. Site Control.....	78
I. Site Map.....	78
J. REC Quantity Calculation.....	78
K. System Size.....	80
L. Systems with Battery Backup.....	80
M. Systems that Directly Serve DC Loads.....	81
N. Metering.....	82
O. Partial Systems.....	82
P. Rate Recovery.....	83
Q. Prevailing Wage Requirements.....	83
Section 5: Project Applications.....	86
A. Part I Application Process.....	89
B. Part II Application Process.....	99
C. Inspections.....	100
D. Energized Systems.....	101
E. Community Solar Specific Requirements.....	101
F. Required Information.....	104
Section 6: Renewable Energy Credit Management and Assignments.....	113
A. REC Delivery.....	113
B. Assignment of REC Contracts.....	115
C. Community Solar Under the REC Contract.....	118
Section 7: Annual Reports and Performance Evaluation.....	121
A. Annual Report Requirements.....	121
B. Minimum Equity Standards Compliance Plan.....	122
C. Collateral and Performance Evaluation Mechanics.....	123

<u>Section 8: Invoicing and Payments .....</u>	<u>127</u>
<u>Section 9: Guidebook Update Process.....</u>	<u>131</u>
<u>Section 10: Glossary .....</u>	<u>132</u>
<u>Appendix A – Past REC Prices.....</u>	<u>138</u>
<u>Appendix B – EEC Certification .....</u>	<u>141</u>
<u>Appendix C – Agrivoltaics Requirements .....</u>	<u>143</u>
<u>Appendix D – Brownfield Requirements .....</u>	<u>145</u>
<u>Appendix E - Scoring Criteria for Traditional Community Solar Projects.....</u>	<u>148</u>
<u>Appendix F – Community-Driven Community Solar Scoring Criteria .....</u>	<u>157</u>
<u>Appendix G - List of Information Collected in Approved Vendor Application.....</u>	<u>160</u>
<u>Appendix H - Approved Vendor Attestation.....</u>	<u>164</u>
<u>Appendix I – Part I Application Requirements.....</u>	<u>166</u>
<u>Appendix J – Part II Application Requirements .....</u>	<u>167</u>
<u>Appendix K – Minimum Equity Standard Waivers .....</u>	<u>168</u>
<u>Appendix L – Extension Request Process .....</u>	<u>173</u>
<u>Appendix M – Clarifications for Public Schools Category for 2022-23 Program Year .....</u>	<u>174</u>
<u>Appendix N – Traditional Community Solar Clarifications Published in 2022 .....</u>	<u>176</u>

## Introduction

The ~~Adjustable Block~~ Illinois Shines Program (“Program”)<sup>2</sup> is a state-administered solar incentive program created to facilitate the development of new photovoltaic distributed generation and community solar projects through the issuance of renewable energy credit delivery contracts, as required by Illinois law. The ~~Adjustable Block~~ Program Guidebook is a document created by the ~~Adjustable Block~~ Illinois Power Agency (“IPA” or “Agency”) and the Program Administrator to provide existing and prospective Program participants with necessary guidance about application requirements, participation requirements, Program processes, and other aspects of the ~~Adjustable Block~~ Program. The Program Guidebook ~~works and the Consumer Protection Handbook detail Program requirements for Approved Vendors and their subcontractors in conjunction~~ in accordance with the Illinois Power Agency’s 2022 Long-Term Renewable Resources Procurement Plan ~~to outline Program requirements for Approved Vendors and their subcontractors.~~

The Program Guidebook is reviewed and updated on periodic basis by the ~~Adjustable Block~~ Program Administrator, Energy Solutions, Inc., in consultation with the Illinois Power Agency ~~(“IPA” or “Agency”).~~ Any omission of content from a prior version of this Guidebook through an update may not necessarily constitute the omission of a requirement, as some edits are made for cosmetic or synthesizing purposes and not to reflect the removal of a requirement. More information on the update process of this document can be found in Section 9: Guidebook Update Process.

The Agency and Program Administrator will update the Guidebook periodically as necessary to reflect changes in law and/or orders of the Illinois Commerce Commission (“Commission”) which impact the ~~Adjustable Block~~ Illinois Shines Program ~~(“ABP” or “Program”).~~, or the development of other requirements through separate comment and requirement publishing processes. In the event of a conflict between this Guidebook and subsequent changes in law, new Commission orders, or the subsequent development of other program materials, those statutes and orders shall supersede the relevant portions of this Guidebook until ~~such time as~~ Guidebook revisions may be completed.

~~This edition of the Guidebook incorporates changes required through the enactment of Public Act 102-0662 (known colloquially as the Climate and Equitable Jobs Act or “CEJA”) and the approval of the Agency’s 2022 Long Term Renewable Resources Procurement Plan by the Illinois Commerce Commission. Key changes include, but are not limited to:~~

~~New information on the scoring criteria for Traditional~~ This edition of the Guidebook incorporates changes for the 2023-24 Program year. Key changes include, but are not limited to:

- Proposal to prohibit the use of TBD Disclosure Forms for Community-Driven Community Solar projects
- Clarifications Proposed updates to information to submit related to projects with batteries

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<sup>2</sup> Referred to in the law as the “Adjustable Block Program,” Illinois Shines was created pursuant to Section 1-75(c)(1) of the Illinois Power Agency Act.

- Proposed updates to signature requirements on site control documentation
- New information regarding the publishing of disciplinary decisions made by Program
- New information on the ~~new~~ Public Schools ~~category~~ anchor tenant waiver
- ~~Updates~~ New information on the ~~2022 REC Delivery Contract~~ MES waiver

- General reordering and clarifying of information
- Shifting of listed requirements, waivers, attestations, etc. into appendices

## Section 1: ~~Adjustable Block~~ Program Description and Background

A complete description of the Program can be found in the Agency's 2022 Long-Term Renewable Resources Procurement Plan ("Plan," "Long-Term Plan," or "Revised Plan").<sup>3</sup> This Guidebook also reflects changes to the Program that were proscribed through the enactment of Public Act 102-0662 and adopted in the Long-Term Plan. On July 14, 2022, the Commission approved, with modifications, the Agency's 2022 Long Term Renewable Resources Procurement Plan. The Final 2022 Long-Term Plan was published by the Agency on its website on August 23, 2022.

This Section of this Guidebook contains a summary of the Program designed for quick reference; subsequent sections elaborate on various aspects of the Program, including further guidelines not found in the Plan. A glossary in Section 10 of this Guidebook provides a description of key terms used throughout.

The ~~ABPP~~Program provides incentives for the development of new photovoltaic distributed generation ("DG") and community solar ("CS") projects located in Illinois. These incentives are provided through payments made for the Renewable Energy Credits ("RECs") generated by participating projects over their first 15 or 20 years of operation, dependent upon the project category as described further herein. These payments are made through contracts between Illinois electric utilities and Approved Vendors (as described below).

The ~~ABPP~~Program is administered pursuant to Section 1-75(c) of the IPA Act (20 ILCS 3855). The Illinois Power Agency is the state agency responsible for the Program's general management and implementation. Day to day administration of the Program is the responsibility of the Agency's third-party ~~Adjustable Block~~ Program Administrator, Energy Solutions, Inc.

In addition to the approval of the Agency's Long-Term Plan and the approval of REC Contracts, many other aspects of photovoltaic development and installation in Illinois are under the jurisdiction of the Illinois Commerce Commission. These include the certification of distributed generation installers, interconnection standards, net metering tariffs, and tariffs allowing for a smart inverter rebate for non-residential PV systems.

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<sup>3</sup> The most recent version of the Plan can be found here: <https://ipa.illinois.gov/energy-procurement/current-approved-plan.html> and here: <https://illinoisabp.com/long-term-plan/>. ~~This Plan was approved by As of the date of publication of this Draft Guidebook, the Illinois Commerce Commission has re-opened Docket No. 22-0231 on July 14, 2022, with for consideration of modifications. The Agency's Initial Long Term Renewable Resources Procurement Plan was approved and published in 2018. The Revised Plan was approved in Docket No. 19-0995, dated February 18, 2020, and then subsequently updated and re-published in June 2021 to reflect the Illinois Commerce the Equity Eligible Category. Accordingly, the Guidebook may be revised consistent with the Commission's approval on reopening of changes made to provide for the handling of potential RPS budget shortfalls (an issue now rendered moot through Public Act 102-0662). Order on Reopening.~~

## A. ~~Establishment~~Block Structure

~~The core Of the Adjustable Block Program is the concept of a “block.” A block constitutes a pre-established amount of program capacity available for a certain project type at a transparent, administratively set REC price or prices, with prices differing slightly depending on project attributes. The enactment of Public Act 102-0662 changed the cascading block approach of the Program to an annual block approach.~~

~~A single annual block will open at the start of each delivery year, on June 1, establishing program years that align with delivery years. As the approval of the 2022 Long-Term Plan occurred after June 1, 2022, the 2022-23 program year will open on September 1, 2022, with the exception of the Traditional Community Solar project category which will open for applications on November 1, 2022.<sup>4</sup> This schedule of annual blocks opening on June 1 will commence with the 2023-2024 delivery /program year and apply for all subsequent delivery/program years. If a block’s capacity is filled mid-program year, then applications to that block will be placed on a waitlist until the subsequent program year.~~

~~Blocks for Large DG, Small DG, and Community Solar were originally allocated into two groups by service territory/geographic category:~~

- ~~• Group A: for projects located in the service territories of Ameren Illinois Company (“Ameren Illinois”), MidAmerican Energy Company (“MidAmerican”), Mt. Carmel Public Utility, and rural electric cooperatives and municipal utilities located in the Midcontinent Independent System Operator (“MISO”) service area.~~
- ~~• Group B: for projects located in the service territories of Commonwealth Edison Company (“ComEd”), and rural electric cooperatives and municipal utilities located in the PJM Interconnection (“PJM”) service area.~~

~~Block capacity (in Megawatts<sup>5</sup>) allocations were originally made in accordance with the table below. This capacity was entirely filled by December 2020 and all subsequent applications were placed on waitlists as block capacities were filled.~~

Block-Group	Block-Category	Block 1	Block 2	Block 3	Block 4
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives and Municipal Utilities located in MISO)	Small DG	22	22	5.5	-
	Large DG	22	22	5.5	91.5
	Community Solar	22	22	5.5	12
	Small DG	52	52	13	-
	Large DG	52	52	13	33

~~<sup>4</sup> The ICC’s Final Order instructs the IPA to request stakeholder feedback on several items related to the Traditional Community Solar project category, thus causing the need for a later opening date for this category.~~

~~<sup>5</sup> Note that per the definition of “Nameplate capacity” contained in Section 1-10 of the IPA Act, system sizes (and thus capacity measurements for block sizes) are measured in maximum continuous AC as measured at the inverter.~~



Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Community Solar	52	52	13	30
Total		222	222	55.5	166.5

~~Through the enactment of Public Act 102-0662 on September 15, 2021, three new categories (Public Schools, Community-Driven Community Solar, and Equity Eligible Contractors) were added beyond the Program's existing three categories (Small Distributed Generation, Large Distributed Generation, and Traditional Community Solar).~~

## Program

### **Public Act 99-0906 (Future Energy Jobs Act)**

~~In December 2016 the Illinois General Assembly passed Public Act 99-0906, known as the Future Energy Jobs Act, which took effect on June 1, 2017. This statute required the development and ongoing operation of an "Adjustable Block" program. This program, also known as the Illinois Shines program, is intended to facilitate the development of new community solar and distributed photovoltaic generation projects, and must feature a transparent schedule of prices and quantities" for RECs "to enable the photovoltaic market to scale up and for renewable energy credit prices to adjust at a predictable rate over time." Public Act 99-0906 provided for three program categories, 1) Small Distributed Generation (behind the meter projects under 10 kW AC); 2) Large Distributed Generation (behind the meter projects over and including 10 kW AC up to 2 MW AC); and 3) Community Solar.~~

### **Public Act 102-0662 (Climate and Equitable Jobs Act)**

~~Public Act 102-0662 ("P.A. 102-0662"), known as the Climate and Equitable Jobs Act, became effective in on September 15, 2021. This sweeping energy legislation amended the IPA Act as well as other Illinois laws that affect the Program and its requirements, thus significantly modifying the Illinois Shines program.~~

~~First, P.A. 102-0662 expanded the number of project categories in the Program from three to six. The three additional categories are: Community-Driven Community Solar, Public Schools, and the Equity Eligible Contractor category. These are further defined below.~~

~~Additionally, P.A. 102-0662 provided that most projects that participate in the Program were now subject to requirements under the Illinois Prevailing Wage Act. This means individuals engaged in the construction of applicable projects submitted to the Program must be paid the relevant prevailing wage. Prevailing wage is a minimum compensation level set by the Illinois Department of Labor ("IDOL") by county for construction activities related to public works.~~

~~P.A. 102-0662 introduced new equity provisions for the Program. This statute introduced the concept of an Equity Eligible Person, an Equity Eligible Contractor, and the Minimum Equity Standard, all under~~

an umbrella called the Equity Accountability System. The Minimum Equity Standard (“MES”) requires that starting June 1, 2023, 10% of the workforce on projects developed for the Program be made up of equity eligible persons, with an increase of this percentage to 30% by 2030. All participants in the Program must comply with the MES on an annual basis.

Additionally, P.A. 102-0662 shifted the Program away from a cascading block program to an annual block program. Annual blocks of capacity are released for the Program each year on the first day of the Program year, which aligns with the Delivery year. As such, Program years span from June 1<sup>st</sup> through May 31<sup>st</sup> of the following calendar year. Once annual blocks of capacity are full, new capacity is not released until the subsequent Program year.

P.A. 102-0662 also requires the Agency to “collect data from program applicants in order to track and improve equitable distribution of benefits across Illinois communities for all procurements the Agency conducts.” The IPA specifically requires the Agency to collect certain information, including but not limited to the racial or ethnic identities and geographic residencies of employees and agents of Program applicants and participants. The Agency has determined that a two-part data collection process will be utilized to collect demographic and geographic information required under the Act; that is, information will be collected both through project applications and through the annual report submitted by Approved Vendors. In order to facilitate the ongoing tracking and collection of information from Approved Vendors’ employees and subcontractors, the Part II application will now collect information on the race, gender, and residential ZIP code of all employees or employees of subcontractors involved in the construction/installation of a particular project and the approximate hours worked. Approved Vendors will also be required to indicate whether any of the workers involved in the construction/installation of the project are graduates from the Solar Training Pipeline Program, Solar Craft Apprentice Program, Multi-Cultural Job Training Program, or another job training program. As additional workforce development programs established by Public Act 102-0662 come online, they will be added to the options available for selection.

## **B. Program Administrator and IPA**

### **Program Administrator as Extension of IPA**

Per Section 1-75(C)(1)(M) of the Illinois Power Agency Act the Agency may retain an expert consultant to support in the administration of the Program. As such, the Agency goes through an RFP process in order to select the Program Administrator. The selection of the current Program Administrator was approved on April 21, 2022. The Program Administrator works at the express direction of the Agency to administer the Program on a day-to-day basis.

### **Appeal of Program Administrator Decisions**

A Program participant can appeal any and all decisions made by the Program Administrator to the IPA. While the Program Administrator is an extension of the Agency and works in lockstep with the Agency, the Agency offers this route to Program participants as a matter of course.

## C. Program Requirements and Key Documents

### Key Program Documents

The Program has three guiding documents that contain requirements for all Program participants: the Long-Term Renewable Resources Procurement Plan, the Program Guidebook, and the Consumer Protection Handbook. The Long-Term Plan governs the requirements of the Program which cannot be modified without approval of the Illinois Commerce Commission (“ICC” or “Commission”), while the Guidebook and Consumer Protection Handbook further detail requirements that are outlined in the Long-Term Plan.

**Long-Term Renewable Resources Procurement Plan** - The Agency’s Long-Term Renewable Resources Plan covers all Agency activities related to the Illinois Renewable Portfolio Standard, which includes the Illinois Shines program. The Agency updates the Long-Term Plan at least every two years. Each updated version of the Long-Term Plan is litigated before the ICC, and then approved by the ICC through a final order.

**Consumer Protection Handbook** – The Consumer Protection Handbook provides details on consumer protection requirements for Approved Vendors and Designees that participate in the Illinois Power Agency’s Illinois Shines program and/or Illinois Solar for All program. All requirements discussed in the Consumer Protection Handbook apply to both Programs, and apply to distributed generation and community solar projects of any size, unless otherwise indicated. The Consumer Protection Handbook focuses specifically on Program requirements related to consumer interactions in order to ensure strong consumer protections. The Consumer Protection Handbook is updated more frequently than the Long-Term Plan and does not require ICC approval prior to publishing.

**Program Guidebook** – This Program Guidebook establishes details on Program requirements that stem from the Agency’s Long-Term Plan. This document, along with the Consumer Protection handbook together provide the detail to Approved Vendors and Designees on Program requirements and compliance with those requirements. The Program Guidebook is updated more frequently than the Long-Term Plan and does not require ICC approval prior to publishing.

### Drafting and Approval Process for Long-Term Plan

The Agency’s Long-Term Plan is updated at least every two years and undergoes a months-long public comment, litigation, and approval process, pursuant to the requirements of Section 16-111.5(b)(5) of the Public Utilities Act. First, the Agency releases a draft Plan for public comment. At the close of the public comment period, the Agency reviews comments and may revise the Plan based upon feedback received. Next, the Agency files the Plan for approval with the ICC. Stakeholders then may participate in the docketed proceeding before the Commission to modify the Plan, in accordance with the provisions of 16-111.5 of the Public Utilities Act and the ICC’s rules of practice. After litigation concludes, the ICC issues a Final Order approving or modifying the Plan, thus giving the Agency final decisions on any contested matters. Following the entry of a Final Order by the Commission, the Agency amends the Plan to conform

to the Final Order and releases a final Long-Term Plan, which will be in effect until the next update of the Long-Term Plan is approved by the ICC.

### **Reopening of a Long-Term Plan**

In very rare circumstances, the Agency may seek to reopen the ICC Docket in which the Long-Term Plan was approved in order to make an amendment to a requirement contained in the Plan. In order to re-open an already approved Plan, the Agency must petition for and get approval to re-open the docket under which the Plan was approved. Once the ICC approves such a re-opening, stakeholders may participate in the docketed proceeding in accordance with the ICC's rules of practice. Once this proceeding concludes, the ICC issues a Final Order which may modify the Plan requirements through re-opening.

## **D. Program Categories**

With six separate project categories, the Program broadly supports only two project types: photovoltaic distributed renewable energy generation devices (i.e., solar DG), and photovoltaic community renewable generation projects (i.e., community solar). These two project types are broken down further into six project categories, as outlined below.

Each project application must be allocated to one of these six categories. More detail on each of the six categories is outlined below, and can also be found in Section 1-75(c)(1)(K) of the IPA Act:

- **Small Distributed Generation (“SDG”)** – Distributed Generation projects up to and including 25 kW in size (prior to the December 14, 2021 Program reopening, Small DG projects had to be less than or equal to 10 kW).
- **Large Distributed Generation (“LDG”)** – Distributed Generation projects greater than 25 kW in size up to and including 5 MW (prior to the December 14, 2021 Program reopening, Large DG projects had to be more than 10 kW and less than or equal to 2 MW).
- **Traditional Community Solar (“TCS”)** – Community Solar projects up to and including 5 MW in size.<sup>6</sup> ~~New project applications will open on November 1, 2022, for the 2022-2023 program year. Scoring criteria will be further discussed in a forthcoming stakeholder feedback process.~~
- **Public Schools** – Small and Large Distributed Generation projects, as well as community solar projects which serve a public school in Illinois.<sup>7</sup>
- **Community-Driven Community Solar (“CDCS”)** – Community Solar projects up to and including 5MW that meet the criteria to be classified as community-driven per the guidelines specified in Section 1.~~6D~~.
- **Equity Eligible Contractor (“EEC”)** – ~~A distributed~~Distributed generation ~~project as well as projects~~ or community solar projects that are submitted to the Program by an Equity Eligible Contractor Approved Vendor per the guidelines specified in Section ~~1-72.B~~.<sup>8</sup>

<sup>6</sup> Previous blocks of capacity for Traditional Community Solar allowed for projects up to 2 MW in size.

<sup>7</sup> For the December 14, 2021 block of capacity for Public Schools, only DG applications were accepted.

<sup>8</sup> For the December 14, 2021 block of capacity for Equity Eligible Contractors, only DG applications were accepted.

If a project is eligible for more than one category, the Approved Vendor may select any one of those eligible categories into which to submit the application during the Part I application as described in Section 5 below. Approved Vendors will be provided with a drop-down list in the Part I application displaying all categories for which the project is eligible in order to make a selection. An application must be submitted into one and only one category.

#### Applications submitted Traditional Community Solar

~~Due to the program prior to July 1, 2022 fact that were not included on there is a product order under a REC Contract will be included on a product order under one of the 2022 REC Delivery Contracts, depending on the category into which those applications were submitted.~~

~~The initial limited amount of capacity allocation (by MW) available in the Program for each category the development of Traditional Community Solar projects, the Agency has developed a scoring mechanism for if/when the 2022-2023 delivery year Block is as follows:~~

	Small DG	Large DG	Traditional Community Solar	Community- Driven Community Solar	Equity Eligible Contractor Projects	Public Schools <sup>9</sup>
<b>Group A</b> <del>annual block (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives and Municipal Utilities located in MISO)</del>	40 MW	40 MW	48 MW	10 MW	20 MW	30 MW
<b>Group B</b> <del>(ComEd and Rural Electric Cooperatives and Municipal Utilities located in PJM)</del>	94 MW	94 MW	112 MW	23 MW	46 MW	70 MW
<b>Total</b>	<b>134 MW</b>	<b>134 MW</b>	<b>160 MW</b>	<b>33 MW</b>	<b>66 MW</b>	<b>100 MW</b>

<sup>9</sup>The Public Schools category allocates 30 MW to Group A and 70 MW to Group B. Within Group A and Group B, capacity is split between Tier 1 schools, Tier 2 schools, and schools located in Environmental Justice Communities (70%) and Tier 3 schools, Tier 4 schools, and schools not located within Environmental Justice Communities (30%).

Due to requirements for reallocation of uncontracted capacity from previous program years is exceeded on the first day of the Program year. This scoring mechanism is outlined in the Agency's 2022 Long-Term Plan, the block sizes above will be amended slightly with reallocated capacity from the 2021-22 program year. The reallocation process is outlined further in Section 1.D-Appendix E.

**Capacity to Be Reallocated from 2021-22 Program Year:**

<b>Uncontracted Capacity from the 2021-22 Program Year (in MW)</b>						
	<b>Small-DG</b>	<b>Large-DG</b>	<b>TCS</b>	<b>CDGS</b>	<b>EEC</b>	<b>Public Schools</b>
<b>Group A</b>	2.465	0	0	0	22.5	49.395
<b>Group B</b>	8.587	39.675	1	0	52.5	

Sum of Small-DG, Large-DG, TCS Unallocated 2021-22 Capacity	51.727 MW
Group A Large-DG Waitlist Capacity	15.4 MW
<b>Remaining Unallocated Capacity After Addressing Waitlists</b>	<b>36.327 MW</b>

**Allocation of 36.327 MW of Uncontracted Capacity per Section 1.D:**

<b>Allocation of 2021-22 Uncontracted Capacity of 36.327 MW (in MW)</b>						
	<b>Small-DG {20%}</b>	<b>Large-DG {20%}</b>	<b>TCS {30%}</b>	<b>CDGS {5%}</b>	<b>EEC {10%}</b>	<b>Public Schools {15%}</b>
<b>Group A {30%}</b>	2.180	2.180	3.269	0.545	1.090	5.449
<b>Group B {70%}</b>	5.086	5.086	7.629	1.271	2.543	

**Final Allocations per Section 1.D:**

<b>Allocations of 2021-22 Uncontracted Capacity for 2022-23 Program Year (in MW)</b>						
	<b>Small DG</b>	<b>Large DG</b>	<b>TCS</b>	<b>CDGS</b>	<b>EEC</b>	<b>Public Schools</b>
<b>Group A</b>	2.180	17.580	3.269	0.545	23.590	16.453
<b>Group B</b>	5.086	5.086	7.629	1.271	55.043	38.391

**Final Block Sizes for the 2022-23 Program Year with Addition of Uncontracted Capacity Allocation:**

<b>Total Block Sizes for 2022-23 Program Year (in MW)</b>						
	<b>Small DG</b>	<b>Large DG</b>	<b>TCS</b>	<b>CDGS</b>	<b>EEC</b>	<b>Public Schools</b>
<b>Group A</b>	42.18	57.58	51.27	10.55	43.59	46.45
<b>Group B</b>	99.09	99.09	119.63	24.27	101.04	108.39

~~The Public School category has an allocation of 30% of capacity to Group A and 70% to Group B. After allocation by Group, capacity for this category is allocated based on project size as discussed further in Section 1.H, below.~~

~~The Equity Eligible Contractor block allocation operates such that 30% of the block's capacity will be for projects in Group A and 70% of the block's capacity will be for projects in Group B. EEC block allocation will not be further subdivided into Small DG, Large DG, or Community Solar categories. As a result, if EEC block capacity is available for a Group, no additional restrictions will be placed on a qualifying project's ability to utilize that capacity.~~

**~~B. Block Closing~~**

~~When a block's capacity is fully allocated, the Program Administrator will announce that the block will close in seven calendar days or when the next project application submitted to the block would exceed the block's capacity by 10 MW from the original published block size, whichever comes first. During this soft close period, no more than 10 MW of additional capacity will be accepted into a given category. That capacity cap~~



~~is managed at the batch level—meaning if a batch causes a block to exceed the 10 MW additional capacity limit, the Program Administrator may remove individual projects from that batch in consultation with the batch's Approved Vendor to ensure the block remains under allowed capacity cap.~~

~~Subject to the conditions outlined above as well as conditions outlined in Section 1.C, a project will receive the price of the block that is open at the time the Part I project application is submitted.~~

## ~~C. Waitlist Procedures~~

- ~~1. For the categories that have a waitlist (other than Traditional Community Solar), projects will be selected from the waitlist in the established waitlist order. Those selections will occur if/when project(s) in that Group/category that previously received the Program Administrator's recommendation for a REC Contract withdraw or are otherwise removed from the Program, thus opening up capacity. This may not be a one-to-one relationship by number of projects; in general, sufficient capacity must be vacated by withdrawn projects to accommodate a project coming off the waitlist.~~

~~*Example: A 2 MW project that previously was selected for a REC Contract withdraws from the ABP. The sizes of the next projects on the waitlist are, in queue order, 600 kW, 800 kW, and 700 kW. The 600 kW project and the 800 kW project would be selected off the waitlist, taking up 1.4 MW of the newly vacated capacity. The 700 kW project would remain on the waitlist because its selection would cause the remaining 600 kW of available capacity to be exceeded. The 700 kW project would not be skipped over in favor of selecting a waitlist project <= 600 kW. Rather, the 600 kW of available capacity would remain open until additional projects withdrew to open up sufficient capacity to accommodate the 700 kW project.*~~

- ~~2.1. Once a project is selected off the waitlist, it will receive the REC pricing associated with the block of capacity for the Group/category combination it will utilize and the Approved Vendor will be given 10 business days to accept or decline the selection. If it declines, the next project(s) on the waitlist (subject to available capacity) would be selected along the same terms (10 business days to accept or decline) with this process repeated as necessary until the available capacity is filled (again, subject to available capacity).~~

- ~~3.1. Projects may, but are not required to, remain in the interconnection queue (i.e., maintain a valid interconnection agreement with the applicable utility) to maintain their place on the waitlist. This includes projects that are forced from the utility interconnection queue due to the utility's queue management process, including, but not limited to, being forced to pay a potentially nonrefundable deposit to remain in the queue, or incurring other costs to remain on the waitlist. Any project that has exited the interconnection queue must provide proof that it has reapplied for interconnection as a condition of its selection off of the waitlist. Any project that declines a utility interconnection restudy, declines to pay a potentially nonrefundable deposit to remain in the queue, or otherwise takes an action that pre-emptively removes itself from the utility interconnection queue rather than wait for involuntary removal will be deemed to have been removed from the queue involuntarily. Such projects will remain eligible for selection off of the waitlist.~~



~~4. For Traditional Community Solar projects, Public Act 102-0662/CEJA allocated 250 MW (30% or 75 MW to Group A, and 70% or 175 MW to Group B) of Adjustable Block Program capacity to Approved Vendors (including affiliates) having waitlisted ABP community solar applications in proportion to the capacity of their waitlisted applications that met the following requirements: were eligible for the April 2019 lottery,<sup>10</sup> were on the ABP community solar waitlist as of December 31, 2020, and were active on December 14, 2021 (Part I status remained verified). A 500 kW minimum was applied to each Approved Vendor across both Groups (A and B) in aggregate and on a pro rata basis if an Approved Vendor had capacity on the waitlist of both Groups. Additionally, each Approved Vendor was subject to a 20% maximum of each Group.~~

~~In order to determine the correct Approved Vendor affiliations, the Program Administrator confirmed its understanding of those affiliations directly with the Approved Vendors. Approved Vendor affiliations were considered as of the September 15, 2021 effective date of the legislation. While Approved Vendors still must notify the Program Administrator of any project transfers or Approved Vendor transfers effected after that date, such transfers were disregarded for affiliation purposes.~~

~~On December 14, 2021, the Program Administrator allocated 250 MW of new capacity proportionate to the capacity of Approved Vendors' valid waitlisted community solar applications. Approved Vendors selected waitlisted applications up to their allocated capacity and were permitted to adjust the system size (up to and including 2 MW) and associated specifications of those selected applications up to their allocated capacity. Approved Vendors were allowed to apply their capacity to any project which was eligible for the April 2019 lottery, present on the ABP community solar waitlist as of December 31, 2020, and were active. Approved Vendors submitted their selected projects to the Program Administrator by March 14, 2022.~~

~~The Adjustable Block Program Administrator reviewed portfolios of projects submitted by the March 14, 2022 deadline through this waitlist allocation process published on the Program website.<sup>11</sup> The Agency announced the publication of project information for the selected projects on April 14, 2022, on the Program website.<sup>12</sup>~~

~~New Traditional Community Solar applications will be accepted beginning on November 1, 2022 for the 2022-2023 delivery year. As the historical waitlist for this project category has been addressed via the 2021 waitlist allocation process, the Traditional Community Solar project category will take new applications and those applications will be scored per scoring requirements discussed in~~

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<sup>10</sup> For more information on the lottery process, please see the ~~May 31, 2019 version~~ of this Guidebook.

<sup>11</sup> See waitlist allocation process here: ~~<https://illinoisabp.wpengine.com/faq/how-does-the-community-solar-waitlist-capacity-allocation-process-operate/>~~

<sup>12</sup> Project applications selected can be found here: ~~<https://illinoisabp.com/publication-of-project-information-for-selected-waitlisted-community-solar-projects/>~~

~~Section 1.F. Projects must receive a minimum score of 5 points to receive a spot on the waitlist. Should first day project applications not exceed category capacity, then all applicant projects otherwise qualifying shall be deemed acceptable and may qualify for a REC Delivery Contract. Should category capacity fill later in the program year, then from that point forward, only projects meeting this scoring threshold of 5 points may be considered for an eligible for a spot on the waitlist for the Traditional Community Solar category. Demonstration of continuous site control will be required to maintain a waitlist position throughout the program year and into the next program year; the degree to which this is monitored by the Program Administrator, and the manner of that monitoring, will be determined at a later date.~~

- ~~5. For distributed generation categories (including projects in the Public Schools category and the Equity Eligible Contractors category) that have a waitlist, the Program will continue accepting project applications and place those projects on the waitlist for each Group/Category on a first come, first served basis, with newly opened space created by earlier projects that are not approved or are withdrawn filled from the top of the waitlist at the last open block pricing. A project will be considered submitted when the application fee for the project is paid.~~

~~Waitlists of projects will carry over to the following Program/delivery year.~~

- ~~6. Community-Driven Community Solar projects will be selected through the selection process described in Section 1.G below. Project applications will be evaluated and scored, then rank ordered by score per the scoring process outlined in Section 1.G. After project selection for any given delivery/program year is complete, projects that were not selected and that have a minimum score of at least 10 points will be placed on a waitlist for the following delivery year.~~

## ~~D. Uncontracted Capacity~~

~~All capacity in the new Public Schools and Community-Driven Community Solar categories that remains uncontracted from the blocks opened on December 14, 2021 will be rolled over within that same category to the 2022-2023 delivery year. At the end of the 2022-2023 delivery year, if uncontracted capacity remains in the Public Schools and Community-Driven Community Solar categories, 50% of that capacity will rollover into the capacity allocation for the 2023-2024 delivery year, while the other 50% will be allocated in accordance with the process outlined below.~~

~~The Agency will determine the amount of uncontracted capacity across all program categories (with the caveat related to the Public Schools and Community-Driven Community Solar categories for the 2022-2023 and 2023-2024 delivery years outlined above, and preserving Equity Eligible Contractor capacity generally) within one week after the closing date of that year's annual blocks. That uncontracted capacity will be summed to a total amount, with distribution of that total amount made according to the prioritization below:~~

- ~~• The Agency will first allocate any uncontracted capacity to the Equity Eligible Contractors category to select waitlisted projects from this category.~~

- ~~As the only category which is expressly sought to be expanded over time, growing to 40% of the ABP by 2030, this approach allows the Agency to expand capacity allocated to the EEC category should demand allow. In addition, as P.A. 102-0662 prioritizes the diversification of the Illinois clean energy economy and instructs the Agency to provide better and broader access to Equity Eligible Contractors through its solar programs, this approach best meets the spirit of the law.~~
- ~~If there is unallocated capacity in the Equity Eligible Contractor category, that capacity will not be reallocated to other categories. If substantial unused capacity remains within this category, the IPA will work with stakeholders to identify barriers to participation in this category and develop plans to mitigate those barriers~~
- ~~Next, the Agency will prioritize reallocation of any remaining uncontracted program capacity to the Small Distributed Generation category to select waitlisted projects from this category.~~
  - ~~This approach helps maximize the number of Illinois residents and/or businesses that can benefit from the **Adjustable Block Program**.~~
- ~~Next, the Agency will prioritize reallocation of any still remaining uncontracted program capacity to the Community Driven Community Solar category if a waitlist of Community Driven Community Solar projects has formed. Eligible waitlisted projects will be selected by scoring rank order (which establishes the ordinal waitlist for that category) and will be required to have met the minimum scoring threshold for selection.~~
  - ~~This category is prioritized in recognition of the concern that community solar project development in Illinois has been largely homogenous since program inception. **This new program category was established to diversify the community solar market through community driven projects, and allocating waitlisted capacity maximizes its impact.**~~
- ~~If uncontracted capacity remains after prioritized reallocation to these three program categories, the Agency will evenly distribute the remaining uncontracted capacity across the remaining program categories featuring waitlists. Should a category's waitlist be satisfied by less capacity than that distribution, then the remaining capacity shall be added to the other category or categories featuring waitlists.~~

~~If any or all uncontracted capacity cannot be used to satisfy existing waitlists, then that remaining uncontracted capacity will be distributed across all program categories on a pro rata basis corresponding with those categories Section 1-75(c)(1)(K) percentage allocations.~~

~~The Agency will publish its capacity redistribution within one week after determining the sum total of capacity (i.e., within two weeks after the close of that year's annual blocks). Capacity distribution to categories featuring waitlists will result in projects selected off of those waitlists by waitlist order, with the resulting contract price at the price of the next annual block. Published block capacities for that next annual block will be updated to reflect that category's expanded, and now filled, capacity additions. For waitlisted capacity not met through uncontracted capacity redistribution, Section 1-75(c)(1)(K) also provides that "the waitlist of projects in a given year will carry over to apply to the subsequent year when another block is opened." Thus, those waitlisted projects will be given priority in selection within their category under that new delivery year's capacity allocation to that category.~~

E. REC Pricing

~~The following table lists the prices for RECs by each identified Group, Category, and Block applicable to the Program's 2022-2023 delivery year. Note that the REC price associated with a project submitted to the EEC project category will follow the REC pricing associated with that project's group, (i.e., Group A or B), project type (Small DG, Large DG, CDCS, TCS, or Public School), and project size.~~

**REC Pricing for the 2022-23 Program Year**

Block Group	Block Category		2022-2023
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	Small DG	≤10 kW	\$78.51
		>10 - 25 kW	\$66.39
	Large DG	>25 - 100 kW	\$57.94
		>100 - 200 kW	\$58.85
		>200 - 500 kW	\$52.35
		>500 - 2,000 kW	\$50.42
		>2,000 - 5,000 kW	\$40.90
	Traditional Community Solar	≤25 kW	\$56.23
		>25 - 100 kW	\$59.19
		>100 - 200 kW	\$60.85
		>200 - 500 kW	\$57.22
		>500 - 2,000 kW	\$51.32
		>2,000 - 5,000 kW	\$45.50
	Community-Driven Community Solar	≤25 kW	\$71.60
		>25 - 100 kW	\$75.34
		>100 - 200 kW	\$77.27
		>200 - 500 kW	\$72.47
		>500 - 2,000 kW	\$64.76
		>2,000 - 5,000 kW	\$56.85
	Public Schools	≤25 kW	\$74.95
		>25 - 100 kW	\$65.57
		>100 - 200 kW	\$66.40
		>200 - 500 kW	\$58.94
		>500 - 2,000 kW	\$56.73
		>2,000 - 5,000 kW	<del>\$45.72</del>
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Small DG	≤10 kW	\$82.28
		>10 - 25 kW	\$71.89
	Large DG	>25 - 100 kW	\$62.23
		>100 - 200 kW	\$59.02
		>200 - 500 kW	\$53.11
		>500 - 2,000 kW	\$47.63
		>2,000 - 5,000 kW	\$33.31
	Traditional Community Solar	≤25 kW	\$61.54
		>25 - 100 kW	\$64.39
		>100 - 200 kW	\$65.23
		>200 - 500 kW	\$62.09
		>500 - 2,000 kW	\$55.50
		>2,000 - 5,000 kW	\$47.78
	Community-Driven Community Solar	≤25 kW	\$78.27
		>25 - 100 kW	\$82.16
		>100 - 200 kW	\$83.42
		>200 - 500 kW	\$79.19
		>500 - 2,000 kW	\$70.12
		>2,000 - 5,000 kW	\$59.44
	Public Schools	≤25 kW	\$81.16
		>25 - 100 kW	\$70.42
		>100 - 200 kW	\$66.59
		>200 - 500 kW	\$59.81
		>500 - 2,000 kW	\$53.59
		>2,000 - 5,000 kW	<del>\$37.23</del>

**REC Pricing for Reopening 2021**

The following table lists prices for RECs applied between the Program's December 2021 reopening and the Program's June 30, 2022 pause. **These prices are no longer available for applications received on and after September 1, 2022 but are included here for reference.**

Block Group	Block Category	Waitlisted Applications Submitted on or Before 11/1/2021		New Submittals Starting 12/14/21		
		Block 4	Block 5	Block 1	Block 4	Block 5
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	Small DG	<=25 kW	\$75.29	-	\$75.29	-
	Large DG	>25-100 kW	-	\$54.71	-	\$57.82
		>100-200 kW	-	\$44.62	-	\$47.03
		>200-500 kW	-	\$39.79	-	\$41.48
		>500-5000 kW	-	\$36.88	-	\$38.33
	Traditional Community Solar	<=10 kW	-	\$98.88	-	-
		>10-25 kW	-	\$91.67	-	-
		>25-100 kW	-	\$78.83	-	-
		>100-200 kW	-	\$70.49	-	-
		>200-500 kW	-	\$66.50	-	-
		>500-2000 kW	-	\$63.97	-	-
		Co-located systems >2MW in aggregate	-	\$59.79	-	-
	Public Schools (DG Only)	<=25 kW	-	\$69.63	-	-
		>25-100 kW	-	\$56.99	-	-
		>100-200 kW	-	\$46.48	-	-
		>200-500 kW	-	\$41.45	-	-
	Community Driven Community Solar	<=10 kW	-	\$98.88	-	-
		>10-25 kW	-	\$91.67	-	-
		>25-100 kW	-	\$78.83	-	-
		>100-200 kW	-	\$70.49	-	-
		>200-500 kW	-	\$66.50	-	-
		>500-5000 kW	-	\$63.97	-	-
	Equity Eligible Contractor Projects (DG Only)	<=25 kW	-	\$75.29	-	-
		>25-100 kW	-	\$54.71	-	-
		>100-200 kW	-	\$44.62	-	-
		>200-500 kW	-	\$39.79	-	-
		>500-5000 kW	-	\$36.88	-	-
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Small DG	<=25 kW	\$64.56	-	\$64.56	-
	Large DG	>25-100 kW	-	\$55.73	-	\$58.84
		>100-200 kW	-	\$45.66	-	\$48.06
		>200-500 kW	-	\$40.83	-	\$42.51
		>500-5000 kW	-	\$37.91	-	\$39.37
	Traditional Community Solar	<=10 kW	-	\$94.94	-	-
		>10-25 kW	-	\$87.72	-	-
		>25-100 kW	-	\$74.83	-	-
		>100-200 kW	-	\$66.46	-	-
		>200-500 kW	-	\$62.45	-	-
		>500-2000 kW	-	\$59.89	-	-
		Co-located systems >2MW in aggregate	-	\$55.68	-	-
	Public Schools (DG Only)	<=25 kW	-	\$64.79	-	-
		>25-100 kW	-	\$58.05	-	-
		>100-200 kW	-	\$47.56	-	-
		>200-500 kW	-	\$42.53	-	-
	Community Driven Community Solar	<=10 kW	-	\$94.94	-	-
		>10-25 kW	-	\$87.72	-	-
		>25-100 kW	-	\$74.83	-	-
		>100-200 kW	-	\$66.46	-	-
		>200-500 kW	-	\$62.45	-	-
		>500-5000 kW	-	\$59.89	-	-
	Equity Eligible Contractor Projects (DG Only)	<=25 kW	-	\$64.56	-	-
		>25-100 kW	-	\$55.73	-	-
		>100-200 kW	-	\$45.66	-	-
		>200-500 kW	-	\$40.83	-	-
		>500-5000 kW	-	\$37.91	-	-

***REC Pricing for 2019 Initial Program Opening***

The following table lists prices for RECs applied prior to the Program's December 2021 reopening. All cells are shaded, indicating that these prices are no longer available for applications received on and after September 1, 2022 but are included here for reference.

Block Group	Block Category		Block 1	Block 2	Block 3	Block 4
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	Small DG	≤10 kW	\$85.10	\$81.70	\$78.43	
	Large DG	≥10–25 kW	\$78.70	\$75.55	\$72.53	\$69.63
		≥25–100 kW	\$64.41	\$61.83	\$59.36	\$56.99
		≥100–200 kW	\$52.54	\$50.44	\$48.42	\$46.48
		≥200–500 kW	\$46.85	\$44.98	\$43.18	\$41.45
		≥500–2,000 kW	\$43.42	\$41.68	\$40.02	\$38.42
	Community Solar	≤10 kW	\$96.12	\$92.28	\$88.58	\$85.04
		≥10–25 kW	\$87.07	\$83.59	\$80.24	\$77.03
		≥25–100 kW	\$70.95	\$68.11	\$65.39	\$62.77
		≥100–200 kW	\$60.47	\$58.05	\$55.73	\$53.50
		≥200–500 kW	\$55.46	\$53.24	\$51.11	\$49.07
		≥500–2,000 kW	\$52.28	\$50.19	\$48.18	\$46.25
		Co-located systems exceeding 2 MW in aggregate size	\$47.03	\$45.15	\$43.34	\$41.61
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Small DG	≤10 kW	\$72.97	\$70.05	\$67.25	
	Large DG	≥10–25 kW	\$73.23	\$70.30	\$67.49	\$64.79
		≥25–100 kW	\$65.61	\$62.99	\$60.47	\$58.05
		≥100–200 kW	\$53.75	\$51.60	\$49.54	\$47.56
		≥200–500 kW	\$48.07	\$46.15	\$44.30	\$42.53
		≥500–2,000 kW	\$44.64	\$42.85	\$41.14	\$39.49
	Community Solar	≤10 kW	\$91.89	\$88.21	\$84.69	\$81.30
		≥10–25 kW	\$82.82	\$79.51	\$76.33	\$73.28
		≥25–100 kW	\$66.65	\$63.98	\$61.42	\$58.96
		≥100–200 kW	\$56.12	\$53.88	\$51.72	\$49.65
		≥200–500 kW	\$51.09	\$49.05	\$47.08	\$45.20
		≥500–2,000 kW	\$47.88	\$45.96	\$44.13	\$42.36
		Co-located systems exceeding 2 MW in aggregate size	\$42.59	\$40.89	\$39.25	\$37.68

***Changes in REC Prices***

In response to the Program's shift from a declining block price structure to an annual block structure, and in an effort to eliminate gaming opportunities, projects submitted to the Program will not be permitted to

~~receive a REC price higher than the price available at the time of its initial submission to the Program (i.e., an application cannot be withdrawn and resubmitted in order to receive a higher REC price). In the case where a project has been continuously waitlisted, it will receive the REC price associated with the block of capacity to which the project is assigned.~~

## **F. Traditional Community Solar**

~~Community solar subscriptions occur at the utility account level. A single utility account may have multiple subscriptions to different community solar projects. Additional requirements applicable to community solar subscriptions may be outlined in applicable utility tariffs.~~

### ***Traditional Community Solar under the 2019 REC Delivery Contract***

#### ***1. Small Subscriber Adder***

~~The 2019 REC Delivery Contract is applicable to community solar projects that were approved by the Illinois Commerce Commission prior to the enactment of Public Act 106-0662. These community solar projects will be provided the following adders based on percentage of small subscribers:~~

Adder	\$/REC	
	Group A	Group B
<del>Less than 25% small subscriber</del>	<del>No adder</del>	<del>No adder</del>
<del>25% or greater small subscriber and less than 50% small subscriber</del>	<del>\$11.17</del>	<del>\$10.98</del>
<del>50% or greater small subscriber</del>	<del>\$22.34</del>	<del>\$21.77</del>
<del>Greater than 75% small subscriber</del>	<del>\$33.51</del>	<del>\$32.65</del>

~~The community solar adders of \$33.51 for Group A and \$32.65 for Group B commensurate with a small subscriber level greater than 75% no longer apply to community solar projects selected after the ICG's approval of the IPA's Revised Long Term Plan on February 18, 2020 (whether selected through being taken off a waitlist, or as part of the opening of new blocks of capacity). This 75% small subscriber adder will continue to apply to community solar projects that were selected prior to that date. For projects selected after this change, the maximum adder for projects with 50% or greater small subscribers will be \$22.34 for projects in Group A and \$21.77 for projects in Group B.~~

~~The applicability of a small subscriber adder is determined based on the percentage of the project's generating capacity (measured in kW AC) met through small subscribers' subscriptions, and not the overall number of small subscribers. A community solar project must demonstrate a level of small subscribers corresponding to the adder at the time of energization to receive an adder initially; if it does not meet that level by one year after energization, the project will instead receive the small subscriber adder associated with its actual realized level of small subscribers as of Year 1 (if any). A project would also be subject to a 20% penalty on the contract value if it proposed at least 50% small subscribers in its Part I application but realizes less than 50% small subscribers as of Year 1. Furthermore, the project must maintain the small~~



~~subscriber subscription levels over time or face payment reductions or collateral drawdowns if the level is not maintained, as discussed further in Section 7 of this Guidebook.~~

### ~~**Traditional Community Solar Under the 2021 and 2022 REC Delivery Contracts**~~

~~For projects approved by the Illinois Commerce Commission after the enactment of Public Act 102-0662, at least 50% of subscribers (on a capacity basis) to the project's nameplate capacity must be residential or small commercial customers with subscriptions below 25kW in size. Additionally, the small subscriber adder is now incorporated into the base REC price for community solar projects and a distinct small subscriber adder no longer applies for projects under the 2021 and 2022 REC Delivery Contracts.~~

### ~~**Traditional Community Solar Under All REC Delivery Contracts**~~

~~A small subscriber is defined as a customer on a residential or small commercial rate class with a subscription of less than 25 kW. Eligible small commercial rate classes for the investor owned utilities are as follows:<sup>13</sup>~~

- ~~● Commonwealth Edison: "watt-hour delivery class" and "small load delivery class"~~
- ~~● Ameren Illinois: "DS-2"~~

### ~~**Confidential Treatment of Subscriber Information**~~

~~In the course of marketing, soliciting and subscribing customers, Approved Vendors and/or their Designees, subcontractors, or agents, may obtain confidential, proprietary, or otherwise generally non-public information from subscribers or potential subscribers. This information may include the subscriber or potential subscriber's utility account number, utility account name, meter number, or other confidential information. Approved Vendors, Designees, subcontractors, and agents shall maintain the confidentiality and security of all such information received from subscribers and potential subscribers. Furthermore, Approved Vendors, Designees, subcontractors, and agents shall not release such information to any other person or entity without the written consent of the subscriber or potential subscriber. This restriction shall not apply to the necessary sharing of such information between an Approved Vendor and its Designees, subcontractors, or agents in order to enroll a community solar subscriber, nor shall it apply to requests from the Program Administrator and/or the Agency as needed for program administration. Approved Vendors and Designees who violate this program requirement, either directly or through the conduct of a subcontractor or agent, may be subject to disciplinary action, including possible suspension from the Adjustable Block Program.~~

### ~~**Scoring Criteria and Weighting**~~

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<sup>13</sup>The IPA understands that Section 16-107.6(l)(1) of the Public Utilities Act does not obligate electric utilities serving less than 200,000 customers as of January 1, 2021 to provide net metering for subscriptions to community renewable generation projects, and that MidAmerican Energy Company accordingly no longer provides such services under its tariffs.

~~The Agency will begin accepting Traditional Community Solar applications on November 1, 2022 with that “first day” application window ending at 11:59:59 PM CT. Should first day project applications not exceed category capacity, then all applicant projects otherwise qualifying shall be deemed acceptable and may qualify for a REC Delivery Contract. Should category capacity fill later in the program year, then from that point forward, only projects meeting this scoring threshold of 5 points may be considered for an eligible for a spot on the waitlist for the Traditional Community Solar category.~~

#### **~~1. Built Environment (Maximum of 4 points permitted)~~**

~~a. Sited on “disturbed land” as defined by United States Geological Survey,<sup>14</sup> “contaminated lands” as defined by the United States Environmental Protection Agency,<sup>15</sup> or rooftops or other structures as outlined in the Commission’s Final Order. (Add 2 points)~~

~~b.a. Sited on a brownfield, as defined in Section 1-10 of the IPA Act and further clarified in Section 5.4.2 of the Plan.<sup>16</sup> (Add 2 points)~~

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~~<sup>14</sup>The USGS further defines disturbed lands between mechanically and non-mechanically disturbed lands, both which fall under the larger umbrella of disturbed lands used in this Plan.~~

~~Mechanically disturbed — Land in an altered and often non-vegetated state that, due to disturbances by mechanical means, is in transition from one cover type to another. Mechanical disturbances include forest clear-cutting, earthmoving, scraping, chaining, reservoir drawdown, and other similar human-induced changes.~~

~~Non-mechanically disturbed — Land in an altered and often non-vegetated state that, due to disturbances by nonmechanical means, is in transition from one cover type to another. Nonmechanical disturbances are caused by wind, floods, fire, animals, and other similar phenomenon.~~

~~Given that USGS no longer utilizes these classifications as land cover categories and does not have an available mapping tool and the Agency considers this definition to have been approved by the Commission through its Final Order in Docket No. 22-0231, compliance will be demonstrated through supporting documentation (which could include government records, financial records, other land use records, news stories, attestations from local officials, and other records demonstrating that the site meets the disturbed land criterion) and an accompanying certification from the applicant.~~

~~<sup>15</sup>See U.S. EPA definition for contaminated lands.~~

~~<sup>16</sup>The Agency recognizes that there may be overlap between projects defined by the U.S. Environmental Protection Agency (“EPA”) as a brownfield that also meet the definition of contaminated lands. The Agency believes that allowing a contaminated project that qualifies as a brownfield site under Section 1-10 of the IPA Act to receive points in both categories fits within the spirit of this scoring criteria. Therefore, if a project is sited on a location that independently qualifies as both contaminated lands defined by the U.S. EPA and as a brownfield under Section 1-10 of the IPA Act, the project may receive points under both (a) and (b) of the Built Environment scoring.~~

~~In order to qualify as a brownfield under Section 1-10 of the IPA Act, the project must be able to demonstrate that it is sited in an area that is either (1) located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues, or (2) is regulated by one of the following entities under the following programs: (a) the U.S. EPA under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”); (b) the U.S. EPA under the corrective Action Program of the federal Resource Conservation and Recovery Act, as amended (“RCRA”); (c) the Illinois EPA under the Illinois Solid Waste Program; or (d) the Illinois EPA under the Illinois Site Remediation Program (“ISRP”). Approved Vendors must submit sufficient documentation to demonstrate that the project is located at the site of a permanently closed coal mine or a site regulated by the identified program above.~~

~~To demonstrate brownfield qualification, the IPA will use the same qualification and evidentiary standards as utilized in its most recent Indexed REC procurement event; those can be found in Appendix C — Brownfield Requirements.~~

~~c.a. Commitment to utilize agrivoltaics.<sup>17</sup> (Add 1 point)~~

~~d.a. Commitment to pollinator friendly habitat, as defined in the Pollinator Friendly Solar Site Act (525 ILCS 55).<sup>18</sup> (Add 1 point)~~

~~e.a. Sited on Conservation Opportunity Areas as defined by the Illinois Department of Natural Resources.<sup>19</sup> (Subtract 2 points, unless the project received points for 1.d. and is sited in an Environmental Justice Community, an R3 area, and/or on a brownfield site, contaminated land, disturbed land, or rooftop or other structure)~~

## **~~2. Siting (Maximum of 4 points permitted)~~**

~~a. Sited in an Environmental Justice Community<sup>20</sup> or an R3 area.<sup>21</sup> (Add 2 points)~~

~~b.a. Sited on land owned by a non-profit or public entity. (Add 2 points)~~

~~c.a. Sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County) that does not currently have a community solar project that was approved by the ICC for a REC contract under the Adjustable Block Program at the time of application.<sup>22</sup> (Add 2 points)~~

## **~~3. Equity Eligible Contractors (Maximum 4 points permitted)<sup>23</sup>~~**

~~a. Project is developed by an EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work<sup>24</sup> to be performed by EEC certified Designees. (Add 4 points)~~

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<sup>17</sup> The definition of agrivoltaics and requirements for this scoring criterion are found in Appendix B—Agrivoltaics Requirements.

<sup>18</sup> Resources for how to successfully certify as pollinator friendly here: <https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>; The pollinator friendly distinction is limited to ground mounted solar sites per 525 ILCS 55 and the pollinator friendly aspect of the project must exist on the same parcel as the solar project.

<sup>19</sup> See IDNR's Conservation Opportunity Areas Region Locator Map here: <https://www2.illinois.gov/dnr/conservation/IWAP/pages/conservationopportunityareas.aspx>. A more detailed set of maps is also available at: <https://hub.arcgis.com/maps/IDNR::conservationopportunityareas/about>

<sup>20</sup> A map of Environmental Justice Communities as defined by the IPA through its Illinois Solar for all Program can be found here: <https://elevate.maps.arcgis.com/apps/webappviewer/index.html?id=cfd020c99ed844668450c6b77each411>

<sup>21</sup> R3 Areas established pursuant to Section 10-40 of the Cannabis Regulation and Tax Act, are defined as areas where residents have historically been excluded from economic opportunities, including opportunities in the energy sector; For a map see: <https://r3.illinois.gov/eligibility>

<sup>22</sup> Multiple projects in a given county or township that does not presently feature a community solar project either under contract or part of developers' March 2022 reopening portfolios may receive points in this category for the current program year. Project application reports will be used to verify this information. Program Application reports can be found here: <https://illinoisabp.com/project-application-reports/>

<sup>23</sup> For purposes of this scoring category, Designees that have submitted an application but are not yet certified as Equity Eligible Contractors by the Program Administrator will be permitted to be utilized as EEC Designees. If a Designee's EEC application is not approved by the Program Administrator, a substitution will need to be made for a qualifying EEC Designee. EEC Designees will need to be certified by the application scoring cure period. This allowance will only be made in the initial scoring of Day 1 applications. After such time, all EEC Designees must be certified at the time of Part I application submission to achieve points for the EEC scoring criteria.

<sup>24</sup> For purposes of this category, "project development work" refers to all construction and electrical work on a project, and project-specific site assessment work such as permitting, legal, and other site-specific development work, including work that

~~b.a. Project is developed by a non-EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work to be performed by EEC certified Designees. (Add 3 points)~~

~~c.a. Project is developed by an EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that all project development work represents 50% or more of the project's REC Contract value.<sup>25</sup> (Add 2 points)~~

~~d.a. Project is developed by a non-EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that work on all project development represents 50% or more of the project's REC Contract value. (Add 1 point)~~

#### ~~4. Interconnection Status — Maximum of 4 points permitted~~

~~a. Project has a valid interconnection agreement at the time of application (Add 1 point)<sup>26</sup>~~

~~b.a. Project has a top two queue position among community solar projects on a substation on the date of the application (Add 2 points)<sup>27</sup>~~

~~c.a. Recency of project having obtained a valid interconnection agreement (Add up to 1 point)~~

~~i. Should project applications received on the first day exceed category capacity, the project with the earliest interconnection agreement effective date will receive a full 1 point. If there are multiple projects that share the earliest interconnection agreement effective date, they will each receive 1 point.<sup>28</sup>~~

~~ii.i. The project with the latest (i.e., most recent) interconnection agreement effective date will receive 0.25 points. If there are multiple projects that share the latest interconnection agreement effective date, they will each receive 0.25 points.~~

~~iii.i. Projects applying on November 1, 2022, with an interconnection agreement effective date between the earliest and latest dates as established in i. and ii. directly above, will be assigned points based on a sliding scale between 1 and 0.25 points based upon their rank-~~

may have already been undertaken prior to project application. Non-site specific development functions (such as general sales and marketing activities) will not be considered as project development work. This definition also differs from the "project workforce" definition utilized for the Minimum Equity Standards as outlined in P.A. 102-0662, for which a firm's Illinois-based employees are included in the "project workforce" regardless of function.

<sup>25</sup> For purposes of this category, the IPA will assess the percentage of the REC contract value spent utilizing EEC-certified Designees to be taken through a comparison of a) the value of the REC Delivery Contract (expected deliveries x REC price across the contract term) and b) the demonstrated value of agreements for the project development construction and electrical work to be performed by EEC-certified Designees in developing the project, with those agreement submitted to the Program Administrator at the Part II stage. If the latter value meets or exceeds 50% of the former value, then that project will be deemed to have met this criterion.

<sup>26</sup> Pursuant to Article 3 of the Interconnection Contract (see 83 Ill. Adm. Code Part 467, Appx. C), the interconnection agreement will be considered "valid" if it is fully executed by both parties and the effective of the contract date (i.e., the date noted in the first paragraph of the agreement, pursuant to 3.1 of the contract) falls before the date of the application.

<sup>27</sup> Demonstration of queue position among other community solar projects can be accomplished through a snapshot of the interconnection queue (taken after interconnection agreement execution), verification from interconnecting utility, or other supporting materials, if applicable, submitted with a project application and accompanying certification. The IPA will also endeavor to work with the utilities to verify the accuracy of queue position submittals and reserves the right to take disciplinary action against firms found to have knowingly submitted a false queue position.

<sup>28</sup> As noted above, Section 3.1 of the contract defines the effective date of the interconnection agreement as the date noted in the first paragraph of the agreement. (83 Ill. Adm. Code Part 467, Appx. C).

~~order from the earliest effective interconnection date to the latest effective interconnection date. Each independent effective interconnection date within this rank order will be assigned an independent fractional score between 1 point and 0.25 points. As such, projects that have the same effective interconnection agreement date will receive the same number of points.~~

~~iv.i. If a project lacks an effective interconnection agreement, no points will be awarded to that project under this category for that project.~~

~~v.i. For projects submitted after the first day of category opening (i.e., on or after 12:00:00 AM CT November 2, 2022), will be assigned points based upon the recency of the agreement on a sliding scale based upon their rank order from earliest effective interconnection date to the latest effective interconnection date; the maximum available points for recency of interconnection agreement shall be .25 points (for the earliest interconnection date), and the minimum points available shall be .10 points (for the latest interconnection date).~~

### **~~Developer Cap~~**

~~A 20% developer cap will be applied across megawatts awarded, rather than the number of contracts awarded (that is, if the capacity for the Traditional Community Solar category were to be 100 MW in a program year, a single developer could be awarded at most 20 MW; the number of contracts awarded is unrelated to the developer cap).~~

~~Contract awards for established projects should not be made to a firm who would then hold over 20% of contract awards made for that program year (non inclusive of transfers or assignments) through the waitlisted project contract award. Thus, while an entity that was awarded the maximum of 20% of REC Delivery Contract awards could have the highest ranked projects on an ordinal waitlist (and that ranking would not change, including for use in the next program year), those projects would only be awarded REC Delivery Contracts in the current program year in the case of a removal of one (or more) of that entity's projects already having received a contract award so as to ensure that the 20% developer cap would not be exceeded.~~

### **~~Qualification and Demonstration~~**

~~Each criterion carries different challenges with verifying qualification for preference in scoring. While some criteria are binary and compliance can be demonstrated through an address or cross referencing a map, in other cases, robust documentation will be required to demonstrate qualification. In general, qualification will be demonstrated through supporting materials demonstrating that the criterion is met and an accompanying attestation, and the Program Administrator will assess the sufficiency of a submittal and request additional information where appropriate. Supporting documentation for each criterion the Approved Vendor seeks to score points for will need to be submitted in the portal at the time of application.~~

~~Demonstration of compliance with EEC scoring adds provides timing challenges; while demonstration that the applicant Approved Vendor is an EEC is straightforward either that entity has qualified as an EEC, or it has not demonstrating qualification of subcontractor Designees may not be possible at the time of Part I application. Therefore, while an applicant need not demonstrate contractual relationships with an EEC~~

~~sufficient to cover all or up to half of project development work at the time of Part I application, the Part I application must include identification of an applicable EEC and an attestation from an EEC of its interest and capacity to perform project development work.~~

### ~~**Verification**~~

~~In the event that the capacity for the Traditional Community Solar block is exceeded on Day 1, the Program Administrator's application review team will first seek to review all submitted applications for any deficiencies. This review process will assess only project specifications and requirements, not any attributes of the project submitted for scoring purposes. This application review process will take place prior to any application scoring to ensure that the universe of applications being scored is viable. After the project specifications for these applications are reviewed and deficiencies cured, the application scoring will commence. After scores are determined by the Program Administrator's scoring team, those scores will be shared individually with each Approved Vendor for review. After review of scores is completed, all scores will be made public and the ranked ordinal list will be posted publicly. Any subsequent Traditional Community Solar applications submitted to the Program will be added to a waitlist, so long as the applications meet the minimum point threshold for waitlist acceptance.~~

### ~~Proposed Schedule for Application Review and Scoring<sup>29</sup>~~

#### ~~1. Application Review Period~~

- ~~a. Applications undergo initial review by Program Administrator Approximately 4 weeks~~

#### ~~2.1. Application Cure Period~~

- ~~a. Approved Vendors cure deficiencies identified by Program Administrator Approximately 2 weeks~~

#### ~~3.1. Application Scoring Period~~

- ~~a. Program Administrator begins scoring process for all relevant applications (those submitted without deficiencies and those that successfully cure deficiencies during the 2 week cure period) Approximately 3 weeks~~

#### ~~4.1. Scoring Cure Period~~

- ~~a. Approved Vendors are offered a chance to review initial score and dispute and resolve any discrepancies Approximately 2 weeks~~

~~Final scores will be posted publicly after the scoring cure period closes.~~

### ~~**Compliance**~~

~~Approved Vendors will be asked to submit proper documentation for each scoring criterion sought based on the following table.~~

#### ~~**1. Submissions at Part I Application**~~

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<sup>29</sup> Please note this schedule is tentative for each program year and will be dependent on both the quality and quantity of applications received.

Scoring Criterion	Topic	What Should Be Submitted
<del>1.a</del>	<del>Built Environment – Disturbed/Contaminated Land</del>	<del>Provide documentation of qualifications per definition</del>
<del>1.b</del>	<del>Built Environment – Brownfield</del>	<del>Provide documentation of qualifications per definition</del>
<del>1.c</del>	<del>Built Environment – Agrivoltaics</del>	<del>Agrivoltaics development plan with all required items outlined in Appendix A</del>
<del>1.d</del>	<del>Built Environment – Pollinator Friendly Habitat</del>	<del>Pollinator Friendly Habitat development plan that aligns with IDNR’s Illinois Planned Pollinator Habitat on Solar Sites Scorecard<sup>30</sup></del>
<del>1.e</del>	<del>Built Environment – Conservation Opportunity Area (“COA”)</del>	<del>Statement that this scoring criterion is sought after (Yes/No)</del>  <del>AND</del>  <del>Name of COA project is located in</del>
<del>2.a</del>	<del>Siting – Environmental Justice Community and R3 area</del>	<del>Statement that this scoring criterion is sought after (Yes/No)</del>
<del>2.b</del>	<del>Siting – Land owned by non-profit or public entity</del>	<del>Site control documentation that proves ownership</del>
<del>2.c</del>	<del>Siting – County without Community Solar (both TCS and CDGS) project</del>	<del>Statement that this scoring criterion is sought after (Yes/No)</del>
<del>3.a</del>	<del>Equity Eligible Contractor – EEC AV and EEC Designee(s)</del>	<del>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</del>
<del>3.b</del>	<del>Equity Eligible Contractor – Non-EEC AV and EEC Designee(s)</del>	<del>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</del>

<sup>30</sup> See: <https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>



<del>3.e</del>	<del>Equity Eligible Contractor — EEC AV and 50% of development work performed by EEC Designee(s)</del>	<del>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</del>  <del>AND</del>  <del>Attestation from EEC Designee(s) of its interest and capacity to perform project development work</del>
<del>3.d</del>	<del>Equity Eligible Contractor — Non EEC AV and 50% of development work performed by EEC Designee(s)</del>	<del>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</del>  <del>AND</del>  <del>Attestation from EEC Designee(s) of its interest and capacity to perform project development</del>
<del>4.a</del>	<del>Interconnection Status — Valid Interconnection Agreement<sup>34</sup></del>	<del>Copy of agreement and date of last signature (thus making the agreement valid)</del>  <del>If not applicable, please state "N/A" or "No interconnection agreement available"</del>
<del>4.b</del>	<del>Interconnection Status — Top 2 Queue Position</del>	<del>Identifier of relevant substation and queue position (if available)</del>  <del>If not applicable, please state "N/A" or "No queue position available"</del>
<del>4.c</del>	<del>Interconnection Status — Recency of Interconnection Agreement</del>	<del>No submission of information required, can be determined from information provided via item 4.a</del>

## **2.1 Changes between Part I and Part II**

<sup>34</sup> A valid interconnection agreement is an agreement signed by both the interconnecting utility and the customer. Partially executed agreements will not be accepted.



~~Failure to meet any criteria which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified. For example, if a project did not use sufficient levels of EEC Designees as submitted in the Part I application or failed to leverage the project site for agricultural use as stated in an agrivoltaics plan submitted in the Part I application, the Program Administrator would not Part II verify the project. Approved Vendors would have the right to appeal Program Administrator determinations of non-compliance with scoring criteria to the IPA. A demonstrated pattern of such defaults could result in disciplinary action, including ineligibility for future contract awards.~~

~~**a. Permitted Changes Between Part I and Part II Application**~~

~~**i. Agrivoltaics**~~

~~1. Changes to an agrivoltaics plan, such as a change in crop utilization or footprint size (above the required 50% outlined in Appendix A), are permitted. Any changes to an agrivoltaics plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.~~

~~**ii. Pollinator Friendly Habitat**~~

~~1. Changes to a Pollinator Friendly Habitat plan, such as a change in crop utilization, are permitted. Any changes to a Pollinator Friendly Habitat plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.~~

~~**iii. EEC Designee Substitution**~~

~~1. Substitution of the EEC Designee(s) that will support a project due to unforeseen circumstances can be made between the Part I and Part II application. Any substitutions must be made in writing to the Program Administrator, and are subject to review and verification.~~

~~**3.1. Part II Verification of Commitments Made at Part I**~~

~~The Program Administrator will request confirmation that any commitments made in the Part I application were fulfilled throughout project development, including but not limited to:~~

~~a. Built Environment Agrivoltaics~~

~~b. Built Environment Pollinator Friendly Habitat~~

~~c. EEC Designee commitments~~

~~As noted above, any changes to commitments made in the Part I application submission which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified.~~

~~**4.1. After Part II Verification**~~

~~As most of the scoring criteria for Traditional Community Solar project will take place during the project development cycle (thus take place across the Part I and Part II application process), there is a limited scope of criteria that the Agency will need to monitor after Part II verification. Two commitments that, if applicable, the Program Administrator will seek to monitor throughout the life of the REC Delivery Contract are scoring criterion Built Environment Agrivoltaics (1.c) and Built Environment Pollinator Friendly Habitat (1.d). As both of these criteria are commitments that are~~

~~to be continued throughout the life of the REC contract, the Program Administrator will request updated reporting at the Annual Report each July and will also seek to ensure that projects that have made these commitments are in compliance via random project inspections.~~

## Community-Driven Community Solar ~~G. Community-Driven Community Solar~~

Community-Driven Community Solar projects are community solar projects up to 5 MW in size featuring attributes allowing the project to be evaluated for participation in the community-driven community solar category, as established through Section 1-75(c)(1)(K)(v) of the IPA Act.

A Community-Driven Community Solar ("CDCS") project is defined as a solar project which (1) is interconnected to an electric utility, a municipal utility, or a rural electric cooperative, (2) allows subscribers to pay for shares or some other "interest" in the project, receiving bill credits in exchange; and (3) does not exceed 5,000 kW AC in size, and which features attributes allowing the project to be evaluated for participation in the community-driven community solar category, as established through Section 1-75(c)(1)(K)(v) of the IPA Act.

Each program year, there will be a 90-day period for Community-Driven Community Solar ~~("CDCS")~~ projects to be submitted prior to any project selection. Upon closing of the 90-day period, projects will be reviewed and scored based on the ~~CDCS~~scoring criteria as outlined ~~below~~in Appendix F, with projects selected from the application pool in the order of highest to lowest score until the block is fully allocated. A minimum score of 6 points must be achieved to be eligible for a REC contract in the CDCS fundingcategory. Random selection will be utilized as a tiebreaker only for equally scored projects to fill available capacity, if any. However, should the capacity available be so small as to only accommodate one or more projects below a certain size, then the Agency may only consider those projects small enough to not exceed that remaining capacity. After project selection for any given program year, projects that have a minimum score of 10 points will be placed on a waitlist for the following delivery year. ~~Projects will be selected based on the following criteria:~~

~~The primary selection criteria include (Maximum of 20 points available for primary selection criteria):~~

### Community ownership Public Schools<sup>32</sup>

- ~~• or community wealth-building through having a minimum of 50% of the ownership of the project held by community residents or non-profit organizations which directly serve the community where the project is located. This would include having members of the community being able to participate in decisions regarding the governance, operation, maintenance, and upgrades of and to the project; and members of that community benefiting from the project through subscriptions to the project.~~

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<sup>32</sup> The Agency released Clarifications for Public Schools Category for 2022-23 Program Year on October 7, 2022

- ~~Additional direct and indirect benefits, beyond project participation as a subscriber, including, but not limited to, economic, environmental, social, cultural, and physical benefits. The application must quantify the value of these benefits and they must represent at least 20% of the REC contract value.~~
  - ~~Direct benefits can include, but are not limited to, financial benefits for the owner(s) and subscribers, such as bill savings, revenues from project ownership, tax credits, and the financial value of the project, as well as job creation, direct income, and increased economic activity in the defined geographic community.~~
  - ~~Indirect benefits can include, but are not limited to, demonstration of environmental, educational, and cultural benefits.~~
- ~~Meaningful involvement in project organization and development by community members, non-profit organizations, or public entities located in or serving the community.~~
  - ~~Meaningful involvement in project organization as used herein can mean, but is not limited to, a process that consists of public input, participation and engagement in the program design process, including workshops, webinars, and public comment periods all of which afford stakeholders (those who have an interest or stake in an issue, such as individuals, interest groups, and communities) the opportunity to influence decisions that impact their community.~~
- ~~Engagement in project operations and management by nonprofit organizations, public entities, or community members.~~
  - ~~Engagement as used herein can mean, but is not limited to, continuous community participation and consultation as projects are built, operated, and maintained in a way that affords opportunities for the community to weigh in on and make decisions regarding the project.~~
- ~~Whether the project is developed in response to a site-specific RFP developed by community members, or a non-profit organization or public entity located in or serving the community.~~

Sufficient demonstration of any of the individual primary selection criteria will be worth up to **4 points each** in the scoring system.

Demonstration of any of these primary selection criteria should be accomplished through a detailed written narrative description that includes firm commitments and evidence as to how any benefits, resources, and wealth building will flow to the community that will host the project. Additionally, any community engagement activities and planned community ownership should be documented in a detailed way in this narrative.

**The secondary selection criteria include (Maximum of 16 points available for secondary selection criteria):**

- ~~Projects that are developed in collaboration with or to provide complementary opportunities for the Clean Jobs Workforce Network Program, the Illinois Climate Works Preapprenticeship Program, the Returning Residents Clean Jobs Training Program, the Clean Energy Contractor Incubator Program, or the Clam Energy Primes Contractor Accelerator Program.~~
  - ~~Complementary opportunities as used herein can mean, but is not limited to: utilizing graduates of job training programs in project development, hiring job training graduates~~

~~permanently for future projects, not just the applicant project, an expansion of the goals of the job training programs to include ‘business training,’ on how to develop a project, get financing, recruit customers, etc.~~

- ~~• Projects that increase the diversity of locations of community solar projects in Illinois, including by locating in urban areas and population centers.~~
- ~~• Projects that are located in Equity Investment Eligible Communities.~~
- ~~• Projects that are not greenfield projects.~~
- ~~• Projects that serve only local subscribers.<sup>33</sup>~~
- ~~• Projects that have a nameplate capacity that does not exceed 500 kW.~~
- ~~• Projects that are developed by and equity eligible contractor.~~
- ~~• Projects that otherwise meaningfully advance the goals of providing more direct and tangible connection and benefits to the communities which they serve or in which they operate and increasing the variety of community solar locations, models, and options in Illinois.~~

~~Sufficient demonstration of any of the individual secondary selection criteria will be worth up to 2 points each in the scoring system.~~

~~Demonstration of any of these additional selection criteria should be accomplished through a detailed written narrative description separate from the narrative provided for the primary selection criteria outlined directly above. Evidence of any/all additional selection criteria that are applicable to the applicant’s Community-Driven Community Solar project should be outlined as comprehensively as possible in this narrative.~~

~~Projects that are awarded points for committing to serve only local subscribers as defined above must meet the local subscriber requirement at the time of Part II verification in order to qualify for a CDCS block. If the project does not meet the requirement, it will be removed from the REC Contract, with forfeiture of collateral and would be eligible to reapply for a Traditional Community Solar Block or waitlist as such capacity becomes available. The local subscriber requirement will be verified at each of the quarterly reports over the first year of the project’s operation. Non-local subscribers will be treated as unsubscribed capacity and REC payments will be adjusted accordingly.~~

~~H. A public school project is defined as a distributed generation or community solar project that is located at a public school in Illinois.~~

#### ~~**Public Schools<sup>34</sup>**~~

~~Public Schools projects will be allocated by Group, Tier/location, and project size. From the 100 MW allotted for this category, 30 MW is allocated to Group A and 70 MW to Group B. Within the allocations to Groups A and B, 70% (70 MW in the initial 2022-2023 block) of capacity will be allocated to schools categorized as Tier 1, Tier 2, and schools located within Environmental Justice Communities and 30% (30 MW in the initial~~

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~~<sup>33</sup> Local subscribers are subscribers in the same county as the project, or if that project’s county population is below 50,000, then also in adjacent counties.~~

~~<sup>34</sup> The Agency released Clarifications for Public Schools Category for 2022-23 Program Year on October 7, 2022~~

2022-2023 block) will be allocated to Tier 3 and Tier 4 schools not located within Environmental Justice Communities. Tiers will be determined using the prior year results of the annual Evidence-Based Funding Distribution process conducted by the Illinois State Board of Education.<sup>35</sup> Capacity will be further allocated by size within these two groups of school types. One-quarter of each allocation will go to projects less than or equal to 250 kW AC, half to projects greater than 250 kW AC and less than or equal to 1 MW AC, and one quarter to projects greater than 1 MW AC and less than or equal to 5 MW AC in size. The initial ~~2022-2023~~ block ~~breakdown (in MW) is detailed in sizes for the chart~~ 2023-2024 program year are listed below.<sup>36</sup>

Group	School Type	≤250 kW	>250 - 1,000 kW	>1,000 - 5,000 kW
<b>Group A</b> 30 MW	Tier 1, Tier 2, <del>and/or</del> schools located <u>within</u> Environmental Justice Communities	5.25 MW	10.5 MW	5.25 MW
	Tier 3, Tier 4, <del>and/or</del> schools <u>not located within</u> Environmental Justice Communities	2.25 MW	4.5 MW	2.25 MW
<b>Group B</b> 70 MW	Tier 1, Tier 2, <del>and/or</del> schools located <u>within</u> Environmental Justice Communities	12.25 MW	24.5 MW	12.25 MW
	Tier 3, Tier 4, <del>and/or</del> schools <u>not located within</u> Environmental Justice Communities	5.25 MW	10.5 MW	5.25 MW
<b>Total 100 MW</b>		<b>25 MW</b>	<b>50 MW</b>	<b>25 MW</b>

For each program year, if any of the above allocations are not filled within 180 days, projects located at a public school will be accepted on a first come, first serve basis regardless of Tier, Environmental Justice Community location, or project size.

In order to ensure a smooth transition to new requirements, there will be a one-year grace period wherein public school projects will be permitted to participate in the Illinois Solar for All's Non-Profit and Public Facility sub-program. Beginning with the 2023-24 program year, public school projects must be submitted

<sup>35</sup> Details can be found at [Evidence-Based Funding Distribution Calculation \(isbe.net\)](https://isbe.net/evidence-based-funding-distribution-calculation) and [Environmental Justice Community Search Map \(arcgis.com\)](https://arcgis.com)

<sup>36</sup> ~~This allocation does not include the uncontracted capacity from the 2021-22 program year.~~

to the Adjustable Block Program and may no longer apply for incentives through the Illinois Solar for All program.

### **Project Location for Public Schools**

Distributed generation projects submitted to the Public Schools category must be located at the public school (or school district facility) the project is serving. Community solar projects submitted to the Public Schools category must be sited on district- or school-owned land, in accordance with the Commission's ~~Distributed generation projects submitted to the Public Schools category must be located at the public school (or school district facility) the project is serving. Community solar projects submitted to the Public Schools category must be sited on district- or school-owned land, in accordance with the Commission's~~ Final Order. The on the 2022 Long-Term Plan. For community solar projects only, the school or district-owned land that the project is sited on may be adjacent to a the parcel where the anchor tenant school (or district building, or district facility) is located, but adjacency is not required.

A school/district must own the land on which a project submitted to the Public Schools category is sited. Projects developed on land leased by a school/district are not permitted for submission to this category, unless a public school is sited on the same parcel of leased land. A school district must own the land on which the prospective project is sited at the time of application to the Program. ~~A school/district must own the land on which a project submitted to the Public Schools category is sited. Projects developed on land leased by a school/district are not permitted for submission to this category, unless a public school is sited on the same parcel of leased land. A school district must own the land on which the prospective project is sited at the time of application to the Program.~~ Schools/districts are not permitted to enter into agreements to purchase land that would be contingent on receiving a REC Contract from the Program in order to qualify for this Program category. A school district must continue to own the land the project is sited on for the entire lifetime of the REC Contract (20 years).

A school district must continue to own the land the project is sited on for the entire lifetime of the REC Contract (20 years). Any change in land ownership that occurs during the lifetime of the REC contract that causes the school or district to sell the land on which a project in the Public Schools category is sited, should be brought to the Program's attention and will be assessed for continuation in the Program on a case-by-case basis. The Program Administrator along with the Agency will make a determination on whether the project no longer being sited on land owned by a school/district constitutes material non-conformance with the REC contract.

### **Subscriber and Anchor Tenant Requirements for Community Solar Projects in the Public Schools Category**

For projects participating in the Public Schools category, the public school or school district at which the project is sited must be an anchor subscriber to the community solar project, commonly referred to as "anchor tenant". As such, the public school or school district must subscribe to a minimum of 10% of the project's capacity, without exceeding 40% of the project's capacity.

As the REC Contract for Public Schools projects is 20 years in length, the school must commit to being an anchor tenant for the Community Solar project for the life of the REC Contract. In order to comply with anchor tenant requirements, the Approved Vendor will need to submit a letter of intent in the Part I application from the school/school district serving as the anchor tenant. When subscription levels for the project are reviewed by the Program Administrator during the Part II application review, the school/school district must be subscribed to between 10-40% of the project's capacity.

Per requirements for community solar projects under the Climate and Equitable Jobs Act, community solar projects submitted to the Public Schools category will be required to retain a subscription mix of at least 50% small subscribers. The school or school district hosting the project must act as the anchor tenant and the 50% small subscriber commitment must be met; remaining capacity of the project after fulfillment of these two requirements can be filled with any type of subscriber.

### ***Anchor Tenant Waiver for Public Schools***

The Agency will allow flexibility around the ability of an anchor tenant of a Public School category community solar project ~~to transfer the subscription to another public school or school district and~~ adjust the subscription size (within the 10-40% range) as needed. The anchor tenant may request a waiver from the subscription requirements as necessary at any point during the 20-year subscription term. As the waiver process is intended to be used in limited instances when a school can no longer serve as an anchor tenant due to unforeseen circumstances that may arise over a 20-year period, a school and/or district may not request a waiver in advance of a demonstrated need or ~~at the time in advance of the~~ project application.

~~Per the Illinois Commerce Commission's Final Order approving the Agency's 2022 Long Term Plan, a stakeholder feedback process will take place to finalize a process around the offering of a waiver from the Program requirement of the school where the project is sited acting as an anchor tenant to a community solar project that is submitted to the Public Schools category. The Agency intends to hold this feedback process in the first quarter of 2023. Applicants to the Program should not act in reliance on the existence of this waiver process until all relevant details are finalized and the feedback process has concluded.~~

~~For each program year, if any of the above allocations are not filled within 180 days, projects located at a public school will be accepted on a first come, first serve basis regardless of Tier, Environmental Justice Community location, or project size.~~

~~In order to ensure a smooth transition to new requirements, there will be a one year grace period wherein public school projects will be permitted to participate in the Illinois Solar for All's Non-Profit and Public Facility sub-program. Beginning with the 2023-24 program year, public school projects must be submitted to the Adjustable Block Program and may no longer apply for incentives through the Illinois Solar for All program.~~



1. The Agency will accept waiver requests from Approved Vendors for changes in circumstances that prohibit the public school or district from acting as an anchor tenant at the original subscription size including, but not limited to: decreased electric load (possibly due to lower than average attendance levels), closure of a school, consolidation of schools, etc. The public school or district must retain a subscription of at least 10% of the community solar project. Additional reasons not contemplated here will be considered by the Agency and all waivers will be assessed on a case-by-case basis. Sufficient documentation of such circumstances will be required in order for a waiver request to be considered. The Agency may disfavor waiver requests that are made within the first four years following a project's Energization/Part II verification.

An Approved Vendor seeking a waiver from this requirement should reach out to the Program Administrator.

### ***Equity Eligible Contractors***

An Equity Eligible Contractor ("EEC") is a business that is majority-owned by equity eligible persons, or a nonprofit or cooperative that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor. The definition of an equity eligible person can be found in the Glossary of this Guidebook.

Utilization of the capacity in the Equity Eligible Contractor category is limited to Approved Vendors who qualify as an EEC. Equity Eligible Contractor Approved Vendors may choose to work with Designees or on their own, and those Designees may or may not be also EEC ~~qualified~~certified. However, Approved Vendors that do not qualify as an EEC but partner with a Designee that does qualify as an Equity Eligible Contractor are ineligible to participate in this category.

For projects submitted and verified during Part I from an EEC-certified Approved Vendor and thus placed in the EEC category, the Approved Vendor must maintain that EEC certification through Part II verification. An exception will be made if the EEC certification included a determination based on persons whose primary residence is in an equity investment eligible community at the time of certification and have subsequently moved out of an eligible community. If an EEC project is assigned under the 2021 or 2022 REC Delivery Contracts to a non-EEC Approved Vendor before Part II verification, it will have failed to meet EEC requirements, will not be Part II verified, and will be removed from REC contract with forfeiture of collateral. The project may be reapplied to another category for which it is eligible. If there is a waitlist for the new category to which it is applied, the project will be added to the waitlist as of the date of this reapplication to the new category. Projects that are developed by Approved Vendors certified as EEC and receive a REC contract through the EEC block of capacity may not assign those projects to an Approved Vendor that is not also a certified Equity Eligible Contractor for six years after the Part II verification date of the project. After six years from the Part II verification date has passed, this moratorium on assigning EEC projects to Approved Vendors that are not certified as an EEC is lifted.

Up to 50% of contract value may be advanced to an EEC-certified Approved Vendor. To be eligible for an advance of capital, an EEC will need to include the request for the advance of capital in Part I application, along with a short narrative description of the need being addressed, and what key project development



milestones will trigger the disbursement. The narrative description should include a breakdown of costs that the advance will cover and may be submitted on a confidential basis. Once a project has been Part I verified and the contract or product order approved by the Commission, the EEC AV will then submit verification of achievement of the specified milestones to the Agency for review and approval. The EEC will then invoice the utility for the advancement following the invoicing process outlined in the 2022 REC Contract and the utilities will process this invoice following the same, with payments made by the contracting utility on the regular monthly invoicing cycle.

**Subscriptions Across Traditional Community Solar and Community-Driven Community Solar Projects**

Subscriptions to community solar projects occur at the utility account level. A single utility account may have multiple subscriptions to different community solar projects. Additional requirements applicable to community solar subscriptions may be outlined in applicable utility tariffs.

Subscriptions to community solar projects are monitored by the Program Administrator per the process outlined in the relevant REC contract for each project type.

**Confidential Treatment of Subscriber Information**

In the course of marketing, soliciting, and subscribing customers, Approved Vendors and/or their Designees, subcontractors, or agents, may obtain confidential, proprietary, or otherwise generally non-public information from subscribers or potential subscribers. This information may include the subscriber or potential subscriber's utility account number, utility account name, meter number, or other confidential information. Approved Vendors, Designees, subcontractors, and agents shall maintain the confidentiality and security of all such information received from subscribers and potential subscribers. Furthermore, Approved Vendors, Designees, subcontractors, and agents shall not release such information to any other person or entity without the written consent of the subscriber or potential subscriber. This restriction shall not apply to the necessary sharing of such information between an Approved Vendor and its Designees, subcontractors, or agents in order to enroll a community solar subscriber, nor shall it apply to requests from the Program Administrator and/or the Agency as needed for program administration. Approved Vendors and Designees who violate this program requirement, either directly or through the conduct of a subcontractor or agent, may be subject to disciplinary action, including possible suspension from the Program.

## E. Block Structure

At the core of the Program is the concept of a “block.” A block constitutes a pre-established amount of program capacity available for a certain project type at a transparent, administratively set REC price or prices, with prices differing slightly depending on project attributes. The enactment of Public Act 102-0662 changed the cascading block approach of the Program to an annual block approach.

A single annual block will open at the start of each delivery year, on June 1, establishing program years that align with delivery years. This schedule of annual blocks opening on June 1 will commence with the 2023-2024 delivery/program year and apply for all subsequent delivery/program years. If a block’s capacity is filled at any point during the program year, then applications to that block will be placed on a waitlist until the subsequent program year.

Blocks for all Program categories are allocated into two groups by service territory/geographic category:

- Group A: for projects located in the service territories of Ameren Illinois Company (“Ameren Illinois”), MidAmerican Energy Company (“MidAmerican”), Mt. Carmel Public Utility, and rural electric cooperatives and municipal utilities located in the Midcontinent Independent System Operator (“MISO”) service area.
- Group B: for projects located in the service territories of Commonwealth Edison Company (“ComEd”), and rural electric cooperatives and municipal utilities located in the PJM Interconnection (“PJM”) service area.

The initial capacity allocation (by MW) for each category for the 2023-2024 Delivery year Block is as follows:

	<u>Small DG</u>	<u>Large DG</u>	<u>Traditional Community Solar</u>	<u>Community- Driven Community Solar</u>	<u>Equity Eligible Contractor Projects</u>	<u>Public Schools<sup>37</sup></u>
<u><b>Group A</b></u> <u>(Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives and Municipal Utilities located in MISO)</u>	<u>40 MW</u>	<u>40 MW</u>	<u>60 MW</u>	<u>10 MW</u>	<u>20 MW</u>	<u>30 MW</u>

<sup>37</sup> The Public Schools category allocates 30 MW to Group A and 70 MW to Group B. Within Group A and Group B, capacity is split between Tier 1 schools, Tier 2 schools, and schools located in Environmental Justice Communities (70%) and Tier 3 schools, Tier 4 schools, and schools not located within Environmental Justice Communities (30%).

<b><u>Group B</u></b>  <u>(ComEd and Rural Electric Cooperatives and Municipal Utilities located in PJM)</u>	<u>94 MW</u>	<u>94 MW</u>	<u>140 MW</u>	<u>23 MW</u>	<u>46 MW</u>	<u>70 MW</u>
<b><u>Total</u></b>	<b><u>134 MW</u></b>	<b><u>134 MW</u></b>	<b><u>200 MW</u></b>	<b><u>33 MW</u></b>	<b><u>66 MW</u></b>	<b><u>100 MW</u></b>

Due to requirements for reallocation of uncontracted capacity from previous program years outlined in the Agency's 2022 Long-Term Plan, the block sizes above will be amended slightly with reallocated capacity from the 2022-23 program year. The reallocation process is outlined further in Section 1.H. Final block sizes for the 2023-24 Delivery/Program year, inclusive of reallocated capacity, will be announced once the 2022-23 Program year concludes.

The Public School category has an allocation of 30% of capacity to Group A and 70% to Group B. After allocation by Group, capacity for this category is allocated based on project size.

The Equity Eligible Contractor block allocation is at issue at the time of the publication of this Program Guidebook release for stakeholder feedback in March 2023. The Agency will update this section as required by the Commission's Order on Reopening in Docket No. 22-0231, which is expected in April 2023.

## **F. Block Closing**

When a block's capacity is fully allocated, a "soft close" process is initiated for the relevant block. A soft close of a block is when the Program Administrator will announce that the block will close in seven calendar days or when the next project application submitted to the block would exceed the block's capacity by 10 MW from the original published block size, whichever comes first. During this soft close period, no more than 10 MW of additional capacity will be accepted into a given category. That capacity cap is managed at the batch level—meaning if a batch causes a block to exceed the 10 MW additional capacity limit, the Program Administrator may remove individual projects from that batch in consultation with the batch's Approved Vendor to ensure the block remains under allowed capacity cap.

Subject to the conditions outlined above as well as conditions outlined in Section 1.E, a project will receive the price of the block that is open at the time the Part I project application is submitted. If a block is closed at the time an application is submitted and that project is waitlisted, it will receive the REC pricing associated with the block of capacity for the Group/category combination it will utilize as outlined in the subsequent section below.

## **G. Waitlist Procedures**

### **General Waitlist Procedures Across All Program Categories**

1. The Program will continue accepting project applications and place those projects on the waitlist for each Group/category on a first come, first served basis (unless otherwise noted in this Section G), with newly opened space created by earlier projects that are not approved or are withdrawn, filled

from the top of the waitlist at the last open block pricing. A project will be considered submitted when the batch to which that application belongs is submitted and payment for that batch is initiated. Waitlists of projects will carry over to the following Program/Delivery year.

2. For the categories that have a waitlist, projects will be selected from the waitlist in the established waitlist order. Those selections will occur if/when project(s) in that Group/category that previously received the Program Administrator's recommendation for a REC Contract withdraw or are otherwise removed from the Program, thus opening up capacity. This may not be a one-to-one relationship by number of projects; in general, sufficient capacity must be vacated by withdrawn projects to accommodate a project coming off the waitlist.

*Example: A 2 MW project that previously was selected for a REC Contract withdraws from the ABP. The sizes of the next projects on the waitlist are, in queue order, 600 kW, 800 kW, and 700 kW. The 600 kW project and the 800 kW project would be selected off the waitlist, taking up 1.4 MW of the newly vacated capacity. The 700 kW project would remain on the waitlist because its selection would cause the remaining 600 kW of available capacity to be exceeded. The 700 kW project would **not** be skipped over in favor of selecting a waitlist project <=600 kW. Rather, the 600 kW of available capacity would remain open until additional projects withdrew to open up sufficient capacity to accommodate the 700 kW project.*

3. Once a project is selected off the waitlist, it will receive the REC pricing associated with the block of capacity for the Group/category combination it will utilize and the Approved Vendor will be given 10 business days to accept or decline the selection. If it declines, the next project(s) on the waitlist (subject to available capacity) would be selected along the same terms (10 business days to accept or decline) with this process repeated as necessary until the available capacity is filled (again, subject to available capacity).
4. Projects may, but are not required to, remain in the interconnection queue (i.e., maintain a valid interconnection agreement with the applicable utility) to maintain their place on the waitlist. This includes projects that are forced from the utility interconnection queue due to the utility's queue management process, including, but not limited to, being forced to pay a potentially nonrefundable deposit to remain in the queue, or incurring other costs to remain on the waitlist. **Any project that is required to have a valid interconnection agreement as part of its Part I application** that has exited the interconnection queue must provide proof that it has reapplied for interconnection as a condition of its selection off of the waitlist. Any project that declines a utility interconnection restudy, declines to pay a potentially nonrefundable deposit to remain in the queue, or otherwise takes an action that pre-emptively removes itself from the utility interconnection queue rather than wait for involuntary removal will be deemed to have been removed from the queue involuntarily. Such projects will remain eligible for selection off of the waitlist.

### **Traditional Community Solar Waitlist Specifics**

Traditional Community Solar projects must receive a minimum score of 5 points to receive a spot on the waitlist. Should first day project applications not exceed category capacity, then all applicant projects otherwise qualifying shall be deemed acceptable and may qualify for a REC Delivery Contract. Should category capacity fill later in the program year, then from that point forward, only projects meeting this scoring threshold of 5 points may be considered for an eligible for a spot on the waitlist for the Traditional Community Solar category. Demonstration of continuous site control will be required to maintain a waitlist position throughout the Program year and into the next Program year; the degree to which this is monitored by the Program Administrator, and the manner of that monitoring, will be determined at a later date.

### **Community-Driven Community Solar Waitlist Specifics**

Community-Driven Community Solar projects must receive a minimum score of 10 points to receive a spot on the waitlist. Demonstration of continuous site control will be required to maintain a waitlist position throughout the Program year and into the next Program year; the degree to which this is monitored by the Program Administrator, and the manner of that monitoring, will be determined at a later date.

### **Public Schools Waitlist Specifics**

If capacity is reached prior to 180-day prioritization window for this block, projects will be added to waitlist following the prioritization for this block outlined in Section 1.D.

After the 180-day prioritization window closes, projects will be added to the waitlist in order in which they are received regardless of project size/Tier or EJ community location. Waitlists will be maintained separately for Group A and Group B.

Projects will be taken off the waitlist in the ranked waitlist order, as capacity becomes available as noted above during the remainder of the Program year. Freed capacity for each Group will only utilized to serve projects on that Group's waitlist, thus no cross-Group sharing of capacity will occur and each Group will retain its own waitlist.

Once a new Program year commences, if a waitlist remains for this block, projects will be taken off the waitlist following the prioritization rules for this block. As such, a reshuffling of the waitlist will occur at the start of each Program year in order to provide increased opportunities to Tier 1/Tier 2/EJ community-sited schools. Projects will take capacity from their designated sub-block according to the project type, Group, and size.

## **H. Uncontracted Capacity**

Following the 2022-2023 delivery year, if uncontracted capacity remains in the Public Schools and Community-Driven Community Solar categories, 50% of that capacity will rollover into the capacity

allocation for the 2023-2024 delivery year, while the other 50% will be allocated in accordance with the process outlined below.

The Agency will determine the amount of uncontracted capacity across all program categories (with the caveat related to the Public Schools and Community-Driven Community Solar categories for the 2023-2024 delivery year outlined above, and preserving Equity Eligible Contractor capacity generally) within one week after the closing date of that year's annual blocks. That uncontracted capacity will be summed to a total amount, with distribution of that total amount made according to the prioritization below:

- The Agency will first allocate any uncontracted capacity to the Equity Eligible Contractors category to select waitlisted projects from this category.
  - As the only category which is expressly sought to be expanded over time, growing to 40% of the Program by 2030, this approach allows the Agency to expand capacity allocated to the EEC category should demand allow. In addition, as P.A. 102-0662 prioritizes the diversification of the Illinois clean energy economy and instructs the Agency to provide better and broader access to Equity Eligible Contractors through its solar programs, this approach best meets the spirit of the law.
  - If there is unallocated capacity in the Equity Eligible Contractor category, that capacity will not be reallocated to other categories. If substantial unused capacity remains within this category, the IPA will work with stakeholders to identify barriers to participation in this category and develop plans to mitigate those barriers.
- Next, the Agency will prioritize reallocation of any remaining uncontracted program capacity to the Small Distributed Generation category to select waitlisted projects from this category.
  - This approach helps maximize the number of Illinois residents and/or businesses that can benefit from the Program.
- Next, the Agency will prioritize reallocation of any still remaining uncontracted program capacity to the Community-Driven Community Solar category if a waitlist of Community-Driven Community Solar projects has formed. Eligible waitlisted projects will be selected by scoring rank order (which establishes the ordinal waitlist for that category) and will be required to have met the minimum scoring threshold for selection.
  - This category is prioritized in recognition of the concern that community solar project development in Illinois has been largely homogenous since program inception. This new program category was established to diversify the community solar market through the development of community-driven projects, and allocating waitlisted capacity maximizes its impact.
- If uncontracted capacity remains after prioritized reallocation to these three program categories, the Agency will evenly distribute the remaining uncontracted capacity across the remaining program categories featuring waitlists. Should a category's waitlist be satisfied by less capacity than that distribution, then the remaining capacity shall be added to the other category or categories featuring waitlists.

If any or all uncontracted capacity cannot be used to satisfy existing waitlists, then that remaining uncontracted capacity will be distributed across all program categories on a pro rata basis corresponding with those categories Section 1-75(c)(1)(K) percentage allocations.<sup>38</sup>

The Agency will publish its capacity redistribution within one week after determining the sum total of capacity (i.e., within two weeks after the close of that year's annual blocks). Capacity distribution to categories featuring waitlists will result in projects selected off of those waitlists by waitlist order, with the resulting contract price at the price of the next annual block. Published block capacities for that next annual block will be updated to reflect that category's expanded, and now-filled, capacity additions. For waitlisted capacity not met through uncontracted capacity redistribution, Section 1-75(c)(1)(K) also provides that "the waitlist of projects in a given year will carry over to apply to the subsequent year when another block is opened." Thus, those waitlisted projects will be given priority in selection within their category under that new delivery year's capacity allocation to that category.

## **I. REC Pricing**

### **Background of Incentives via RECs**

Renewable Energy Credits ("RECs") represent the environmental value of the electricity generated from solar panels, but not the electricity itself. A REC is issued when 1 MWh of electricity is generated by a renewable energy source, such as solar power. Utilities purchase RECs to meet their obligation to supply a certain amount of power from renewable energy. Incentives for projects participating in the Illinois Shines program are generated through the purchase of RECs by an Illinois electric utility through a binding contract with an Approved Vendor. Each program year, REC prices are set by the IPA for the block capacity that is made available across project categories. Incentive levels, expressed in REC prices, vary by group and category, and are based upon the project's category, size, and location. The incentive level that an Illinois Shines project will receive is the total of the expected amount of RECs (as verified in the Part II verification) the project will generate over the course of the REC contract it is on (either 15 or 20 years) multiplied by the associated REC price available at the time of project submission.

The process for payment of incentives per REC for a project from the contracting utility to the Approved Vendor is further outlined in Section 6.

### **REC Pricing for 2023-24 Program Year**

The following table lists the prices for RECs by each identified Group, Category, and Block applicable to the Program's 2023-2024 delivery year. Note that the REC price associated with a project submitted to the EEC project category will follow the REC pricing associated with that project's group, (i.e., Group A or B), project type (Small DG, Large DG, CDCS, TCS, or Public School), and project size.

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<sup>38</sup> Small DG – 20%; Large DG – 20%; TCS – 30%; Public Schools – 15%; CDCS – 5%; EEC – 10%

**Changes in REC Prices**

In response to the Program's shift from a declining block price structure to an annual block structure, and in an effort to eliminate gaming opportunities, projects submitted to the Program will not be permitted to receive a REC price higher than the price available at the time of its initial submission to the Program (i.e., an application cannot be withdrawn and resubmitted in order to receive a higher REC price). In the case where a project has been continuously waitlisted, it will receive the REC price associated with the block of capacity to which the project is assigned.



## ~~Section 2: Approved Vendors~~

## Section 2: Approved Vendors

### A. Approved Vendor Overview and Requirements

Participation in the ~~Adjustable Block~~ Program takes place through Approved Vendors. By having only Approved Vendors eligible to receive direct payments through the Program—i.e., ensuring that any entity receiving a REC Contract is registered with and vetted by the Agency, and has met conditions predicate—it is possible to monitor compliance with ~~program terms and conditions~~Program requirements, ensure the accuracy and quality of information submitted, and reduce the administrative burden on the contractual counterparties. This model benefits consumers because they will be able to verify that an entity that proposes to develop a photovoltaic system for them or sell them a subscription to a community solar project is a legitimate entity participating in the ~~program~~Program. An Approved Vendor that fails to live up to the requirements of the ~~Adjustable Block~~ Program and is a “bad actor” could have a significant negative impact on the entire renewable energy market in Illinois that would extend beyond just its own actions. It is important for the Agency to have the ability to monitor the ~~program~~Program and ensure high quality performance by the Approved Vendors.

An Approved Vendor serves as the contractual counterparty with the utility, and thus the entity that receives payments from the utility for REC deliveries as contract obligations are met. Approved Vendors are therefore the entities responsible for submitting paperwork to the Program Administrator (as the responsible party for the information contained in that paperwork), maintaining collateral requirements, and providing ongoing information and reporting. As such, Approved Vendors will have to coordinate the downstream information from installers/developers as well as individual system owners (who may provide required information through the installer/developer). **As a result, Approved Vendors may not opt out of Program-related communications, including emails from the IPA or the Program Administrator. It is incumbent on the Approved Vendor to ensure that Program contact information for the AV is up-to-date and reliable.**

The Program does not require a specific delegation of duties between the Approved Vendor, installer/developer, system owner, or other parties. The key consideration is that the Approved Vendor is ultimately responsible for the fulfillment of contractual obligations, including any obligations delegated to subcontractors, in a manner consistent with the requirements of the Long-Term Plan, this Program Guidebook, the Consumer Protections Handbook, and of the Approved Vendor’s contract with the counterparty utility.

Approved Vendors must renew their approval once a year. Failure by an Approved Vendor to follow the requirements of the ~~Adjustable Block~~ Program could result in the entity having its status as an Approved Vendor suspended or revoked, thus losing the ability to bring new projects into the Program. Losing that status would not relieve an Approved Vendor of its obligations to ensure that RECs from its projects that have been energized continue to be delivered to the applicable utility; failure to do so could result in having the vendor’s credit collateral drawn upon.

Registration as an ~~Adjustable Block Program~~ Approved Vendor is a prerequisite to becoming an Illinois Solar for All Approved Vendor. Approved Vendors barred, suspended, revoked or otherwise limited in their participation with the Adjustable Block Program will immediately be barred, suspended, revoked or otherwise limited in their participation in the Illinois Solar for All Program, and vice versa.

The contact information provided to the Program Administrator through the Approved Vendor application is the primary contact used for all Program updates. In the initial Approved Vendor application, an applicant will have the opportunity to provide additional points of contact for contracting, extensions, REC delivery notifications, Annual Reports, and customer support. If the contact information provided in the Approved Vendor application or renewal has changed, it is incumbent on the Approved Vendor to notify the Program Administrator of this and update any and all contact information so that communications from the Program Administrator are not missed.

The Program Administrator maintains a public list of Approved Vendors that appears on ~~both the Illinois ABP site and the Illinois Shines site, the Program website.~~ This list is designed to show prospective customers the Approved Vendors that are active in the ~~Illinois ABP Program.~~ If an Approved Vendor confirms with the Program Administrator that it is no longer submitting applications to the Program, the Program Administrator reserves the right to remove the Approved Vendor's name from the public list of Approved Vendors. ~~Approved Vendors that go out of Changes in business status, such as bankruptcy or suspension, will also be removed from~~ noted on the Approved Vendors list. This will ensure that prospective customers are able to reference an up-to-date and transparent list of Program participants. Approved Vendors can opt out of being included on the public list of Approved Vendors during their initial application to the Program. If an Approved Vendor removed from the public list would like to be listed again, it may contact the Program Administrator with that request. The Program Administrator will inform the Approved Vendor of any requirements that must be completed before the Approved Vendor may be added back to the public list of Approved Vendors.

The ~~following~~ information noted in Appendix G will be collected from prospective Approved Vendors and evaluated using ~~by the criteria listed below. Italicized items (excluding sub-section headers) will not be required for distributed generation Single Project Approved Vendors<sup>39</sup>.~~

## A. List of information collected in Approved Vendor Application

### ~~Vendor Contact Information~~

- ~~1. Legal Business Entity Name~~
- ~~2.1. Any Doing Business As ("DBA") name~~
- ~~3.1. Address of principal place of business~~
- ~~4.1. Name, phone number, and email address of primary point of contact responsible for the company's day to day interaction with the Adjustable Block Program~~
- ~~5.1. Telephone number of company~~

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<sup>39</sup> A Single Project Approved Vendor has simplified application requirements and a minimum size of 100 kW. See Section 7.7.2 of the Long-Term Plan for more information.

## Company Background

- ~~6.1. Ownership structure, including any affiliated businesses either owned or partially owned by the proposed Approved Vendor or who have ownership of all or part of the Approved Vendor~~
- ~~7.1. Employer Identification Number ("EIN")~~
- ~~8.1. Business Type (Corporation, LLC, LP, LLP, General Partnership, Nonprofit, Sole Proprietor, Other)~~
- ~~9.1. A listing of shareholders, owners, partners or proprietors with ownership interests in excess of 5% and the amount of their respective ownership interests (Not required for public companies)~~
- ~~10.1. Business entity home state of registration~~
- ~~11.1. Other states where entity is registered to do business~~
- ~~12.1. Business entity date of organization/incorporation in home state~~
- ~~13.1. Demonstrate authorization to do business in Illinois by uploading an Illinois Secretary of State statement of good standing dated within the past 12 months if a corporation, LLC, or non-profit (Example in Figure 1)~~
- ~~14.1. If the company is engaged in installing distributed generation projects, provide proof of Distributed Generation Installer Certification from the Illinois Commerce Commission, in the form of the Commission's order in the certification docket granting the company's certificate~~
- ~~15.1. Provide a printout of either GATS aggregator account or M-RETS account ownership confirmation~~
- ~~16.1. Company website (Parent company website if special purpose entity)~~

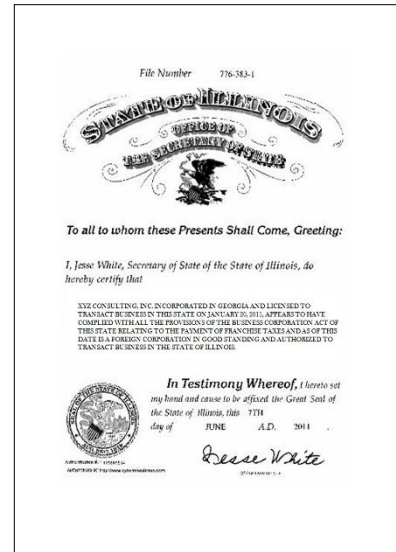


FIGURE 1- SECRETARY OF STATE GOOD STANDING

## Vendor Classification and Project Types

- ~~17.1. Is this an application for a Single Project Approved Vendor?~~
- ~~18.1. Is this Approved Vendor an affiliate (as defined in Section 7.9.4 of the Long-Term Renewable Resources Procurement Plan) of any other Approved Vendor or current or intended Approved Vendor applicant? If yes, provide the name(s) of affiliated Approved Vendor or applicant.~~
- ~~19.1. Are you a minority owned or female owned business enterprise as specified in Section 1-75(c)(7) of the Illinois Power Agency Act (20 ILCS 3855) or a small business as defined in the Small Business Advisory Act (20 ILCS 692/5)? [If so, an upload must be provided to provide documentation of that status. Any small business claim submitted should be on company letterhead and signed by an authorized representative of the Approved Vendor.]~~

## Legal and Regulatory Information

~~A Yes answer to any Legal and Regulatory question will not automatically disqualify a firm from Approved Vendor status. Information provided will be considered in conjunction with all other information in the application to determine an Approved Vendor's eligibility.~~

~~20.1. Within the past five (5) years, has the business; any affiliate of the business that is engaged in operations in the U.S. related to energy; or any current or former owner (not including public shareholders), partner, director, officer, principal, or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve contracts for the business;~~

~~a. Been sanctioned or proposed for sanction relative to any business or professional permit or license?~~

~~b.a. Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal or state statutes?~~

~~c.a. Been recommended for suspension or debarment?~~

~~d.a. Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?~~

~~e.a. Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:~~

~~i. Misappropriation of funds or property;~~

~~ii.i. A criminal act that reflects adversely on the individual's honesty;~~

~~iii.i. Actual loss to the company or other person; or~~

~~iv.i. Dishonesty, fraud, deceit, or misrepresentation.~~

~~Note: The above does not include minor misdemeanors like speeding or parking tickets and does not include actions taken by former employees after leaving the employ of your company.~~

~~f.a. Been suspended, cancelled, terminated or found non-responsible on any contract, or had a surety called upon to complete an awarded contract?~~

~~For any Yes answers, provide an explanation of the issue(s), relevant dates, the entity involved, any remedial or corrective action(s) taken, and the current status of the issue(s).~~

~~21.1. Within the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy had any judgments filed against it which remain undischarged? If yes, provide an explanation of the issue(s), relevant dates, the Claimant's name, the amount of the judgment, and the current status of the issue(s).~~

~~22.1. Within the last seven (7) years, has the proposed Approved Vendor or any of its affiliates initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending? If so, provide the Bankruptcy Code chapter number, the court name, and the docket number. Indicate the current status of the proceedings as "initiated," "pending," or "closed".~~

~~23.1. Within the last seven (7) years, has any owner with greater than 15% ownership or principal of the proposed Approved Vendor or any of its affiliates been the owner or a principal~~

~~(with greater than 15% ownership) in a company subject to any bankruptcy proceedings, whether or not closed, or that is currently in any bankruptcy proceeding pending? If so, provide the Bankruptcy Code chapter number, the court name, and the docket number. Indicate the current status of the proceedings as "initiated," "pending," or "closed".~~

~~24.1. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates failed to file a tax return or fully pay taxes according to deadlines required by federal, state, or local laws in the amount of \$10,000 or more? If yes, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the proposed Approved Vendor failed to file/pay, and the current status of the tax liability.~~

~~25.1. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been audited by any government entity resulting in a negative audit finding or requirement for remedial action? If yes, provide an explanation of the issue(s) under investigation, relevant dates, the government entity involved, any remedial or corrective action(s) taken, and the current status of the issue(s).~~

~~26.1. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been the subject of any judgment or settlement as the result of by any public consumer protection authority (including but not limited to a federal/state/local attorney general's office, consumer protection bureau, or other consumer protection entity) in any jurisdiction? If yes, provide any remedial or corrective actions(s) taken and current status of the issue(s).~~

~~27.1. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are engaged in operations in the U.S. related to energy been the subject of any unresolved Better Business Bureau complaints in any jurisdiction? If yes, provide any remedial or corrective actions(s) taken and current status of the issue(s).~~

~~28.1. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been the subject of any judgment or settlement as the result of lawsuits filed in a court of law or formal complaints filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations? If yes, please identify the name, case number, and jurisdiction of each such lawsuit or complaint, any remedial or corrective action(s) taken, and the current status of the lawsuit or complaint.~~

~~29.1. During the past five (5) years, has the proposed Approved Vendor or its affiliates that are or were engaged in operations in the U.S. related to energy been suspended from participation or denied the ability to participate in a government or utility administered renewable energy incentive program? If yes, provide the name of the program and jurisdiction, an explanation of the issue(s), and the current status of the issue(s).~~

#### **~~Additional Questions Not Used for Qualification~~**

~~30.1. The utility service territory or territories in which the Approved Vendor seeks to operate (ComEd, Ameren Illinois, MidAmerican, municipal utility/rural electric co-operatives).~~

~~31.1. Type of Approved Vendor (may select more than one): DC Installer, Community Solar Project Developer, SREC broker/aggregator, non-profit, other.~~

~~32.1. Do you intend to participate in the Illinois Solar for All program?~~

~~33.1. Do you consent to be contacted by representatives from solar job training programs in Illinois?~~

~~34.1. Do you have corporate hiring policies in place which prohibit the hiring of individuals who have been convicted of a crime?~~

~~35.1. Do you want to be listed on the public Approved Vendors list on the illinoisabp.com website?~~

~~36.1. Please list all social media accounts associated with the proposed Approved Vendor.<sup>40</sup>~~

#### Program Administrator.

### B. Equity Eligible Contractor Application

Approved Vendors that would like to submit projects into the Equity Eligible Contractor (“EEC”) category must first apply to be approved as an EEC. They may do so in conjunction with their Approved Vendor application or at any time after submitting their initial Approved Vendor registration. The following information is required for EEC registration:

1. If the Approved Vendor is organized as a corporation, general partnership, limited liability partnership, limited liability company, or limited partnership, the applicant will be asked to designate which owners, partners, or proprietors meet the EEC eligibility criteria.
2. If the Approved Vendor is organized as a non-profit, the applicant will be asked to provide the board membership of the non-profit and designate which board members meet the EEC eligibility criteria.
3. If the Approved Vendor is a sole proprietor, no additional designations are required.

The applicant will be prompted to select ~~which of the following categories~~category(ies) under which the entity qualifies for EEC certification:

- a) persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Preapprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act;
- b) persons who are graduates of or currently enrolled in the foster care system;
- c) persons who were formerly incarcerated;
- d) persons whose primary residence is in an equity investment eligible community.<sup>41</sup>

Persons selecting option ‘a’ or ‘d’ above will be required to upload documentation demonstrating qualifying status. The Program Administrator may request documentation for any/all claimed qualifying statuses listed above. All applicants will be required to attest to their answer. If more than one person was selected in the

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~~<sup>40</sup> All social media accounts that are associated with the proposed Approved Vendor’s Designee(s) should be provided by the Designee in the Designee Registration process.~~

<sup>41</sup> Equity investment eligible communities include R3 Areas as established pursuant to the Cannabis Regulation and Tax Act, and Environmental Justice Communities as established through Illinois Solar for All Program. For maps and address lookup tools for these two types of areas see: <https://r3.illinois.gov/eligibility> and <https://www.illinoisfa.com/environmental-justice-communities/> respectively.



ownership section, the steps will be repeated for each person. Note that qualification as an EEC based on residence in an equity investment eligible community requires residency at the time of Part I application submittal and is not required to be maintained through the Part II verification.

The applicant will be asked if it would like to be identified as an Equity Eligible Contractor on the public list of Approved Vendors on the [illinoisabp.com](http://illinoisabp.com) and [illinoisshines.com](http://illinoisshines.com) web sites; willingness to be publicly identified as an Equity Eligible Contractor on those sites is not required for maintaining EEC status.

The Approved Vendor will be asked if it considers any of the information provided to certify as EEC as confidential. A checkbox will be provided for the applicant to acknowledge that it will be listed as an EEC on public project application reports and potential other public reports.<sup>42</sup>

The Program Administrator may follow up with the applicant with additional questions to clarify EEC eligibility and reserves the right to seek additional information or other documents to confirm EEC eligibility.

EEC certified Approved Vendors may also submit projects into other program categories that are not limited to the EEC category.

## C. General AV Attestation and EEC Certification

### ***Approved Vendor Attestation***

~~The~~**All Approved Vendors must attest to the attestation in Appendix H of this Guidebook.** ~~Approved Vendor will e sign the following attestation:~~

~~I declare that:~~

- ~~a. I am the owner (for sole proprietorship), partner (for partnership) or the authorized agent (for corporation, LLC, or non-profit) of the proposed Approved Vendor;~~
- ~~b.a. The information provided on this form is true and correct to the best of my knowledge;~~
- ~~c.a. I agree to participate in registration and any initial or recurrent required training.~~
- ~~d.a. I agree to abide by the ongoing Program terms and conditions.~~
- ~~e.a. I agree to maintain registration to do business in Illinois.~~
- ~~f.a. I agree to provide updated information to the Administrator on any complaints, lawsuits, legal or regulatory action, bankruptcy, or any other material adverse changes in business condition when it becomes available.~~
- ~~g.a. I agree to provide samples of marketing materials or content used by our company, or our subcontractors/installers and affiliates, to the Program Administrator for review upon initial qualification as an Approved Vendor. In addition, I will provide copies of any marketing material related to the sale, financing, or installation of solar photovoltaic systems that will apply to participate in the Adjustable Block Program, or related to the Adjustable Block Program itself, whenever requested~~

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<sup>42</sup> The Agency will endeavor to protect confidentiality of information as outlined in Section 2.F of this Guidebook.

~~by the IPA or Program Administrator. I furthermore agree to make changes to marketing materials requested by the IPA or Program Administrator in their efforts to ensure that such materials are not deceptive, confusing, or misleading, and to further ensure that such materials do not feature misrepresentations about our relationship to the Illinois Power Agency or the Adjustable Block Program.~~

~~h.a. I agree to comply with all consumer protection guidelines published by the Program Administrator and acknowledge that a failure to do so may jeopardize my ability to serve as an Approved Vendor in the program.~~

~~i.a. I agree to provide and maintain credit and collateral requirements pursuant to the 2022 Long-Term Renewable Resources Procurement Plan.~~

~~j.a. I agree to complete annual reports by the report deadline, disclosing names and other information on installers and projects, and documenting that all installers and other subcontractors comply with applicable local, state, and federal laws and regulations including ICC registration as Distributed Generation Installers, providing current status of unfinished projects and credits generated and delivered by completed projects, and any other annual report requirements as determined by the Administrator.~~

~~k.a. I agree to disclose whether the entity is minority, woman, disabled, or veteran-owned, and provide an estimate of the percentage of staff at time of registration and subsequent annual renewals who are women, disabled, veterans, or minorities. This process will include specifying with which certification programs the business has registered.~~

~~l.a. I agree to comply with all community solar subscriber reporting requirements including providing updated and accurate subscriber data.~~

~~m.a. I agree that all information obtained related to a community solar subscriber's utility account that is confidential, proprietary or generally non-public, including the subscriber's utility account number, utility account name, and meter number, shall be maintained in a secure and confidential manner. I further agree that I will not release such information to any other person or entity, other than as required for purposes of subscription enrollment and program administration, without the customer's written consent.~~

~~n.a. As required by Section 1-75(c)(1)(7) of the Illinois Power Agency Act (20 ILCS 3855), I agree that any photovoltaic projects submitted for program approval were or will be installed by a qualified person in compliance with Section 16-128A of the Public Utilities Act (220 ILCS 5) and any rules or regulations adopted thereunder, including Title 83, Section 468.20 of the Illinois Administrative Code.~~

~~o.a. I agree to provide company financial statements and/or project references upon request of the Program Administrator.~~

~~p.a. I will comply with all other Program rules and Administrator requests.~~

~~q.a. If any requirements are implemented by the Illinois Power Agency or Program Administrator that I am unable to comply with, I agree to immediately request to withdraw my qualification to act as an Approved Vendor for any projects not already under contract with the utilities and cease all new Approved Vendor activities.~~

~~I attest that the statements above are true and correct.~~



Type Name

~~(automatically stamped with username, time and IP address)~~

Vendors that act out of compliance with this attestation could face disciplinary action from the Program Administrator, including possible suspension from the Program. ***Equity Eligible Contractor Certification***

Equity Eligible Contractor applicants will be required to complete the certification in Appendix ~~A~~**B** of this Guidebook in addition to the Approved Vendor attestation in Appendix H. This document must be completed by each owner or board member in the organization used to establish EEC status. Each certification must be signed by both the certifying owner or board member, and an authorized representative of the Approved Vendor.

## D. Evaluation Criteria for Approved Vendors

Below is a list of evaluation criteria for Approved Vendor applications submitted to the Program.

1. Must demonstrate existence as a legal entity and authorization to do business in Illinois.
2. Neither the business or its affiliates that are or were engaged in operations in the U.S. related to energy, the business's principals or owners (except public shareholders), nor any business in which the current business's owners or principals were or are associated with may have been:
  - a. Sanctioned or proposed for sanction relative to any business or professional permit or license;
  - b. Under suspension, debarment, voluntary exclusion or determined ineligible under any federal or state statutes;
  - c. Proposed for suspension or debarment;
  - d. The subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct;
  - e. Charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:
    - i. Any business-related activity; or
    - ii. Any crime the underlying conduct of which was related to truthfulness; or
  - f. Suspended, cancelled, terminated or found non-responsible on any contract, or had a surety called upon to complete an awarded contract unless an explanation acceptable to the Administrator and IPA is provided.
3. Must not have had any judgments filed against it in the past 5 years which remain undischarged, unless an explanation acceptable to the Administrator and IPA is provided.
4. If the company or any of its affiliates or any principal or owner with greater than 15% ownership has initiated or been the subject of any bankruptcy proceedings (including for a different company where the same individual person had at least 15% ownership), whether or not closed, or has any bankruptcy proceeding pending, the Administrator and IPA will determine if the potential Approved Vendor is a risk for default on future Approved Vendor contracts. This decision will be based on the totality of the information provided including current financial statements, the circumstances of past bankruptcies, the time since the last bankruptcy, the role of the individual involved in the past bankruptcy, recent tax payment history, and any recent or pending judgements or investigations that might impact the company's financial standing.
5. The company must be current on all required taxes, based on local, state, and federal law. Past non-payment of taxes over \$10,000 will be considered in conjunction with other factors in determining an Approved Vendor's eligibility.
6. Any issues found during any governmental audits during the past 5 years will be considered in conjunction with other factors in determining an Approved Vendor's eligibility. The mere fact that an audit was conducted with no negative results will not reflect negatively on the Approved Vendor's application.
7. Any regulatory or consumer complaints and their remedial actions will be screened by the Program Administrator and IPA to determine if there is a pattern of violations or unresolved consumer protection issues with the company. The frequency and severity of the past issues, as well as the

Approved Vendor's explanations of resolution and any processes put in place to prevent reoccurrence, will be taken into account.

8. The company must demonstrate either GATS aggregator account or M-RETS account ownership.
9. Additional information collected such as number of employees, type of company, management structure, etc. will be used by the Administrator to more thoroughly evaluate the applicant if there are any questions that arise from other parts of the Approved Vendor application.
10. The company must provide an initial representative sample of marketing materials for each channel of marketing the company is engaged in, as part of the initial Approved Vendor application (for example, but not meant to be an exhaustive list: print, website, direct mail, direct email, web ads, social media, radio, telemarketing, billboards). Random audits of marketing material will be conducted regularly, and the IPA and Program Administrator also reserve the right to require a copy of all marketing materials should they have concerns about an Approved Vendor's marketing practices.<sup>43</sup>

## E. Approved Vendor Application Review and Appeal Procedure

### ***Application Review***

The Program Administrator will review and make approval decisions for all Approved Vendor applications. It is the responsibility of the prospective Approved Vendor to respond to any questions or requests for additional information from the Administrator within 2 weeks of receiving such a request. Failure to respond to requests from the Administrator will constitute grounds for rejection as an Approved Vendor. Similarly, if a prospective Approved Vendor is dishonest within their Approved Vendor application, the Program Administrator reserves the right to grant a conditional approval of an application or outright reject an Approved Vendor application, as detailed below. If an Approved Vendor's dishonesty in its application is not discovered until after the Approved Vendor application is approved, this may be grounds for revocation of the Approved Vendor status.

### ***Application Rejection and Appeal***

Any Approved Vendor applications that are rejected will be provided a written explanation with the reasons for the rejection. The Program Administrator's rejection of an Approved Vendor application may be appealed to the IPA within 2 weeks of receiving a determination, and the opportunity to appeal will be communicated by the Program Administrator as part of its notice of rejection. To appeal to the IPA, the Approved Vendor applicant should provide to the Program Administrator an appeal in writing on company letterhead, addressed to the IPA, explaining its rationale for why it believes the Program Administrator's determination is in error, as well as detailing any supporting information, documents, or communications. The IPA may request additional information and materials from the Approved Vendor applicant, and/or schedule a call or informal discussion with the Approved Vendor applicant to learn more about the basis for its position. The IPA will endeavor to issue final determinations on eligibility, including a

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<sup>43</sup> This evaluation criteria is not required for Single Project Approved Vendors.

supporting rationale for its decision, as soon as practicable after the receipt of an appeal and review of relevant information.

### ***Conditional Application Approval***

The IPA and the Program Administrator reserve the right to conditionally approve applications from prospective Approved Vendors that have areas of concern. A conditional approval will require six-month updates rather than the normal 1-year updates of the Approved Vendor application.

## **F. Confidentiality**

Except where otherwise provided (such as with certain project-specific information being made publicly available, including the identification of projects in the EEC category and the associated Approved Vendor in public project application reports<sup>44</sup>), actual Approved Vendor submittals including quarterly reports, annual reports, Approved Vendor applications, and project applications will not be publicly posted or made publicly available as a matter of course - provided that nothing included herein shall a) prohibit the IPA from reporting information taken from Approved Vendor submittals to appropriate authorities should the IPA have reasonable suspicion of any fraudulent or otherwise illegal behavior, b) prevent the IPA from making aggregated information taken from across Approved Vendor submittals publicly available, or c) prevent the IPA from sharing information received with the Illinois Commerce Commission or public utilities to support the Program's operation.

Additionally, the IPA and the Program Administrator will provide confidential treatment to any commercially sensitive information submitted by Approved Vendors in connection with participation in the ~~Adjustable Block~~ Program. Under Section 1-120 of the IPA Act (20 ILCS 3855), the Illinois Power Agency has a statutory obligation to "provide adequate protection for confidential and proprietary information furnished, delivered, or filed" by any third party. As Section 7(1)(g) of the Illinois Freedom of Information Act ("FOIA") (5 ILCS 140/7) exempts from disclosure "[t]rade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business," the IPA believes that its responsibility under Section 1-120 necessitates the assertion of this FOIA exemption when applicable in response to a FOIA request, and to otherwise protect the confidentiality of commercially sensitive information in response to any discovery request or other request made in connection with formal investigation or litigation.<sup>45</sup> While the IPA will presume that seemingly

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<sup>44</sup> Results of the April 10, 2019 project selection lotteries were made publicly available at <http://illinoisabp.com/april-10-2019-lottery-results>. Additionally, on June 19, 2019, the IPA published its Project Information Release Protocols, describing the data that it intends to regularly publish about project applications and selections. That document and the project data disclosure itself may be found at <http://illinoisabp.com/project-information-disclosure-process>.

<sup>45</sup> It may, however, publish non-confidential information deemed subject to disclosure under the Freedom of Information Act to ensure that all parties – and not merely requesting parties under FOIA – have access to any such disclosures.

commercially sensitive or confidential content contained in submittals including quarterly reports, annual reports, Approved Vendor applications, and project applications is indeed commercially sensitive or confidential and thus should be actively protected from disclosure, Approved Vendors will have the opportunity within the application portal to designate project information as “proprietary, privileged, or confidential, the disclosure of which would cause competitive harm” and should otherwise similarly designate any other particularly sensitive information to maximize the likelihood that protection of such information from disclosure would be supported by a reviewing body.

## **G. Designees and Designee Registration**

As used for purposes for Designee registration, the term “Designee” refers to third-party (i.e., non-Approved Vendor) entities that have direct interaction with end-use customers on behalf of the Approved Vendor or another Designee. This includes installers, marketing firms, community solar subscriber agents, lead generators, and sales organizations. The Agency reserves the right to add additional categories as needed. Designees must also register with the Program. Designees must renew their registration once a year. As part of this process, Designees will submit their training materials and certifications showing that their agents have been trained in accordance with Program requirements. Approved Vendors that operate as a Designee of another Approved Vendor must also register as a Designee. Third-party entities that do not have interaction with end-use customers of the ABP are not required to register as a Designee.

The purpose of Designee registration requirement is to increase Program transparency by creating a searchable database of participating organizations on both the [ABP](#) and [Illinois Shines](#) websites. Potential customers will be able to verify that an entity representing the Program is indeed a registered participant (and likewise be able to review if the entity is listed on the complaint or disciplinary databases).

The registration of Designees does not change the responsibilities of the Approved Vendor, or the potential for an Approved Vendor to be held accountable for the conduct of its Designees. Approved Vendors will be responsible for ensuring that their Designee(s) register with the program, and Approved Vendors who fail to do so may be subject to disciplinary actions. This includes Designees of Designees. For example, if an Approved Vendor works with an installer, and that installer in turn hires a lead generation firm to assist in marketing, the Approved Vendor will be responsible for ensuring that both the installer and the lead generation firm register as Designees with the Program. Approved Vendors remain responsible for ensuring that all Designees – including Designees of Designees – are informed of changes in Program requirements issued by the Program Administrator. Approved Vendors must maintain records demonstrating that ~~it~~ they have communicated Program requirements to its Designee(s). If a Designee cannot or does not comply with Program requirements, an Approved Vendor should rescind its approval for the Designee. The Agency believes that this step will provide additional information and transparency to consumers and to the marketplace generally.

Designees barred, suspended, revoked or otherwise limited in their participation with the Adjustable Block Program will immediately be barred, suspended, revoked or otherwise limited in their participation in the Illinois Solar for All Program, and vice versa.

Registration shall include the Designee's provision of contact information, acknowledgment of the business relationship with the Approved Vendor, and identification of the categories of the consumer-facing services provided. Designees must also indicate if they are minority-owned, woman-owned, veteran-owned, disability-owned or considered a small business and provide an estimate of the percentage of staff at time of registration who are women, minorities, veterans, or disabled. Additionally, a Designee is responsible for acknowledging that it will comply with all applicable Program requirements through an attestation. Failure by a Designee to comply with applicable requirements may subject the Designee to suspension or termination from future participation in the Program. If the Designee ignores a suspension decision made by the Program Administrator and continues its Program-related activity, any Approved Vendor that works with the Designee during that period may be subject to discipline. Likewise, Approved Vendors found to be working with entities engaged in customer-facing activities that fail to register with the Program could be subject to discipline.

Because Designees interact with end-use customers, it is important that Designees remain informed about Program developments and changes. As a result, Designees may **not** opt out of Program-related communications, including emails from the IPA or the Program Administrator.

All third-party entities that have direct interaction with end-use customers of the ABP and that operate within the Illinois ~~Adjustable Block Program~~ [Shines program](#) must register as a Designee ~~on the Program website.~~ Once registered, these entities can indicate ~~in the portal~~ one or more of the following roles:

- Disclosure Form Designee – An entity that the Approved Vendor has designated that is permitted to generate Disclosure Forms on behalf of the Approved Vendor. A Disclosure Form Designee may create disclosure forms only after it has established an affiliation in the portal in that role with at least one Approved Vendor.
- Community Solar Subscriber Agent Designee – An entity that the Approved Vendor has designated that is permitted to manage the community solar subscription information for an Approved Vendor's community solar projects.
- Marketing or Sales Designee – An entity that the Approved Vendor or Designee has designated to act as a marketing agent and/or customer acquisition agent on behalf of the Approved Vendor or Designee. This includes, among others, entities that engage in solicitations through any channel (in-person, telephone, etc.), as well as entities that perform online lead generation services.
- Installer Designee – An entity that the Approved Vendor or Designee has designated to install systems on the Approved Vendor's or Designee's behalf.

As referenced above, any entity that has Program-related direct interaction with end-use customers of the ABP must register as a Designee as well, regardless of whether that entity works directly for an Approved Vendor or a Designee. Designees of Designees are referred to as Nested Designees and can be registered within the portal, nested underneath the Designee(s) with which they work.

A Nested Designee may hold only Marketing or Sales Designee or Installer Designee roles. Nested Designees may not hold Disclosure Form Designee or Community Solar Subscriber Agent Designee roles. This requirement exists to prevent a Designee from giving another Designee the ability to generate Disclosure Forms or manage community solar subscribers on behalf of the parent Designee's Approved Vendor. Only

Approved Vendors can add Disclosure Form Designees and Community Solar Subscriber Agent Designees directly beneath their Approved Vendor account.

If a Designee does business under multiple names, the Designee must register separate Designee accounts for each name under which it conducts business. This is required so that if an issue ever arises with a company while they are doing business under an alternate name or d/b/a, the Program Administrator will be able to identify that entity's role within the Program.

The Program Administrator maintains a public list of Designees that appears on both the Illinois ABP site and the Illinois Shines site. ~~This list is designed to show prospective customers a list of Designees that are active in the Illinois ABP.~~ If a Designee confirms with the Program Administrator that it is no longer operating within the Program, the Program Administrator reserves the right to remove the Designee's name from the public list of Designees. ~~Designees that have gone out of~~ Changes in business status, such as bankruptcy or suspension, will ~~also be removed.~~ noted on the Designees list. This will help ensure that prospective customers are able to reference an up-to-date and transparent list of Program participants. Designees can opt out of being included on the public list of Designees during their initial application to the Program. If a Designee removed from the public list would like to be listed again, it may contact the Program Administrator with that request. ~~The Program Administrator will inform the Designee of any requirements that must be completed before the Designee may be added back to the public list of Designees.~~

Designees will be required to attest to the following statements during the registration process in the portal:

- We have reviewed and commit to comply with all ABP Illinois Shines program requirements applicable to our work as a Designee.
- We have read, understand, and will abide by the Consumer Protection Handbook, Program Guidebook, and associated materials, and commit to ensuring that our employees and any agents operating on our behalf are trained to understand and abide by these requirements.
- We acknowledge that, subject to our approval as a Designee by one or more Approved Vendors, we will be listed in a public database of Designees on both the ABP website (illinoisabp.com) and the Illinois Shines website (illinoisshines.com).
- We will maintain accurate, current, and comprehensive registration information related to our business relationships with Approved Vendors and acknowledge this information is subject to review, verification, and acceptance by the Approved Vendor.
- We acknowledge and accept that Designees that act in violation of ABP Illinois Shines program requirements are subject to disciplinary action from the IPA which could result in suspension from the ABP Illinois Shines program of both the Designee and/or any Approved Vendors on whose behalf the Designee ultimately acts.

The Program Administrator reserves the right to request additional information from Designees to confirm the accuracy of their attestation and ongoing compliance with Program requirements. Failure to provide requested information, or to be able to confirm the attestation or demonstrate ongoing compliance, may result in a Designee's suspension from the Program.

## **H. Equity Eligible Contractor Designees**

Designees may also register as an Equity Eligible Contractor. This registration does not qualify projects from those Designees to be eligible for the Equity Eligible Contractor (“EEC”) category. Such Designees need to work with an Approved Vendor that is EEC certified in order for their project to be eligible for the EEC category. EEC certified Designees may also work with an Approved Vendor that is not EEC certified, but this would make projects submitted by that non-EEC certified Approved Vendor ineligible for EEC Category. The application process for Designees will use the same criteria as described in Section 2.B.



## Section 3: Consumer Protection

On July 14, 2022, in the 2022 Long-Term Plan proceeding, the Illinois Commerce Commission Order approved, with minor modifications, various consumer protection documents. The Agency ~~has~~ updated these documents to be consistent with the Commission's Order and has published:

- Consumer Protection Handbook<sup>46</sup>
- Contract Requirements for:
  - ~~Adjustable Block Program~~ Illinois Shines program - Community Solar
  - ~~Adjustable Block Program~~ Illinois Shines program - Distributed Generation

The Consumer Protection Handbook ~~replaces~~ replaced the former Marketing Guidelines<sup>47</sup>. ~~The requirements set forth in the above documents were approved by the Commission through the approval of the Long-Term Plan.~~<sup>48</sup> Approved Vendors and Designees ~~must~~ were required to comply with any new requirements in the Consumer Protection Handbook and updated Contract Requirements by August 28, 2022. The Consumer Protection Handbook and Contract Requirements will be updated again for the Program Year beginning June 1, 2023, and updated versions of these documents will be published at least 45 days before that date.

The Consumer Protections Handbook<sup>49</sup> and Contract Requirements will continue to be updated, as needed, on an ongoing basis, and may post-date the latest version of the Program Guidebook. Notifications will be sent to all Approved Vendors and Designees on any changes to these documents including any dates related to implementation of changes.

A 45-calendar day lead time will be provided to Approved Vendors and Designees in order to prepare for and implement general (non-emergency) changes to the Consumer Protection Handbook and Contract Requirements. Unless otherwise specified, the lead time granted will not prohibit Approved Vendors and Designees from taking earlier steps towards compliance. In situations where the IPA determines that emergency adoption of a new or modified consumer protection is necessary, no lead time will apply; however, the Agency commits to enforce any such requirements with an eye toward the practical challenges inherent in immediate implementation.

### A. Customer Service and Consumer Complaints

#### A. Illinois Shines

~~The IPA and its Program Administrator have chosen "Illinois Shines" as the public-facing name and brand for the Adjustable Block Program. Consumer-facing documents produced by the IPA or Program~~

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<sup>46</sup> See <https://illinoisabp.com/wp-content/uploads/2022/07/Cover-Letter-Publication-of-CP-Handbook-and-Contract-Requirements.pdf> and <https://illinoisabp.com/wp-content/uploads/2022/07/Consumer-Protection-Handbook-7.14.22.pdf>

<sup>47</sup> ~~An archive of Program guidelines and forms can be found at the following: <https://illinoisabp.com/program-guidelines-disclosure-forms/>~~

<sup>48</sup> ~~An archive of Program guidelines and forms can be found at the following: <https://illinoisabp.com/program-guidelines-disclosure-forms/>~~

<sup>49</sup> The Consumer Protection Handbook, in which projects in both the Adjustable Block Program and Illinois Solar for All must be in compliance, can be found at the following link: <https://illinoisabp.com/program-guidelines-disclosure-forms/>

~~Administrator in connection with the Adjustable Block Program will use the “Illinois Shines” brand and logo, and the website [www.illinoisshines.com](http://www.illinoisshines.com) will host consumer-facing Program content.~~

~~The IPA and its Program Administrator will use the term “Adjustable Block Program” in communications with Approved Vendors and their Designees regarding program management and administration.~~

~~For more information on the Illinois Shines brand name please consult the following document: <http://illinoisshines.com/wp-content/uploads/2018/12/Illinois-Shines-branding.pdf>.~~

## ~~B. Customer Service and Consumer Complaints~~

Approved Vendors and Designees are expected to be responsive to customers’ questions and concerns, whether in relation to the ~~Illinois ABP~~Program or to another aspect of the customer’s solar installation or community solar subscription, even in situations where the customer has not filed a formal complaint with the Program Administrator. Approved Vendors and Designees must act professionally towards customers, the Program Administrator, and the IPA at all times.

When a customer files a complaint with the Program Administrator, the Program Administrator will send the Approved Vendor and/or Designee an email notifying them of the complaint and summarizing the information that is needed to address the complaint. Approved Vendors and Designees must meet all deadlines set by the Program Administrator during the time that the complaint is open and under investigation. Approved Vendors and Designees may request an extension of a deadline, though the Program Administrator reserves the right to deny such request.

The Program Administrator will inform the Approved Vendor and/or Designee when a complaint is resolved or closed. The status and subject of all complaints received ~~will be listed~~are published on the ~~public Consumer Protection Database, located on both the Illinois ABP website and the Illinois Shines website.~~Illinois Shines website.

The failure of an Approved Vendor or Designee to meet deadlines, respond to the Program Administrator during the investigation of a complaint or consumer protection issue, and/or act unprofessionally towards customers, the Program Administrator, or the IPA could ~~affect~~impact that entity’s status in the Program, including potential disciplinary action and suspension.

## ~~C. Violation of~~B. Process for Consumer Protection Handbook or Other Program RequirementsViolations and Potential Violations

~~In the event that~~If the Program Administrator ~~concludes that~~believes an Approved Vendor ~~and/or its, Designee, or other entity~~ is not acting, or has not acted, in compliance with consumer protection Program requirements, ~~including, but not limited to, demonstrating a lack of responsiveness to the Program Administrator’s and/or IPA’s notices or requests for information in connection with the Program,~~ the Program Administrator will ~~notify the Approved Vendor (and the Designee, if applicable) through an e-mail that outlines~~send the entity a Notice of Potential Violation (“NOPV”) that:

- Identifies the problematic behavior, ~~explains~~
- Explains how the behavior is or may be non-compliant with ~~program~~ Program requirements
- Requests more information about the issue;
- Includes information on possible penalties, ~~and may request more information about the issue. Approved Vendors and/or its Designee(s) are expected to act in a professional manner in any interactions with customers during the examination of a potential violation.~~

After a review of any such response,

- For Designees, a copy of the NOPV will be sent to the Designee's Approved Vendor(s)
- For nested Designees, a copy will also be sent to the Designee under which the entity receiving the NOPV is nested.

With the limited exception of emergency situations requiring immediate action (as determined at the discretion of the IPA), the Program Administrator will ~~determine~~ allow a reasonable time for the entity to respond before determining what discipline, if any, should apply. ~~response to the Approved Vendor or Designee take.~~ The default time period is five business days, but the Program Administrator ~~will also provide a copy of the determination to the IPA.~~

may shorten or lengthen this period if appropriate. The Program Administrator may contact an Approved Vendor's or Designee's customers to understand the breadth of a disciplinary issue.

If an Approved Vendors or Designee is not responsive to the Program Administrator during the investigation of a complaint or potential Program violation, or responds unsatisfactorily, the Program Administrator may limit the Approved Vendor or Designee's access to portal functions, including the ability to generate Disclosure Forms or submit Part I applications. Restricted portal access may be lifted once the entity begins responding in a satisfactory manner.

If the Program Administrator determines that the Approved Vendor or Designee has violated a consumer protection Program requirement, the Program Administrator will select the appropriate response from the Program Violation Response Matrix, which is provided in the Consumer Protection Handbook, based on the specific circumstances and facts. The Matrix is intended to be used specifically for consumer protection violations, but the Agency will follow a similar approach for violations of other types of Program violations. Determinations to approve or reject an Approved Vendor application are outside the scope of the Matrix. See Section 2 of this Guidebook for more information on the Approved Vendor application review process and determinations.

All formal warning letters for consumer protection violations will include the following:

- A brief explanation of the infractions for which the entity is being warned;
- A timeline of communications between the offending entity and the Program Administrator;
- Reference to which specific Program requirement(s) the entity violated;
- An explanation regarding how the Approved Vendor and/or Designee can appeal the formal warning to the IPA and the deadline for an appeal.

For Designees, a copy of the warning letter will be sent to the Designee's Approved Vendor(s).

For nested Designees, a copy will also be sent to the Designee under which the entity receiving the warning letter is nested.

All formal disciplinary actions (suspensions or revocation of Approved Vendor/Designee status) taken by the Program Administrator for consumer protection violations will be communicated through a written explanation of the determination that includes the following:

- A brief explanation of the infractions for which the entity is being disciplined;
- A timeline of communications between the offending entity and the Program Administrator;
- Administrator's determinations of discipline may be appealed to the IPA, and the opportunity to appeal (as a well as a deadline by when such appeal should be made, which will be Reference to which specific Program requirement(s) the entity violated;
- An explanation of any disciplinary action, including what specific conduct is no longer than two weeks from disciplinary-permitted in connection with the Program through the length of the suspension; and
- An explanation regarding how the Approved Vendor and/or Designee can appeal the disciplinary determination to the IPA and the deadline for an appeal.

A copy of the letter will be sent to all Approved Vendors and Designees that are linked in the Portal, or otherwise registered as acting in partnership with, the entity that is suspended or whose status is revoked.

An Approved Vendor or Designee may appeal a decision, unless indicated otherwise) will be communicated by or action of the Program Administrator as part of its determination of discipline. To appeal to the IPA, an Approved Vendor or Designee should provide to the IPA an appeal request in writing submit a document to the IPA at [IPA.Solar@illinois.gov](mailto:IPA.Solar@illinois.gov) on company letterhead explaining its rationale for why it believes the that requests review of the Program Administrator's determination, explains why it believes the determination is in error as well as sharing, and providing any supporting information, documents, or communications. An appealing Approved Vendor or Designee may submit a request to the Agency for a stay of an action or decision pending a resolution of its appeal. The Agency may grant or deny this request and will consider, among other factors, the likelihood of customer harm from such a stay, whether the conduct that resulted in the suspension is ongoing, and the likelihood that the appealing entity may prevail. As part of its appeal, an Approved Vendor or Designee may also suggest alternative resolutions or means to address violations (other than the action that is being appealed).

The IPA may request additional information and materials from the Approved Vendor or Designee, and/or ~~schedule a call or informal~~ have a discussion with the Approved Vendor or Designee to learn more about the basis for the Approved Vendor's or Designee's position. The IPA will endeavor to issue final determinations on ~~discipline~~ responses to Program violations, including a supporting rationale for its decision, as soon as practicable after the receipt of an appeal and review of relevant information.

#### **D. Disciplinary Action**

~~The Adjustable Block Program is a state-administered incentive program; no entity is entitled to receive or benefit from that state support, and the eligibility to do so depends on following Program requirements. Entities thus may be~~

If an Approved Vendor or Designee receives a formal warning letter, is suspended from Program participation—i.e., suspended from continuing to have, or has their solar marketing and development activities supported by Approved Vendor or Designee status revoked, this fact, along with a summary of the

~~Program violations, will be published on the State of Illinois through state-administered REC Delivery Contracts—as outlined further below.~~

~~A suspension under the ABP is generally considered a suspension from conducting some or all of the activities defined below for the duration of the suspension. As suspension may be more limited in scope than what is described below should circumstances warrant, and likewise may include additional provisions beyond those outlined below.~~

~~When Illinois Shines website. On a quarterly basis, the Program Administrator communicates that an **Approved Vendor** is suspended, the Approved Vendor may be suspended from some or all of the items listed below:~~

- ~~• Generating new disclosure forms~~
- ~~• Generating new project applications~~
- ~~• Entering subscription information for community solar projects~~
- ~~• Moving forward on already generated disclosure forms and/or in process project applications~~
- ~~• Part I verification of applications~~
- ~~• Having batches of projects submitted to will remove warning letter summaries that were issued more than 12 months prior from the Illinois Commerce Commission for its Approval~~
- ~~• Marketing of any kind regarding the Program on any platform (i.e. social media, organizational website, marketing and or customer acquisition via outside marketing firms, etc.), including any statements implying the availability of program incentives through such marketing~~
- ~~• Using Program materials in customer acquisition outreach (e.g. Program disclosure form, Program brochure, Program logo, etc.)~~
- ~~• Mentioning ABP or Illinois Shines while performing customer acquisition outreach, including any statements implying the availability of program incentives through such outreach~~
- ~~• Partnering with Shines website. In addition, an Approved Vendor and/or Designee in good standing to work around Program suspension~~
- ~~• Register as or act as that is issued a Designee in warning letter but has addressed the Program~~
- ~~• Participation in the IPA's Illinois Solar for All program~~

~~When underlying violations may request documentation from the Program Administrator communicates that a **Designee** is suspended, the Designee may be suspended from any or all of the items listed below: confirming the resolution of the Program violations.~~

- ~~• Generating new disclosure forms~~
- ~~• Moving forward on already generated disclosure forms~~
- ~~• Collaborating with the Designee's Approved Vendor(s) to convert Disclosure Forms into project applications~~
- ~~• Marketing of any kind regarding the Program on any platform (i.e. social media, organizational website, marketing and or customer acquisition via outside marketing firms, etc.), including any statements implying the availability of Program incentives through such marketing~~

- ~~Using Program materials in customer acquisition outreach (e.g. Program disclosure form, Program brochure, Program logo, etc.)~~
- ~~Mentioning ABP or Illinois Shines while performing customer acquisition outreach, including any statements implying the availability of program incentives through such outreach~~
- ~~Partnering with an Approved Vendor or Designee in good standing to work around Program suspension~~
- ~~Participation in the IPA's Illinois Solar for All program~~
- ~~Register as an Approved Vendor in the Program~~

~~The Agency will generally seek to accommodate any pending applications after a suspension is imposed upon an Approved Vendor or Designee to minimize the impact on the suspended entity's customer(s). However, if the Approved Vendor is suspended for reasons related to bankruptcy, failure to pay customers their portion of the REC incentive payment, or similar concerns, the Agency may prevent an application from moving through the application process if doing otherwise may risk compounding the reason for which the Approved was suspended.~~

~~An Approved Vendor or Designee may also be placed in a probationary status based on its violation of Program requirements if those violations do not rise to the level of requiring a suspension. Additional violations of Program requirements incurred during a probationary period may lead to a formal disciplinary determination. As a probationary status is not a formal disciplinary determination, it may not itself be appealed, though any subsequent disciplinary determination may be appealed.~~

~~The Program Administrator maintains a public report<sup>50</sup> of disciplinary actions taken involving Approved Vendors and Designees that have been found to have violated Program requirements. This public report has been developed. Information about warning letters, suspensions, and revocations are published in the interests of fairness, transparency, and awareness to help ensure that all Approved Vendors/Designees are aware of disciplinary decisions, and thus do not unknowingly partner with entities that are suspended from the Program and are aware of other disciplinary issues. The report is also designed to provide information to potential customers, project hosts, installers, and other interested parties.~~

### C. Consequences for Violations of Program Requirements

~~The Adjustable Block Program is a state-administered incentive program; no entity is entitled to receive or benefit from that state support, and the eligibility to do so depends on following Program requirements. The report is also designed to provide information to potential customers, project hosts, installers, and other interested parties.~~

### E. Disciplinary Determinations

~~The Adjustable Block Program are ultimately state-administered incentive programs leveraging state or utility-collected funds to provide additional incentives for photovoltaic project development. These programs do~~  
The Agency and Program Administrator may implement consequences for violations of

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<sup>50</sup> <http://illinoisabp.com/disciplinary-actions-report>



program requirements. In addition, Approved Vendors or Designees that violate local, state, or federal law may face civil or criminal penalties from other relevant authorities.

The Illinois Shines Program does not constitute the solar project development market generally; an Approved Vendor or Designee could simply choose not to avail itself of these additional incentive funding opportunities and therefore may operate outside of the Agency's published Consumer Protection Handbook, Contract Requirements, and other Program requirements.

Consequently, the Agency views its disciplinary determinations as a determination of eligibility for state-administered incentives. Suspension or revocation of Approved Vendor or Designee status is not a restriction on general market conduct; upon suspension or revocation of status, the restrictions are limited to the ability of an Approved Vendor or Designee to avail itself of additional incentive funding.

~~The Agency has established certain procedural safeguards to accompany its disciplinary determinations. Approved Vendors, Designees, agents, or other third parties potentially subject to Program discipline for a violation of the Agency's Violation Response Matrix, provided in the~~ Consumer Protection Handbook, Contract Requirements, ~~or other Program requirements will be afforded~~lays out the following:

~~A 45-calendar day lead time will be provided to Approved Vendors and Designees in order to prepare for and implement general (non-emergency) changes to the IPA's Consumer Protection Handbook and Contract Requirements. Unless otherwise specified, the lead time granted will not prohibit Approved Vendors and Designees from taking earlier steps towards compliance. In situations where the IPA determines that emergency adoption of a new or modified consumer protection is necessary, no lead time will apply; however, the Agency commits to enforce any such requirements with an eye toward the practical challenges inherent in immediate implementation.~~

- ~~In the event~~various responses that the Program Administrator ~~believes an Approved Vendor, Designee, or other party is not, or was not, in compliance with~~may take in response to customer complaints and potential and actual consumer protection Program violations. If there is a consumer complaint but there does not appear to be a Program ~~requirements~~violation, the Program Administrator will ~~notify the Approved Vendor and Designee, if applicable, through an e-mail that:~~
  - ~~Identifies the problematic behavior;~~
  - ~~Explains how the behavior is non-compliant with program requirements;~~
  - ~~informally mediate the complaint. For less serious consumer protection~~Requests more information about the issue; and
  - ~~Includes information on possible penalties.~~
- ~~No disciplinary determination (such as the suspension or revocation of the ability to participate as or on behalf of an Approved Vendor) will be made by the Agency's Program Administrator without the allegedly offending party having the opportunity to offer a written or oral explanation of the problematic behavior for review and analysis by~~violations, the Program Administrator;
- ~~All disciplinary determinations made by~~may direct the Approved Vendor or Designee to take corrective action or to follow a compliance plan. For recurring and more serious violations, the Program Administrator ~~will be communicated through~~may send a written explanation offormal Warning Letter. For the determination including at leastmost serious violations, the following:

- ~~○ A brief explanation of the infractions for which the Program Administrator may suspend an Approved Vendor and/or Designee is being disciplined;~~
- ~~● A timeline of communications between the offending entity and the Program Administrator;~~
- ~~○ Specific reference or permanently revoke their ability to participate in the specific Program requirement(s)/guideline(s) the offending entity violated;~~
- ~~○ An explanation of any suspension, including what specific conduct is no longer permitted in connection with. In addition, an entity's failure to respond to the Program through the length of the suspension;~~
- ~~○ An explanation of Administrator may lead to that entity's access to portal functions being restricted. The Matrix includes information on when each type of response is used, the process to appeal a disciplinary determination to the Agency and the deadline for submission applicable to any appeal, which will be no longer than two weeks from disciplinary decision, unless indicated otherwise.~~

~~The IPA will endeavor to address any provided, communications around the action, publication, appeals of disciplinary determinations as soon as practicable (although the need to receive additional documents or information may lengthen that timeline), and a non-exhaustive list of factors that the Program Administrator may consider when determining what response is appropriate.~~

The Agency will generally seek to accommodate any pending applications after a suspension is imposed upon an Approved Vendor or Designee to minimize the impact on the suspended entity's customer(s). However, if the Approved Vendor is suspended for reasons related to bankruptcy, failure to pay customers their portion of the REC incentive payment, or similar concerns, the Agency may prevent an application from moving through the application process if doing otherwise may risk compounding the reason for which the Approved was suspended.

~~Any appeal determination made by the IPA will include, at minimum, a clear statement of the Agency's decision, the consequences of that decision, and a supporting explanation as to why that decision was made.~~



## Section 4: System Eligibility

### A. System Location

All systems must be entirely physically located in Illinois and interconnected to the distribution level electrical grid of an Illinois investor-owned electric utility, rural electric cooperative, or municipal electric system. Systems located in adjacent states are not permitted in the Program. Off-grid systems are not eligible for the ~~Adjustable-Block~~ Program. All Distributed Generation systems must be located on the customer side of the electric meter and used primarily to offset that customer's electricity load.

Systems must be built at the location specified in the Part I application. Systems must remain at the approved location for the duration of the 15-year or 20-year contract as applicable, and may not be relocated.

Generally, projects should have a single point of interconnection.

### B. Interconnection Date

All systems must have a final interconnection approval (or equivalent from rural electric cooperative or municipal electric utility) dated on or after June 1, 2017. An interconnection agreement is defined as an agreement with the utility to interconnect the photovoltaic community solar or distributed generation system to the utility's distribution system. Interconnection agreements must be executed by both the interconnection applicant/requester as well as the interconnecting utility and be valid, meaning not expired.

All Distributed Generation systems over 25 kW AC in size must submit an executed interconnection agreement in the Part I application. Community solar systems are not required to submit an interconnection agreement in the Part I application, but are ~~requirement~~required to provide a ~~certificate~~Certificate of Completion in the Part II application.

### C. New Equipment

All systems must use equipment that meets either of the following criteria:

- The equipment is new, that is, none of the equipment has been used prior to the installation of the solar electric generating facility; or
- The age and warranty of the equipment is disclosed to a customer or host whose solar system will use equipment that was previously used in a solar facility.

### D. Installer Requirements

System installations must meet the following requirements in order to participate in the ~~Adjustable-Block~~ Program.

1. A system must be installed by an entity certified as a Distributed Generation Installer in good standing with the Illinois Commerce Commission.  
(<https://www.icc.illinois.gov/authority/distributed-generation-installer>).

- i. Note: Self-installing a system on one's own property is allowed in the ~~Adjustable-Block Program~~ Illinois Shines program with the following requirements. Self-installers are exempt from being an ICC Certified DG Installer, but not the requirement to be a qualified person. The self-installer needs ~~submit~~ submit one of the following proving that they are a Qualified Person: 1) a notarized attestation that they have completed at least five solar project installations prior to the application(s) submitted to the Program; or 2) a certificate of completion for one of the training programs noted in the definition of "Qualified Person" below. A self-installed project still needs to meet requirements found in Section 5 on minimum batch size and Approved Vendor submittal for Program participation, ~~Exception~~ exceptions will be granted at the sole discretion of the Program Administrator.
2. A system must be installed by a qualified person(s). The following definitions of "qualified person" and the term "install", as taken from Title 83, Part 468 of the Illinois Administrative Code, will be used to evaluate compliance with this requirement:

**"Qualified person"** means a person who performs installations on behalf of the certificate holder and who has either satisfactorily completed at least five installations of a specific distributed generation technology or has completed at least one of the following programs requiring lab or field work and received a certification of satisfactory completion: an apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program; a North American Board of Certified Energy Practitioners (NABCEP) distributed generation technology certification program; an Underwriters Laboratories (UL) distributed generation technology certification program; an Electronics Technicians Association (ETA) distributed generation technology certification program; or an Associate in Applied Science degree from an Illinois Community College Board approved community college program in the appropriate distributed generation technology. To be considered a "qualified person", the experience and/or training relied upon must be with the same type of distributed generation technology for which the qualification status is sought.

**"Install"** means to complete the electrical wiring and connections necessary to interconnect the new solar project with the electric utility's distribution system at the point of interconnection between the project and the utility. "Install" in this Part specifically does not mean:

- Electrical wiring and connections to interconnect the new solar project performed by utility workers on the utility's distribution system;
- Electrical wiring and connections internal to the new solar project performed by the manufacturer;
- Tasks not associated with electrical interconnection of the new solar project and the utility, including those relating to planning and project management performed by individuals such as an inspector, management planner, consultant, project designer, contractor, or supervisor for the project or their employees.

## E. Expansions

An expansion to a system that is already under ~~an ABPa REC~~ contract in the Program must be independently metered (with a separate GATS or M-RETS ID), and must be separately enrolled in net metering with the utility, and will be issued a new contract and/or product order independent from that of the original system. The Program Administrator will process expansion requests only for systems that have been Part II verified. The expansion must comply with all Program requirements in effect at the time the expansion application is submitted. Expansions are subject to the following additional requirements:

1. The expansion will only be compensated up to the maximum 5 MW size limit when added to the original system at that location. For example, if a location already has a 4.9 MW system at that location and a 200 kW system is added, a new contract will only be granted for the estimated production of a 100 kW system.
2. If an expansion would move the total system size from the Small DG category into the Large DG category, and that category is operating on a waitlist, the expansion would be added to the waitlist in the same manner as a new system in that category while the existing system continues to receive REC payments under the previously contracted terms. Expansion applications submitted prior to the corresponding Group/category reaching full capacity will not be added to the waitlist and instead will be eligible for Part I review.
3. The expansion price will be adjusted to account for the current block price at the size of the combined system minus the price paid to the original system. For example (based on REC prices and the Small DG threshold prior to September 15, 2021), a 10 kW system in Block 1 Group A initially received \$85.10/REC with an estimate that it would produce 100 RECs over the contract period, for a total of \$8,510. A 10 kW addition is planned once the small DG and large DG categories in Group A have moved to Block 2. Because the new system with this addition would total 20 kW, the total system size is now in the >10-25 kW size category; for Block 2, Group A, that price is \$75.55/REC. Assuming the expansion would also produce 100 RECs over the 15 year contract life, a calculation must be performed as if the system were a 20 kW system at the current block price. This value would be  $200 \text{ RECS} * \$75.55/\text{REC} = \$15,110$ . The previous payment of \$8,510 must be subtracted from this value, leaving a total contractual payment of \$6,600 for the new expansion. There will be no pro-rating of the time the original system was in operation when making this calculation. The contract term for the original system will remain the same, and the contract term for the expansion will begin the date the expansion commenced operation.
4. If an expansion is made to an existing system that is not part of the ~~Adjustable Block~~ Program and only the expansion is applying to the Program, then the system size used to determine REC price will be solely the expansion size.
5. For ABPPProgram dashboard and Block capacity calculations, the capacity of an expansion system is taken from the Group/category corresponding to the individual applications, not from the Group/category corresponding to the aggregate system.

## F. Co-location of Distributed Generation Projects

The total capacity of distributed generation systems enrolled in the ~~Adjustable Block Program~~ Illinois Shines program at a customer's location will be considered a single system. (For example, three 100 kW systems at a single location will be considered a 300 kW system.) For purposes of determining the system's REC price,

a system's location is considered to be a single building (regardless of the number of utility accounts at the location) for rooftop installations, and a single property parcel for ground-mounted systems (if a property has both rooftop and ground-mounted systems, it will be considered a single system). Additionally, systems located on multiple different rooftops or ground locations on the same parcel will be considered a single system if each system is owned by the same entity or its affiliates.

If two or more projects on one parcel are separately owned and serve to offset the load of separate entities, in order to have these arrays considered as separate projects, an Approved Vendor must provide proof that the occupants are not affiliated entities, and each has a separate utility meter and separate utility billing. The location of a project's modules, and not the location of the utility meters to which a project is connecting, determines the location of an array for co-location purposes.

Approved Vendors should endeavor to note in their Part I application if the system is co-located with another existing project in the Program. If possible, Approved Vendors should provide the Application ID number or the project name for the co-located project.

## G. Co-location of Community Solar Projects

- No Approved Vendor may apply to the ~~Adjustable Block~~ Program for more than 4 MW of Community Solar projects on the same or contiguous parcels (with each "parcel" of land defined by the county in which the parcel is located) under the 2019 REC Delivery Contract. This is increased to 5 MW under the 2021 REC Delivery Contracts and later REC Delivery Contracts.
- Co-located projects summing to more than 2 MW of Community Solar may be permissibly located in one of two ways under the 2019 REC Delivery Contract:
  - Two projects of up to 2 MW in size on one parcel or contiguous parcels; or
  - An up-to 2 MW project on each of two contiguous parcels.
  - Multiple projects up to 2 MW in aggregate on the same parcel with the same owner will be considered a single project for purposes of REC pricing as well as size criteria in the case of a lottery under the 2019 REC Delivery Contract.
- Under the 2021 and 2022 REC Delivery Contract, projects may be co-located in any manner as long as the total collocated capacity does not exceed 5 MW.
- A parcel of land may not have been divided into multiple parcels in the two years prior to the project application (for the ~~Adjustable Block Program~~Illinois Shines program) or bid (for competitive procurements) in order to circumvent this policy. If a parcel has been divided within that time period, the requirement will apply to the boundaries of the larger parcel prior to its division.
- If there are multiple projects owned or developed by a single entity (or its affiliates) located on one parcel of land, or on contiguous parcels of land, any size-based adders will be based on the total size of the projects owned or developed on the contiguous parcels by that single entity or its affiliates. Furthermore, the total combined size of projects owned or developed by a single entity (or its affiliates) on contiguous parcels of land may not be more than 2 MW, or more than 4 MW if co-located consistent with the provisions outlined above under the 2019 REC Delivery Contract.

~~Projects~~Co-located projects under the 2021 and 2022 REC Delivery Contracts must not exceed ~~a combined size~~an aggregate nameplate capacity of 5 MW ~~if co-located~~.

- “**Affiliate**” means, with respect to any entity, any other entity that, directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with each other or a third entity.
- “**Control**” means the possession, directly or indirectly, of the power to direct the management and policies of an entity, whether through the ownership of voting securities, by contract, or otherwise. Affiliates may not have shared sales or revenue-sharing arrangements, or common debt and equity financing arrangements.
- “**Contiguous**” means touching along a boundary or a point. For example, parcels touching along a boundary are contiguous, as are parcels that meet only at a corner. Parcels, however near to each other, that are separated by a third parcel and do not touch along a boundary or a point are not contiguous. Additionally, parcels that are separated by a public road, railroad, or other right of way accessible at all times to the general public are **not** considered contiguous.
- Projects owned or developed by separate entities (meaning that that they are not affiliates) may be located on contiguous parcels. If there is a naturally good location from an interconnection standpoint, one owner should not be allowed to prevent another owner from developing a project in that location.
- Projects must have separate interconnection points.

~~Community-Driven Community Solar and Traditional Community Solar~~Co-located community solar projects will be considered co-located and ~~are~~ subject to co-located pricing regardless of the category the projects are submitted. If a single project is developed and then a second, co-located project is developed on the same or a contiguous parcel at a later date, the approach above contemplates that these two projects will be considered co-located and co-located project prices will apply. To make this price adjustment the least administratively burdensome on all parties involved, the price adjustment for both projects will only be applied to the second project, with that project’s REC price reflecting not only the co-located project price, but also an additional discount reflecting the differential between the first project’s contract price and the applicable Block’s co-located project price. This co-located *pricing provision* will only be applicable if the Commission’s approval date of the second project is within one year or less of the Commission’s approval date of the first project. If the first project has not yet commenced construction at the time of the second project’s approval, then the co-located pricing provision will apply. This provision is related to pricing alone and the projects and their aggregate nameplate capacity will still be considered co-located for siting purposes.

In the case that there are two co-located projects on a single parcel (or two contiguous parcels) owned by a single entity or represented by a single Approved Vendor, any sale of one project to a different owner or transfer of one project to a different Approved Vendor would not avoid the price adjustment that applies to co-located projects. In such a case, the second project’s REC price would be adjusted to a price accounting for both co-located projects (i.e., below the listed co-located project price) in line with the description above. This restriction also applies to projects that are accepted off the waitlist that would render an already developed project a co-located project.

Approved Vendors should endeavor to note in their Part I application if the system is co-located with another project or project(s). If possible, Approved Vendors should provide the Application ID number or the project name for the co-located project.

## H. Site Control

For project application, the Approved Vendor must provide a written binding contract, option, or other demonstration of site control acceptable to the Program Administrator for all projects where the Approved Vendor is not also the project owner and the host. In cases where the system owner and host are the same entity, site control can be demonstrated by a statement from the system owner and host that this is the case.

Site control must be signed by both parties, the customer, and by the Approved Vendor or installer. In projects where the Approved Vendor is the customer, such as in Community Solar, site control must be signed between the Approved Vendor and the host/owner of the installation property. If the Approved Vendor is the same entity as the host/owner of the installation address, only one signature from the entity is needed. If the site control is electronically signed using a third-party signature platform, such as DocuSign or HelloSign, there must be verifiable watermarks on each parties' signature, or the signature tracking pages must be submitted with the site control. If the total number of modules to be installed has changed after the customer has signed the site control, the Approved Vendor must include an updated site map with the customer's signature, or if an updated site map with the customer's signature is not possible, the Approved Vendor must include a change order form regarding the changes in the total number of modules with the site control.

## I. Site Map

The site map must be provided with each application for all systems, showing property boundaries (if ground-mount), any structures on the property or rooftop, and the location of the solar array(s). To avoid a request for additional information, the Program Administrator encourages including clearly labeled surrounding streets names on site maps.

## J. REC Quantity Calculation

1. The application portal will automatically calculate the PVWatts estimated production for an application as well as the associated contractual REC delivery amount rounded down to the whole REC. The PVWatts capacity factor will be calculated automatically by the portal using PVWatts Version 5 and the following inputs:
  - a. System address as entered by the Approved Vendor
  - b. Module type: Standard
  - c. System losses: 14%
  - d. Array type will be based on Approved Vendor input for system type using the following: Fixed open rack for non-tracking ground mount systems, Fixed roof mount for non-tracking roof mounted systems, 1-Axis for single axis tracking systems, and 2-Axis for dual axis tracking systems
  - e. Tilt angle: Tilt angle entered by Approved Vendor
  - f. Azimuth angle: Azimuth angle entered by Approved Vendor



- g. DC/AC ratio: Actual ratio based on Approved Vendor inputs for DC and AC capacity
  - h. Inverter Efficiency: As entered by Approved Vendor. If blank a default of 96% will be used.
  - i. Degradation: 0.5% per year. Alternative degradation rates will not be accepted.
2. Applicants can also use an alternative capacity factor, which may be larger than the PVWatts capacity factor, if such a selection was obtained using a custom software tool designed to calculate such capacity factors or calculated by a professional engineer.<sup>51</sup> Approved Vendors can always choose a capacity factor lower than the PVWatts or alternative capacity factor if they determine it is appropriate.
  3. Any proposed alternate capacity factor that is calculated using a proprietary third-party software tool may be subject to audit by the Program Administrator. This may include a requirement that the Approved Vendor provide a copy of the third-party software tool with appropriate licenses to the Program Administrator as well as providing all inputs to the tool in a manner which will allow the Program Administrator to replicate the generation claimed. This will only be required on a case-by-case basis as determined by the Program Administrator who will conduct both random and targeted audits of alternate capacity factors.
  4. Any capacity factor that results in a REC quantity calculation that differs by more than +/-20% from the PVWatts REC quantity calculation requires the Approved Vendor to confirm that the entered capacity factor is intentional.
  5. Any arrays with an azimuth greater than 270 or less than 090, or with a tilt greater than 80 degrees may be subject to further review by the Program Administrator.
  6. The Administrator will evaluate systems using non-standard technologies such as bifacial panels or seasonally adjusted tilt on a case-by-case basis.
  7. Any capacity factor that is approved for Part I of an application will be the maximum capacity factor that the system may use even if changes to the final as-built system would result in a higher capacity factor. However, any changes to the system between the Part I and Part II approval that would lower the capacity factor will result in a capacity factor reevaluation and the new, lower Part II capacity factor must be used. The Part II capacity factor cannot be greater than the Part I capacity factor. The quantity of RECs used for purposes of calculating payments under the REC Contract and the annual REC delivery obligations under the REC Contract shall be the lesser of the REC quantities calculated based on (1) the Part I system size in AC and the Part I capacity factor and (2) the Part II system size in AC and the Part II capacity factor.
  8. At the Part II application, the Approved Vendor will be asked to update system parameters, if needed. As an additional check, photographic evidence and possibly on-site inspections will be used to verify the final system parameters. ~~If the standard capacity factor was used at the Part I application—and if the project is still eligible for the standard capacity factor based on its updated shading criteria, azimuth, and tilt—then the standard capacity factor will continue to be used as the Part II capacity factor and applied to the Part II system size, discussed below.~~ If PVWatts was used at the Part I application to calculate a capacity factor, then PVWatts will be used again based on the updated Part II system parameters to calculate a Part II capacity factor. If PVWatts calculates a

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<sup>51</sup> Alternative capacity factors should include an assumption of 0.5% annual degradation and be based on the inverter's AC rating.

higher capacity factor for Part II relative to Part I, the lower capacity factor from Part I will be used. If a custom capacity factor was used at the Part I application stage, the same custom capacity factor (or lower custom capacity factor, if reduced per above) will be used and applied to the Part II system size. Switching among production estimate calculation methodologies between Part I and Part II is permitted only if accompanied by a decrease in the capacity factor, otherwise such switching is not permitted.

9. Modifications to Part I project parameters may be permitted prior to the Program Administrator's approval of the Part I application, but only if these modifications do not increase the 15-year or 20-year REC quantity.

## K. System Size

1. All system sizes described in this Guidebook are in AC system size based on the inverter size, i.e., a system with a single 10 kW inverter is considered a 10 kW system even if it has 12 kW of STC DC capacity.
  - a. Inverter capacity shall be measured as the nameplate maximum continuous output.
  - b. An inverter shall be connected to a solar panel in order to be considered as part of the AC system size. In the case of microinverters that contain more than one inverter per unit, only the inverters connected to a panel shall be included in the AC system size.
2. Systems will be limited to a DC capacity of 155% of the AC capacity (for example, a 10 kW AC system can contain only 15.5 kW in STC DC capacity). An Approved Vendor may request an exemption for this requirement, but exemptions will only be granted for good cause and at the discretion of the Agency and its Program Administrator.

## L. Systems with Battery Backup

All systems that include a battery shall be identified to the Program Administrator.

All systems which include a battery shall be electrically connected in a manner which ensures that any non-solar generated electricity used to charge the battery is not later metered as solar generated power. This can be done in one of three ways:

1. The meter used to report production is electrically located before the battery charger and does not measure any power that is drawn from the battery bank.
2. A net meter is connected to the system that runs in reverse when any non-solar power, including on-site generator power, is used to charge the battery bank.
3. The inverters' software setting is configured to prevent the battery from charging via line power. This software setting may not be changed for the duration of the project's participation in the Adjustable Block Program/llinois Shines program.

If a system contains a battery backup, a battery schematic diagram must be submitted with the application via the Part II application. The diagram should contain the following:

1. Battery Backup ("BB") DC Voltage
2. BB Configuration (AC Coupled or DC Coupled)



3. BB Conductor Size
4. PV Conductor Size
5. BB Fuse/Breaker Size
6. Inverter Contains DC/AC Disconnects
7. Inverter Output Conductor Size
8. Inverter Fuse/Breaker Size
9. BB Contains Transfer Switch or Microgrid Interconnect Device
10. BB, PV, and Standby Loads are Isolated During Grid Outage
11. AC Combiner/Load Center(s) Sized Properly
12. PV Interconnection Type (Supply, Load, or Feeder)
13. Battery Charge Method (PV (DC) or Grid)
14. Battery Discharge Method (PV (DC) or Grid)
15. Battery Output Meter
16. PV Output Meter

All meters used in the battery backup should also satisfy the metering requirements in Section 4.N of the Guidebook.

## M. Systems that Directly Serve DC Loads

The Agency does not wish to inadvertently prohibit participation in the Program by photovoltaic systems that do not convert the DC electricity produced to AC electricity. However, for the reasons addressed below, the Agency is still in the process of developing standards for allowing ~~Adjustable Block Program~~ Illinois Shines program participation from DC-only systems.

Certain difficult questions arise in considering how to structure such systems' participation, particularly, how to estimate the system's 15-year or 20-year REC production for purposes of establishing a contractual delivery obligation. The Plan allows systems to use an alternative capacity factor based upon an analysis using PV Watts or an equivalent tool. This may be challenging, however, given that the alternative capacity factor ordinarily must be multiplied by a system's nameplate capacity (measured based on the inverter size in kilowatts AC), and in a DC-only system, the capacity of solar panels may significantly exceed the inverter size. An alternative approach may be to assume an inverter size equal in size to the DC photovoltaic array: e.g., if such a system has 10 kW DC of panels, the Agency could assume an inverter size of 10 kW AC and then multiply by a standard capacity factor.

After approval of the Initial Long Term Renewable Resources Procurement Plan in August 2018, the Agency communicated regularly and deliberately with industry stakeholders who were seeking to coordinate and obtain ANSI approval of a new DC metering standard. However, the Agency has not received any subsequent input from such stakeholders and understands that this standard was finalized in March 2021.<sup>52</sup> The Agency has not reviewed the applicability or relevance of this standard to its programs, nor has it received any expressions of interest in systems metered in this manner. Should the Agency become aware of interest in

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<sup>52</sup> See: <https://energycentral.com/c/gr/ansi-dc-metering-standard-earned-emerge-alliance>.

DC-based metering projects, it will initiate a stakeholder feedback process to establish appropriate DC metering standards.

## N. Metering

The following metering requirements are identical for systems registered with either GATS or M-RETS:

1. Systems 25 kW and above in size must utilize a new production meter that meets ANSI C.12 standards. Inverters with integrated ANSI C.12 compliant production meters are allowed with a specification sheet showing this standard has been met. The inverter must be UL-certified and must include either a digital or web-based output display.
2. Systems over 10 kW and less than 25 kW in size must utilize a production meter that meets ANSI C.12 standards. Production meters that are refurbished (and certified by the meter supplier) are allowed. Inverters with integrated ANSI C.12 compliant production meters are allowed with a specification sheet showing this standard has been met. The inverter must be UL-certified and must include either a digital or web-based output display.
3. Systems of 10 kW in size and below must utilize either a production meter that is accurate to +/- 5% (including refurbished and certified meters), or an inverter that is specified by the manufacturer to be accurate to +/-5%. The inverter must be UL-certified and must include either a digital or web-based output display.
4. No system is required to have automated or remote meter reporting capability, although such production meters are allowed if they meet the requirements in bullet points 1-3 above.
5. As referenced above, the Agency has not yet adopted a DC metering standard and welcomes continued feedback on the proper approach.

Registry	System Size	Accuracy	New vs. Refurbished	Meter vs. Inverter
GATS and M-RETS	>=25kW	ANSI C.12 revenue grade	New only	Meter or inverter with integrated ANSI C.12 production meter (must be UL-certified with digital or web-based output display)
	>10kW and <25kW	ANSI C.12 revenue grade	Refurbished ok	Meter or inverter with integrated ANSI C.12 production meter (must be UL-certified with digital or web-based output display)
	<=10kW	+/-5%	Refurbished ok	Inverter ok (must be UL-certified with digital or web-based output display)

## O. Partial Systems

All systems ~~entered into~~submitted to the [ABP Illinois Shines program](#) must include the entire output of the system (recognizing, of course, the REC delivery obligations for community solar projects correspond to only the subscribed shares of those projects). Any capacity of a system which is not part of the [ABP Program](#) must be separately metered with a separate inverter.

## P. Rate Recovery

All systems submitted to the ABP are prohibited from recovering the costs of said project through state-regulated rates. Section 1-75(c)(1)(J) of the Illinois Power Agency Act (20 ILCS 3855) contains the following prohibition against recovering the costs of a photovoltaic generating unit whose RECs are used for compliance with Illinois's renewable portfolio standard (20 ILCS 3855/1-75(c)) through state-regulated rates:

*In order to promote the competitive development of renewable energy resources in furtherance of the State's interest in the health, safety, and welfare of its residents, renewable energy credits shall not be eligible to be counted toward the renewable energy requirements of this subsection (c) if they are sourced from a generating unit whose costs were being recovered through rates regulated by this State or any other state or states on or after January 1, 2017. Each contract executed to purchase renewable energy credits under this subsection (c) shall provide for the contract's termination if the costs of the generating unit supplying the renewable energy credits subsequently begin to be recovered through rates regulated by this State or any other state or states; and each contract shall further provide that, in that event, the supplier of the credits must return 110% of all payments received under the contract.*

As RECs sold through the [ABP Program](#) are used to meet the state's renewable portfolio standard, this prohibition also applies to projects participating in the [Adjustable Block Program](#). Consistent with the passage above, Section 4(a) of the Adjustable Block Program's REC Delivery Contract Cover Sheet requires that a Seller make the following representation:

*As required by Section 1-75(c)(1)(J) of the IPA Act, each such Designated System is not and will not be a generating unit whose costs are being recovered through rates regulated by Illinois or any other state or states.*

Section 4 of the REC Delivery Contract provides that, for a violation of Section 4(a), the project would be removed from the REC Contract, and that "Buyer shall be entitled to payment by Seller in the amount of the greater of: (i) the Collateral Requirement with respect to such Designated System or (ii) one hundred ten percent (110%) of the total payments Seller has received from Buyer associated with RECs from such Designated System."

If the Program Administrator has reason to believe that the costs of [an ABP project participating in the Program](#) may be recovered (currently or in the future) through state-regulated rates, the Program Administrator may request more information from that project's Approved Vendor and could request that the Approved Vendor sign an attestation that the project's costs have not been and will not be recovered through state-regulated rates.

## Q. Prevailing Wage Requirements

As outlined in Section 1-75(c)(1)(Q) of the IPA Act, with certain exceptions also found in Section 1-75(c)(1)(G)(iv) of the IPA Act, most [Adjustable Block Program](#) project proposals must comply with Illinois Prevailing Wage Act requirements. Prevailing wage is a minimum compensation level by county set by the

Illinois Department of Labor for construction activities related to public works. Section 1-75(c)(1)(Q) of the IPA Act (20 ILCS 3855) as modified by ~~CEJA~~[P.A. 102-0662](#) now requires that individuals engaged in the construction of applicable projects submitted to the Program are paid the prevailing wage. Additionally, Public Act 102-0673 clarifies that projects receiving incentives under the Program are “public works” subject to the Prevailing Wage Act—which includes notice requirements and related provisions as well.

For ~~Adjustable-Block~~ Program administration, Illinois law allows only the following types of projects to be considered exempt from prevailing wage requirements:

- Large Distributed Generation projects (greater than 25 kW AC) that were on a waitlist as of the Program’s reopening on December 14, 2021;
- Distributed generation projects (Large or Small) that either:
  - serve a single-family or multi-family residential building, or
  - serve a house of worship and are not greater than 100 kW AC (aggregated with any co-located projects);
- Distributed generation projects (Large or Small) for which construction can be demonstrated to have been completed before September 15, 2021, the effective date of Public Act 102-0662.

For projects that do not fall into one of the above exempted categories, construction activities including maintenance, that occur after September 15, 2021 will be subject to prevailing wage requirements.<sup>53</sup>

A project application sized between 10-25 kW for which an application was originally received in the Large Distributed Generation category (i.e., on or before November 1, 2021 when the ABP application portal closed to applications in preparation for Program reopening) will be considered a waitlisted Large Distributed Generation project for prevailing wage purposes, although that project will otherwise be reclassified as a Small Distributed Generation project for processing the project application and that reclassification will be reflected in the REC price and payment terms.

After the enactment of Public Act 102-0673, projects that do not qualify for one of the above exemptions must comply with all provisions of the Prevailing Wage Act (“PWA”). The Department of Labor (“DOL”) oversees the implementation and enforcement of the Prevailing Wage Act and has multiple resources, such as [FAQs, FAQs](#), available on its [website, website](#). The Prevailing Wage Act requires that employees engaged in construction activities related to the project be paid the prevailing wage of that location, as determined by the DOL annually and updated regularly on its website. The Approved Vendor, its contractors and subcontractors must provide written notice to all contractors and subcontractors that the PWA applies to the project, including notice and record keeping requirements; penalties and fines for violations may be imposed on upstream contractors if they did not provide proper notice to subcontractors. Employees engaged in construction activities must be given written notice of the applicable prevailing wage rates through posting those rates on the work site, at a central office, or through direct written communication. Each contractor and subcontractor under contract for construction activities for the project must submit a

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<sup>53</sup> The Prevailing Wage Act defines ‘construction’ to include maintenance, repair, assembly, or disassembly work performed on equipment.

Certified Transcript of Payroll (“CTP”) on [DOL Certified Transcript of Payroll Portal](#) on a monthly basis throughout construction activities. Templates for the CTP and additional details on what to include may be found on the DOL website. ~~ABP~~-Approved Vendors must also submit all CTPs from the relevant project to the Program Administrator via the Part II application.

As described further below in Section 5, Part I of the project application for non-exempted projects will require that an Approved Vendor certify its understanding that prevailing wage requirements apply to that project, and the Part I verification will include the Program Administrator’s determination regarding applicability of prevailing wage requirements. In Part II of the project application, the Approved Vendor will be required to certify to and document compliance with prevailing wage requirements, if applicable. If noncompliance with the PWA is discovered by the Program Administrator, the Approved Vendor will need to provide backpay to impacted workers and provide documentation of such backpay to the Program in order to proceed with Part II application verification.

All projects subject to prevailing wage requirements may be subject to auditing by the Program Administrator to verify compliance. This auditing includes a requirement to admit the Program Administrator or their representatives to work sites for ongoing projects, access to speak to employees who are working or have worked on projects, access to requested documentation demonstrating payment of wages including but not limited to Certified Transcripts of Payroll, and any other information the Program Administrator deems necessary to confirm compliance with this requirement.

Failure to comply with prevailing wage requirements is considered a violation of Program requirements in accordance with Section 3.C of this Guidebook. While the IPA may refer potential violations of the PWA to the DOL for further investigation and enforcement, the IPA may also take disciplinary action against any Approved Vendor or Designee found to have violated the PWA on a facility for which there was a REC contract under the ABP.

### **Completing Certified Transcripts of Payroll**

Approved Vendors and their Designees working to complete Certified Transcripts of Payroll (“CTPs”) will find that there is not currently a labor categorization for solar installers as it relates to prevailing wage rates. Additionally, the work that laborers on a job site perform may have different distinctions due to multiple roles, as such the closest category that applies to the work performed should be used. The below should be used as a guide while completing CTPs:

- Use “Electrician” if the laborer was performing any tasks related to electrical work.
- Use “Operating Engineer” if the laborer is performing work with heavy machinery, such as but not limited to pounding stakes into the ground, working on erecting a structure, etc.
- Use “Laborer” for any other jobsite tasks

## Section 5: Project Applications

### Application Availability

Applications for the new blocks of capacity made available each Program year across all Program Groups/categories will open on June 1<sup>st</sup>. Aside from the Community-Driven Community Solar category, applications may be submitted throughout the Program year, even when capacity for a Group/category has been filled. Community-Driven Community Solar applications have a distinct 90-day application window that will commence on June 1<sup>st</sup> each Program year.

		<u>Small DG</u>	<u>Large DG</u>	<u>TCS</u>	<u>CDCS</u>	<u>Public Schools</u>	<u>EEC</u>
<u>Application Opens</u>		<u>Start of each Program Year (June 1<sup>st</sup>)</u>	<u>Start of each Program Year (June 1<sup>st</sup>)</u>	<u>Start of each Program Year (June 1<sup>st</sup>)</u>	<u>Start of each Program Year (June 1<sup>st</sup>)</u>	<u>Start of each Program Year (June 1<sup>st</sup>)</u>	<u>Start of each Program Year (June 1<sup>st</sup>)</u>
<u>Application Closing Details</u>		<u>Application does not close. Once block capacity is filled, projects will be added to a waitlist. New capacity will open June 1<sup>st</sup> each year.</u>	<u>Application does not close. Once block capacity is filled, projects will be added to a waitlist. New capacity will open June 1<sup>st</sup> each year.</u>	<ul style="list-style-type: none"> <li><u>Application does not close. Once block capacity is filled, projects will be added to a waitlist. New capacity will open June 1<sup>st</sup> each year.</u></li> <li><u>Capacity for this category fills quickly, usually on the first day that new capacity is available.</u></li> </ul>	<ul style="list-style-type: none"> <li><u>Application window closes 90 days after start of Program Year (August 30<sup>th</sup>)</u></li> <li><u>Applications not accepted after close of application window</u></li> </ul>	<ul style="list-style-type: none"> <li><u>First 180 days, project applications are prioritized.</u></li> <li><u>After 180 days (November 28<sup>th</sup>), if any of the set priority allocations are not filled, projects located at a public school will be accepted on a first come, first serve basis regardless of Tier, Environmental Justice Community location, or project size.</u></li> </ul>	<u>Application does not close. Once block capacity is filled, projects will be added to a waitlist. New capacity will open June 1<sup>st</sup> each year.</u>

**Application Process Overview**

Below is an outline of the steps in the application process for distributed generation projects and community solar projects.

<b><u>Application Process – Distributed Generation</u></b>			
<b><u>Step in Process</u></b>		<b><u>Entity Responsible</u></b>	<b><u>Additional Info</u></b>
<b><u>1</u></b>	<b><u>Disclosure form execution</u></b>	<b><u>Approved Vendor or Designee</u></b>	<b><u>Disclosure Form needs to be executed by customer prior to the execution of customer contract and commencement of a Part I application</u></b>
<b><u>2</u></b>	<b><u>Part I application submission (Submission includes batching, submission of batch, and payment of application fee)</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Requires application verification by Program Administrator in order to move forward in application process</u></b>
<b><u>3</u></b>	<b><u>Verification of applications in a batch</u></b>	<b><u>Program Administrator</u></b>	
<b><u>4</u></b>	<b><u>Submission of batch to ICC for Approval</u></b>	<b><u>Program Administrator</u></b>	<b><u>Submission to the ICC is dependent on Part I application verification</u></b>
<b><u>5</u></b>	<b><u>Execution of REC Contract</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Approved Vendor must execute REC contract within 7 business days and post the collateral associated with the application within 30 business days</u></b>
<b><u>6</u></b>	<b><u>Part II application submission</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Requires application verification by Program Administrator</u></b>

<b>2</b>	<b>Project verification and invoicing</b>	<b>Program Administrator</b>	<b><u>REC incentives cannot be invoiced for a project until it is Part II verified</u></b>
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### **Application Process – Community Solar**

	<b><u>Step in Process</u></b>	<b><u>Responsible</u></b>	<b><u>Additional Info</u></b>
<b>1</b>	<b><u>Part I application submission (Submission includes batching, submission of batch and payment of application fee)</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Requires application verification by Program Administrator</u></b>
<b>2</b>	<b><u>Submission of batch to ICC for Approval</u></b>	<b><u>Program Administrator</u></b>	<b><u>Submission to the ICC is dependent on Part I application verification</u></b>
<b>3</b>	<b><u>Execution of REC Contract</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Approved Vendor must execute REC contract within 7 business days and post the collateral associated with the application within 30 business days</u></b>
<b>4</b>	<b><u>Part II application submission</u></b>	<b><u>Approved Vendor</u></b>	<b><u>Requires the upload of Disclosure Forms for subscribers</u>  <b><u>Requires application verification by Program Administrator</u></b></b>
<b>5</b>	<b><u>Project verification and invoicing</u></b>	<b><u>Program Administrator</u></b>	<b><u>REC incentives cannot be invoiced for a project until it is Part II verified</u></b>



## A. Part I Application Process

### **Batches**

A batch is a group of applications submitted to the Program that move through the application process together and are contracted together as a single Product Order. All applications will be submitted electronically through the Approved Vendor portal at ~~illinoisabp.com~~ on the Program website. Applications will be completed on a project-by-project basis. A batch, or a group or projects, may include ~~any~~ combination of project types and locations, including project types across ~~program~~Program categories, as long as this group of projects fall under the same REC Contact type. An Approved Vendor may select from their completed project applications to form and submit a batch. Applications are not considered submitted to the Program until the application is batched and that batch of applications is submitted via the portal, with payment for that batch initiated by the Approved Vendor. Project applications will only be reviewed once they have been submitted as part of a batch. For Approved Vendors submitting for the first time, the first batch size is required to be at least 100 kW in size. ~~Project applications will only be reviewed once they have been submitted as part of a batch.~~ Batches may not exceed 5MW in size.

### **Application Fee**

An application fee equal to \$10/kW, not to exceed \$5,000, will be required for each project. This application fee will be paid to the Program Administrator at the time the batch is submitted ~~and is non-refundable.~~ The application fee payment will be part of the batch submission process and the fee will be automatically calculated by the application portal. Fees may be paid by wire, check, credit card, or ACH direct deposit initiated by the applicant using a unique tracking code generated by the application portal in the wire or direct deposit notes section to allow matching of deposits to batch submissions by the Administrator. Credit card payments will be subject to an additional fee of 2.9% of the total payment to account for credit card processing fees and will be limited to no more than \$10,000 per month per Approved Vendor. An application will be not considered submitted until the application fee for the project is ~~paid~~initiated. If an application fee for a project is not paid within 10 business days of batch submittal, the Program Administrator may consider the application fee unpaid, thus the application not submitted.

### **Application Parts**

Applications consist of a Part I application and a Part II application; each of these parts must be completed for each participating system. The Part I application may be completed when the project is in the planning stage and collects information on a system's planned technical aspects including size, estimated REC production, equipment, and installation company. The Program does not require that an Approved Vendor submit a customer's Part I application prior to construction of the system. However, waiting until after a project is installed to submit an ABP Illinois Shines project application could negatively affect the customer's experience because block capacity (and associated REC price) is not guaranteed, and if a project's specifications are not in conformance with Program requirements, the application may not be approved. Other ~~program~~Program requirements such as prevailing wage requirements will apply even if the project

has already been constructed. To ensure positive customer experiences, Approved Vendors are thus encouraged to submit applications in a timely manner.

Part II of the project application is to be completed only when a project has been completed and energized. Only systems that have a completed and verified Part I application that is subsequently approved as part of a batch by the ICC may submit the Part II application.<sup>54</sup>

### **Disclosure Forms<sup>55</sup>**

A completed Disclosure Form is required for submission of a Part I application for Distributed Generation projects ~~for~~ Disclosure Forms for subscribers to Community Solar projects will be required at the Part II application ~~for~~. The Disclosure Form must be generated<sup>56</sup> using the portal on the Program website.<sup>57</sup> The portal contains an interactive form that can be completed by either the Approved Vendor or one of its approved Designees which upon generation can either be e-signed using the portal e-signature functionality or printed, signed, scanned, and uploaded. Other e-signature systems may be utilized, as long as they comply with requirements outlined below. The information on the Disclosure Form is automatically transferred to the application portal to start a Part I application for DG systems. The information on a Disclosure Form can be updated within the portal prior to customer signing, if that form has not yet been generated (i.e. finalized for sending to customer for signature). If a change in information on a Disclosure Form that has been generated for signature but is not yet signed must occur, an Approved Vendor or their Designee should re-generate the Disclosure Form in the ABP portal before it is executed by the customer. Under no circumstance may any entity edit the static or the dynamic elements of a Disclosure Form that was generated inside the portal or via API. After the customer has signed the document (for e-signing) or downloaded the document (for wet signatures), thus finalizing the Disclosure Form, any changes to that completed Disclosure Form require the generation of a new Disclosure Form.<sup>58</sup>

Approved Vendors and Designees are prohibited from using their own versions of the Disclosure Form, and expressly prohibited from editing in any way the Disclosure Form generated in the portal. Approved Vendors and Designees may employ commercially available third-party e-signature systems for customer signature of the ~~disclosure form~~ Disclosure Form but must submit the audit/signature information page with the e-

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<sup>54</sup> For these procedures and other items described in the Program Guidebook but directly addressed through the REC Delivery Contract, to the extent that there may be any unintended inconsistency between descriptions in this Program Guidebook and the Final REC Delivery Contract, the latter is generally controlling.

<sup>55</sup> Disclosure Forms are only required prior to the Part I application for distributed generation projects. For all community solar projects, Subscriber Disclosure Forms are required at the Part II application.

<sup>56</sup> A *generated* Disclosure Form is one that has been finalized and is ready to be sent to a customer for signature but is not yet signed.

<sup>57</sup> CSV upload functionality as well as API functionality are both made available by the Program for Disclosure Form generation.

<sup>58</sup> A *completed* Disclosure Form is one that has been signed by the customer.

signed Disclosure Form. More information on Disclosure Form requirements can be found in the Consumer Protection Handbook.<sup>59</sup>

The Disclosure Form should be completed after system design (for DG systems) and must be delivered to the customer and signed by the customer before the customer signs that project's installation contract or subscription agreement, in the case of community solar. A representative of the Approved Vendor or Designee shall review the Disclosure Form with the customer and provide the customer with an opportunity to ask questions about the Disclosure Form prior to obtaining a signature from the customer. The customer must sign the Disclosure Form prior to signing the installation agreement or subscription agreement. Terms of the underlying contract between a customer and an Approved Vendor or its subcontractor must be consistent with terms of the required Disclosure Form. Any statements made verbally to the customer must be consistent with the contract and the Disclosure Form.<sup>60</sup>

An Approved Vendor or Designee may select the "To Be Determined" option in the Disclosure Form for a Traditional Community Solar offer when the terms of the subscription are set but the specific project for the subscription has not been determined. The "To Be Determined" option cannot be used for Community-Driven Community Solar. That is, a customer who signs a "To Be Determined" Disclosure Form cannot be subscribed to a CDCS project. In order to subscribe a customer to a CDCS project, the specific project must be disclosed in the customer's Disclosure Form. Additional information about the "To Be Determined" option is available in Section V(B) of the Consumer Protection Handbook.

#### **Signature Bundling of Community Solar Disclosure Forms**

The Program allows for signature bundling to facilitate e-signatures on Community Solar Disclosure Forms generated for situations where one potential nonresidential subscriber has multiple accounts each requiring a separate Disclosure Form. The is only permitted for nonresidential customers and it allows Approved Vendors and Designees to bundle Community Solar disclosure forms together and need only a single e-signature. To use this option the signer of the disclosure form must be a person or a representative of the entity that is the end user of the underlying utility account(s). Intermediaries such as energy management entities or account management entities may not sign disclosure forms on behalf of a potential subscriber.

Typically, potential subscribers would receive an individual email for each disclosure form. Signature bundling allows the potential subscriber to sign once for multiple disclosure forms even

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<sup>59</sup> All Disclosure Forms submitted to the Program require a customer e-mail address. If the customer does not have an e-mail address, the Program offers a waiver that the customer can sign confirming that they do not have an e-mail address. The Approved Vendor must submit this waiver along with the customer's Disclosure Form.

<sup>60</sup> If a DG system was energized or went under contract prior to the Agency's finalization of the DG Disclosure Forms on December 27, 2018, the Approved Vendor will be required to complete the Disclosure Form and send it to the customer, but will have an opportunity to attest, in lieu of obtaining the system host's signature on the disclosure, that its diligent, good-faith efforts to contact the customer using all known contact information were either unsuccessful or resulted in the customer refusing to sign the disclosure.

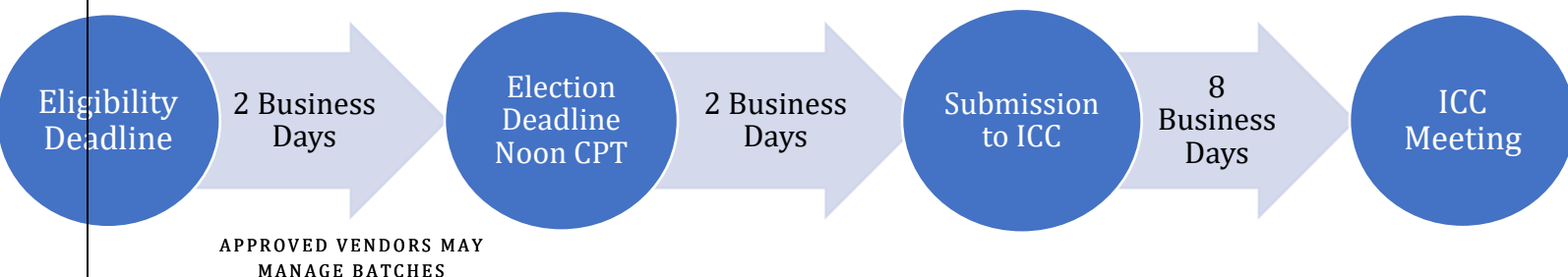
if the forms are for more than one Community Solar project so long as the disclosure form was created by the same Approved Vendor or Designee.

The potential subscriber will receive one email with a table summary of all disclosure forms bundled together for signature. Potential subscribers will still have the option to view each full disclosure form before signing.<sup>61</sup>

### **Batching Process<sup>62</sup>**

The Program Administrator submits batches to the ICC for approval eight business days prior to the ICC meeting. Four business days prior to the Program Administrator's date of submission to the ICC (the Eligibility Deadline) all Approved Vendors will be permitted to utilize this dashboard to actively manage the batching of their eligible applications. Approved Vendors can access the dashboard until 12:00 PM Central Prevailing Time two business days prior to the Program Administrator's ICC submission date (the Election Deadline).

#### Batching Process Infographic



An automated email will be sent at 9:00 AM Central Prevailing Time on the Eligibility Deadline to all Approved Vendors with applications that are eligible to be submitted to the ICC informing them of the opening of the dashboard. Approved Vendors can navigate to the new dashboard from their Projects tab by clicking the "Rebatch Projects" button. This button will only be visible between the Eligibility Deadline and

<sup>61</sup> This feature is not currently supported by the Program portal but it is planned for release soon.

<sup>62</sup> This batching process is still being recreated in the new Program portal; once finalized this part of the Guidebook will be amended to reflect the process in the portal.

the Election Deadline. Approved Vendors can actively manage the batching of their project applications two different ways: (1) on a project level or (2) on a batch level.

1. **Managing Batches on a Project Level** – To manage batches on a project level, click the “Show Rebatching by Project” button. This will bring up a list of all Part I applications that were verified prior to the Eligibility Deadline. From this list, the Approved Vendor can choose to withhold a project from ICC submission, add the project to a new batch, or move the project to an existing batch in the Approved status.
  - a. If the Approved Vendor chooses to withhold a project, the project will not be sent to the ICC. To withhold a project from ICC submission, check the box in the “Withhold Project” column for a given project. Then click “Submit Rebatching Changes” at the bottom of the dashboard. On the next screen, click “Submit Batching Changes” to confirm the change. Note that Approved Vendors may make the election to hold back a Part I verified application from submission to the ICC no more than twice for any given project application. Once an Approved Vendor elects to withhold a project, it will no longer appear in the list of eligible projects to rebatch for that batching window and will be included in the list of eligible projects to rebatch during the subsequent batching window.
  - b. To create a new batch of projects, select 100 kW or more of projects in the “Add to New Batch” column. Once at least 100 kW is elected, the Approved Vendor can click the “Submit Rebatching Changes” button to create a new batch. The new batch will be assigned a unique batch ID for submission to the ICC. On the next screen, click “Submit Batching Changes” to confirm the change.
  - c. To add an eligible project to an existing batch, select the existing batch ID from the dropdown in the “Move to Different Batch” column. Only Batch IDs of Approved Batches will appear in this dropdown menu. Click “Submit Rebatching Changes” at the bottom of the dashboard to complete the change. On the next screen, click “Submit Batching Changes” to confirm the change.
2. **Managing Batches on a Batch Level** – To manage batches on a batch level, click the “Show Rebatching by Batch” button. This will bring up a list of all Approved Batches (batches in which 100% of Part I applications are verified). Approved Vendors can use this feature to consolidate existing batches into batches of 100 kW or more. To consolidate one batch into another, select the new batch ID in the “Move to Different Batch” column. Click “Submit Rebatching Changes” at the bottom of the dashboard to complete the change. On the next screen, click “Submit Batching Changes” to confirm the change.

The Approved Vendor can download a “Completed Batch Changes” report which provides a historical record of all batching changes made. This report is available on the batching dashboard during the batching window and on the Approved Vendor’s project dashboard at all times.

After the Election Deadline has passed, all of the Approved Vendor’s batches that are over 100 kW and in the Approved status will be included in the Program Administrator’s submission of batches to the ICC. Should an Approved Vendor take one or more of the above elections and still have batches containing less than 100 kW of Part I verified projects the Program Administrator will use its discretion to make batching decisions

for those projects on behalf of the Approved Vendor prior to the Program Administrator submitting batches to the ICC.

### ***Initial Project Review***

The Program Administrator will review each project's application in the batch for compliance with program guidelines and request additional information from the Approved Vendor as needed to verify the submitted information and approve the project. An Approved Vendor will be given up to two weeks to cure deficiencies in an application. In the case of continued communication between the Program Administrator and the Approved Vendor, at the Program Administrator's discretion, the cure period may be extended up to two weeks from the last good faith effort to provide the required information.

Batches will be reviewed in the order that they are received. Systems that are reviewed and approved but are in a batch that is rejected may be submitted in a future batch which will be subject to an expedited review process. The application fee for a batch applies only to newly submitted systems in that batch, not to systems that were previously reviewed and approved.

An Approved Vendor that repeatedly submits batches that are rejected may be subject to having its Approved Vendor status reviewed, and possibly terminated.

After a batch has been reviewed and approved by the Program Administrator, the Program Administrator will then submit information about the batch to the Illinois Commerce Commission for approval. The Program Administrator simultaneously will forward the information to the applicable contracting utility. Note that once a batch has been submitted to the Illinois Commerce Commission for approval, the applications in that batch are no longer eligible to participate in Illinois Solar for All.

### ***Appeals***

If an Approved Vendor or Designee elects to appeal a determination made by the Program Administrator related to application review or any other Program requirement, it must email the appeal to the Program Administrator at [admin@illinoisabp.com](mailto:admin@illinoisabp.com). The appeal should be on the Approved Vendor or Designee's letterhead, be addressed to the Illinois Power Agency, contain the reasons for which the Approved Vendor or Designee believes the appeal should be granted, and be accompanied by any supporting documentation.

Unless otherwise provided, the Approved Vendor or Designee will have no more than two weeks to appeal a determination made by the Program Administrator, after which the determination may no longer be appealed.

### ***ICC Approval***

The Commission meets approximately every two weeks. The Program Administrator will strive to efficiently process approved batches for submittal to the Commission. The Agency understands that Commission practice is that items for consideration by the Commission must be submitted to be placed on its open meeting agenda at least 8 business days prior to each meeting. For an Approved Vendor's first batch (or batches) with a utility, that batch (or batches) will constitute a new REC Contract. Subsequent batches will be included in separate Product Orders under the existing REC Contract.

When the Program Administrator submits contract (or Product Order) information to the Commission for approval, that submittal will include the Program Administrator's recommendation for approval of the batch, with a summary of factors relevant to Plan compliance and pertinent to the Commission's standard of review for batch approval. Once a batch is approved by the Commission, the applicable utility will execute the contract (or Product Order). The Approved Vendor will then be required to sign the contract (or Product Order) as approved by the Commission within seven business days of receiving it. Approved Vendors that do not execute an ABP contract (or Product Order) after project selection, submission to the Commission for approval, the Commission's approval, or the utility's execution may face disciplinary measures impacting their status as an Approved Vendor in the Program moving forward. Any such discipline will be based on the Program Administrator and IPA's review of the circumstances under which the contract (or Product Order) was declined.

Discipline may include a possible suspension or termination of the Approved Vendor's status in the ~~Adjustable-Block~~ Program. Suspension or termination will not impact an Approved Vendor's rights or obligations under already-executed contracts or product orders, but rather it will impact its ability to submit new project applications. Generally, the Program Administrator and the IPA will review all of the circumstances informing why a contract award was declined before the issuance of any discipline. Approved Vendors should provide a detailed, comprehensive explanation for why they declined to execute any contract or product order. If circumstances genuinely outside of an Approved Vendor's control necessitated non-execution, then discipline may have limited deterrent effect and may not be warranted, and thus the Approved Vendor's explanation may want to emphasize and explain any such circumstances. Neither the IPA nor Program Administrator is able to provide a disciplinary determination in advance of non-execution to "pre-approve" such an action, nor can they provide a timeframe for the issuance of such determination after non-execution.

Within 30 business days of the ICC approving the contract (or Product Order), collateral constituting 5% of the value of a system's REC Contract must be posted with the utility counterparty in the form of cash or a letter of credit from an underwriter with credit acceptable to the utility. Depending on the circumstances, a failure to provide contractually required collateral may also subject an offending Approved Vendor to discipline as outlined above.

### ***Development Timelines***

Once a contract (or Product Order) for a batch has been executed by the Approved Vendor and the utility, projects within that batch must be developed and energized by the following time limits based on the contract execution date:

- Distributed generation projects will be given 18 months to be developed and energized.
- Community solar projects will be given 24 months to be developed, energized, and demonstrate that they have sufficient subscribers.

A project that is not completed in the time allowed (plus any extensions granted, as described further below) will be canceled and removed from the schedule on its contract, and the REC volume associated with the

project will be eliminated. The Approved Vendor will also forfeit the posted collateral associated with the project.

A project that is not completed in time and deemed canceled may be subsequently included in a future batch submitted by an Approved Vendor, but that project will be treated as a new system rather than a resubmitted system and will receive a REC price applicable to its category and block open at that time.

Specific extension clauses and circumstances in which they are granted are outlined in the REC delivery contract itself.

- In the 2019 REC Delivery Contract, information on extensions is found in Section 5.(b)
- In the 2021 and 2022 REC Delivery Contracts, information on extensions is found in Section 2.4(b)

~~Extension requests must be “made in writing by Seller to Buyer and the IPA prior to the Scheduled Energized Date. Buyer contact information is contained in the REC Delivery Contract and requests to the IPA should be sent to [IPA.solar@illinois.gov](mailto:IPA.solar@illinois.gov).~~

~~The IPA also strongly encourages that each of the following be included in an extension request:~~

- ~~1. Approved Vendor Name (as listed in your ABP Approved Vendor portal)~~
- ~~1. Approved Vendor ID #~~
- ~~2.1. Designated System ID #~~
- ~~3.1. Project Name~~
- ~~2. Project Type (distributed generation or community solar)~~
- ~~4.1. Contract ID #~~
- ~~5.1. Batch ID #~~
- ~~6.1. Trade Date~~
- ~~7.1. Contracting Utility~~
- ~~8.1. REC Contract Clause Referenced (e.g., Section 5.b.v)~~
- ~~9.1. Length of Extension Requested~~
- ~~10.1. Original Scheduled Energization Date~~
- ~~3. Requested New Scheduled Energization Date (Rounded to the last business day of the month for good cause requests)~~

~~For requests covering multiple systems, please include this information in a spreadsheet attached to the request.~~

~~The IPA has issued separate guidance regarding how extension requests should be made for certain circumstances.<sup>63</sup>~~

### **Multiple Approved Vendors**

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<sup>63</sup> ~~The IPA issued guidance on how to properly submit extension requests on [March 27, 2020](#), [May 5, 2020](#), and [August 17, 2020](#).~~



In a case where one Approved Vendor submits a Part I application for a project, and then (before the first application is reviewed and approved by the Program Administrator and its batch submitted to the ICC for approval) a second Approved Vendor submits a new Part I application for a project at the same location, the Program Administrator will proceed as follows in attempting to resolve the potential conflict:

The Program Administrator will first investigate (including potentially contacting the site host) whether there is an intent that the multiple project applications be for separate, co-located projects (and if so, whether the co-location would be allowed under Program terms and conditions).

- If co-location is intended and feasible, then the Program Administrator will allow for co-location.
- If co-location is not both intended and feasible (i.e., if the two applications appear to represent the same project), the Agency will review the documents submitted with the Part I applications to determine which Approved Vendor is premising its control of RECs on an earlier-executed site control agreement that has not lapsed (or, if both Approved Vendors rely on the same site control agreement, then which Approved Vendor has an earlier-executed REC control agreement that has not lapsed); this Approved Vendor will be presumed to be the proper representative of the project.
- An Approved Vendor with a later-executed site control or REC control agreement (as applicable) will be given an opportunity to furnish documentation showing that the earlier-executed instrument was properly terminated prior to that Approved Vendor's Part I ABP application. If acceptable documentation is provided (subject to confirmation with the other Approved Vendor), then the application from the Approved Vendor with the later-executed agreement would proceed (subject to any other review and approvals of the application).

### ***Change of Approved Vendors***

A project that has been waitlisted or otherwise not yet selected for a REC Contract may change its Approved Vendor.<sup>64</sup> This switch of Approved Vendors may be for an individual project that is a subset of a larger batch (although minimum batch size requirements would still apply).

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<sup>64</sup> Projects submitted to the EEC project category must be transferred to an EEC certified Approved Vendor or must utilize capacity from a different project category.

While it is not necessary to seek Program Administrator approval in advance of commencing this transaction, the Approved Vendor transferring the project and the Approved Vendor receiving the project (“Transferee”) must provide the Program Administrator with a binding document wherein both agree that the Transferee shall have rights to the RECs produced by the project and the authorization to represent the project for an ABP application. The documentation also must show that the project host (and the project owner, if different) consent to the change of Approved Vendor. If a project was submitted under the EEC category, the new Approved Vendor must also be qualified as an EEC.

Please note that if a project was submitted co-located with another project, it will continue to be deemed co-located after any change of Approved Vendors, including if the projects are on different REC Contracts. As a result, any co-located pricing or array layout requirements will still apply after a potential change of Approved Vendor. The transferred project, if community solar, could, if applicable, be newly considered co-located after being taken by the Transferee AV. The co-located pricing provision will only be applicable if the Illinois Commerce Commission’s approval of the second project is within one year or less of the Commission’s approval of the first project. If the first project has not yet received Commission approval at the time of the second project’s approval, then the co-located pricing provision will apply.

The process for assignment of a batch or contract to an Approved Vendor who does not already have the same contract with the Buyer as the batch/contract to be assigned will follow the same process as assignments to Approved Vendors without REC Contracts.<sup>65</sup>

### ***Sale of an Approved Vendor***

Additionally, the sale of an Approved Vendor is permissible. A change in ownership of the Approved Vendor (e.g., the sale of an entire entity to a new entity) with no change to the AV/project pairings does not require consent, but does require the Approved Vendor to alert the Program Administrator to the change and provide documentation of the sale.<sup>66</sup> The new owner will need to submit an Approved Vendor application with details specific to its ownership of the entity (see Section 2 for more detail on Approved Vendor requirements). Additionally, the new owner must contact its contracting utility/utilities to update its contact and banking information for the respective REC Contracts with the utility. An EEC-qualified Approved Vendor must maintain its EEC eligibility after the sale in order for any projects that are not yet Part II approved to remain in the Program in the EEC category. If the new owner is not EEC qualified, any Part I projects that are not yet Part II approved would need to be removed, collateral forfeited, and reapplied to the appropriate non-EEC open block, or placed on a waitlist if applicable.

### ***Sale of a Project***

A sale of the project itself (or a majority equity share in the project) that results in a new system owner but not a new Approved Vendor is allowed while the project remains unselected for a REC Contract. In such a case, the Approved Vendor is expected to contact the Program Administrator in order to update the

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<sup>65</sup> See assignment process outlined in Section 6.B of this Guidebook.

<sup>66</sup> The seller’s Approved Vendor profile and banking information will not be visible to the new owner of the Approved Vendor after a sale.

ownership data for the project in the ABP portal. This project ownership change would not change any previous determination that the project was co-located, and it could, if applicable, cause the project to be newly considered co-located. The co-located pricing provision will only be applicable if the Illinois Commerce Commission's approval of the second project is within one year or less of the Commission's approval of the first project. If the first project has not yet received Commission approval at the time of the second project's approval, then the co-located pricing provision will apply.

## B. Part II Application Process

Once a system is completed and energized, and after ICC approval of the system's application for a REC Contract (or Product Order), the Approved Vendor will complete Part II of the application. Part II consists of uploading information verifying completion of the project and confirming that the specifications have not changed from the Part I application. If the final system size is larger than the proposed system size such that it would cause the system to change size category, the payment terms will be adjusted from the full payment on energization to ~~20~~15% payment on energization and the balance paid over the next ~~four~~six years; the reverse is also true. Additionally, for any increase in system size at the Part II stage, the price per REC will be changed to the applicable REC price for the final system size based on the block open at the time the system is energized. A system that is developed at a size smaller than the original application will not be eligible for additional price adders.

A project's REC payment is based on the quantity of RECs estimated to be produced by the system, and this amount will be considered the lesser of the estimated production in Part I and Part II of the application. In this way, a system that is built smaller than planned will not benefit from excess REC payments that the final system cannot support as a result of its decreased production estimate. On the opposite side, if a project's final size is larger than the planned size, an increase in the REC payment could present unexpected budget management challenges.

If the final AC size differs (whether larger or smaller) from the size submitted in Part I of the project application and the difference exceeds the larger of 5 kW or 25%, then the system will be removed from the contract, with the option to re-apply to the ABP. Changes to the DC size of the system are governed by ensuring that the 155% DC/AC ratio is not exceeded (refer to Section 4.K of this Guidebook for the full requirement). If the size difference at the Part II stage does not exceed those limits, the system will remain validly under contract. In the case of a size *increase* of less than the larger of 5 kW or 25%, *or* if the Approved Vendor desires to have the system change from a distributed generation project to a community solar project (or vice versa), then the Approved Vendor will have the option of canceling and resubmitting the system, but the REC price will then be that of the Block open at the time of resubmission, not of the original submittal. A new application fee will be required because the Agency will need to review the system design, which would be different from what was originally submitted (e.g., because of the change in system size). In all these cases described in this paragraph, if a project is removed, then resubmitted and approved within 365 days of the removal, the collateral associated with the original system would be applied to the resubmitted system (and any excess refunded to the Approved Vendor); if not, the original collateral would be forfeited.

If there is a change in the property owner between Part I and Part II of a project application, the Approved Vendor must provide a refreshed, fully executed, and binding site control document with the new property owner concurrent with Part II submittal. A new Disclosure Form would **not** be required unless the system

size has changed more than the greater of 5% or 1 kW from the size noted on the original Disclosure Form. In this case, a new Disclosure Form would be needed with the new property owner/host as the signatory.

The Agency reserves the right to request more information on an installation, and/or conduct on-site inspections/audits of projects to verify the quality of the installation and conformance with the project information submitted to the Agency. Projects found not to conform with applicable installation standards and requirements, or projects found not to be consistent with information provided to the Agency, will be subject to removal from the program if the deficiencies cannot be remedied. Likewise, Approved Vendors who repeatedly submit projects that have these problems may be subject to the suspension or termination of their Approved Vendor status.

The Program Administrator will review the Part II application and, upon approval, will provide a confirmation sheet to the Approved Vendor to include with its invoice to the utility with which it has contracted to sell the RECs from that project. The Program Administrator separately will provide information to each utility covering the details of each completed project.

Any changes to a project after Part II is verified must be communicated to the Program Administrator, and, depending on the nature of those changes, could constitute a violation of the REC Contract.

### **C. Inspections**

The Agency reserves the right to physically or virtually inspect any project submitted to the Program for any reason, including verification of compliance with prevailing wage requirements. Inspections will be scheduled in advance but may occur at any time during which the project is still within the Program. Customers are expected to be informed of the possibility of an inspection by the Approved Vendor. It is the Approved Vendor's responsibility to ensure customer compliance if that Approved Vendor's system is selected for inspection.

If a material deficiency is found during the inspection, the Approved Vendor will be sent a Deficiency Notice, with a copy to the system host. Within 5 business days of its receipt of the Deficiency Notice, the Approved Vendor shall provide an action plan that cures the deficiency within 20 business days. The Approved Vendor shall provide proof of completion of the action plan to cure the deficiency (or deficiencies) no later than the 20 business-day deadline. Failure to complete the action plan may result in (i) removal of the project from the REC Contract, and/or (ii) disciplinary action upon the Approved Vendor. Proof of completion shall include, at minimum:

- A brief explanation of how the issue was corrected
- Before and after photos of the correction, if applicable
- Confirmation of any resulting changes to the system specifications

The Program Administrator shall assess such proof for acceptability on a case-by-case basis dependent upon the nature of the deficiency. The Approved Vendor will be notified (with a CC to the System Host) once the Program Administrator accepts the completion of the action plan. Should the action plan or the completion of the action plan not be accepted by the Program Administrator, the Program Administrator will work with the Approved Vendor to modify the plan and/or the implementation such that it becomes acceptable.

## D. Energized Systems

Only systems energized on or after June 1, 2017, are eligible for application to the ~~Adjustable-Block~~ Program. An Approved Vendor is allowed to submit a Part I application for an already energized system that meets this requirement; however, the Approved Vendor bears the risk that the system does not meet program requirements if marketing, sales, installation, and other development activities occurred prior to the Agency's final publication of Program guidelines. Systems that are already energized will complete the same Part I and Part II process for final approval, with the only exception that the irrevocable Standing Order must be initiated but will not be accepted by the utility until after ICC approval and contract signing.

If an Energized system is offline for more than six months, it is the Approved Vendor's responsibility to notify the Program Administrator. The Approved Vendor is responsible for keeping the Program Administrator up-to-date on system performance and the timeline for when the system will come back online.

## E. Community Solar Specific Requirements

### 1. Part I Requirements

Part I of an application for a community solar project requires a description of the proposed subscription model (e.g., typical length and structure of contract, economic terms, marketing channels, etc.) and the expected mix of residential and non-residential subscribers. Applicants may enter their proposed model or enter "unknown" if the model is not yet known. The Agency will assess whether the subscription model will reasonably meet program terms and conditions.<sup>67</sup>

### 2. Part II Requirements

Under Part II of the application, a community solar project will have to demonstrate that it has met a minimum subscription level to be considered energized and eligible to receive payment for RECs. To receive REC payments, at least 50% of the capacity of the project must be subscribed at the time of energization or as outlined in the REC Delivery Contract. Additionally, Traditional Community Solar projects under the 2021 REC Delivery Contracts must have a minimum of 50% small subscribers. Such payment will be based upon a project's percentage subscribed as outlined in the applicable REC Contract and will be reviewed and updated per the terms in that REC Contract.<sup>68</sup> The Approved Vendor will report subscription levels on a quarterly basis during a project's first year. The applicable REC Contract outlines the terms of ongoing payments and if/when these payments are updated to reflect subscription levels. As outlined in extension provisions in the REC Contract, a community solar project may request an extension to its energized date if it needs additional time to acquire subscribers.

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<sup>67</sup> Previously under the 2019 REC Delivery Contract, the subscriber mix was used to determine which adder, if any, was awarded to the system, but the final adder, if any, depended on the subscription level demonstrated once the system completed Part II of its application

<sup>68</sup> Subscription level will be verified through review of applicable Disclosure Forms and data provided by the interconnecting utility.

If a community solar project fails to attract sufficient subscribers by the time of energization, but also meets the definition of a distributed generation project (i.e., is located on-site, behind a customer's meter, and used primarily to offset a single customer's load), it may request to be recategorized as a distributed generation project and receive a REC payment at the lesser of the original price and the price of the distributed generation block open at the time this determination is made. A community solar project that does not meet the definition of a distributed generation project that fails to attract subscribers will not be eligible for this option. Likewise, a proposed distributed generation system may switch to be recategorized as a community solar project before energization and receive the REC price of the currently open community solar block, and any appropriate adders. In both of these situations, a project may only switch one time.

### 3. Community Solar Disclosure Form

The Community Solar ~~Provider~~provider must deliver a Community Solar Disclosure Form to the customer before the subscription contract is signed. The customer must sign the ~~disclosure form~~Disclosure Form prior to signing a subscription contract. Terms of the underlying subscription between a customer and the Community Solar Provider must be consistent with terms of the required ~~disclosure form~~Disclosure Form.

The ~~ABP~~ portal contains an interactive form for Community Solar Providers to generate Community Solar Disclosure Forms, which can then either be e-signed using the ~~ABP~~ portal e-signature functionality or printed, signed, scanned, and uploaded back into the ~~ABP~~ portal. Approved Vendors and their Designees may elect to create a Community Solar Disclosure Form in either English or Spanish either within the ~~ABP~~ portal or using the API (Application Program Interface). The API may be used to generate the document outside the portal only upon receiving written approval from the Program Administrator.<sup>69</sup> The information on a Community Solar Disclosure Form can be updated and edited within the ~~ABP~~ portal prior to customer signing but cannot be edited after the form has been generated and/or the customer has signed the document (for e-signing) or downloaded the document (for wet signatures), thus finalizing the document. Community Solar Providers may employ third-party, commercially available e-signature systems as an alternative to the customer e-signing in the portal or wet signing, in which case, the audit/signature information page must be submitted with the e-signed Community Solar Disclosure Form. This requirement applies whether the Community Solar Disclosure Form is generated within or outside of the ~~ABP~~ portal.

Community Solar Providers may, upon written approval of the Program Administrator, develop an externally generated Community Solar Disclosure Form through the application program interface (API) to the ~~ABP~~ portal. An externally generated Community-Solar Disclosure Form must contain the same content and information as the Community Solar Disclosure Form generated by the ~~ABP~~ portal. This will require the Program Administrator's written approval of the externally generated Community Solar Disclosure Form template and for the Community Solar Provider to use the externally generated

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<sup>69</sup> The disclosure form API is a technical process that, with advance written permission, allows Approved Vendors and Designees to generate Disclosure Forms outside the portal. If AVs or Designees are interesting in utilizing the API, permission should be sought from the Program Administrator.

Community Solar Disclosure Form API. This API will require uploads of the data used to create each Community Solar Disclosure Form, at which point the API will return information including a unique Community Solar Disclosure Form ID back to the Community Solar Provider that must appear on that Community Solar Disclosure Form. The externally generated Community Solar Disclosure Form must be uploaded to the ABP portal after it is signed by the subscriber. Each uploaded form must contain the unique ID that was assigned to that form in order to be considered valid by the Program Administrator and may be subject to review by the Program Administrator.

If the AC size of a community solar subscription submitted to the Program Administrator differs by more than the greater of 2 kW or 10% from the subscription size noted in that subscriber's corresponding disclosure form, a new ~~disclosure form~~ Disclosure Form is required, aside from the limited instance outlined below. If a subscription size change falls within the band but differs from the subscription size noted in the original disclosure form, the Approved Vendor or Designee shall send an email to the subscriber stating 1) the updated size of their Community Solar subscription, and 2) by how much it differs from the size recorded on the original disclosure form the subscriber signed. Any change in the financial impact to the customer shall also be explained in that communication.

In order to facilitate right-sizing of community solar subscriptions, the following is permitted: (1) for subscriptions where the customer pays a set percentage of their community solar bill credits as their subscription fee (guaranteeing a set percentage level of savings), subscriptions may be increased or decreased by up to 5 kW or 25% without requiring a new Disclosure Form; however, the Approved Vendor or Designee must notify the customer for adjustments more than 2 kW or 10%; (2) for all other offer structures, the existing size restrictions (the greater of 2 kW or 10%) will continue to apply and a new Disclosure Form is required if changes to a subscription is outside the greater of 2 kW or 10%.

Additionally, a customer may be moved between community solar projects in limited instances. Specifically, Approved Vendors/Designees may switch a customer from one community solar project to another without the execution of a new Disclosure Form in two situations: (1) when the customer requests the switch, or (2) when the customer requests a subscription size increase that cannot be accommodated by their current project. All other instances where a customer is moved between projects required a new Disclosure Form.

#### 4. Subscription Management Requirements for Community Solar Projects

A Community Solar Provider, defined under the Consumer Protection Handbook as an entity which works to acquire and/or manage subscribers over the lifetime of a community solar project, may enroll customers for a specific community solar project *or* for a community solar project to be selected at a future date. A Community Solar Provider can either be the Approved Vendor for the project or a Community Solar Subscriber Agent Designee that has been approved by the project's Approved Vendor.



For enrollments into a specific community solar project, the Community Solar Provider will specify the project location, size, and other required information to customers at the time the customer signs the subscription agreement.

For a Community Solar Provider that prefers to specify the community solar project at a future date, the customer shall be given the contact information for the Community Solar Provider at the time of enrollment. The Community Solar Provider will be required to provide the customer with all project details, including location, size, and other notable specifics by email as soon as practicable after the customer is assigned to a project in the utility portal, but in no event later than two weeks after that assignment. In the event that a customer is not assigned to a specific community solar project within six months of the execution of the subscription agreement, the Community Solar Provider shall at that point (and every six months thereafter until the customer is assigned to a project) provide the customer with an update on the status of the customer's subscription (by email or hard-copy mail, at the customer's preference).

As it may be challenging to secure subscriptions with sizes that add up to the exact AC capacity of a community solar project, if a project is less than 100% subscribed the Approved Vendor may allocate the remaining capacity among any enrolled subscribers. Note that this allocation of capacity and subscription changes will also need to be updated with the interconnecting utility so that subscription sizes match. If, as a result of this process, such a subscription size change triggers the requirement for a new Disclosure Form, the Approved Vendor may make a request to the Program Administrator that a new signed Disclosure Form be provided within 30 days after the subscription change rather than prior to the change.

## F. Required Information

The following information will be required for each Part I and Part II application:

### *Part I*

**Note: Every completed DG disclosure form can be converted into a Part I application with all of the information from the Disclosure Form already prefilled, eliminating the need for duplicate data entry. Community solar projects will not have completed a Disclosure Form and will therefore be required to enter this data in the Part I application form. All items not marked as "optional item" are required for a Part I application.**

- Project location<sup>70</sup> and property owner
- Project Owner (If different than property owner)

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<sup>70</sup> The project's latitude and longitude (in degrees out to 6 decimal places, e.g. 41.881856, -87.631222; this information is easily identified through Google Maps) and/or parcel ID will be requested as *optional* information. Projects in rural locations are strongly encouraged to provide this information. Approved Vendors that submit a significant number of projects with addresses that are difficult to map without latitude/longitude information or parcel ID may be asked by the Program Administrator to provide latitude/longitude for all future project applications. ~~More information on this decision can be found in the update posted on November 1, 2019.~~

- Detail on the relationship between the utility account holder and the property owner/project owner, if they differ (Optional item)
  - During application processing, the Program Administrator may request clarification if the utility account holder and the property/project owner differ.
- Installer name & contact information (May select unknown if not yet known)
- Name of Utility for which the system is interconnected
- Will this project be applying under the EEC category? (Only available for EEC qualified Approved Vendors)
- Project Type (Residential, Non-residential, Government, Non-Profit, House of Worship, Community-Driven Community Solar)
  - If “Residential” is selected and the project is 25 kW AC or less in size, applicant will attest that the project is a residential project with a checkbox if it meets one of the following criteria:
    - Electric bill demonstrates residential rate classification;
    - Property classified as residential for purposes of property tax; or
    - Structure usage is at least 75% residential.
  - If “Residential” is selected and the project is greater than 25 kW AC in size, applicant will provide at least one of the following documents:
    - Electric bill which shows residential classification; or
    - Proof of residential property tax class code; or
    - Documentation demonstrating that at least 75% of the usage of the structure(s) is residential
  - If “House of Worship” is selected and project is 100 kW AC or less in size, applicant will provide both of the following:
    - A signed attestation that states the following:

I certify that my name is [CERTIFIER’S NAME] and that I serve as [RELATION TO THE ORGANIZATION] to/for [ORGANIZATION NAME]. I have direct knowledge of [ORGANIZATION NAME]’s use of the property at [ADDRESS]. As required under Section 1-75(c)(1)(Q)(1) of the Illinois Power Agency Act (20 ILCS 3855) as amended by Public Act 102-0662, I further certify that the property located at the address above, the site of a proposed new photovoltaic project, qualifies as a House of Worship because it is used exclusively by a religious society or body of persons as a place for religious exercise or religious worship and is recognized as exempt from taxation pursuant to Section 15-40 of the Property Tax Code (35 ILCS 200).

I certify that these representations are true and complete to the best of my knowledge. I understand that these representations will be used for state government purposes and may be verified at any time by the Illinois Power Agency, and that the Illinois Power Agency has the right to request documents and other evidence to verify this certification. I also understand that making misleading or false statements in an application for the Adjustable Block Program may result in

denial of the application or other consequences, including possible Program disciplinary action against an applicant Approved Vendor or its Designee.

- Proof of exemption from taxation pursuant to Section 15-40 of the Property Tax Code
- Projects that do not select a category which meets one of the prevailing wage exemptions will be asked if construction was completed on or before September 15, 2021. Those that answer yes will be required to upload proof of interconnection approval signed by the interconnecting utility on or before September 15, 2021 or other proof that construction was completed on or before September 15, 2021 in order to receive an exemption from the prevailing wage requirements. The Prevailing Wage Act defines 'construction' to include maintenance, repair, assembly, or disassembly work performed on equipment.
- Projects that do not qualify for any of the prevailing wage exemptions listed above will be required to certify the applicant has read and understands the following notice regarding wages paid for construction of the project:

“Each project participating in the Adjustable Block Program and not subject to limited exceptions outlined in P.A. 102-0662 shall comply with the prevailing wage requirements included in the Prevailing Wage Act (820 ILCS 130/1, et seq.). This requirement applies to the wages of laborers, mechanics, and other workers employed in construction activities for any project participating in the Adjustable Block Program, as herein defined. This work includes not only construction, but also any maintenance, repair, assembly, or disassembly work performed on equipment related to the project whether owned, leased, or rented by the applicant or project developer. The Approved Vendor shall ensure that any contractor or subcontractor performing work at the project facility has express notice of this requirement. The Approved Vendor shall require documentation and verification that all construction work performed at, in, or around the facility by the renewable energy credit delivery contract holder, its contractors, or its subcontractors relating to construction, maintenance, repair, assembly, or disassembly work is performed by employees receiving an amount equal to or greater than the general prevailing wage rate, as defined in Section 3 of the Prevailing Wage Act. Such documentation and verification includes, but is not limited to, the certified transcripts of payroll required to be filed with the Illinois Department of Labor. Additionally, the Approved Vendor shall ensure that notice of the local prevailing wage rates is posted at the work site or provided to workers in writing and that all contracts and subcontracts contain notice of application of the Prevailing Wage Act.”
- In addition, construction activities for all other projects that occurred before September 15, 2021, will not be subject to prevailing wage requirements. **For projects that do not fall into one of the above exempted categories, construction activities including maintenance, that occur after September 15, 2021 will be subject to prevailing wage requirements.**
- Is the project located at a public school, school district, or adjacent land to a school or district (for CS only)? If “Yes”:

- Is this project being submitted in the Public School category? If “Yes”:
  - Is this a Tier 1 or Tier 2 school based on the latest annual [Evidence-Based Funding Distribution](#) process? If “Yes,” the applicant shall submit:
    - District ID from the latest FY Evidence-Based Funding calculation spreadsheet
    - District name from the latest FY Evidence-Based Funding calculation spreadsheet
  - If “No,” is the school located in an Illinois Environmental Justice Community per the criteria contained in Section 8.12.2 of the [2022 Long-Term Renewable Resources Procurement Plan](#) and as shown on the [map](#) published on the Illinois Solar for All website?<sup>71</sup>
  - If “No,” the project will be placed in the applicable Distributed Generation block.
- Financing Structure (Customer-owned, lease, or PPA) (Not asked for community solar)
- Number of graduates of job training programs the developer intends to work on the project (optional item)
- Technical Project Information
  - Ground or Roof Mount
  - Number of tracking axes (fixed tilt, 1-axis tracking, 1-axis backtracking, or 2-axis tracking)
  - Array information (# modules, module power rating, tilt, azimuth, and whether or not the modules are bifacial) for each array
  - Inverter size in continuous AC output which must be equal to or less than nameplate capacity
  - Inverter efficiency
  - Total number and type of each inverter (optional item)
  - System size in DC and AC will be calculated by the portal from the information provided above.
- PV Watts (or similar tool) estimate of REC production during 15-year or 20-year term (auto-calculated by the portal if using PVWatts)
- For Community-Driven Community Solar only<sup>72</sup>
  - Is this project a CDCS project?
  - If “Yes” is selected, the following information must be provided
    - Narrative for primary scoring criteria as outlined in [Section 1.G Appendix F](#)
    - Narrative for secondary scoring criteria as outlined in [Section 1.G Appendix F](#)
    - In what county is the project located?
      - If the county has a population of less than 50,000, applicant will be asked if the project commits to serve only subscribers in the same county or adjacent counties in which the project is located

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<sup>71</sup> See: <https://www.illinoisfa.com/environmental-justice-communities/>.

<sup>72</sup> More information on scoring criteria of Community-Driven Community Solar projects can be found in Section 1.G of this Guidebook.

- If the county has a population of 50,000 or more, applicant will be asked if the project commits to serve only subscribers in the same county in which the project is located.
- If the project is in a municipal utility or electric cooperative territory, demonstrate the municipal utility or electric cooperative offers net metering bill credits for community solar projects substantially similar to that offered under Section 16-107.5(l) of the Public Utilities Act as well as purchase of energy from any unsubscribed project shares under the Public Utilities Regulatory Policies Act of 1978.
- Required Uploads
  - For DG projects:
    - A disclosure form must have been completed and signed through the application portal.<sup>73</sup> This can be done prior to the Part I application and will not require a separate upload. If the AC size of a distributed generation system as submitted in Part I differs by more than the greater of 1 kW or 5% from the AC system size noted in that application's disclosure form, a new disclosure form will be required.
  - For all projects:
    - Proof of site control
    - Plot diagram or site map for all systems
      - Plot diagram/site map must be an aerial view of the installation property and show the location of each individual solar module. If the site map lists array details (tilt, azimuth, orientation, etc.) and inverter details (inverter model, system size, module wattages, number of modules, etc.) it must match what's submitted in the Part I application. If a site map has changed in number of modules between the time the Site Control was signed by the customer to the time the Approved Vendor submitted for Part I application, the updated site map the Approved Vendor submits in Part I must be signed by the customer acknowledging these changes. The updated site map must either physically/wet-signed or e-signed with the verifiable watermarks on the signature, or with the signature tracking page included. If it is not possible to obtain an updated site map with the customer's signature, then a change form regarding the change in the number of modules must be included with the site control.
    - Ground-mounted systems larger than 250 kW AC must provide a land use permit from the AHJ (Authority Having Jurisdiction). If a land use permit is not applicable, the Approved Vendor must provide written confirmation from the AHJ that no permit is required. The land use permit is required if more than 250kW of a system is ground-mounted.

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<sup>73</sup> There is a limited exception, discussed above, for systems that went under contract or were energized prior to the Agency's finalization of the DG disclosure form on December 27, 2018.

- Additional uploads for Distributed Generation systems over 25 kW<sup>74</sup>:
  - Interconnection Agreement signed by both the interconnection customer and the interconnecting utility prior to the date of Part I application submittal.
- Requirements for systems already energized prior to application:
  - GATS or M-RETS unit ID
  - Uploading of
    - Certificate of Completion of Interconnection
    - Net metering application approval letter (if applicable)

Any project that does not meet these requirements will not be considered eligible to receive REC payments; the Approved Vendor will have the option to resubmit the project. However, the resubmittal will be placed at the end of any waitlists that had previously been established for that Group/category, will be at the price of the Block open at the time, and will require a new application fee.

## **Part II**

**Note:** Effective September 15, 2021, the IPA Act, as amended by Public Act 102-0662, contains requirements that will necessitate changes to the questions in Part II of the application. Notably, demographic data on employees will be collected on a project-by-project basis during the Part II application in order to accurately and timely capture workforce data. Additionally, at Part II of the project application, Approved Vendors will be required to certify to and document compliance with prevailing wage requirements, if applicable.

**All items not marked as “Optional item” are required for a Part II application.**

1. Actual system size in both DC and AC (If different than the size submitted in Part I, please re-supply the array information).
2. Final 15 or 20-year REC production estimate (As applicable).
3. Modules: manufacturer/make, model, whether or not modules are bifacial.
4. Inverter: size, manufacturer/make, model.
5. Total number and type of each inverter (Optional item).
6. Number of tracking axes (Fixed tilt, 1-axis tracking, 1-axis backtracking, or 2-axis tracking) – must be the same as submitted in Part I.
7. Does this project have a battery backup?
8. Meter: manufacturer/make, model. Does the meter meet the ANSI C.12 standard if required by the applicable registry?
9. As-built project diagram for systems greater than 250 kW AC (Optional item).
10. Number of graduates of job training programs who worked on the project (Optional item).
11. Provide description of any other changes made to the project between initial application and the completion of the project.

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<sup>74</sup> Per the Illinois Commerce Commission’s Final Order on the 2022 Long-Term Renewable Resources Procurement Plan, a signed Interconnection Agreement is no longer required for Community Solar projects. The Agency is conducting a stakeholder feedback process to decide how Interconnection Agreements will affect Traditional Community Solar scoring and waitlist process. This document will be updated with those decisions.

12. Interconnection Approval Date and Online Date.
13. Registry in which the system is registered (GATS or M-RETS).
  - a. Provide the GATS or M-RETS unit ID.
  - b. Provide the name on the GATS and M-RETS account.
  - c. Provide proof of having initiated an irrevocable Standing Order, such as a screenshot or email confirmation.
14. Confirm name and contact information of company performing installation from Part I (Must match the name of a current ICC Certified DG Installer) including the ICC Docket Number for the Certification of the DG Installer of record for the project.
15. Name of qualified person(s) who conducted the installation.
16. For systems that include a battery, a detailed schematic must be provided showing that either only solar-generated power can be used to charge the battery, that the battery's output does not run through the meter used to measure solar output, or that a password-protected software setting is enabled for the duration of the project's participation in the Adjustable-Block-programProgram that prevents the battery from charging via line power.
17. Attestation of compliance with all requirements in the Consumer Protection Handbook, previously found in the marketing guidelines, published by the Agency, for marketing activity that occurred after November 26, 2018.
18. Attestation that the contract with the customer is consistent with the disclosure form provided to the customer.
19. Attestation that all construction employees received at least the prevailing wage, for projects subject to prevailing wage requirements.
20. Attestation of compliance with all DG installation contract requirements or community solar subscription requirements previously published by the Agency (or an attestation that good-faith, diligent attempts to secure a compliant contract amendment for DG contracts executed before January 23, 2019 were unsuccessful).
21. Final system cost including any and all costs related to the following: modules, inverters, other generating equipment, balance of system (BOS), engineering/procurement/construction (EPC), installation, interconnection, origination and development, sales/general/administrative (SG&A) including customer acquisition, financing, legal, permitting/inspection/other soft costs, contingencies, and any other direct or indirect costs attributable to the project. Any and all profit that results from project development should not be included in the total project cost. Upgrades that were necessary in order to complete the installation should be included in the final system cost (including but not limited to roofing and/or electrical upgrades). Optional additions that an installer provides to the customer in concert with the installation that are unrelated to the solar installation, such as the installation of an electric vehicle charging station should not be included.

**Note:** Individual project costs will be protected as confidential and proprietary pursuant to the Agency's obligation under Section 1-120 of the IPA Act. All persons within the Agency or the Program Administrator who have access to this information will be required to submit a signed statement demonstrating a commitment to maintain the confidentiality of the information and appropriate cybersecurity measures will be taken to protect this information. This approach is similar to how the Agency and its Procurement Administrator have handled sensitive commercial



information submitted by bidders in competitive procurements for energy, capacity, and renewable energy resources during past years.

Section 7(1)(g) of the Illinois Freedom of Information Act exempts from disclosure “[t]rade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.” (5 ILCS 140/7(1)(g)). The requested submission of project cost data will have a check box for the Approved Vendor to certify that the predicate conditions of Section 7(1)(g) are met. It is the Agency’s position that project cost data would, with such a certification, constitute commercial or financial information that is exempt from public disclosure.

Project cost information will only be disclosed on an aggregated basis no smaller than an entire block.

Variations in the system layout between Part I and Part II are not allowed except in the following cases:

- Change in location of the system on a roof or parcel for any DG system, or any system for a Community Solar project which was the only project on a parcel entered into the initial program lottery, if held.
- Increase in the surface area covered as long as the originally plotted footprint is still entirely covered by the solar array or associated equipment or wiring.
- Decrease in the surface area covered as long as the solar array and any associated equipment or wiring remains entirely in the originally plotted footprint.
- Changes in location on a parcel made to provide access paths through the solar array in order to access an otherwise stranded portion of the parcel.
- Changes in location on a parcel made to account for parcel unsuitability that was not apparent in the Approved Vendor’s commercially reasonable investigation of the property when conducting the initial project design.
- Switching between rooftop and ground-mounted.
- Switching between tracking system types and non-tracked systems is allowed; however, the lower of the Part I capacity factor or Part II capacity factor must be used. Switching tracker types by itself is not sufficient to qualify for an exception. At least one additional criterion from the list above must be met to qualify for an exception.
- Approved Vendors may request approval for other changes; such approval will be granted if the Approved Vendor can demonstrate to the Program Administrator that the change was made due to factors that were not apparent in the Approved Vendor’s commercially reasonable investigation of the project when conducting the initial project design and which would not constitute gaming of the lottery system or project application process.

Required Uploads:

- Certificate of Completion signed by the interconnecting utility.
- Net metering approval letter (if applicable).
- Photograph(s) of the project showing all installed modules. Photograph(s) must show all modules clearly enough to verify the number of modules installed.
- Photograph(s) of the inverter(s). Photographs must clearly show the inverter information panel with the model number. A photograph of just one inverter is acceptable if using microinverters.
- Photograph of the meter (if applicable). Photograph must clearly show current cumulative lifetime meter reading or, if the meter has no physical display, a screenshot of the monitoring portal with the lifetime meter reading.
- Proof that the project has initiated an irrevocable Standing Order without an end date in the REC tracking registry through either a copy of the registry's email acceptance of the irrevocable Standing Order or a screen shot of the irrevocable Standing Order screen showing the registry certification number of the system.<sup>75</sup>
- All Certified Transcripts of Payroll submitted to DOL for the construction of the project.
- For Community Solar only:
  - Subscriber information (as of the energization date) including proof that minimum subscriber commitments have been met (50% of capacity must be subscribed).
  - Percentage of small subscribers (as a share of total system capacity).

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<sup>75</sup> At the end of the REC delivery term irrevocable Standing Orders can be cancelled subject to the consent of both the transferor and the transferee.

## Section 6: Renewable Energy Credit Management and Assignments

### A. REC Delivery

1. All systems must be registered in either the GATS or M-RETS tracking registry. For systems larger than 5 kW, the first REC must be delivered within 90 days of the date the system is Energized/Part II verified. For systems equal to or less than 5 kW, the first REC must be delivered within 180 days of the date the system is Energized/Part II verified. The delivery term will begin on the first day of the month following the first REC delivery and will last 180 months (for projects under the 2019 REC Delivery Contract and the 2021 and 2022 15-Year REC Delivery Contracts) and 240 months (for projects under the 2021 and 2022 20-Year REC Delivery Contracts). Any RECs that were created prior to contract signing are not part of the contract and will not be transferred to the utility under the contract or purchased by the utility under the contract.

System Size	≤ 5 kW	> 5 kW
First REC delivery deadline	Within <u>180 days</u> of Part II verification date	Within <u>90 days</u> of Part II verification date

2. Approved Vendors are required to set up an irrevocable Standing Order for the transfer of RECs from the system to the utility.<sup>76</sup>
  - a. Community Solar projects under the 2019 REC Delivery Contract and the 2021 and 2022 15-Year REC Delivery Contracts which are not 100% subscribed must set up a Standing Order for the subscription percentage the project has met. For the unsubscribed portion of a project, RECs will not be transferred to the utility. Community Solar projects shall update this percentage quarterly based on the Community Solar Quarterly Reports that must be submitted during the project's first year of Energization as well as once per year based on their achieved subscription rates for the previous year.
  - b. All other systems, including Community Solar projects under the 2021 and 2022 20-Year REC Delivery Contracts, must set up an irrevocable Standing Order for 100% of the capacity the system produces.
  - c. Standing Orders must be established without an end date. The applicable utility buyer of the RECs will cancel the order at the end of the REC delivery term.
  - d. Standing Orders must be initiated from an Approved Vendor's own registry account and not from the account of an affiliate or third party.
3. When registering a system in GATS or M-RETS, the Approved Vendor must incorporate the Adjustable Block Program application ID into the name of the system, the Unit field, and the Note field.

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<sup>76</sup> See Section 10.2 of the GATS Operating Rules available at <https://www.pjm-eis.com/-/media/pjm-eis/documents/gats-operating-rules.ashx>

4. For Community Solar projects under the 2019 REC Delivery Contract and the 2021 and 2022 15-Year REC Delivery Contracts, based on any changes to a project's total percentage subscribed, the Standing Order percentage shall be updated in the relevant registry after both Part II verification and Program Administrator review of each of a project's four Community Solar Quarterly Reports. This process is as follows:

If the project is registered in GATS:

- a. The Program Administrator sends email to the contracting utility and Approved Vendor with a link to the revised Schedule B, highlighting any change in the Standing Order percentage.
- b. If there is a change to the Standing Order percentage, the Program Administrator sends an email to the contracting utility and the Approved Vendor, requesting removal of the irrevocable flag on the Community Solar project's Standing Order. The email will include at a minimum, the project's ABP application ID, registry Unit ID, and new Standing Order percentage.
- c. The utility replies to all documenting its consent. The utility then removes the irrevocable flag and replies to all confirming that the irrevocable flag was removed.
- d. The Approved Vendor cancels the existing Standing Order and initiates a new irrevocable Standing Order with the new specified percentage.
- e. The Approved Vendor replies to all confirming the new Standing Order has been initiated.
- f. The utility confirms the new Standing Order is accurate.

If the project is registered in M-RETS:

- a. The Program Administrator sends email to the contracting utility and Approved Vendor with a link to the revised Schedule B, highlighting any change in the Standing Order percentage.
- b. If there is a change to the Standing Order percentage, the Program Administrator sends email to the M-RETS admin, copying the utility and Approved Vendor, requesting a change to the Community Solar project's Standing Order percentage. The email will include at a minimum, the project's ABP application ID, registry Unit ID, current Standing Order percentage, and new Standing Order percentage.
- c. The utility and Approved Vendor reply to all confirming their consent to updating the Standing Order percentage.
- d. M-RETS updates the Standing Order with the new percentage and replies to all confirming that the change is complete.
- e. Both the utility and Approved Vendor confirm that the Standing Order accurately reflects the new percentage in the registry.

The process of registering with GATS or M-RETS should be completed in no less than 30 calendar days from the Program Administrator's initial email to the registry. Failure to update the Standing Order in a timely fashion may have an impact upon obligations under the REC Contract.

### ***Submitting REC Information to Tracking Systems***

Approved Vendors are responsible for entering system production in the tracking registry where the system is registered. This must be done at least annually (and as frequently as monthly) and as necessary to ensure that the delivery of required RECs under contract is complete prior to the annual report submission date. Detailed information about creating RECs in the GATS can be found on the [PJM-EIS Getting Started page](#). Detailed information for M-RETS can be found on the [M-RETS Help page](#).

### **B. Assignment of REC Contracts**

REC Delivery Contracts entered into under the Adjustable Block Program are assignable, and assignments may be made at either the batch (or “Product Order,” as used in the contract) or Master Agreement level. As required by the Plan, assignments may only be made to entities registered with the ABP as Approved Vendors. If the assignment is to an Approved Vendor already having a valid REC Contract with the same counterparty utility through the ABP, then the prior written consent of the counterparty utility is not required for that assignment and any batches transferred will constitute new batches under the Approved Vendor’s existing agreement with that utility. The Approved Vendor assignor must notify the IPA and counterparty utility of such an assignment made without the utility’s consent and provide that utility with the assignee’s contact and payment information.

As a result of the approval of the 2022 Long-Term Plan, the REC Delivery Contracts required additional updates that are reflected in the 2022 15-Year REC Delivery Contract and the 2022 20-Year REC Delivery Contract. The 2022 REC Contracts were developed with opportunities for stakeholder feedback. With the exception of previously submitted Traditional Community Solar projects, all projects approved by the Commission after August 31, 2022 will use the new 2022 REC Contracts, regardless of application submission date. The Program will also provide an “off-ramp” option for any already-applied projects expecting to receive an award under the 2021 REC Delivery Contract that is unable to be developed under the updated 2022 REC Delivery Contracts.

Assignments by Approved Vendors are subject to an assignment fee of \$1,500 for the first assignment and \$5,000 for any subsequent assignments of the same batch or same master agreement. Assignment fees are payable to the counterparty utility at the time of assignment, with fees made part of that utility’s renewable resources budget for the procurement of renewable energy resources. The first assignment of a product order or contract to an affiliate is not subject to fees, although other assignments and subsequent assignments of the same product order to an affiliate may be. Please consult Section 9.2 of the 2019 REC Contract or Section 13.1 of the 2021 and 2022 REC Delivery Contracts for additional information.

Assignments may not be made within a) 30 business days of contract execution (or the posting of collateral, whichever is later) or b) 30 business days of a prior assignment of the same batch or same master agreement. In the case of the assignment of an individual batch, any surplus RECs associated with the batch remain with the original master agreement.

On assignment, an Approved Vendor's ongoing collateral with respect to a transferred batch, if in cash form, may simply be applied to the transferred batch, while letters of credit will remain in place until the assignee posts replacement collateral.

Upon completion of the assignment, new contract documentation – including Exhibit A and associated schedules – will be developed by the Program Administrator to reflect the change in systems subject to the assignor's original agreement and the assignee's expanded or new agreement.

### ***Collateral Assignment***

Collateral assignment of the REC Contract by an Approved Vendor – i.e. pledging of the accounts, revenues or proceeds in connection with any financing or other financial arrangements for a system or systems, but without relieving itself of performance obligations – is permitted at either the batch or Master Agreement level and does not require prior consent of the counterparty utility. The Approved Vendor must notify the IPA and counterparty utility of the collateral assignment made without the utility's consent and provide that utility with the identity of and contact information for the financing party.

As financing parties are unlikely to be Approved Vendors but may become assignees due to foreclosure or default under financing arrangements, the requirement that such an assignee be an Approved Vendor will be waived for 180 days following such a transfer. The new assignee would then have 180 days to either a) become an Approved Vendor itself, or b) assign the batch or Agreement to an Approved Vendor.<sup>77</sup> For purposes of calculating assignment fees, both the initial assignment post-default and the second assignment within 180 days constitute a single assignment.

For more information on assignment or collateral assignment, please see Section 9.2 of the 2019 REC Delivery Contract or Section 13.1 of the 2021 and 2022 REC Delivery Contracts.

### ***Steps to Assign Product Order(s) or an Entire REC Contract***

Assignments are governed by Section 9.2 of the 2019 REC Delivery Contract and Section 13.1 of the 2021 and 2022 REC Delivery Contracts. As explained in the REC Contract, assignments may be subject to fees, and may in certain circumstances require the Buyer's consent to be effectuated.

An entire REC Contract or any product orders/batches under a contract may be assigned in their entirety. It is not possible to assign individual projects within a product order.

Following are the steps for assignment. The Assignor is the Approved Vendor that already holds the product order(s) and wishes to initiate assignment, while the Assignee is the Approved Vendor that will receive the product order(s) through the assignment. The Buyer is the contracting utility.

1. Assignor contacts Buyer and Program Administrator to provide informal notice of intent to assign, including the identity of Assignee.

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<sup>77</sup> The same timeline and requirements apply to collateral assignments for EEC-certified Approved Vendors; if the REC Contract is within the first six years, the new assignee must also be EEC-certified.

2. Assignee applies to be an Approved Vendor (if not already) on the Program website. (In the case that the Assignee is a foreclosing financing party, the requirement that the Assignee is an Approved Vendor shall be waived for up to 180 days following the transfer.)
3. Program Administrator reviews and approves Approved Vendor application (if the Assignee is not already an Approved Vendor).
4. Assignee and Assignor execute the appropriate form of Acknowledgement. The Acknowledgement without consent form<sup>78</sup> is used if the Assignee already is a valid Approved Vendor with an existing fully executed REC Contract. The Acknowledgement and Consent form<sup>79</sup> is used in all other situations. Thus, one of the two versions of the form is required in all cases.
5. Program Administrator and Buyer collaborate to confirm that Assignor has met all prerequisites for assignment:
  - a. Full collateral has been posted for the subject product order(s).
  - b. Thirty business days have passed since ICC approval of the subject product order(s).
  - c. Buyer has received any applicable assignment fees.
    - i. A fee of \$1,500 is required for the first assignment of a contract or product order. If Assignee and Assignor are affiliates, this fee is waived. Any subsequent assignments of prior-assigned product orders, even between affiliates, carry a fee of \$5,000. All assignment fees are payable directly to Buyer.
  - d. Assignee, Assignor, and Buyer must work out together how collateral will be maintained.
  - e. Assignee and Assignor have met any other requests by Buyer for additional information for Buyer to use in determining whether to grant consent (not applicable if consent is not required).
6. Program Administrator generates shell REC Contract (if needed), Exhibit A, Schedule A(s), and Schedule B(s) (if appropriate) for Assignee. Generates Schedule A(s) for Assignor. All documents are provided directly to Buyer.
7. Buyer signs Acknowledgement, REC Contract (if needed), and Exhibit A. Sends all items to Assignee. Sends Acknowledgement to Assignor.
8. If any irrevocable Standing Orders have been established from Assignor's registry account for projects in the batches being assigned, Assignor must transfer those projects to Assignee's GATS or M-RETS account. Assignor and Assignee must ensure that the irrevocable Standing Orders remain in place during the transfer or are re-established post-transfer.
9. Assignee and Assignor effect the legal assignment. Assignee countersigns REC agreement and Exhibit A. Assignee and Assignor provide copies of fully executed documents to Buyer along with proof that any projects with irrevocable Standing Orders have been transferred to Assignee's registry account and that those irrevocable Standing Orders have been maintained or re-established post-transfer.
10. Buyer notifies Program Administrator that the assignment is complete.

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<sup>78</sup> <http://illinoisabp.com/wp-content/uploads/2019/07/ABP-Acknowledgement-of-Assignment.pdf>. The Acknowledgment of Assignment form is also included as an Exhibit to the 2021 REC Contract.

<sup>79</sup> [The assignment forms noted here can be found on the Program Resources page of the Program website. here: https://illinoisabp.com/program-resources/](https://illinoisabp.com/program-resources/)



11. Program Administrator updates ABP database, moving subject product order(s) from Assignor's REC Contract to Assignee's REC Contract.

Note that an Approved Vendor may, without consent, collaterally assign or pledge the revenue stream of a REC Contract or product order(s), or collaterally assign the REC Contract itself, in conjunction with financing or other financial arrangements. The Approved Vendor must provide notice to the Program Administrator and Buyer of such a collateral assignment or pledge, including the identity and contact information of the financing party obtaining collateral rights.

### ***Assignment of Waitlisted Projects***

Projects may be selected off a waitlist in any given Group/category combination either when a new block of capacity is opened (and receive the new block's REC price), or when a previously selected and approved project drops out of the program, thus freeing up program capacity (with the project selected from the waitlist receiving the most recently available REC price). While projects are on a waitlist and thus not yet under contract, an Approved Vendor may transfer that project to another Approved Vendor, or the project itself may be sold, without penalty or impacting the project's position on the waitlist but must promptly notify the Program Administrator of that transfer and provide appropriate documentation.<sup>80</sup> Projects which have applied under the EEC category must remain under an EEC-qualified Approved Vendor in order to remain on an EEC category waitlist as outlined in Section 1.4D of this Guidebook.

## **C. Community Solar Under the REC Contract**

### **Traditional Community Solar under the 2019 REC Delivery Contract**

#### **1. Small Subscriber Adder**

The 2019 REC Delivery Contract is applicable to community solar projects that were approved by the Illinois Commerce Commission prior to the enactment of Public Act 106-0662. These community solar projects will be provided the following adders based on percentage of small subscribers:

<u>Adder</u>	<u>\$/REC</u>	
	<u>Group A</u>	<u>Group B</u>
<u>Less than 25% small subscriber</u>	<u>No adder</u>	<u>No adder</u>
<u>25% or greater small subscriber and less than 50% small subscriber</u>	<u>\$11.17</u>	<u>\$10.88</u>
<u>50% or greater small subscriber</u>	<u>\$22.34</u>	<u>\$21.77</u>
<u>Greater than 75% small subscriber</u>	<u>\$33.51</u>	<u>\$32.65</u>

The community solar adders of \$33.51 for Group A and \$32.65 for Group B commensurate with a small subscriber level greater than 75% no longer apply to community solar projects selected after the ICC's approval of the IPA's Revised Long-Term Plan on February 18, 2020 (whether selected through being taken

<sup>80</sup> The ability to transfer or sell a project also applies to non-waitlisted Part I projects that have not yet been selected for a REC contract. See Section 5.A. for more information.

off a waitlist, or as part of the opening of new blocks of capacity). This 75% small subscriber adder will continue to apply to community solar projects that were selected prior to that date. For projects selected after this change, the maximum adder for projects with 50% or greater small subscribers will be \$22.34 for projects in Group A and \$21.77 for projects in Group B.

The applicability of a small subscriber adder is determined based on the percentage of the project's generating capacity (measured in kW AC) met through small subscribers' subscriptions, and not the overall number of small subscribers. A community solar project must demonstrate a level of small subscribers corresponding to the adder at the time of energization to receive an adder initially; if it does not meet that level by one year after energization, the project will instead receive the small subscriber adder associated with its actual realized level of small subscribers as of Year 1 (if any). A project would also be subject to a 20% penalty on the contract value if it proposed at least 50% small subscribers in its Part I application but realizes less than 50% small subscribers as of Year 1. Furthermore, the project must maintain the small subscriber subscription levels over time or face payment reductions or collateral drawdowns if the level is not maintained, as discussed further in Section 7 of this Guidebook.

### **Traditional Community Solar Under the 2021 and 2022 REC Delivery Contracts**

For projects approved by the Illinois Commerce Commission after the enactment of Public Act 102-0662, at least 50% of subscribers (on a capacity basis) to the project's nameplate capacity must be residential or small commercial customers with subscriptions below 25kW in size. Additionally, the small subscriber adder is now incorporated into the base REC price for community solar projects and a distinct small subscriber adder no longer applies for projects under the 2021 and 2022 REC Delivery Contracts.

### **Traditional Community Solar Under All REC Delivery Contracts**

A small subscriber is defined as a customer on a residential or small commercial rate class with a subscription of less than 25 kW. Eligible small commercial rate classes for the investor-owned utilities are as follows:<sup>81</sup>

- Commonwealth Edison: "watt-hour delivery class" and "small load delivery class"
- Ameren Illinois: "DS-2"

To be considered a small subscriber in the Program, the utility account number associated with the subscription may not sum to larger than 25 kW AC across a single or multiple Community Solar projects, if multiple subscriptions exist for the associated utility account.

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<sup>81</sup> The IPA understands that Section 16-107.6(l)(1) of the Public Utilities Act does not obligate electric utilities serving less than 200,000 customers as of January 1, 2021 to provide net metering for subscriptions to community renewable generation projects, and that MidAmerican Energy Company accordingly no longer provides such services under its tariffs.



## Section 7: Annual Reports and Performance Evaluation

### A. Annual Report Requirements

On an annual basis, each Approved Vendor will submit an Annual Report of the contracts and systems in its portfolio<sup>82</sup> using the Approved Vendor portal at [www.illinoisabp.com](http://www.illinoisabp.com). The Annual Report will serve as the basis for verifying that RECs from projects are being delivered to the applicable utility, and, absent corrective actions taken by the Approved Vendor, can be a tool used to determine what actions may be taken by the utilities to enforce the contractual requirements that RECs are delivered, including, but not limited to, drawing on collateral. Additionally, the Annual Report will be used by the Agency to consider the ongoing eligibility of an Approved Vendor to continue participation in the Program.

On an annual basis, each Approved Vendor is required to submit an Annual Report of the contracts and systems in its portfolio, which serves as the basis for verifying that RECs are being delivered as required.

The report will include the following information:

- RECs delivered by each of the systems in the portfolio
- Status of all systems that have been approved, but not yet energized, including any extensions requested and granted
- Energized systems that have not delivered RECs in the year
- Balance of collateral held by each utility
- A summary of requests for REC obligation suspensions, reductions, or eliminations, due to force majeure events or other circumstances
- Information on consumer complaints received
- Other information related to ongoing Program participation, including use of graduates of job training programs and other information<sup>83</sup> related to increasing the diversity of the solar workforce

For Approved Vendors with community solar projects, the report will also include:

- Percentage of each system subscribed on a capacity basis
- The number and type of subscribers (e.g., residential, small commercial, large commercial/industrial), including capacity allocated to each type
- Subscriber turn-over rates

The annual report will require Approved Vendor's with community solar projects to enter each subscriber, the subscriber's contract start date and end date, whether the subscriber meets the requirements of a small subscriber, and the subscriber's subscription size in kW. The portal will automatically prorate all data to determine the average subscription amount and percentage of small subscribers based on this data. A signed

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<sup>82</sup> Approved Vendors may request confidential treatment of the Annual Report. However, aggregated information from Annual Reports may be publicly disclosed by the Agency to the extent that it does not disclose Approved Vendor-specific confidential information.

<sup>83</sup> All diversity data reported to the Agency will only be published publicly in an aggregate fashion.

disclosure form is required in order for a given subscriber to count towards a community solar project's subscriber tally in either an annual or quarterly report. As with project cost data, the IPA will treat this subscriber information as confidential and proprietary and will provide protection of this information as required under Section 1-120 of the IPA Act (including asserting any applicable protections in response to FOIA, discovery, or other requests).

Approved Vendors will be given 90 days to cure any deficiencies found by the Agency and/or utilities. Failure to cure deficiencies may result in the contracting utility drawing on collateral or other consequences outlined under the REC delivery contracts. In addition, Approved Vendors' program eligibility may be jeopardized by failure to address and cure deficiencies.

Each Approved Vendor will be able to change its point of contact for completing the Annual Report at any time if desired. The Agency will review the annual reports as well as utility-reported information on REC deliveries and community solar subscribers to assess compliance with the requirements of the Adjustable Block Program and, if there are underperformances, coordinate with the applicable utility on drawing on collateral. That process is described in Section 7.C.

## B. Minimum Equity Standards Compliance Plan

Public Act 102-0662 directs the Agency to establish an Equity Accountability System consistent in part by the Minimum Equity Standards ("MES"). The MES require all applications for renewable energy credit procurements to comply with specific minimum equity commitments. The Equity Accountability System takes effect on June 1, 2023, the start of the 2023-2024 delivery/~~program~~Program year.

By June 1, 2023 existing Approved Vendors and Designees will be required to file an annual Minimum Equity Standards Compliance Plan ("Compliance Plan"). The Compliance Plan will reflect how the Approved Vendor or Designee plans to achieve compliance with the minimum equity standard percentage for work completed in the upcoming delivery/~~program~~ year.

If an entity applies to be an Approved Vendor or Designee during a delivery/~~program~~ year, the Agency will require a Compliance Plan at the time of the initial application. Approved Vendors who are Equity Eligible Contractors are, by virtue of their participation in the Program, in full compliance with the Equity Accountability System and thus do not need to submit a Compliance Plan. Approved Vendors that are affiliated with each other may be allowed to submit a combined Compliance Plan where they have a common parent company. The IPA will issue guidance on how to request such permission from the Agency.

Compliance Plans must include the following items:<sup>84</sup>

- A statement of intent to comply with equity accountability standards for the applicable delivery/~~program~~ year and hire a diverse project workforce including Equity Eligible Persons and Equity Eligible Contractors. This will include a narrative description of how the applicant will meet these commitments.

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<sup>84</sup> Approved Vendors in the Adjustable Block Program will not be required to report on data regarding their Designees but will be required to report which Designees they worked with in the delivery year to allow the Agency to correlate activities and compliance.

- Projected number of workers and the demographic breakdown by race, gender, and participation in job training or workforce development programs, or other means of compliance with the standard for equity eligible persons.
- Plans for the use of Equity Eligible Contractors, if applicable.
- Applicant classification (i.e., Minority-owned, Woman-owned, Disabled-owned, Veteran-owned, Small Business, etc.), if applicable.
- Communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors.

Halfway through the delivery/program year each Approved Vendor, Designee or Competitive Procurement Supplier must respond to a written inquiry from the Agency or Program Administrator, confirming that the Minimum Equity Standard Compliance Plan is progressing in accordance with Agency requirements.

Within 45 days after the end of the delivery/program year, each Approved Vendor or Designee must submit a year-end report ("Report").<sup>85</sup> If the AV has no activity during the relevant year, that may be indicated on the year-end report and compliance obligations will not apply. The Report will consist of an updated version of the original Compliance Plan including data on actual performance. The Report should reflect any major differences from the Compliance Plan such as new and innovative ways to provide employment opportunities to low-income participants and residents of environmental justice communities.

#### Waiver from Minimum Equity Standards

In the event an Approved Vendor or Designee is unable to fulfill the minimum equity standards for a given delivery year, that entity may seek a waiver from this requirement. The Agency retains the sole discretion to grant a waiver in rare circumstances. The Agency will grant waivers where the applicant provides evidence of significant due diligence toward meeting the minimum equity standards.

Final waivers can be found in Appendix K.

### C. Collateral and Performance Evaluation Mechanics

~~As the 2022 REC Delivery Contracts are still pending finalization as of the release of this version of the Guidebook, additional details pertinent to this section that are not included here will be updated in a subsequent version of the Guidebook after the contracts are published.~~

Following Commission approval of a batch, the Approved Vendor must post collateral for all systems in the batch within 30 business days. Initial collateral for any system is 5% of the total REC Contract value for that system,<sup>86</sup> based on the capacity factor and system size proposed in the Part I application. The collateral amount is not adjusted if the final system size and/or capacity factor (and thus resulting quantity of RECs for payment) differs from the approved amount as it relates to the project's Part I size. Collateral may be

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<sup>85</sup> This will correspond with the due date of Annual Reports.

<sup>86</sup> For Traditional Community Solar projects on the 2019 REC Contract the value of the system also included small subscriber adders to the REC price.

posted in the form of cash or a Letter of Credit. A Letter of Credit must use standard forms provided with the published REC Contract; minor modifications may be allowed if approved by the counterparty utility. [Letter of Credit must be posted by the Seller.](#)

### ***Collateral Adjustments***

Collateral and performance evaluation is generally handled at a portfolio level, i.e., pooled across all batches and systems for a given Approved Vendor. There are two forms of annual evaluation, described further below: REC delivery performance (for all systems) and community solar system parameters. Underperformance by any system in either of those categories can trigger a collateral drawdown for a delivery year. In any delivery year where one or more systems under the REC Contract have a collateral drawdown, the Approved Vendor may elect to pay the total drawdown as cash or have the drawdown taken from posted collateral. If two forms of collateral have been posted (cash and letter(s) of credit), the Approved Vendor may additionally choose which form of collateral shall be drawn upon. These provisions are not applicable to the 2021 nor 2022 20-year REC Delivery Contracts; as those contracts are structured for payment upon delivery of RECs, there is no drawdown mechanism built into the 20-year contracts.

Within 90 days after any collateral draw, the Approved Vendor will be required to post additional collateral to “top up” its total collateral, to equal 5% of total remaining contract value (where each system’s contractual value declines by 1/15 each contract year). The Approved Vendor can request the withholding of the next payment(s) due under the contract (if any) in lieu of “topping up” the collateral. When the last system within a batch reaches the end of its delivery term, an Approved Vendor may request a refund of the collateral associated with that batch.

Any failure to post collateral or pay for collateral drawdowns on a timely basis as required shall be an event of default under the REC Contract.

If a system receives an interconnection cost estimate from the interconnecting utility prior to energization that exceeds 30 cents per watt AC (\$300 per kW AC), then within 14 days of having received that estimate, the Approved Vendor shall have the option of withdrawing that system from the REC Contract and receiving a refund of 75% of its previously posted collateral associated with that system.

### ***REC Delivery Performance Annual Evaluation***

At the time of energization, a schedule of annual REC deliveries over the term of the applicable contract (i.e., 15 years under the 2019 REC Contract and the 2021 and 2022 15-year REC Contracts, 20 years under the 2021 and 2022 20-year REC Contracts) -will be set, based on the system’s approved capacity factor and a 0.5% annual reduction of delivery obligations.<sup>87</sup>

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<sup>87</sup> An Approved Vendor may request for a system’s annual REC delivery obligations to be reduced mid-contract. The Buyer and Seller would then seek to negotiate a settlement payment as part of the reduction in delivery obligations; the Buyer would not be required to ultimately accept the request.



Delivery performance evaluation methodologies vary across the 2019, 2021, and 2022 REC Delivery Contracts based upon the differing payment structures of the contracts. AVs should look to their specific contract terms to determine delivery performance evaluation methodologies, if necessary.

In certain circumstances Approved Vendors may request to have a delivery obligation suspended, reduced, or eliminated without penalty. Specific circumstances that allow for changes in delivery obligations are available under the REC Delivery Contract and AVs should look to their specific contract terms to determine how to reduce delivery obligations, if necessary.

To reduce or suspend delivery obligations under the REC Contract, Approved Vendors must demonstrate attempts to cure the situation and demonstrate that reasonable and timely measures have been taken to cure the situation. In cases of systems not performing at the level expected in absence of force majeure events, Approved Vendors may request a reduction in delivery obligations in exchange for the return to the utility of a payment adjusted to account for all undelivered RECs at the original delivery level as the time of the request.

Under the 2019 REC Delivery Contract and the 2021 and 2022 15-year REC Delivery Contracts, at the end of the delivery term for the last system under the Approved Vendor's REC Contract, any unused balance of surplus RECs may be used to receive a refund for prior collateral drawdowns that related to REC underperformance.<sup>88</sup> The lowest-valued underdelivered RECs will first be refunded to the Approved Vendor, moving then to higher-valued underdelivered RECs, until no surplus RECs remain in the surplus REC account. If any surplus RECs remain in the surplus REC account after all prior collateral drawdowns have been refunded, *no additional refund will be made* for those leftover surplus RECs. Under the 2021 and 2022 20-Year REC Delivery Contracts, at the end of the delivery term for the last system under the Approved Vendor's REC Contract, any unused balance of surplus RECs will be returned to the Approved Vendor.

### ***Community Solar System Parameters Evaluation***

Under the 2019 REC Delivery Contract and the 2021 and 2022 15-year REC Delivery Contracts, after each delivery year, the Approved Vendor will be required to report subscriber information for each community solar system including subscription amounts, small subscriber status, and subscription start/end dates. The IPA will evaluate the system's share of physical capacity that is (i) subscribed and (ii) subscribed by small subscribers, based on daily averages over the course of the year. Based on the subscription share and the small subscriber mix actually realized for the delivery year, a REC price and REC quantity owed for that delivery year under the terms of the ABP will be calculated. This will be compared to the actual contractual payment previously made for that system corresponding to that delivery year, and any negative difference will become a collateral drawdown for that system for that delivery year. Any annual "overperformance" with regard to community solar system parameters will *not* result in any extra payment, "banking" for future delivery years, or carryback for prior delivery years.

Under the 2021 and 2022 20-Year REC Delivery Contract, the Approved Vendor also will be required to report subscriber information for each community solar project. The IPA will evaluate the percentage of

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<sup>88</sup> This refund procedure would not apply to prior collateral drawdowns based on annual community solar system parameters.

each community solar project's Actual Nameplate Capacity that has been subscribed as of the first business day of June and the first business day of December. The quantity of RECs eligible for payment for a given community solar project will be based on the larger of these two numbers. This will be compared to the actual payment previously made for that system corresponding to that delivery year, and any negative ~~different~~difference will be trued-up after the conclusion of the delivery year.

### **Community Solar Quarterly Reporting**

Subscriber workbooks and Quarterly Reports must be updated by Approved Vendors by the 10th of the month following the close of the Quarterly Period to support the quarterly subscriber review process. Edits cannot be made to Quarterly Reports after this deadline.

As such, the Quarterly Report due date is the last day to make changes to subscriber information (including subscription sizes, adding new subscribers, or terminating subscribers) for a community solar project's quarterly review.

The subscriber reports due on the 10th of the month should always reflect subscribers to projects as of the end of the Quarterly Period (i.e., last day of the preceding month). More information on the subscriber verification process can be found in the REC contract.

## Section 8: Invoicing and Payments

An Approved Vendor may submit an invoice for payment to the counterparty utility only for systems that have been energized and for which the Program Administrator has verified Part II of the project application.<sup>89</sup> If the Approved Vendor under the 2019 REC Delivery Contract has elected for the 5% collateral under the REC Contract to be withheld from the first REC payment for a system, this balance will be released at the end of the contractual period for the last system in that batch. For all other REC Delivery Contracts upfront collateral is required and cannot be withheld from the first REC payment.<sup>90</sup>

### ***Advance of Capital for EEC Approved Vendors***

As outlined in Section 1.1D of this Guidebook, Equity Eligible Contractors can request an advance of up to 50% of the REC Contract value prior to Energization.<sup>91</sup> Below outlines the steps for EEC advance of capital. The Seller is the EEC-certified Approved Vendor while the Buyer is the contracting utility.

1. During the Part I application process an EEC-certified Approved Vendor may submit a request indicating the Advance of Capital amount requested. Both the request and the amount to be disbursed is subject to IPA approval.
  - a. A short narrative must be submitted describing the need being addressed and the key project development milestone(s) that will trigger disbursement. The narrative description should include a breakdown of costs that the advance will cover and may be submitted on a confidential basis.
2. Upon Part I verification and contract or product order approval by the Commission, the EEC-certified Approved Vendor submits verification of milestone achievement for Agency review and approval for disbursement.
3. If disbursement is approved, the Agency sends the Buyer and Seller written notice of approval, a revised Schedule A indicating the date of approval and the amount approved for disbursement.
4. The EEC-certified Approved Vendor may then invoice the Buyer for the approved disbursement on or after the first day (but no later than the tenth day) of *the month after* the written approval is sent from the IPA to the Approved Vendor.<sup>92</sup>

The payment terms vary based on the REC Delivery Contract as shown in the following table:

Contract	Delivery Term	Category	Payment Structure
2019 REC Delivery Contract	15 years	Small DG	100% upfront payment at Energization

<sup>89</sup> Details are further outlined in the 2022 REC Delivery Contracts

<sup>90</sup> See section 7.10.6. of the Long-Term Renewable Resources Plan

<sup>91</sup> Additional detail can be found in Section 7.4.6.1 of the Agency's 2022 Long-Term Plan.

<sup>92</sup> More details on invoicing after an advance of capital are contained in the 2022 REC Contracts.

		Large DG	20% upfront payment at Energization and the remainder ratably over 4 years
		Traditional CS	
2021 15-Year REC Delivery Contract	15 years	Small DG	100% upfront payment at Energization
		Large DG on waitlist	20% upfront payment at Energization and the remainder ratably over 4 years
		Large DG not on waitlist	15% upfront payment at Energization and the remainder ratably over 6 years
		Community-Driven CS	
2021 20-Year REC Delivery Contract	20 years	Traditional Community Solar	Pay-as-deliver: - If CS (Traditional or on Public Schools) adjust biannually based on subscription info in bi-annual reports - If DG on Public Schools, no biannual adjustment
		DG or CS on Public Schools	
2022 15-Year REC Delivery Contract	15 years	Small DG	100% upfront payment at Energization
		Large DG	15% upfront payment at Energization and the remainder ratably over 6 years
		Community-Driven CS	15% upfront payment at Energization and the remainder ratably over 6 years
2022 20-Year REC Delivery Contract	20 years	Traditional Community Solar	Pay-as-deliver: - If CS (Traditional or on Public Schools) adjust biannually based on subscription info in bi-annual reports - If DG on Public Schools, no biannual adjustment
		DG or CS on Public Schools	
Equity Eligible Contractors Utilizing Advance of Capital			

2022 15-Year REC Delivery Contract	15 years	Small DG	Up to 50% upfront payment (pending approval) at pre-Energization and the remainder one month after Energization
		Large DG	Up to 50% upfront payment (pending approval) pre-Energization, 15% payment at Energization, and the remainder ratably over 6 years
		<u>Community-Driven Community Solar</u>	
2022 20-Year REC Delivery Contract	20 years	<u>Traditional Community Solar</u> <del>Small DG</del>	Up to 50% upfront payment pre-Energization (pending approval) and pay-as-delivered resumes once Seller delivers at least 50% of Maximum REC Quantity
		<del>Large DG</del> <u>DG or CS on Public Schools</u>	
		<del>Community Solar</del>	

The formula for calculating the total REC payment of an energized system under a 15-year REC delivery contract is as follows:

*System (inverter) size in MW AC x approved capacity factor x 365 days/year x 24 hours/day x 15 years x 1 REC/MWh x \$/REC.*

For community solar projects, the system size in this formula is only the portion of the system's nameplate capacity that is subscribed.

For projects under a 20-year REC delivery contract, REC payments will be based upon actual REC deliveries (adjusted for subscription levels for community solar projects).

Invoices for payment may be submitted to the counterparty utility on a quarterly basis. To facilitate invoicing and payment, at the end of each quarterly period, the IPA and Program Administrator will prepare a quarterly netting statement for each contracting utility applicable to each of its REC Contracts which includes payment-related information. The IPA, through its Program Administrator, expects to issue quarterly netting statements by the dates outlined in the table below. The 2021 and 2022 REC Delivery Contracts have three quarterly payment cycles and quarterly netting statements will be issued by the first day of each month of the respective quarterly payment cycle.

The Program Administrator will make an invoice available to each Approved Vendor that has had projects Part II verified during the prior quarter. Previously energized projects with outstanding payments remaining will also have their payment due included on the invoice. An Approved Vendor may submit its invoice for payment to the applicable counterparty utility no later than the invoice due dates outlined in the table below. An Approved Vendor may submit its invoice for payment to the applicable counterparty utility no later than the 10<sup>th</sup> day of each month of the respective quarterly payment cycle.

<b>Contract</b>	<b>Production of Quarterly Netting Statements</b>	<b>Invoice Due Dates</b>	<b>Payment Due Dates</b>
2019 REC Delivery Contracts	June 1 September 1 December 1 March 1	June 10 September 10 December 10 March 10	June 30 September 30 December 31 March 31
2021 and 2022 REC Delivery Contracts	Payment Cycle A		
	January 1 April 1 July 1 October 1	January 10 April 10 July 10 October 10	January 31 April 30 July 31 October 31
	Payment Cycle B		
	February 1 May 1 August 1 November 1	February 10 May 10 August 10 November 10	February 28 May 31 August 31 November 30
	Payment Cycle C		
	March 1 June 1 September 1 December 1	March 10 June 10 September 10 December 10	March 31 June 30 September 30 December 31

All timely submitted invoices under a given REC Contract shall be payable and due on the last business day of the month in which the invoice is rendered, or the last business day of the following month if the payment is the first payment made under a given REC Contract.

Each quarterly invoice submitted to the counterparty utility must include the following:

- invoice amount;
- cumulative amount already received by the Approved Vendor under the REC Contract;
- maximum allowable payment; and
- the GATS or M-RETS Unit ID of each system included in the invoice.

In order to allow the Program Administrator sufficient time to verify the application, Approved Vendors should submit distributed generation Part II applications no later than four weeks prior to the opening of an invoicing window. For community solar projects, because of the more complex verification process that includes validating subscriber data, Approved Vendors should submit Part II applications no later than six weeks prior to the opening of an invoicing window.

The Program Administrator will endeavor to review and verify Part II applications that follow this guidance prior to the opening of the relevant invoicing window. Should the Program Administrator have questions and request additional information as part of the review process, Part II verification may be delayed beyond the upcoming invoicing window depending on how long it takes to resolve any open issues an application may have after a preliminary review.

## Section 9: Guidebook Update Process

The Guidebook will be periodically updated both as the program changes and as additional questions and issues arise. Minor updates to the Guidebook will be made by the IPA in consultation with the Program Administrator on a regular basis. Such changes will be announced on the [illinoisabp.com](http://illinoisabp.com) website; the version of the Guidebook published there will always be the latest version.

The Agency may also contemplate more significant changes to the Guidebook that would benefit from stakeholder input. In these cases, a notice of the stakeholder process and a copy of the draft changes will be published on the [illinoisabp.com](http://illinoisabp.com) website. Stakeholders will be provided the opportunity to read the draft changes, attend a stakeholder meeting and/or webinar, and provide written comments on the proposed changes. Those comments will be reviewed by the Agency and its program Administrator prior to adopting more significant changes to the Program Guidebook.

### ***Program Guidebook Version History***

[Program Guidebook Draft for Stakeholder Comment \(November 28, 2018\)](#)

[Program Guidebook \(December 31, 2018\)](#)

[Program Guidebook \(January 31, 2019\)](#)

[Program Guidebook \(April 3, 2019\)](#)

[Program Guidebook \(May 31, 2019\)](#)

[Program Guidebook \(November 18, 2020\)](#)

[Program Guidebook \(February 26, 2021\)](#)

[Program Guidebook \(June 4, 2021\)](#)

[Program Guidebook \(December 10, 2021\)](#)

[Program Guidebook \(August 22, 2022\)](#)

[Program Guidebook \(October 18, 2022\)](#)

## Section 10: Glossary

**Affiliated/Affiliate:** With respect to any entity, any other entity that, directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with each other or a third entity. “Control” means the possession, directly or indirectly, of the power to direct the management and policies of an entity, whether through the ownership of voting securities, by contract, or otherwise. Affiliates may not have shared sales or revenue-sharing arrangements, or common debt and equity financing arrangements.

**Agency:** The Illinois Power Agency (~~see~~<sup>See</sup> 20 ILCS 3855)

**Agrioltaics:** A dual-use configuration where solar photovoltaic energy generation and agricultural production (crops, livestock, and livestock products as defined by 505 ILCS 5/3.02) are directly integrated and simultaneously producing within the footprint of the project. For the purposes of this Program, at least 50% of the project footprint must feature agricultural production at the time of project Energization/Part II verification.

**Ameren Illinois:** Ameren Illinois Company<sup>93</sup>

**Approved Vendor:** An entity approved by the Program Administrator to submit project applications to the Adjustable Block Program and act as counterparty to the ABP contracts with the utilities.

**Batch:** A batch is a group of project applications submitted to the Program. The minimum size of a batch submission to the Program is 100 kW and the maximum is 5 MW.

**Block:** A defined size of Program capacity with a defined level of incentives.

**Category:** A classification based on a system size and type. The program has six categories: Small Distributed Generation (DG) for DG systems 25 kW and below, Large Distributed Generation for DG systems above 25 kW up to 5 MW in size, Community Solar, Community-Driven Community Solar, Public Schools, and Equity Eligible Contractors.

**Co-located:** A term related to community solar projects only, defined as:

- Under the 2019 REC Delivery Contract
  - Two projects, of up to 2 MW each, on one parcel; or
  - One project, of up to 2 MW, on each of two contiguous parcels.
- Under the 2021 and later versions of the REC Delivery Contract
  - Two projects, of up to 5 MW each, on one parcel; or
  - One project, of up to 5 MW, on each of two contiguous parcels.

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<sup>93</sup> See: <https://www.ameren.com/illinois/>



**ComEd:** Commonwealth Edison Company<sup>94</sup>

**Community Solar:** A solar project which (1) is interconnected to an electric utility, a municipal utility, or a rural electric cooperative, and (2) allows subscribers to pay for shares or some other “interest” in the project, receiving bill credits in exchange. Also known as a “photovoltaic community renewable generation project.” (Note: There are two distinct types of Community Solar projects in the Program, *Traditional Community Solar* projects and *Community-Driven Community Solar* projects.)

**Community-Driven Community Solar:** Community solar projects up to 5 MW in size featuring attributes allowing the project to be evaluated for participation in the community-driven community solar category, as established through Section 1-75(c)(1)(K)(v) of the IPA Act.

**Community Solar Subscriber:** A person or entity who (i) takes delivery service from an electric utility, municipal utility, or rural electric cooperative, and (ii) has a subscription of no less than 200 watts to a community renewable generation project that is located in the utility's service area.

**Community Solar Subscription:** A portion of a community renewable generation project expressed in kilowatts, which is sized primarily to offset part or all of the subscriber's electricity usage.

**Designee:** Third-party (i.e., non-Approved Vendor) entities that have direct interaction with end-use customers. This includes installers, marketing firms, lead generators, and sales organizations. The Agency reserves the right to add additional categories of market activities as needed.

**Distributed Generation:** A system which is located on-site, behind a customer's meter, and used primarily to offset a single customer's load; it cannot exceed 5,000 kW AC in size.

**Electric Cooperative:** (a) Any not-for-profit corporation or other person that owns, controls, operates or manages, directly or indirectly, within this State, any plant, equipment or property for the production, transmission, sale, delivery or furnishing of electricity and (b) that either is or has been financed in whole or in part under the federal "Rural Electrification Act of 1936" and the Acts amendatory thereof and supplementary thereto, or is directly or indirectly caused to be formed by any one or more such not-for-profit corporations or other persons that is or has been so financed.

**Eligible Person/Equity Investment Eligible Person:** An eligible person is a (1) person whose primary residence is in an equity investment eligible community; (2) person who is a graduate of or currently enrolled in the foster care system; or (3) person who was formerly incarcerated.

**Energized System:** A system which is complete, has received a utility permission to operate, and has completed and received approval of Part II of the program application, including having initiated an irrevocable Standing Order for its RECs to the applicable utility buyer in either GATS or M-RETS.

**Equity Accountability System (“EAS”):** The Equity Accountability System is established by P.A. 102-0662 and includes the minimum equity standards for all renewable energy procurements, the equity

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<sup>94</sup> See: <https://www.comed.com/Pages/default.aspx>

category of the Adjustable Block Program (Illinois Shines program), and the equity prioritization for noncompetitive procurements. The EAS is to be successful in advancing priority access to the clean energy economy for businesses and workers from communities that have been excluded from economic opportunities in the energy sector, have been subject to disproportionate levels of pollution, and have disproportionately experienced negative public health outcomes.

**Equity Eligible Contractor:** A business that is majority-owned by eligible persons, or a nonprofit or cooperative that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor.

**Equity Investment Eligible Community/Eligible Community:** An eligible community is defined as the following areas (1) R3 Areas as established pursuant to Section 10-40 of the Cannabis Regulation and Tax Act, where residents have historically been excluded from economic opportunities, including opportunities in the energy sector; and (2) Environmental justice communities, as defined by the Illinois Power Agency pursuant to the Illinois Power Agency Act, but excluding racial and ethnic indicators, where residents have historically been subject to disproportionate burdens of pollution, including pollution from the energy sector.

**Group:** One of the two Block Groups used to classify a system based on location. The Groups are:

- Group A – Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives and Municipal Utilities located in MISO
- Group B – ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM

**ICC:** Illinois Commerce Commission (see 220 ILCS 5); the State Agency charged with regulating public utilities in Illinois, as well as approving aspects of the Adjustable Block Program.

**IPA:** Illinois Power Agency; the State Agency charged with administering the procurement of renewable energy resources to meet Illinois' renewable energy portfolio standard, in addition to procuring electric power supply for eligible retail customers of electric utilities and other responsibilities.

**House of Worship:** A facility that is used exclusively by a religious society or body of persons as a place for religious exercise or religious worship and that is exempt from taxation pursuant to Section 15-40 of the Property Tax Code.

**Interconnection Agreement:** An agreement with the utility to interconnect the photovoltaic community solar or distributed generation system to the utility's distribution system.

**Large DG:** A distributed generation system larger than 25 kW, up to 5 MW. Prior to the December 14, 2021 reopening, Large DG projects needed to be larger than 10 kW and less than or equal to 2 MW in size.

**M-RETS:** The Midwest Renewable Energy Tracking System. This is an independent entity from the State of Illinois, the IPA, and the Adjustable Block Program. It is one of two tracking registries, which along with PJM-GATS can be used to track creation, transfer, and retirement of RECs. More information can be found at the M-RETS website at <https://www.mrets.org/>.

**MidAmerican:** MidAmerican Energy Company<sup>95</sup>

**Minimal Shading Criteria:** No obstruction is closer than a distance (“D”) of twice the height (“H”) it extends above the PV array. All obstructions that project above the point on the array that is closest to the obstruction shall meet this criterion for the array to be considered minimally shaded. Any obstruction located north of all points on the array need not be considered as shading obstructions. Obstructions that are subject to these criteria include:

1. Any vent, chimney, architectural feature, mechanical equipment, or other obstruction that is on the roof or any other part of the building.
2. Any part of the neighboring terrain.
3. Any tree that is mature at the time of installation of the PV system.
4. Any tree that is planted on the building lot or neighboring lots or planned to be planted as part of landscaping for the building. (The expected shading shall be based on the mature height of the tree.)
5. Any existing neighboring building or structure.
6. Any planned neighboring building or structure that is known to the applicant or building owner.
7. Any telephone or other utility pole that is closer than 30 feet from the nearest point of the array.

**Mt. Carmel:** Mt. Carmel Public Utility<sup>96</sup>

**Nameplate Capacity: The aggregate inverter nameplate capacity in kilowatts AC.**

**Net Metering:** A provision in an electric utility’s tariff that allows for crediting a customer’s bill for all or some of the production of a distributed generation or community solar facility which has been exported to the distribution grid.

**Part I:** The initial application into the program which contains detailed information on the system and its location. Part I approval results in an ICC approved contract with one of the distribution utilities. A system must be energized within 18 months (24 months for community solar projects) after this contract is approved.

**Part II:** The second part of the application completed after energization, demonstrating completion of the project in accordance with the Part I parameters approved.

**GATS:** The PJM Environmental Information Service Generation Attribute Tracking System. This is an independent entity from the State of Illinois, the IPA, and the Adjustable Block Program. It is one of two tracking registries, which along with M-RETS can be used to track creation, transfer, and retirement of RECs. More information can be found at the PJM-GATS website at <https://www.pjm-eis.com>.

**Prevailing Wage:** A minimum compensation level set by the Illinois Department of Labor by county for construction activities related to public works. Section 1-75(c)(1)(Q) of the IPA Act (20 ILCS 3855) as

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<sup>95</sup> See: <https://www.midamericanenergy.com/home>

<sup>96</sup> See: <https://mtcpu.com/>

modified by Climate and Equitable Jobs Act (Public Act 102-0662) requires that individuals engaged in the construction of applicable projects submitted to the Adjustable Block Program (“ABP”) are paid the relevant prevailing wage.

**Program Administrator:** The IPA’s consultant responsible for running day to day operations of the Adjustable Block Program. Energy Solutions has been designated as the current Program Administrator.

**Project:** A solar photovoltaic array and all associated equipment necessary for its generation of electricity and connection to the distribution grid. (Same as “System”)

**Public Schools:** A category for Small and Large Distributed Generation projects and Community Solar projects which are located at a public school in Illinois. Under the Illinois Power Agency Act, the definition of “public schools” for this Program comes from the Illinois School Code, which includes any public school, common school, alternative public school, or free school operated by the authority of the Illinois School Code, including Illinois public schools from pre-school through grade 12, and vocational schools over which the State Board of Education has authority.

**Qualified Person:** “Qualified person” means a person who performs installations on behalf of the certificate holder and who has either satisfactorily completed at least five installations of a specific distributed generation technology or has completed at least one of the following programs requiring lab or field work and received a certification of satisfactory completion: an apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program; a North American Board of Certified Energy Practitioners (NABCEP) distributed generation technology certification program; an Underwriters Laboratories (UL) distributed generation technology certification program; an Electronics Technicians Association (ETA) distributed generation technology certification program; or an Associate in Applied Science degree from an Illinois Community College Board approved community college program in the appropriate distributed generation technology. To be considered a “qualified person”, the experience and/or training relied upon must be with the same type of distributed generation technology for which the qualification status is sought.

**REC Delivery Contract:** Agreement between an Approved Vendor and a utility counterparty (i.e., Ameren Illinois, ComEd, or MidAmerican) for the delivery of and payment for RECs from ABP projects. The 2019 REC Delivery Contract, published in January 2019, and the 2021 REC Delivery Contracts (2021 15-Year REC Delivery Contract and 2021 20-Year REC Delivery Contract), published in December 2021, differ in terms, some of which are highlighted in the table below. The 2022 REC Delivery Contracts (2022 15-Year REC Delivery Contract and 2022 20-Year REC Delivery Contract), published in August 2022 have similar terms to the 2021 REC Delivery Contracts.

**Renewable Energy Credit:** The environmental attributes represented by 1 MWh of electricity generated by a renewable generator.

**Renewable Portfolio Standard:** A law which requires a certain portion of the electricity served by investor-owned utilities in a state comes from renewable generation.

**Site map:** A site map is the map of the parcel(s) on which the solar project is sited. A site map should also include number of modules, rated capacities/module wattages, tilt orientation, azimuth angles, mounting locations, tracking type, and if the modules are monofacial or bifacial.

**Small DG:** A distributed generation system less than or equal to 25 kW in size. Prior to the December 14, 2021 reopening, Small DG projects needed to be less than or equal to 10 kW in size.

**Small Subscriber:** A residential or small commercial customer with a subscription below 25 kW. Eligible small commercial rate classes for the investor owned utilities are:

- Commonwealth Edison: “watt-hour delivery class” and “small load delivery class”
- Ameren Illinois: “DS-2”
- MidAmerican: “GE”, “GD”, “GET”, “GDT”, “GER”, and “GDR”

**Standard Test Conditions (STC):** The solar irradiation of one kilowatt (kW) per square meter, a module temperature of 25 degrees Celsius, and an air mass 1.5.

**Subscriber:** “Subscriber” is defined in Section 1-10 of the IPA Act as a person who (i) takes delivery service from an electric utility, and (ii) has a subscription of no less than 200 watts to a community renewable generation project that is located in the electric utility's service area. No subscriber's subscriptions may total more than 40% of the nameplate capacity of an individual community renewable generation project. Entities that are affiliated by virtue of a common parent shall not represent multiple subscriptions that total more than 40% of the nameplate capacity of an individual community renewable generation project.

**System:** A solar photovoltaic array and all associated equipment necessary for its generation of electricity and connection to the distribution grid. (Same as “Project”)

**Traditional Community Solar:** A solar project which (1) is interconnected to an electric utility, a municipal utility, or a rural electric cooperative, (2) allows subscribers to pay for shares or some other “interest” in the project, receiving bill credits in exchange; and (3) does not exceed 5,000 kW AC in size, and which is not seeking to participate in the Community-Driven Community Solar project category established through Section 1-75(c)(1)(K)(v) of the IPA Act. Also known as a “photovoltaic community renewable generation project.”

## Appendix A – Past REC Prices

### REC Pricing for the 2022-23 Program Year

Block Group	Block Category		2022-2023
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	Small DG	≤10 kW	\$78.51
		>10 - 25 kW	\$66.39
	Large DG	>25 - 100 kW	\$57.94
		>100 - 200 kW	\$58.85
		>200 - 500 kW	\$52.35
		>500 - 2,000 kW	\$50.42
		>2,000 - 5,000 kW	\$40.90
	Traditional Community Solar	≤25 kW	\$56.23
		>25 - 100 kW	\$59.19
		>100 - 200 kW	\$60.85
		>200 - 500 kW	\$57.22
		>500 - 2,000 kW	\$51.32
		>2,000 - 5,000 kW	\$45.50
	Community-Driven Community Solar	≤25 kW	\$71.60
		>25 - 100 kW	\$75.34
		>100 - 200 kW	\$77.27
		>200 - 500 kW	\$72.47
		>500 - 2,000 kW	\$64.76
		>2,000 - 5,000 kW	\$56.85
	Public Schools	≤25 kW	\$74.95
		>25 - 100 kW	\$65.57
		>100 - 200 kW	\$66.40
		>200 - 500 kW	\$58.94
		>500 - 2,000 kW	\$56.73
		>2,000 - 5,000 kW	\$45.72
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Small DG	≤10 kW	\$82.28
		>10 - 25 kW	\$71.89
	Large DG	>25 - 100 kW	\$62.23
		>100 - 200 kW	\$59.02
		>200 - 500 kW	\$53.11
		>500 - 2,000 kW	\$47.63
		>2,000 - 5,000 kW	\$33.31
	Traditional Community Solar	≤25 kW	\$61.54
		>25 - 100 kW	\$64.39
		>100 - 200 kW	\$65.23
		>200 - 500 kW	\$62.09
		>500 - 2,000 kW	\$55.50
		>2,000 - 5,000 kW	\$47.78
	Community-Driven Community Solar	≤25 kW	\$78.27
		>25 - 100 kW	\$82.16
		>100 - 200 kW	\$83.42
		>200 - 500 kW	\$79.19
		>500 - 2,000 kW	\$70.12
		>2,000 - 5,000 kW	\$59.44
	Public Schools	≤25 kW	\$81.16
		>25 - 100 kW	\$70.42
		>100 - 200 kW	\$66.59
		>200 - 500 kW	\$59.81
		>500 - 2,000 kW	\$53.59
		>2,000 - 5,000 kW	\$37.23

**REC Pricing for Reopening 2021**

The following table lists prices for RECs applied between the Program's December 2021 reopening and the Program's June 30, 2022 pause. These prices are no longer available for applications received on and after September 1, 2022 but are included here for reference.

Block Group	Block Category	Waitlisted Applications Submitted on or Before 11/1/2021		New Submittals Starting 12/14/21		
		Block 4	Block 5	Block 1	Block 4	Block 5
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	Small DG	<=25 kW	\$75.29	-	\$75.29	-
	Large DG	>25-100 kW	-	\$54.71	-	\$57.82
		>100-200 kW	-	\$44.62	-	\$47.03
		>200-500 kW	-	\$39.79	-	\$41.48
		>500-5000 kW	-	\$36.88	-	\$38.33
	Traditional Community Solar	<=10 kW	-	\$98.88	-	-
		>10-25 kW	-	\$91.67	-	-
		>25-100 kW	-	\$78.83	-	-
		>100-200 kW	-	\$70.49	-	-
		>200-500 kW	-	\$66.50	-	-
		>500-2000 kW	-	\$63.97	-	-
		Co-located systems >2MW in aggregate	-	\$59.79	-	-
	Public Schools (DG Only)	<=25 kW	-	\$69.63	-	-
		>25-100 kW	-	\$56.99	-	-
		>100-200 kW	-	\$46.48	-	-
		>200-500 kW	-	\$41.45	-	-
	Community Driven Community Solar	<=10 kW	-	\$98.88	-	-
		>10-25 kW	-	\$91.67	-	-
		>25-100 kW	-	\$78.83	-	-
		>100-200 kW	-	\$70.49	-	-
		>200-500 kW	-	\$66.50	-	-
		>500-5000 kW	-	\$63.97	-	-
	Equity Eligible Contractor Projects (DG Only)	<=25 kW	-	\$75.29	-	-
		>25-100 kW	-	\$54.71	-	-
		>100-200 kW	-	\$44.62	-	-
		>200-500 kW	-	\$39.79	-	-
		>500-5000 kW	-	\$36.88	-	-
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	Small DG	<=25 kW	\$64.56	-	\$64.56	-
	Large DG	>25-100 kW	-	\$55.73	-	\$58.84
		>100-200 kW	-	\$45.66	-	\$48.06
		>200-500 kW	-	\$40.83	-	\$42.51
		>500-5000 kW	-	\$37.91	-	\$39.37
	Traditional Community Solar	<=10 kW	-	\$94.94	-	-
		>10-25 kW	-	\$87.72	-	-
		>25-100 kW	-	\$74.83	-	-
		>100-200 kW	-	\$66.46	-	-
		>200-500 kW	-	\$62.45	-	-
		>500-2000 kW	-	\$59.89	-	-
		Co-located systems >2MW in aggregate	-	\$55.68	-	-
	Public Schools (DG Only)	<=25 kW	-	\$64.79	-	-
		>25-100 kW	-	\$58.05	-	-
		>100-200 kW	-	\$47.56	-	-
		>200-500 kW	-	\$42.53	-	-
	Community Driven Community Solar	<=10 kW	-	\$94.94	-	-
		>10-25 kW	-	\$87.72	-	-
		>25-100 kW	-	\$74.83	-	-
		>100-200 kW	-	\$66.46	-	-
		>200-500 kW	-	\$62.45	-	-
		>500-5000 kW	-	\$59.89	-	-
	Equity Eligible Contractor Projects (DG Only)	<=25 kW	-	\$64.56	-	-
		>25-100 kW	-	\$55.73	-	-
		>100-200 kW	-	\$45.66	-	-
		>200-500 kW	-	\$40.83	-	-
		>500-5000 kW	-	\$37.91	-	-



**REC Pricing for 2019 Initial Program Opening**

The following table lists prices for RECs applied prior to the Program's December 2021 reopening. **All cells are shaded, indicating that these prices are no longer available for applications received on and after September 1, 2022 but are included here for reference.**

<b><u>Block Group</u></b>	<b><u>Block Category</u></b>		<b><u>Block 1</u></b>	<b><u>Block 2</u></b>	<b><u>Block 3</u></b>	<b><u>Block 4</u></b>
Group A (Ameren Illinois, MidAmerican, Mt. Carmel, Rural Electric Cooperatives, and Municipal Utilities located in MISO)	<u>Small DG</u>	<u>≤10 kW</u>	<u>\$85.10</u>	<u>\$81.70</u>	<u>\$78.43</u>	
	<u>Large DG</u>	<u>&gt;10 - 25 kW</u>	<u>\$78.70</u>	<u>\$75.55</u>	<u>\$72.53</u>	<u>\$69.63</u>
		<u>&gt;25 - 100 kW</u>	<u>\$64.41</u>	<u>\$61.83</u>	<u>\$59.36</u>	<u>\$56.99</u>
		<u>&gt;100 - 200 kW</u>	<u>\$52.54</u>	<u>\$50.44</u>	<u>\$48.42</u>	<u>\$46.48</u>
		<u>&gt;200 - 500 kW</u>	<u>\$46.85</u>	<u>\$44.98</u>	<u>\$43.18</u>	<u>\$41.45</u>
		<u>&gt;500 - 2,000 kW</u>	<u>\$43.42</u>	<u>\$41.68</u>	<u>\$40.02</u>	<u>\$38.42</u>
	<u>Community Solar</u>	<u>≤10 kW</u>	<u>\$96.12</u>	<u>\$92.28</u>	<u>\$88.58</u>	<u>\$85.04</u>
		<u>&gt;10 - 25 kW</u>	<u>\$87.07</u>	<u>\$83.59</u>	<u>\$80.24</u>	<u>\$77.03</u>
		<u>&gt;25 - 100 kW</u>	<u>\$70.95</u>	<u>\$68.11</u>	<u>\$65.39</u>	<u>\$62.77</u>
		<u>&gt;100 - 200 kW</u>	<u>\$60.47</u>	<u>\$58.05</u>	<u>\$55.73</u>	<u>\$53.50</u>
		<u>&gt;200 - 500 kW</u>	<u>\$55.46</u>	<u>\$53.24</u>	<u>\$51.11</u>	<u>\$49.07</u>
		<u>&gt;500 - 2,000 kW</u>	<u>\$52.28</u>	<u>\$50.19</u>	<u>\$48.18</u>	<u>\$46.25</u>
		<u>Co-located systems exceeding 2 MW in aggregate size</u>	<u>\$47.03</u>	<u>\$45.15</u>	<u>\$43.34</u>	<u>\$41.61</u>
Group B (ComEd, and Rural Electric Cooperatives and Municipal Utilities located in PJM)	<u>Small DG</u>	<u>≤10 kW</u>	<u>\$72.97</u>	<u>\$70.05</u>	<u>\$67.25</u>	
	<u>Large DG</u>	<u>&gt;10 - 25 kW</u>	<u>\$73.23</u>	<u>\$70.30</u>	<u>\$67.49</u>	<u>\$64.79</u>
		<u>&gt;25 - 100 kW</u>	<u>\$65.61</u>	<u>\$62.99</u>	<u>\$60.47</u>	<u>\$58.05</u>
		<u>&gt;100 - 200 kW</u>	<u>\$53.75</u>	<u>\$51.60</u>	<u>\$49.54</u>	<u>\$47.56</u>
		<u>&gt;200 - 500 kW</u>	<u>\$48.07</u>	<u>\$46.15</u>	<u>\$44.30</u>	<u>\$42.53</u>
		<u>&gt;500 - 2,000 kW</u>	<u>\$44.64</u>	<u>\$42.85</u>	<u>\$41.14</u>	<u>\$39.49</u>
	<u>Community Solar</u>	<u>≤10 kW</u>	<u>\$91.89</u>	<u>\$88.21</u>	<u>\$84.69</u>	<u>\$81.30</u>
		<u>&gt;10 - 25 kW</u>	<u>\$82.82</u>	<u>\$79.51</u>	<u>\$76.33</u>	<u>\$73.28</u>
		<u>&gt;25 - 100 kW</u>	<u>\$66.65</u>	<u>\$63.98</u>	<u>\$61.42</u>	<u>\$58.96</u>
		<u>&gt;100 - 200 kW</u>	<u>\$56.12</u>	<u>\$53.88</u>	<u>\$51.72</u>	<u>\$49.65</u>
		<u>&gt;200 - 500 kW</u>	<u>\$51.09</u>	<u>\$49.05</u>	<u>\$47.08</u>	<u>\$45.20</u>
		<u>&gt;500 - 2,000 kW</u>	<u>\$47.88</u>	<u>\$45.96</u>	<u>\$44.13</u>	<u>\$42.36</u>
		<u>Co-located systems exceeding 2 MW in aggregate size</u>	<u>\$42.59</u>	<u>\$40.89</u>	<u>\$39.25</u>	<u>\$37.68</u>



## Appendix **AB** – EEC Certification

### CERTIFICATION OF QUALIFICATION FOR EQUITY ELIGIBLE CONTRACTOR STATUS

Name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Organization/Entity: \_\_\_\_\_

Please select the option that best describes your association with the organization/entity:

- ☐ Sole Owner
- ☐ Joint Owner or Partner
- ☐ Independent contractor offering professional services
- ☐ Shareholder
- ☐ Board member

This certification will be used to determine the whether the above-listed individual, organization, or entity qualifies as an equity eligible contractor under Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) as amended by Public Act 102-0662. Under this provision, a business that is majority-owned by eligible persons or a non-profit or cooperative organization that is majority-governed by eligible persons qualifies as an equity eligible contractor. Persons identifying as one of the following qualify as an eligible person offering personal services as an independent contractor.

By checking a box and signing below, you certify that the information provided is true and complete and that you understand that this document will be used for state government purposes. Please select the category for which you qualify:

- ☐ I have graduated from or am a current or former participant in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.
- ☐ I am a graduate of or am currently enrolled in the foster care system.
- ☐ I have been convicted of a crime and was incarcerated for that conviction.
- ☐ My primary residence is located in an equity investment eligible community, as defined by Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) and amended by Public Act 102-0662.

If you would like the Illinois Power Agency to treat this attestation and the information therein as confidential, please check the box below.

- ☐ Please keep the information attested to above confidential and do not release it without my written permission.

I certify that I have personal knowledge of the above information and that it is true and correct.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date \_\_\_\_/\_\_\_\_/\_\_\_\_

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TO BE COMPLETED BY THE APPROVED VENDOR

As the applying Approved Vendor seeking certification as an equity eligible contractor, I attest to understanding that this information will be used for state government purposes and that knowingly providing false or misleading information may result in denial of the application or other consequences, including possible Program disciplinary action against an applicant Approved Vendor.

Printed Name: \_\_\_\_\_

Authorized Vendor Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Appendix BC – Agrivoltaics Requirements

### Definition of Agrivoltaics

The definition of agrivoltaics written by the Agency in the original strawman proposal was generally supported by stakeholder feedback. Therefore, the definition will be as follows:

The IPA proposes to define agrivoltaics as “[a] dual-use configuration where solar photovoltaic energy generation and agricultural production (crops, livestock, and livestock products as defined by 505 ILCS 5/3.02) are directly integrated and simultaneously producing within the footprint of the project. At least 50% of the project footprint must feature agricultural production at the time of project energization.”

The Agency is implementing an initial 50% project footprint requirement, which may be reevaluated in the drafting of the Agency’s next Long-Term Renewable Resources Procurement Plan, if needed.

#### Livestock Grazing

The majority of stakeholder comments supported the inclusion of grazing in the definition of agrivoltaics projects. As such, livestock grazing will be included as a type of permissible agriculture uses under agrivoltaics, as it supports the spirit of agricultural production coinciding with solar energy production.

#### Bee Keeping

The Agency has determined that beekeeping will not qualify for agrivoltaics scoring. Given the ability to relocate bees, the IPA is concerned that the opportunities for gaming the scoring rubric outweigh the benefits. Furthermore, additional points are available for pollinator-friendly siting, which would allow and support beekeeping efforts.

### Requirements for Successful Agrivoltaics Plans

In order to achieve the point available for scoring criterion *Built Environment - Agrivoltaics*, projects must comply with the requirements listed below. These requirements outline the types of projects and activities that qualify as agrivoltaics within the Program. These standards were utilizing American Farmland Trust’s stakeholder feedback comments and standards established by the Solar Massachusetts Renewable Target Program.<sup>97</sup>

The Part I application must include a description demonstrating the planned agricultural use of the site, and explanation of the viability of that use, and an accompanying attestation of the intent to utilize agrivoltaics

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<sup>97</sup> “Guideline Regarding the Definition of Agricultural Solar Tariff Generation Units,” Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, last modified April 26, 2018, <https://www.mass.gov/doc/agricultural-solar-tariff-generation-units-guideline-final/download>

throughout the lifetime of the REC contract. Firm demonstration of active agricultural use is required at Part II.

Agrivoltaics plans submitted in the Part I application should include documentation of the following:

1. Solar panels do not interfere with the continued use of land beneath the canopy for agricultural purposes;
2. The solar panels optimize a balance between electricity generation and agricultural production;
3. The system:
  - a. Accommodates continuous growth of crops underneath or between the solar photovoltaic modules, with height enough for labor and/or machinery as it relates to tilling, cultivating, soil amendments, harvesting, etc. and grazing animals;
  - b. Maintains or enhances the agricultural productivity of the land and soil health throughout the lifetime of the system;
4. Crop(s) are compatible with the design of the agricultural solar system accounting for such factors as crop selection, sunlight percentage, etc.;
5. Commitment to the annual reporting of the productivity of the crop(s) and herd, including pounds harvested and/or grazed, herd size growth, success of the crop, potential changes, etc., shall be provided one year after project implementation and throughout the project's lifetime;
6. The system design information, shall include, but is not limited to:
  - a. dual-use type, e.g., ground mount racking, pole towers, tracking, etc.;
  - b. total gross acres of open farmland to be integrated with the project;
  - c. type of crop(s) to be grown, including grazing crops;
  - d. pounds of crop(s) projected to be grown and harvested, or grazed;
  - e. animals to be grazed with herd size(s); and
  - f. design drawing including mounting system type (fixed, tracking), panel tilt, panel row spacing, individual panel spacing, for pole towers tower spacing and mounting height, etc.;
7. The system is designed and maintained with provisions for decommissioning to preserve the land's agricultural resources and utility during and after the project's lifetime; and
8. The land is continuously used for agrivoltaics purposes through the duration of the REC Delivery Contract, while seasonally appropriate.

## Appendix ~~CD~~ – Brownfield Requirements

The requirements of this ~~section~~ appendix apply only to projects seeking points under Traditional Community Solar scoring criterion 1.b due to location on a brownfield site.

### A. Location Information

A brownfield site photovoltaic project must be located in Illinois and must be entirely contained within the brownfield site. An Approved Vendor must provide the following information about the location of the project:

- A complete address for the Project; and
- A map of the Project site clearly showing the site location.

The Program Administrator may request additional information regarding the Project site and the Approved Vendor will be required to respond to any such request for additional information. If the project is co-located with another facility on a greenfield site, the Approved Vendor must disclose this fact and the Program Administrator may request additional information, which the Approved Vendor will be required to provide with its Part I application.

### B. Project Site

The Approved Vendor must indicate whether the project site is an area that is regulated by one the following entities under the following “Programs”: (1) the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”); (2) the United States Environmental Protection Agency (“U.S. EPA”) under the Corrective Action Program of the federal Resource Conservation and Recovery Act, as amended (“RCRA”); (3) the Illinois Environmental Protection Agency (“IEPA”) under the Illinois Solid Waste Program; or (4) the Illinois Environmental Protection Agency under the Illinois Site Remediation Program (“SRP”). Or the Approved Vendor must indicate that the project site is located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues.

### C. Supporting Documentation for Projects Regulated by One of the Programs

The Approved Vendor must submit sufficient documentation, dated no earlier than 25 years prior to the application date, to demonstrate that the project site is regulated by the Program named in the immediately previous item. Sufficient documentation means: (i) for CERCLA, a site assessment, remedy decision, cleanup plan, or similar document; (ii) for RCRA, a demonstration of the U.S. EPA requiring corrective action such as a permit application, administrative order, court order, or equivalent document; (iii) for the IEPA Solid Waste Program, a solid waste permit; and (iv) for the IEPA Site Remediation Program, the Bidder must provide a Site Investigation Report, or a Remedial Action Plan, or a Remedial Action Completion Report, or a No Further Remediation Letter. The Program

Administrator may consider other forms of documentation provided by the Approved Vendor to demonstrate regulation under the above Programs if appropriate.

**D. Additional Documentation for Projects Regulated by the IEPA SRP**

The requirements of this item apply only to sites regulated by the IEPA Site Remediation Program ("IEPA SRP"). In such a case, the Approved Vendor must demonstrate actual blight or contamination of the site by providing one of the following in the Part I application: (i) proof that the project site is also regulated by another Program referenced in Section 1-10 of the IPA Act (if documentation from another Program could not be submitted instead of the documentation from the IEPA Site Remediation Program because it was dated before a date 25 years prior to the Bid Date); or (ii) demonstration of contamination at the Project site and determination of the need for remediation activities through a site assessment from the U.S. EPA Targeted Brownfields Assessment; or (iii) additional documents from the IEPA Site Remediation Program. If the Approved Vendor is electing to provide additional documents from the IEPA Site Remediation Program, the Bidder must: (a) if the Approved Vendor has not already done so, provide a Remedial Action Plan and such document must demonstrate that concentrations of contaminants at the project site exceeded the remediation objectives established for the project site and require remediation activities; and (b) if the Approved Vendor has not already done so, provide the Remedial Action Completion Report and a No Further Remediation Letter, or certify that such documents have not been issued. If the Remedial Action Completion Report has been issued, it must be provided; it must state that remediation was indeed conducted at the Project site, and it must be dated later than the Remedial Action Plan. If a No Further Remediation Letter is provided, it must cover the entirety of the Project site.

**E. Supporting Documentation for Projects Located at the Site of a Permanently Closed Coal Mine**

The requirements of this item apply only to sites located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues. The Approved Vendor must provide a certification that as of the submission of the Part I application, the coal mine at which the project is located has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues. The Approved Vendor must also submit sufficient documentation to demonstrate that the Project site has both completed all clean-up and remediation obligations under the federal Surface Mining and Reclamation Act of 1977 and all applicable Illinois rules and any other clean-up, remediation, or ongoing monitoring to safeguard the health and well-being of the people of the State of Illinois, as well as demonstrated compliance with all applicable federal and State environmental rules and regulations, including, but not limited, to 35 Ill. Adm. Code Part 845 and any rules for historic fill of coal combustion residuals, including any rules finalized in Subdocket A of Illinois Pollution Control Board docket R2020-019. Sufficient documentation means all of: (1) a copy of the permit(s) for coal mining operation/operations including a copy of the reclamation plan approved by the Department of Natural Resources; (2) a copy of the Department of Natural Resources decision approving the permit(s); and (3) documented confirmation that reclamation Phases I, II, and III have been completed for the project site by providing evidence that the entirety of the performance bond for the project site has been released. Sufficient evidence of performance bond release at the completion of Phase III includes, but is

not limited to, a screenshot from the Illinois Mine Permits map showing the Phase 3 Status is “Released” or other documentation, if appropriate. The permit(s) must cover the project site, which may be a portion of the coal mine. The Program Administrator may consider other forms of supporting documentation provided by the Approved Vendor if appropriate.

#### Status of Remediation

The Approved Vendor must provide describe the status of remediation of the project site.

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## Appendix E - Scoring Criteria for Traditional Community Solar Projects

The Agency will begin accepting Traditional Community Solar applications on the first day of each program year with that “first day” application window ending at 11:59:59 PM CT each June 1st. Should first day project applications *not* exceed category capacity, then all applicant projects otherwise qualifying shall be deemed acceptable and may qualify for a REC Delivery Contract. Should category capacity fill later in the program year, then from that point forward, only projects meeting this scoring threshold of 5 points may be considered for an eligible for a spot on the waitlist for the Traditional Community Solar category.

If in the Program Administrator’s review of an application, it is discovered that a project qualifies for points that an Approved vendor did not claim in the relevant application, those points will be awarded to the project. Still, Approved Vendors should be diligent in their applications, working to claim all relevant points for a project at the time of application.

### 1. Built Environment (Maximum of 4 points permitted)

- a. Sited on “disturbed land” as defined by United States Geological Survey,<sup>98</sup> “contaminated lands” as defined by the United States Environmental Protection Agency,<sup>99</sup> or rooftops or other structures as outlined in the Commission’s Final Order. (Add 2 points)
- b. Sited on a brownfield, as defined in Section 1-10 of the IPA Act and further clarified in Section 5.4.2 of the Plan.<sup>100</sup> (Add 2 points)

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<sup>98</sup> The USGS further defines disturbed lands between mechanically and non-mechanically disturbed lands, both which fall under the larger umbrella of disturbed lands used in this Plan.

Mechanically disturbed - Land in an altered and often non-vegetated state that, due to disturbances by mechanical means, is in transition from one cover type to another. Mechanical disturbances include forest clear-cutting, earthmoving, scraping, chaining, reservoir drawdown, and other similar human-induced changes.

Non-mechanically disturbed - Land in an altered and often non-vegetated state that, due to disturbances by nonmechanical means, is in transition from one cover type to another. Nonmechanical disturbances are caused by wind, floods, fire, animals, and other similar phenomenon.

Given that USGS no longer utilizes these classifications as land cover categories and does not have an available mapping tool and the Agency considers this definition to have been approved by the Commission through its Final Order in Docket No. 22-0231, compliance will be demonstrated through supporting documentation (which could include government records, financial records, other land use records, news stories, attestations from local officials, and other records demonstrating that the site meets the disturbed land criterion) and an accompanying certification from the applicant.

<sup>99</sup> See U.S. EPA definition for contaminated lands.

<sup>100</sup> The Agency recognizes that there may be overlap between projects defined by the U.S. Environmental Protection Agency (“EPA”) as a brownfield that also meet the definition of contaminated lands. The Agency believes that allowing a contaminated project that qualifies as a brownfield site under Section 1-10 of the IPA Act to receive points in both categories fits within the spirit of this scoring criteria. Therefore, if a project is sited on a location that independently qualifies as both contaminated



- c. Commitment to utilize agrivoltaics.<sup>101</sup> (Add 1 point)
- d. Commitment to pollinator friendly habitat, as defined in the Pollinator Friendly Solar Site Act (525 ILCS 55).<sup>102</sup> (Add 1 point)
- e. Sited on Conservation Opportunity Areas as defined by the Illinois Department of Natural Resources.<sup>103</sup> (Subtract 2 points, unless the project received points for 1.d. *and* is sited in an Environmental Justice Community, an R3 area, and/or on a brownfield site, contaminated land, disturbed land, or rooftop or other structure)

## 2. Siting (Maximum of 4 points permitted)

- a. Sited in an Environmental Justice Community<sup>104</sup> or an R3 area.<sup>105</sup> (Add 2 points)
- b. Sited on land owned by a non-profit or public entity. (Add 2 points)
- c. Sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County) that does not currently have a community solar project that was approved by the ICC for a REC contract under the Adjustable Block Program at the time of application.<sup>106</sup> (Add 2 points)

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lands defined by the U.S. EPA *and* as a brownfield under Section 1-10 of the IPA Act, the project may receive points under both (a) and (b) of the Built Environment scoring.

In order to qualify as a brownfield under Section 1-10 of the IPA Act, the project must be able to demonstrate that it is sited in an area that is either (1) located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues, or (2) is regulated by one of the following entities under the following programs: (a) the U.S. EPA under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"); (b) the U.S. EPA under the corrective Action Program of the federal Resource Conservation and Recovery Act, as amended ("RCRA"); (c) the Illinois EPA under the Illinois Solid Waste Program; or (d) the Illinois EPA under the Illinois Site Remediation Program ("ISRP"). Approved Vendors must submit sufficient documentation to demonstrate that the project is located at the site of a permanently closed coal mine or a site regulated by the identified program above.

To demonstrate brownfield qualification, the IPA will use the same qualification and evidentiary standards as utilized in its most recent Indexed REC procurement event; those can be found in Appendix C – Brownfield Requirements.

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<sup>101</sup> The definition of agrivoltaics and requirements for this scoring criterion are found in Appendix B – Agrivoltaics Requirements.

<sup>102</sup> Resources for how to successfully certify as pollinator friendly here: <https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx> ; The pollinator friendly distinction is limited to ground mounted solar sites per 525 ILCS 55 and the pollinator friendly aspect of the project must exist on the same parcel as the solar project.

<sup>103</sup> See IDNR's Conservation Opportunity Areas Region Locator Map here: <https://www2.illinois.gov/dnr/conservation/IWAP/pages/conservationopportunityareas.aspx>. A more detailed set of maps is also available at: <https://hub.arcgis.com/maps/IDNR::conservationopportunityareas/about>

<sup>104</sup> A map of Environmental Justice Communities as defined by the IPA through its Illinois Solar for all Program can be found here: <https://elevate.maps.arcgis.com/apps/webappviewer/index.html?id=cfd020c99ed844668450c6b77each411>

<sup>105</sup> R3 Areas established pursuant to Section 10-40 of the Cannabis Regulation and Tax Act, are defined as areas where residents have historically been excluded from economic opportunities, including opportunities in the energy sector; For a map see: <https://r3.illinois.gov/eligibility>

<sup>106</sup> Multiple projects in a given county or township that does not presently feature a community solar project either under contract or part of developers' March 2022 reopening portfolios may receive points in this category for the current program year. Project application reports will be used to verify this information. Program Application reports can be found here: <https://illinoisabp.com/project-application-reports/>

### **3. Equity Eligible Contractors (Maximum 4 points permitted)<sup>107</sup>**

- a. Project is developed by an EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work<sup>108</sup> to be performed by EEC certified Designees. (Add 4 points)
- b. Project is developed by a non-EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work to be performed by EEC certified Designees. (Add 3 points)
- c. Project is developed by an EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that **work on the project represent** 50% or more of the project's REC Contract value.<sup>109</sup> (Add 2 points)
- d. Project is developed by a non-EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that **work on the project represent** 50% or more of the project's REC Contract value. (Add 1 point)

### **4. Interconnection Status – Maximum of 4 points permitted**

- a. Project has a valid interconnection agreement at the time of application (Add 1 point)<sup>110</sup>
- b. Project has a top-two queue position among community solar projects on a substation on the date of the application (Add 2 points)<sup>111</sup>
- c. Recency of project having obtained a valid interconnection agreement (Add up to 1 point)

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<sup>107</sup> For purposes of this scoring category, Designees that have submitted an application but are not yet certified as Equity Eligible Contractors by the Program Administrator will be permitted to be utilized as EEC Designees. If a Designee's EEC application is not approved by the Program Administrator, a substitution will need to be made for a qualifying EEC Designee. EEC Designees will need to be certified by the application scoring cure period. This allowance will only be made in the initial scoring of Day 1 applications. After such time, all EEC Designees must be certified at the time of Part I application submission to achieve points for the EEC scoring criteria.

<sup>108</sup> For purposes of this category, "project development work" refers to all construction and electrical work on a project, and project-specific site assessment work such as permitting, legal, and other site-specific development work, including work that may have already been undertaken prior to project application. Non-site specific development functions (such as general sales and marketing activities) will not be considered as project development work. This definition also differs from the "project workforce" definition utilized for the Minimum Equity Standards as outlined in P.A. 102-0662, for which a firm's Illinois-based employees are included in the "project workforce" regardless of function.

<sup>109</sup> For purposes of this category, the IPA will assess the percentage of the REC contract value spent utilizing EEC-certified Designees to be taken through a comparison of a) the value of the REC Delivery Contract (expected deliveries x REC price across the contract term) and b) the demonstrated value of agreements for the project development construction and electrical work to be performed by EEC-certified Designees in developing the project, with those agreement submitted to the Program Administrator at the Part II stage. If the latter value meets or exceeds 50% of the former value, then that project will be deemed to have met this criterion.

<sup>110</sup> Pursuant to Article 3 of the Interconnection Contract (see 83 Ill. Adm. Code Part 467, Appx. C), the interconnection agreement will be considered "valid" if it is fully executed by both parties and the effective of the contract date (i.e., the date noted in the first paragraph of the agreement, pursuant to 3.1 of the contract) falls before the date of the application.

<sup>111</sup> Demonstration of queue position among other community solar projects can be accomplished through a snapshot of the interconnection queue (taken after interconnection agreement execution), verification from interconnecting utility, or other supporting materials, if applicable, submitted with a project application and accompanying certification. The IPA will also endeavor to work with the utilities to verify the accuracy of queue position submittals and reserves the right to take disciplinary action against firms found to have knowingly submitted a false queue position.

- i. Should project applications received on the first day exceed category capacity, the project with the earliest interconnection agreement effective date will receive a full 1 point. If there are multiple projects that share the earliest interconnection agreement effective date, they will each receive 1 point.<sup>112</sup>
- ii. The project with the latest (i.e., most recent) interconnection agreement effective date will receive 0.25 points. If there are multiple projects that share the latest interconnection agreement effective date, they will each receive 0.25 points.
- iii. Projects applying on November 1, 2022, with an interconnection agreement effective date between the earliest and latest dates as established in i. and ii. directly above, will be assigned points based on a sliding scale between 1 and 0.25 points based upon their rank-order from the earliest effective interconnection date to the latest effective interconnection date. Each independent effective interconnection date within this rank-order will be assigned an independent fractional score between 1 point and 0.25 points. As such, projects that have the same effective interconnection agreement date will receive the same number of points.
- iv. If a project lacks an effective interconnection agreement, no points will be awarded to that project under this category for that project.
- v. For projects submitted *after* the first day of category opening (i.e., on or after 12:00:00 AM CT November 2, 2022), will be assigned points based upon the recency of the agreement on a sliding scale based upon their rank-order from earliest effective interconnection date to the latest effective interconnection date; the maximum available points for recency of interconnection agreement shall be .25 points (for the earliest interconnection date), and the minimum points available shall be .10 points (for the latest interconnection date).

### **Developer Cap**

A 20% developer cap will be applied across megawatts awarded, rather than the number of contracts awarded (that is, if the capacity for the Traditional Community Solar category were to be 100 MW in a program year, a single developer could be awarded at most 20 MW; the number of contracts awarded is unrelated to the developer cap).

Contract awards for established projects should not be made to a firm who would then hold over 20% of contract awards made for that program year (non-inclusive of transfers or assignments) through the waitlisted project contract award. Thus, while an entity that was awarded the maximum of 20% of REC Delivery Contract awards could have the highest ranked projects on an ordinal waitlist (and that ranking would not change, including for use in the next program year), those projects would only be awarded REC Delivery Contracts in the current program year in the case of a removal of one (or more) of that entity's projects already having received a contract award so as to ensure that the 20% developer cap would not be exceeded.

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<sup>112</sup> As noted above, Section 3.1 of the contract defines the effective date of the interconnection agreement as the date noted in the first paragraph of the agreement. (83 Ill. Adm. Code Part 467, Appx. C).

### Qualification and Demonstration

Each criterion carries different challenges with verifying qualification for preference in scoring. While some criteria are binary and compliance can be demonstrated through an address or cross-referencing a map, in other cases, robust documentation will be required to demonstrate qualification. In general, qualification will be demonstrated through supporting materials demonstrating that the criterion is met and an accompanying attestation, and the Program Administrator will assess the sufficiency of a submittal and request additional information where appropriate. Supporting documentation for each criterion the Approved Vendor seeks to score points for will need to be submitted in the portal at the time of application.

Demonstration of compliance with EEC scoring adds timing challenges: while demonstration that the *applicant Approved Vendor* is an EEC is straightforward—either that entity has qualified as an EEC, or it has not—demonstrating qualification of subcontractor Designees may not be possible at the time of Part I application. Therefore, while an applicant need not demonstrate contractual relationships with an EEC sufficient to cover all or up to half of project development work at the time of Part I application, the Part I application must include identification of an applicable EEC and an attestation from an EEC of its interest and capacity to perform project development work.

### Verification

In the event that the capacity for the Traditional Community Solar block is exceeded on Day 1, the Program Administrator's application review team will first seek to review all submitted **Day 1 applications for any deficiencies. In order for applications to be considered fully submitted, they must be batched and payment of the application fee should be initiated.** This review process will assess only project specifications and requirements, not any attributes of the project submitted for scoring purposes. This application review process will take place prior to any application scoring to ensure that the universe of applications being scored is viable. After the project specifications for these applications are reviewed and deficiencies cured, the application scoring will commence. After scores are determined by the Program Administrator's scoring team, those scores will be shared individually with each Approved Vendor for review. After review of scores is completed, all scores will be made public and the ranked ordinal list will be posted publicly. Any subsequent Traditional Community Solar applications submitted to the Program will be added to a waitlist, so long as the applications meet the minimum point threshold for waitlist acceptance.

### Proposed Schedule for Application Review and Scoring<sup>113</sup>

#### 1. Application Review Period

a. Applications undergo initial review by Program Administrator – Approximately 4 weeks

#### 2. Application Cure Period

a. Approved Vendors cure deficiencies identified by Program Administrator – Approximately 2 weeks

#### 3. Application Scoring Period

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<sup>113</sup> Please note this schedule is tentative for each program year and will be dependent on both the quality and quantity of applications received.

- a. Program Administrator begins scoring process for all relevant applications (those submitted without deficiencies and those that successfully cure deficiencies during the 2 week cure period) – Approximately 3 weeks
4. Scoring Cure Period
- a. Approved Vendors are offered a chance to review initial score and dispute and resolve any discrepancies – Approximately 2 weeks

Final scores will be posted publicly after the scoring cure period closes.

### **Compliance**

Approved Vendors will be asked to submit proper documentation for each scoring criterion sought based on the following table.

#### **1. Submissions at Part I Application**

<b><u>Scoring Criterion</u></b>	<b><u>Topic</u></b>	<b><u>What Should Be Submitted</u></b>
<u>1.a</u>	<u>Built Environment – Disturbed/Contaminated Land</u>	<u>Provide documentation of qualifications per definition</u>
<u>1.b</u>	<u>Built Environment – Brownfield</u>	<u>Provide documentation of qualifications per definition</u>
<u>1.c</u>	<u>Built Environment – Agrivoltaics</u>	<u>Agrivoltaics development plan with all required items outlined in Appendix A</u>
<u>1.d</u>	<u>Built Environment – Pollinator Friendly Habitat</u>	<u>Pollinator Friendly Habitat development plan that aligns with IDNR’s Illinois Planned Pollinator Habitat on Solar Sites Scorecard<sup>114</sup></u>
<u>1.e</u>	<u>Built Environment – Conservation Opportunity Area (“COA”)</u>	<u>Statement that this scoring criterion is sought after (Yes/No)</u>  <u>AND</u>  <u>Name of COA project is located in</u>
<u>2.a</u>	<u>Siting – Environmental Justice Community and R3 area</u>	<u>Statement that this scoring criterion is sought after (Yes/No)</u>

<sup>114</sup> See: <https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>

<u>2.b</u>	<u>Siting – Land owned by non-profit or public entity</u>	<u>Site control documentation that proves ownership</u>
<u>2.c</u>	<u>Siting – County without Community Solar (both TCS and CDCS) project</u>	<u>Statement that this scoring criterion is sought after (Yes/No)</u>
<u>3.a</u>	<u>Equity Eligible Contractor – EEC AV and EEC Designee(s)</u>	<u>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</u>
<u>3.b</u>	<u>Equity Eligible Contractor – Non-EEC AV and EEC Designee(s)</u>	<u>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</u>
<u>3.c</u>	<u>Equity Eligible Contractor – EEC AV and 50% of development work performed by EEC Designee(s)</u>	<u>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</u>  <u>AND</u>  <u>Attestation from EEC Designee(s) of its interest and capacity to perform project development work</u>
<u>3.d</u>	<u>Equity Eligible Contractor – Non-EEC AV and 50% of development work performed by EEC Designee(s)</u>	<u>Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification</u>  <u>AND</u>  <u>Attestation from EEC Designee(s) of its interest and capacity to perform project development</u>
<u>4.a</u>	<u>Interconnection Status – Valid Interconnection Agreement<sup>115</sup></u>	<u>Copy of agreement and date of last signature (thus making the agreement valid)</u>  <u>If not applicable, please state “N/A” or “No interconnection agreement available”</u>
<u>4.b</u>	<u>Interconnection Status – Top 2 Queue Position</u>	<u>Identifier of relevant substation</u>

<sup>115</sup> A valid interconnection agreement is an agreement signed by both the interconnecting utility and the customer. Partially executed agreements will not be accepted.

		and queue position (if available)  If not applicable, please state "N/A" or "No queue position available"
4.c	<u>Interconnection Status – Recency of Interconnection Agreement</u>	<u>No submission of information required, can be determined from information provided via item 4.a</u>

## **2. Changes between Part I and Part II**

Failure to meet any criteria which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified. For example, if a project did not use sufficient levels of EEC Designees as submitted in the Part I application or failed to leverage the project site for agricultural use as stated in an agrivoltaics plan submitted in the Part I application, the Program Administrator would not Part II verify the project. Approved Vendors would have the right to appeal Program Administrator determinations of non-compliance with scoring criteria to the IPA. A demonstrated pattern of such defaults could result in disciplinary action, including ineligibility for future contract awards.

### **a. Permitted Changes Between Part I and Part II Application**

#### i. Agrivoltaics

1.Changes to an agrivoltaics plan, such as a change in crop utilization or footprint size (above the required 50% outlined in Appendix A), are permitted. Any changes to an agrivoltaics plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.

#### ii. Pollinator Friendly Habitat

1.Changes to a Pollinator Friendly Habitat plan, such as a change in crop utilization, are permitted. Any changes to a Pollinator Friendly Habitat plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.

#### iii. EEC Designee Substitution

1.Substitution of the EEC Designee(s) that will support a project due to unforeseen circumstances can be made between the Part I and Part II application. Any substitutions must be made in writing to the Program Administrator, and are subject to review and verification.

## **3. Part II Verification of Commitments Made at Part I**

The Program Administrator will request confirmation that any commitments made in the Part I application were fulfilled throughout project development, including but not limited to:

- a. Built Environment – Agrivoltaics
- b. Built Environment – Pollinator Friendly Habitat
- c. EEC Designee commitments



As noted above, any changes to commitments made in the Part I application submission which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified.

#### **4. After Part II Verification**

As most of the scoring criteria for Traditional Community Solar project will take place during the project development cycle (thus take place across the Part I and Part II application process), there is a limited scope of criteria that the Agency will need to monitor after Part II verification. Two commitments that, if applicable, the Program Administrator will seek to monitor throughout the life of the REC Delivery Contract are scoring criterion Built Environment – Agrivoltaics (1.c) and Built Environment – Pollinator Friendly Habitat (1.d). As both of these criteria are commitments that are to be continued throughout the life of the REC contract, the Program Administrator will request updated reporting at the Annual Report each July and will also seek to ensure that projects that have made these commitments are in compliance via random project inspections.



## Appendix F – Community-Driven Community Solar Scoring Criteria

Community-Driven Community Solar projects will be selected based on the following criteria.

The primary selection criteria include (Maximum of 20 points available for primary selection criteria):

- Community ownership or community wealth-building through having a minimum of 50% of the ownership of the project held by community residents or non-profit organizations which directly serve the community where the project is located. This would include having members of the community being able to participate in decisions regarding the governance, operation, maintenance, and upgrades of and to the project; and members of that community benefiting from the project through subscriptions to the project.
- Additional direct and indirect benefits, beyond project participation as a subscriber, including, but not limited to, economic, environmental, social, cultural, and physical benefits. The application must quantify the value of these benefits and they must represent at least 20% of the REC contract value.
  - Direct benefits can include, but are not limited to, financial benefits for the owner(s) and subscribers, such as bill savings, revenues from project ownership, tax credits, and the financial value of the project, as well as job creation, direct income, and increased economic activity in the defined geographic community.
  - Indirect benefits can include, but are not limited to, demonstration of environmental, educational, and cultural benefits.
- Meaningful involvement in project organization and development by community members, non-profit organizations, or public entities located in or serving the community.
  - Meaningful involvement in project organization as used herein can mean, but is not limited to, a process that consists of public input, participation and engagement in the program design process, including workshops, webinars, and public comment periods all of which afford stakeholders (those who have an interest or stake in an issue, such as individuals, interest groups, and communities) the opportunity to influence decisions that impact their community.
- Engagement in project operations and management by nonprofit organizations, public entities, or community members.
  - Engagement as used herein can mean, but is not limited to, continuous community participation and consultation as projects are built, operated, and maintained in a way that affords opportunities for the community to weigh in on and make decisions regarding the project.
- Whether the project is developed in response to a site-specific RFP developed by community members, or a non-profit organization or public entity located in or serving the community.

Sufficient demonstration of any of the individual primary selection criteria will be worth up to **4 points each** in the scoring system.

Demonstration of any of these primary selection criteria should be accomplished through a detailed written narrative description that includes firm commitments and evidence as to how any benefits, resources, and wealth-building will flow to the community that will host the project. Additionally, any community engagement activities and planned community ownership should be documented in a detailed way in this narrative.

**The secondary selection criteria include (Maximum of 16 points available for secondary selection criteria):**

- Projects that are developed in collaboration with or to provide complementary opportunities for the Clean Jobs Workforce Network Program, the Illinois Climate Works Preapprenticeship Program, the Returning Residents Clean Jobs Training Program, the Clean Energy Contractor Incubator Program, or the Clean Energy Primes Contractor Accelerator Program.
  - Complementary opportunities as used herein can mean, but is not limited to: utilizing graduates of job training programs in project development; hiring job training graduates permanently for future projects, not just the applicant project; an expansion of the goals of the job training programs to include 'business training,' on how to develop a project, get financing, recruit customers, etc.
- Projects that increase the diversity of locations of community solar projects in Illinois, including by locating in urban areas and population centers.
- Projects that are located in Equity Investment Eligible Communities.
- Projects that are not greenfield projects.
- Projects that serve only local subscribers.<sup>116</sup>
- Projects that have a nameplate capacity that does not exceed 500 kW.
- Projects that are developed by and equity eligible contractor.
- Projects that otherwise meaningfully advance the goals of providing more direct and tangible connection and benefits to the communities which they serve or in which they operate and increasing the variety of community solar locations, models, and options in Illinois.

Sufficient demonstration of any of the individual secondary selection criteria will be worth up to **2 points each** in the scoring system.

Demonstration of any of these additional selection criteria should be accomplished through a detailed, written narrative description separate from the narrative provided for the primary selection criteria outlined directly above. Evidence of any/all additional selection criteria that are applicable to the applicant's Community-Driven Community Solar project should be outlined as comprehensively as possible in this narrative.

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<sup>116</sup> Local subscribers are subscribers in the same county as the project, or if that project's county population is below 50,000, then also in adjacent counties.

Projects that are awarded points for committing to serve only local subscribers as defined above must meet the local subscriber requirement at the time of Part II verification in order to qualify for a REC contract in the CDCS category. If the project does not meet the requirement, it will be removed from the REC Contract, with forfeiture of collateral and would be eligible to reapply for a Traditional Community Solar Block or waitlist as such capacity becomes available. The local subscriber requirement will be verified at each of the quarterly reports over the first year of the project's operation. Non-local subscribers will be treated as unsubscribed capacity and REC payments will be adjusted accordingly.

## Appendix G - List of Information Collected in Approved Vendor Application

The information below will be collected by the Program Administrator in order to determine eligibility of Approved Vendors for the Program. Italicized items (excluding sub-section headers) will not be required for distributed generation Single Project Approved Vendors<sup>117</sup>.

### Vendor Contact Information

1. Legal Business Entity Name
2. Any Doing Business As ("DBA") name
3. Address of principal place of business
4. Name, phone number, and email address of primary point of contact responsible for the company's day-to-day interaction with the Adjustable Block Program
5. Telephone number of company

### Company Background

6. Ownership structure, including any affiliated businesses either owned or partially owned by the proposed Approved Vendor or who have ownership of all or part of the Approved Vendor
7. Employer Identification Number ("EIN")
8. Business Type (Corporation, LLC, LP, LLP, General Partnership, Nonprofit, Sole Proprietor, Other)
9. A listing of shareholders, owners, partners or proprietors with ownership interests in excess of 5% and the amount of their respective ownership interests (Not required for public companies)
10. Business entity home state of registration
11. Other states where entity is registered to do business
12. Business entity date of organization/incorporation in home state
13. Demonstrate authorization to do business in Illinois by uploading an Illinois Secretary of State statement of good standing dated within the past 12 months if a corporation, LLC, or non-profit (Example in Figure 1)

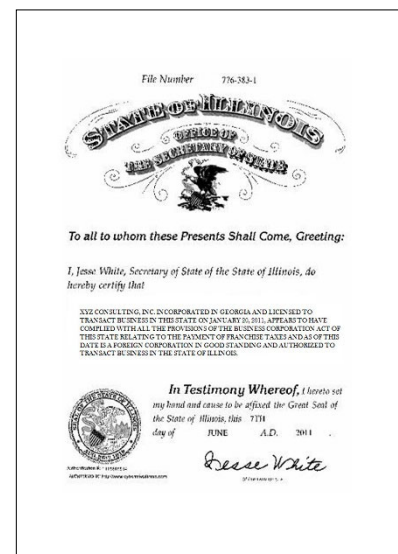


FIGURE 2- SECRETARY OF STATE GOOD STANDING

<sup>117</sup> A Single Project Approved Vendor has simplified application requirements and a minimum size of 100 kW. See Section 7.7.2 of the Long-Term Plan for more information.

14. If the company is engaged in installing distributed generation projects, provide proof of Distributed Generation Installer Certification from the Illinois Commerce Commission, in the form of the Commission's order in the certification docket granting the company's certificate
15. Provide a printout of either GATS aggregator account or M-RETS account ownership confirmation
16. Company website (Parent company website if special purpose entity)

#### **Vendor Classification and Project Types**

17. Is this an application for a Single Project Approved Vendor?
18. Is this Approved Vendor an affiliate (as defined in Section 7.9.4 of the Long-Term Renewable Resources Procurement Plan) of any other Approved Vendor or current or intended Approved Vendor applicant? If yes, provide the name(s) of affiliated Approved Vendor or applicant.
19. Are you a minority-owned or female-owned business enterprise as specified in Section 1-75(c)(7) of the Illinois Power Agency Act (20 ILCS 3855) or a small business as defined in the Small Business Advisory Act (20 ILCS 692/5)? [If so, an upload must be provided to provide documentation of that status. Any small business claim submitted should be on company letterhead and signed by an authorized representative of the Approved Vendor.]

#### **Legal and Regulatory Information**

A Yes answer to any Legal and Regulatory question will not automatically disqualify a firm from Approved Vendor status. Information provided will be considered in conjunction with all other information in the application to determine an Approved Vendor's eligibility. For any Yes responses, the applicant will be asked to provide a written explanation of the issue(s), relevant dates, the entity involved, any remedial or corrective action(s) taken, and the current status of the issue(s).

20. Within the past five (5) years, has the business; any affiliate of the business that is engaged in operations in the U.S. related to energy; or any current or former owner (not including public shareholders), partner, director, officer, principal, or any person in a position involved in the administration of funds, or currently or formerly having the authority to sign, execute or approve contracts for the business:
  - a. Been sanctioned or proposed for sanction relative to any business or professional permit or license?
  - b. Been under suspension, debarment, voluntary exclusion or determined ineligible under any federal or state statutes?
  - c. Been recommended for suspension or debarment?
  - d. Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for any business-related conduct?
  - e. Been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime, or subject to a judgment or a plea bargain for:
    - i. Misappropriation of funds or property;
    - ii. A criminal act that reflects adversely on the individual's honesty;
    - iii. Actual loss to the company or other person; or

iv. Dishonesty, fraud, deceit, or misrepresentation.

Note: The above does not include minor misdemeanors like speeding or parking tickets and does not include actions taken by former employees after leaving the employ of your company.

- f. Been suspended, cancelled, terminated or found non-responsible on any contract, or had a surety called upon to complete an awarded contract?

For any Yes answers, provide an explanation of the issue(s), relevant dates, the entity involved, any remedial or corrective action(s) taken, and the current status of the issue(s).

21. Within the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy had any judgments filed against it which remain undischarged? If yes, provide an explanation of the issue(s), relevant dates, the Claimant's name, the amount of the judgment, and the current status of the issue(s).
22. Within the last seven (7) years, has the proposed Approved Vendor or any of its affiliates initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending? If so, provide the Bankruptcy Code chapter number, the court name, and the docket number. Indicate the current status of the proceedings as "initiated," "pending," or "closed".
23. Within the last seven (7) years, has any owner with greater than 15% ownership or principal of the proposed Approved Vendor or any of its affiliates been the owner or a principal (with greater than 15% ownership) in a company subject to any bankruptcy proceedings, whether or not closed, or that is currently in any bankruptcy proceeding pending? If so, provide the Bankruptcy Code chapter number, the court name, and the docket number. Indicate the current status of the proceedings as "initiated," "pending," or "closed".
24. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates failed to file a tax return or fully pay taxes according to deadlines required by federal, state, or local laws in the amount of \$10,000 or more? If yes, provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the proposed Approved Vendor failed to file/pay, and the current status of the tax liability.
25. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been audited by any government entity resulting in a negative audit finding or requirement for remedial action? If yes, provide an explanation of the issue(s) under investigation, relevant dates, the government entity involved, any remedial or corrective action(s) taken, and the current status of the issue(s).
26. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been the subject of any judgment or settlement as the result of by any public consumer protection authority (including but not limited to a federal/state/local attorney general's office, consumer protection bureau, or other consumer protection entity) in any jurisdiction? If yes, provide any remedial or corrective actions(s) taken and current status of the issue(s).
27. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are engaged in operations in the U.S. related to energy been the subject of any unresolved Better Business

Bureau complaints in any jurisdiction? If yes, provide any remedial or corrective actions(s) taken and current status of the issue(s).

28. During the past five (5) years, has the proposed Approved Vendor or any of its affiliates that are or were engaged in operations in the U.S. related to energy been the subject of any judgment or settlement as the result of lawsuits filed in a court of law or formal complaints filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations? If yes, please identify the name, case number, and jurisdiction of each such lawsuit or complaint, any remedial or corrective action(s) taken, and the current status of the lawsuit or complaint.

29. During the past five (5) years, has the proposed Approved Vendor or its affiliates that are or were engaged in operations in the U.S. related to energy been suspended from participation or denied the ability to participate in a government or utility administered renewable energy incentive program? If yes, provide the name of the program and jurisdiction, an explanation of the issue(s), and the current status of the issue(s).

**Additional Questions Not Used for Qualification**

30. The utility service territory or territories in which the Approved Vendor seeks to operate (ComEd, Ameren Illinois, MidAmerican, municipal utility/rural electric co-operatives).

31. Type of Approved Vendor (may select more than one): DG Installer, Community Solar Project Developer, SREC broker/aggregator, non-profit, other.

32. Do you intend to participate in the Illinois Solar for All program?

33. Do you consent to be contacted by representatives from solar job training programs in Illinois?

34. Do you have corporate hiring policies in place which prohibit the hiring of individuals who have been convicted of a crime?

35. Do you want to be listed on the public Approved Vendors list on the illinoisabp.com website?

36. Please list all social media accounts associated with the proposed Approved Vendor.<sup>118</sup>

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<sup>118</sup> All social media accounts that are associated with the proposed Approved Vendor's Designee(s) should be provided by the Designee in the Designee Registration process.



## Appendix H - Approved Vendor Attestation

All Approved Vendors must e-sign the following attestation:

I declare that:

- a. I am the owner (for sole proprietorship), partner (for partnership) or the authorized agent (for corporation, LLC, or non-profit) of the proposed Approved Vendor;
- b. The information provided on this form is true and correct to the best of my knowledge;
- c. I agree to participate in registration and any initial or recurrent required training.
- d. I agree to abide by the ongoing Program terms and conditions.
- e. I agree to maintain registration to do business in Illinois.
- f. I agree to provide updated information to the Administrator on any complaints, lawsuits, legal or regulatory action, bankruptcy, or any other material adverse changes in business condition when it becomes available.
- g. I agree to provide samples of marketing materials or content used by our company, or our subcontractors/installers and affiliates, to the Program Administrator for review upon initial qualification as an Approved Vendor. In addition, I will provide copies of any marketing material related to the sale, financing, or installation of solar photovoltaic systems that will apply to participate in the Adjustable Block Program, or related to the Adjustable Block Program itself, whenever requested by the IPA or Program Administrator. I furthermore agree to make changes to marketing materials requested by the IPA or Program Administrator in their efforts to ensure that such materials are not deceptive, confusing, or misleading, and to further ensure that such materials do not feature misrepresentations about our relationship to the Illinois Power Agency or the Adjustable Block Program.
- h. I agree to comply with all consumer protection guidelines published by the Program Administrator and acknowledge that a failure to do so may jeopardize my ability to serve as an Approved Vendor in the program.
- i. I agree to provide and maintain credit and collateral requirements pursuant to the 2022 Long-Term Renewable Resources Procurement Plan.
- j. I agree to complete annual reports by the report deadline, disclosing names and other information on installers and projects, and documenting that all installers and other subcontractors comply with applicable local, state, and federal laws and regulations including ICC registration as Distributed Generation Installers, providing current status of unfinished projects and credits generated and delivered by completed projects, and any other annual report requirements as determined by the Administrator.
- k. I agree to disclose whether the entity is minority, woman, disabled, or veteran-owned, and provide an estimate of the percentage of staff at time of registration and subsequent annual renewals who are women, disabled, veterans, or minorities. This process will include specifying with which certification programs the business has registered.
- l. I agree to comply with all community solar subscriber reporting requirements including providing updated and accurate subscriber data.



- m. I agree that all information obtained related to a community solar subscriber's utility account that is confidential, proprietary or generally non-public, including the subscriber's utility account number, utility account name, and meter number, shall be maintained in a secure and confidential manner. I further agree that I will not release such information to any other person or entity, other than as required for purposes of subscription enrollment and program administration, without the customer's written consent.
- n. As required by Section 1-75(c)(1)(7) of the Illinois Power Agency Act (20 ILCS 3855), I agree that any photovoltaic projects submitted for program approval were or will be installed by a qualified person in compliance with Section 16-128A of the Public Utilities Act (220 ILCS 5) and any rules or regulations adopted thereunder, including Title 83, Section 468.20 of the Illinois Administrative Code.
- o. I agree to provide company financial statements and/or project references upon request of the Program Administrator.
- p. I will comply with all other Program rules and Administrator requests.
- q. If any requirements are implemented by the Illinois Power Agency or Program Administrator that I am unable to comply with, I agree to immediately request to withdraw my qualification to act as an Approved Vendor for any projects not already under contract with the utilities and cease all new Approved Vendor activities.

I attest that the statements above are true and correct.

Type Name

(automatically stamped with username, time and IP address)

## Appendix I – Part I Application Requirements

**[Complete table to come in final version listing all Part I questions/requirements]**

[illegible]



## Appendix K – Minimum Equity Standard Waivers

### Minimum Equity Standard Waiver Request

#### For Projects Participating in Illinois Shines and Utility-Scale Competitive REC Procurements

##### Minimum Equity Standard Waiver Request Program Year Delivery Year 2023-24

Please use this form to request a waiver from the Minimum Equity Standard. All questions below should be answered truthfully, accurately, and with as much detail as possible.

1. State the name of the entity submitting this waiver request. If this waiver is sought jointly by affiliated Approved Vendor(s) under the Illinois Shines Program, please identify the affiliated entities and explain the nature of the affiliation.
2. Is this waiver request intended for projects which received a Renewable Energy Credit (“REC”) contract under the Illinois Shines Program, or through an award under one of the Illinois Power Agency’s utility-scale competitive REC procurements?
3. Please list the projects included in this waiver request.
4. Please provide a brief narrative describing the entity’s effort to recruit Equity Eligible Persons (“EEPs”) prior to the start of project construction. Recruitment efforts may include the following:
  - a. Working consistently and assertively with job training and workforce development programs (6 points). Evidence may include:
    - i. Recruitment efforts from workforce development programs, such as correspondence with the Department of Commerce and Economic Opportunity to identify EEP-qualifying workforce training programs in target areas, or correspondence with workforce program staff notifying them of available employment opportunities in the industry
    - ii. Outreach to workforce training programs could include contacting training programs that may not qualify a person as an equity eligible person, but (1) are located in communities where residents may qualify as an EEP based on residency, (2) provide job training to formerly incarcerated individuals, or (3) provide job training to graduates of the foster care system.
  - b. Maintaining applications and contact information of individuals who were not selected for employment but may be contacted for future project employment opportunities. Supporting documentation could include waitlisted applications or reserved resumes and may be required to demonstrate this criterion has been met. (2 points)
  - c. Participating in job fairs (in-person or virtual) and related local community events to recruit an equitable workforce (5 points)
    - i. Demonstration of participation must be submitted with the waiver request, and could include emails from job fair organizers confirming participation at a job fair or event, printed materials handed out at such events, a list of contacts made at the event, etc.
    - ii. Waiver requests will also receive credit for demonstration of attempted participation in such events, including reaching out to past job fair organizers, etc.

- d. Direct outreach to EECs listed on the Illinois Shines program website (where applicable – if the entity did not work with any subcontractors, please include this information and this point category will not be included when evaluating the waiver request) (4 points)
- e. For each of the items in 4.a.-d., please include the dates associated with the event, meeting, or contact, and the names and titles of the contacted individuals, where available.
- 5. Did the entity advertise any available positions on the Energy Workforce Equity Portal? Or review the list of EEPs looking for employment opportunities posted on the Energy Workforce Equity Portal? If so, did the applicant contact these available EEPs? If not, please provide an explanation. (3 points)
  - a. Please provide documentation of any efforts in this category.
  - b. Please note that the Illinois Power Agency will cross-reference activity on the Energy Workforce Equity Portal to verify job postings.
- 6. Engagement in direct and extensive outreach to trade associations or other relevant organizations to notify them of opportunities.
  - a. Efforts to contact organized labor unions (2 points)
  - b. Efforts to contact community colleges (2 points)
  - c. Efforts to contact community-based organizations (2 points)
- 7. Please provide documentation of the platforms used to announce or publicize available employment opportunities, such as employment websites, alumni listservs, union halls, social media, etc. (2 points)
- 8. Please list any state-sponsored platforms on which the applicant announced or publicized available employment opportunities for EEPs, such as Illinois WorkNet ([www.illinoisworknet.com](http://www.illinoisworknet.com)) or Illinois Job Link ([illinoisjoblink.illinois.gov](http://illinoisjoblink.illinois.gov)) (2 points)
- 9. Please provide documentation of employment offers that were made to equity eligible persons but that were not accepted. (2 points)
- 10. Please describe any other efforts outside of the scope of the above criteria to recruit equity eligible persons. (3 points)

### **Non-Union Scoring Table**

<b><u>Criterion</u></b>	<b><u>Total Points Possible</u></b>	<b><u>Points Awarded</u></b>
<u>Collaboration with qualifying workforce training programs</u>	<u>6</u>	<u>=</u>
<u>Maintaining a list of EEPs for future employment opportunities</u>	<u>2</u>	<u>=</u>
<u>Participation in job fairs</u>	<u>5</u>	<u>=</u>
<u>Evidence of outreach to EECs listed on Illinois Shines program website</u>	<u>4</u>	<u>=</u>
<u>Posting employment or contract opportunities on and contacting EEPs via the Energy Workforce Equity Portal</u>	<u>3</u>	<u>=</u>

<u>Efforts to contact unions, community colleges, and/or community-based organizations</u>	<u>2</u>	<u>=</u>
<u>Efforts to contact community colleges</u>	<u>2</u>	<u>=</u>
<u>Efforts to contact community-based organizations</u>	<u>2</u>	<u>=</u>
<u>Posting employment or contract opportunities on different platforms</u>	<u>2</u>	<u>=</u>
<u>Utilization of WorkNet or other state-run employment sites</u>	<u>2</u>	<u>=</u>
<u>Offers made to EEPs that were not accepted</u>	<u>2</u>	
<u>Number of similarly situated AVs that are able to meet MES</u>	<u>-5</u>	<u>=</u>
<u>Extraordinary efforts made outside of the above criteria</u>	<u>3</u>	
<b><u>TOTAL</u></b>	<b><u>35</u></b>	<u>=</u>

## **Organized Labor Union Waiver Request Form**

### **Minimum Equity Standard Waiver Request**

#### **Program Year Delivery Year 2023-24**

Please use this form to request a waiver from the Minimum Equity Standard. All questions below should be answered truthfully, accurately, and with as much detail as possible.

1. State the name of the entity submitting this waiver request. If this waiver is sought jointly by affiliated Approved Vendor(s) under the Illinois Shines Program, please identify the affiliated entities and explain the nature of the affiliation.
2. Is this waiver request intended for projects which received a Renewable Energy Credit ("REC") contract under the Adjustable Block/Illinois Shines Program, or through an award under one of the Illinois Power Agency's utility-scale competitive REC procurements?
3. Please list the projects included in this waiver request.

4. Please provide a brief narrative describing the applicant's effort to recruit Equity Eligible Persons ("EEPs") prior to the start of project construction. Recruitment efforts may include the following:
  - a. A signed letter from at least two qualifying workforce training programs in the area stating that no candidates that meet the criteria are available. (6 points)
  - b. Maintaining applications and contact information of individuals who were not selected for employment but may be contacted for future employment opportunities. Supporting documentation could include waitlisted applications or reserved resumes and may be required to demonstrate this criterion has been met. (2 points)
  - c. Direct outreach to Equity Eligible Contractors ("EECs") listed on the Illinois Shines program website (where applicable – if applicant did not work with any subcontractors, please include that information and this point category will not be included in waiver request evaluation) (5 points)
  - d. For each of the items identified in 4.a-c., please include the dates associated with the event, meeting, or contact, and the names and titles of the individuals contacted, where available.
5. Did the entity advertise any available positions on the Energy Workforce Equity Portal? Or review the list of EEPs looking for employment opportunities posted on the Energy Workforce Equity Portal? If so, did the applicant contact these available EEPs? If not, please provide an explanation. (3 points)
  - a. Please provide documentation of any efforts in this category.
  - b. Please note that the Illinois Power Agency will cross-reference activity in the Energy Workforce Equity Portal to verify activities described in this waiver request.
6. Please provide a signed letter from a local, relevant trade union stating that no apprentices nor journey workers who meet the requisite criteria are available. The letter must describe efforts that local union has undertaken to recruit EEPs in order to meet demand in response to the Minimum Equity Standard, such as the efforts listed in this waiver request. (8 points)
7. Please provide documentation of direct outreach to trade associations or other relevant organizations to notify them of the project and employment opportunities.
  - a. Efforts to contact community colleges (2 point)
  - b. Efforts to contact community-based organizations (2 point)
8. Please list any state-sponsored platforms on which the applicant announced or publicized available employment opportunities for EEPs, such as Illinois WorkNet ([www.illinoisworknet.com](http://www.illinoisworknet.com)) or Illinois Job Link ([illinoisjoblink.illinois.gov](http://illinoisjoblink.illinois.gov)) (2 points)
9. Please provide documentation of employment offers that were made to equity eligible persons but that were not accepted. (2 points)
10. Please describe any other efforts outside of the scope of the above criteria to recruit equity eligible individuals. (3 points)

### Scoring Table for Project Waivers Using Organized Labor

<u>Criterion</u>	<u>Total Points Possible</u>	<u>Points Awarded</u>
<u>Signed letter from at least two qualifying workforce training programs in the area stating that no candidates are available that meet the criteria</u>	<u>6</u>	<u>=</u>

<u>Maintaining a list of EEPs for future employment opportunities</u>	<u>2</u>	=
<u>Evidence of outreach to EECs listed on Illinois Shines program website</u>	<u>4</u>	=
<u>Posting positions or contract opportunities on and contacting EEPs via the Energy Workforce Equity Portal</u>	<u>3</u>	=
<u>Signed letter from the trade union stating no apprentices or journey worker is available that meets the criteria. The letter demonstrates the union's efforts to recruit EEPs.</u>	<u>7</u>	=
<u>Efforts to contact community colleges</u>	<u>2</u>	=
<u>Efforts to contact community-based organizations</u>	<u>2</u>	=
<u>Utilization of WorkNet or other state-run employment site</u>	<u>2</u>	=
<u>Posting employment or contract opportunities on different platforms</u>	<u>2</u>	
<u>Offers made to EEPs that were not accepted</u>	<u>2</u>	
<u>Number of similarly situated AVs that are able to meet MES</u>	<u>-5</u>	=
<u>Extraordinary efforts made outside of the above criteria</u>	<u>3</u>	
<b><u>TOTAL</u></b>	<b><u>35</u></b>	=



## Appendix L – Extension Request Process

Each Scheduled Energized Date extension request under Section 5(b) [2019 REC contract] or Section 2.4(b) [2021 and 2022 REC contracts] of the REC contract should reference the specific contract clause under which an extension is sought (i.e., which subparagraph of Section 5(b)/Section 2.4(b) is being relied upon) and should avoid referencing multiple clauses in a single request (as multiple clauses may implicate multiple distinct processes and decision-makers for the request). A request for a “good cause” extension granted at the IPA’s discretion under Section 5(b)(v)/Section 2.4(b)(iii) of the REC contract rather than the declaration of a force majeure event or reliance on a separate subparagraph of Section 5(b)/Section 2.4(b).

Each extension request should include, at minimum, a brief narrative outlining the justification for the request. This narrative should clearly explain the situation under which the Approved Vendor believes an extension is warranted for the referenced systems. If extensions are being requested for multiple systems and the narrative is similar, a single extension request may be made for multiple systems (although please provide separate requests for each contracting utility).

The IPA also strongly encourages that each of the following be included in an extension request:

1. Approved Vendor Name (as listed in your Approved Vendor application/Program portal)
2. Approved Vendor ID #
3. Designated System ID #
4. Project Name
5. Project Type
6. Contract ID #
7. Batch ID #
8. Trade Date
9. Contracting Utility
10. REC Contract Clause Referenced (e.g., Section 5.b.v)
11. Length of Extension Requested
12. Original Scheduled Energization Date
13. Requested New Scheduled Energization Date (Rounded to the last business day of the month for Section 5(b)(v)/Section 2.4(b)(iii) requests)

For requests covering multiple systems, please include this information for each project in a spreadsheet attached to the request.

Lastly, please double-check the accuracy of all extension request information, including whether a given system is still under contract, prior to submitting an extension request. Requests under Section 5(b)(v)/Section 2.4(b)(iii) must be “made in writing by Seller to Buyer and the IPA prior to the Scheduled Energized Date.” Buyer contact information is contained in the REC Contract and requests to the IPA should be sent to [IPA.solar@illinois.gov](mailto:IPA.solar@illinois.gov).

## Appendix M – Clarifications for Public Schools Category for 2022-23 Program Year

Originally Released October 7, 2022

The passage of the Climate and Equitable Jobs Act (Public Act 102-0662) introduced several new project categories within the Adjustable Block Program, including the Public Schools category. The IPA has drafted the following clarifications in response to stakeholder questions regarding the Public Schools category.

### Group A and B Allocation

- The IPA regrets that due to an error, the Program Guidebook incorrectly states that capacity for the Public Schools category will not be allocated by Group. This is inconsistent with the Commission-approved 2022 Long-Term Plan. The prioritization for project selection by Tier and location in an environmental justice community will be applied to projects within the allocations to Groups A and B for this category, as outlined in the 2022 Long-Term Plan. The next version of the Program Guidebook, to be released this month, will be revised to reflect this requirement from the Long-Term Plan.

### Land Ownership

- Leased vs. Owned Land

- o A school/district must own the land on which a project submitted to the Public Schools category is sited. Projects developed on land leased by a school/district are not permitted for submission to this category, unless a public school is sited on the same parcel of leased land.

- Date of Land Ownership

- o A school district must own the land on which the prospective project is sited at the time of application to the Program. Schools/districts are not permitted to enter into agreements that would be contingent on receiving a REC Contract from the Program in order to qualify for this Program category.

- o A school district must continue to own the land the project is sited on for the entire lifetime of the REC Contract (20 years).

### Project Location

- A community solar project submitted to the Public Schools category must be site on district- or school-owned land, in accordance with the Commission’s Order. That public school or district-owned land may be adjacent to a school or district building or facility, but adjacency is not required.

- Distributed generation projects submitted to the Public Schools category must be located at the public school (or school district facility) the project is serving.

#### Community Solar Specifics for Public School Projects

- Anchor Tenant Requirements

- o Anchor tenants must subscribe to 10% of a community solar project and may not subscribe to more than 40% of the project.

- o As the REC Contract for Public Schools projects is 20 years in length, the school must commit to being an anchor tenant for the Community Solar project for the life of the REC Contract.

- o In order to comply with anchor tenant requirements, the Approved Vendor will need to submit a letter of intent in the Part I application from the school/school district serving as the anchor tenant. When subscription levels for the project are reviewed by the Program Administrator during the Part II application review, the school/school district must be subscribed to between 10-40% of the project's capacity.

- Anchor Tenant Waiver & Stakeholder Feedback Process

- o Per the Illinois Commerce Commission's Final Order approving the Agency's 2022 Long-Term Plan, a stakeholder feedback process will take place to finalize a process around the offering of a waiver from the Program requirement of the school where the project is sited acting as an anchor tenant to a community solar project that is submitted to the Public Schools category. The Agency intends to hold this feedback process in the first quarter of 2023. Applicants to the Program should not act in reliance on the existence of this waiver process until all relevant details are finalized and the feedback process has concluded.

- o As the waiver process is intended to be used in limited instances when a school can no longer serve as an anchor tenant due to unforeseen circumstances that may arise over a 20-year period, a school and/or district may not request a waiver in advance of a demonstrated need or at the time of the project application. The requirements around waiver application and approval will be further determined via the stakeholder feedback process noted above.

- Subscriber Mix for Rest of Project – Small Subscribers

- o Per requirements for community solar projects under the Climate and Equitable Jobs Act, community solar projects submitted to the Public Schools category will be required to retain a subscription mix of at least 50% small subscribers.

- Subscriber Mix for Rest of Project – Other Schools/Districts as Subscribers

- As noted above, the school/school district hosting the project must act as the anchor tenant and the 50% small subscriber commitment must be met; remaining capacity of the project after fulfillment of these two requirements can be filled with any type of subscriber.

## Appendix N – Traditional Community Solar Clarifications Published in 2022

### TRADITIONAL COMMUNITY SOLAR CLARIFICATIONS PUBLISHED OCTOBER 21, 2022

#### Minimum Point Threshold for Waitlist

1. Is a Traditional Community Solar project required to meet the minimum waitlist threshold score to secure capacity within the Program?

Section 1-75(c)(1)(K)(iii)(1) of the IPA Act requires the Agency to select Traditional Community Solar (“TCS”) Category projects on a first-come, first-serve basis, and allows the Agency to utilize additional methods to prioritize projects submitted at the same time. As explained in the Agency’s 2022 Long-Term Renewable Resources Procurement Plan, the Agency has interpreted “at the same time” to mean projects submitted “on the same day.” The TCS Scoring Criteria will be utilized to prioritize projects submitted “at the same time” – that is, on the same day – when the collective size of project applications in MW submitted to the Program exceed the capacity available in the Program.

For the 2022-2023 Program Year opening on November 1, 2022, there is a total of 150 MW of capacity allocated to the TCS category, with 48 MW designated for Group A and 112 MW designated for Group B. The Agency expects that first-day applications will exceed the capacity allocated for both Groups, and that the scoring mechanism will be required to prioritize applications across all applications within the TCS Category. As explained in the Plan, the Agency will maintain the “first-come, first serve basis” outlined in the IPA Act, and will prioritize projects received on the same day in accordance with the scoring criteria. This means that project applications will be scored and ranked by the date the application is submitted. Therefore the highest-scoring project submitted on November 2, 2022, will be ranked below the lowest-scored project that met the minimum threshold on November 1, 2022. The Agency will only score projects beginning on the day that capacity for the Group/Category is exhausted; therefore, it is possible, though unlikely, that a project that does not meet the minimum waitlist threshold score could obtain a REC Contract. By way of example, if on November 1, 2022 (“Day 1”), projects totaling less than 48 MW are submitted to TCS Group A, the IPA and its Program Administrator would not score the applications submitted on November 1 for Group A. Under this scenario, all Day 1-submitted projects would be eligible to receive a REC Contract, provided that they meet program requirements and are ultimately Part I approved. If, on Day 2, projects submitted to TCS Group A would cause the 48 MW threshold to be exceeded, all Day 2-submitted projects would be scored, project applications which failed to meet the minimum threshold would be rejected, and remaining projects would be rank-ordered from highest to lowest score. This process would repeat for applications submitted on Day 3, and so on for all projects submitted on subsequent days prior to the close of the Delivery Year on May 30, 2023. As explained above, the “first-come, first-serve basis” will be maintained, with scoring used to prioritize projects received on the same day. Therefore, under this example, Day 2-submitted projects ranked from highest score to lowest would sit atop the waitlist. Day 3-submitted projects which meet the waitlist minimum score will also be ranked by

score from highest to lowest, with the highest Day 3-submitted project waitlisted next after the lowest- scoring Day 2-submitted project. Projects would continue to be waitlisted by date of application and prioritized within that date by score.

2. If a project applies and does not meet the minimum point threshold to be placed on the waitlist, can the project reapply at a later date upon fulfilling the minimum requirement? Is there any fallout from being rejected for being below minimum threshold score? Can an application be supplemented at a later date?

Only the documentation provided at project application submittal will be taken into consideration for the scoring process and cannot be supplemented to gain a higher score at a later time. Projects that have been submitted, reviewed, and scored by the Program Administrator will not receive a revised score due to changes in project attributes which occur after application submission. Projects that do not meet the minimum score of 5 points to receive a spot on the waitlist may reapply at a later date, either within the same Delivery Year or in a subsequent Delivery Year. Upon re-application and re-scoring, if the project meets the threshold, it will be added to the waitlist as of the date of the re-application. Application fees will be required for re-application.

3. If applications are submitted which do not meet the minimum score required for the waitlist, but capacity in the category is available, will those projects be selected?

Yes. The waitlist scoring will be used beginning on the day when applications received exceed the available capacity in the Traditional Community Solar category. That is, should first day project applications not exceed category capacity, then all applicant projects which otherwise meet the category requirements may qualify for a REC Delivery Contract.

### **Siting**

4. In order to figure out if county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County) does not have a contracted community solar project, will there be any publicly available list/map or guidance on what other counties don't have a project that will qualify?

Project application reports housed on this page: <https://illinoisabp.com/project-application-reports/> can be used to verify this information. Please use Report #2 for the purposes of this criterion.

5. What resources can be used to verify if there is not yet a Community Solar project sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County)?

Project application reports will be used to verify this information. Download the project application reports here: <https://illinoisabp.com/project-application-reports/>

6. If an Approved Vendor submits multiple projects sited in the same county, are all submitted projects eligible for points under the criterion of being the first Community Solar project sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County), or only the first application submitted?

All projects that are submitted in county without an already ICC-approved project may receive the points offered for this criterion. The points for this criterion are not allotted based on applications submitted or applications pending Part I review.

7. How might an Approved Vendor prove the ownership of land/property where a project is to be sited by a non-profit?

The Agency will accept various forms of documentation for demonstration that this criterion has been met, as long as ownership can be proven through such documentation, including but not limited to: bill of sale, property deed, tax documents, etc.

### **Equity Eligible Contractors (EECs)**

8. Is there an available list of EEC certified designees?

There are no certified EEC Designees at this time, but a list will become available at <https://illinoisabp.com/find-a-designee/> when Designees become certified.

9. Does procurement of materials (e.g. panels, racking, inverters) contribute to the percentage of "REC contract value"?

For purposes of this category, the IPA will assess the percentage of the REC contract value spent utilizing EEC certified Designees to be taken through a comparison of a) the value of the REC Delivery Contract (expected number of REC deliveries x REC price across the contract term) and b) the demonstrated value of agreements for the project development work to be performed by EEC-certified Designees in developing the project, with those agreement submitted to the Program Administrator at the Part II stage. If the latter value meets or exceeds 50% of the former value, then that project will be deemed to have met this criterion.

An Approved Vendor may not utilize an EEC Designee for the sole purpose of procuring materials. Material costs may count toward the percentage of the REC contract value, but those material costs must be tied to the EEC Designee that is performing the electrical, construction, or other site specific project development work that is related to those materials.

10. What is included in "work on the project" as noted in criteria 3.c and 3.d in the Traditional Community Solar Project Selection – Final Guidelines document?

For purposes of criteria 3.c and 3.d within the Traditional Community Solar Project Selection – Final Guidelines document, work on the project was intended to be limited to work outlined in definition for "project development work", as defined in footnote 11 of the document. The Final Guidelines were updated on October 21, 2022 to clarify this item.

Per the definition of project development work, ongoing operations and maintenance over lifetime of REC contract is not included. The work must be related to expenditures within the definition of project development work through Energization/Part II application approval of project.

11. Do we have any clarity on the ability for an EEC designee to subcontract work to non-EEC approved contractors?

EEC certified Designees may work with an Approved Vendor that is not EEC certified, but this would make projects submitted by that non-EEC certified Approved Vendor ineligible for EEC Category.

EEC certified Designees are permitted to utilize nested Designees/subcontractors, but those Designees must be EEC certified in order to receive points for utilization of EEC Designees.

12. Does the EEC Designee need to be named in the Part I application, or can the Approved Vendor simply commit to using any EEC Designee?

The EEC Designee(s) must be named at the Part I application. Applicants may demonstrate this commitment in the application by providing documents including but not limited to: letter of intent signed by all parties, contract, other legal agreement between parties, etc.

As the timeline between the release of the final scoring guidelines and the opening of the Traditional Community Solar application was truncated this program year, the Agency will allow for EEC Designees where an EEC application has been submitted but is pending approval to satisfy this requirement. If this allowance is to be utilized, the named Designee must be approved as an EEC prior to the scoring period for applications.

**Built Environment – Disturbed Land**

13. What qualifies as “disturbed land”?

Applications for projects seeking to obtain points for being sited on disturbed lands will be evaluated to determine whether they meet the criteria outlined in the definition provided in footnote 1 of the scoring criteria. The Program Administrator will evaluate whether the project is sited on land that is (1) in an altered state, (2) in transition from one cover type (under USGS definitions), and (3) due to disturbances by mechanical or non-mechanical means. All three of these elements must be met to qualify as “disturbed land.” As explained in the scoring guidelines, mechanical disturbances may include forest clear-cutting, earthmoving, scraping, chaining, and other similar human-induced changes. Non-mechanical disturbances may be caused by wind, flooding, fire, animals, or other similar phenomenon. Approved Vendors will need to submit documentation which demonstrates that the land disturbances existed prior to the development of the site for installation of the solar project. Examples of supporting documentation that will be considered are outlined in footnote 1 of the scoring guidelines.

The Agency notes that “disturbed land” differs from “developed land,” which was not included among the scoring criteria pursuant to the direction of the ICC in approving the Long-Term Plan. Instead, the IPA has incorporated scoring criteria which encourages the development of community solar projects on rooftops and other structures.



The Agency will review submitted materials as it relates to qualifications for disturbed land on a case-by-case basis. As each site will differ, the Agency cannot provide a definitive list of examples that will qualify for points under this criterion. Points will only be awarded for this criterion if the definition of disturbed land is satisfied by the documentation provided.

The Agency will review submitted materials as it relates to qualifications for disturbed land on a case-by-case basis. As each site will differ, the Agency cannot provide a definitive list of examples that will qualify for points under this criterion. Points will only be awarded for this criterion if the definition of disturbed land is satisfied by the documentation provided.

### **Built Environment - Conservation Opportunity Areas**

14. Will rooftops be required to commit to pollinator friendly in order to avoid the COA subtractor?

The Illinois Solar Pollinator Guidelines do not really contemplate rooftop arrays. As the intention of the Conservation Opportunity Areas (COAs) subtractor is to ensure that land that has the potential to be utilized for conservation purposes is not prioritized for solar development, systems that are sited on buildings or structures that are already built within COAs will not be subject to the COAs subtractor.

15. How does the scoring for the COA subtractor work in conjunction with the other points offered in the Built Environment section?

The ICC Final Order on the Agency's 2022 Long Term Plan states contaminated or disturbed land (+pollinators) would negate the COA subtractor, thus the demonstration of either or both of these criteria would satisfy the COA subtractor. In the original version of the Final Scoring Guidelines document, there was a typographical error that omitted "disturbed land" in criterion

1.e. The Final Guidelines were updated on October 21, 2022, to correct this inadvertent omission.

As an example, a project sited on disturbed/contaminated land that also commits to pollinator friendly habitat will not be subject to the COA subtractor, so scoring for the Built Environment for this project would be 3 points if no other criterion within the Built Environment section were sought.

### **Built Environment - Agrivoltaics**

16. How will the IPA require proof that 50% of the footprint of an array is being used for grazing?

The Part I application must include a description demonstrating the planned agricultural use of the site, and explanation of the viability of that use, and an accompanying attestation of the intent to utilize agrivoltaics throughout the lifetime of the REC contract. Firm demonstration of active agricultural use (such as grazing) is required at Part II. Documentation at Part II should include proof that agrivoltaics plan was followed, or any updates made to the plan through development of the site for grazing. Agrivoltaics plans submitted in the Part I application should include documentation described in Appendix B of the October 2022 version of the Program Guidebook. Please review details on a



permissible agrivoltaics plan, including grazing requirements, in Appendix B of the Program Guidebook.

For the purposes of grazing, the Agency understands that round-the-clock grazing is not the norm and animals occasionally must be relocated in order to allow for grazed material to grow. A schedule/plan that outlines the times the herd will/will not be grazing should be outlined within the agrivoltaics plan. Additional aspects of grazing operations that could be included in the agrivoltaics plan are: information on pasture where grazing will occur on the parcel, information on the amount of land available for grazing, size and type of animals for the grazing herd, information on if one or multiple herds will be utilized, future plans for livestock utilization/sale, what resources are available to the herd (or herds) as it relates to soil condition, plant species the herd will graze on, water resources for herd, barn resources (if herd will remain on site), plans for the herd during winter months, additional diet supplementation for herd (if relevant), grazing system to be used (continuous, rotational, etc.). Please note these are suggestions and should not be used to limit what information should be included in an agrivoltaics plan focus on grazing should the Agency have missed any such part of a grazing operation that might be relevant.

17. Can grazing be added to land in order for it to count as agrivoltaics (i.e. introduce grazing where there was previously not grazing)?

Livestock grazing is included as a type of permissible agriculture uses under agrivoltaics for the Traditional Community Solar category, as it supports the spirit of agricultural production coinciding with solar energy production. At least 50% of the project footprint must feature agricultural production at the time of project energization. Please review details on a permissible agrivoltaics plan, including grazing requirements, in Appendix B of the Program Guidebook.

18. Can a Traditional Community solar project achieve 1 point for commitment to pollinator friendly habitat and 1 point for agrivoltaics?

Yes, a project may receive points for both agrivoltaics as well as pollinator friendly habitat, as long as requirements for each are 1) within the requirements as outlined in the Final Scoring Guidelines (i.e., agrivoltaics definition and requirements followed; pollinator plan in line with IDNR pollinator score card), 2) commitment is made in the Part I application and plans shared, and 3) documentation of successful implementation of commitments is provided in the Part II application.

### **Project Application Submission in the Portal**

19. Will the Program Administrator provide the ability to submit projects prior to November 1st but still count them towards Day One for purposes of the first come first served requirement? Or, in the alternative, will the Program Administrator provide the blank application form prior to November 1st to help ensure AVs have transparency into what will be required for submission?

The Portal will open Traditional Community Solar applications on November 1, 2022, Projects will only be able to be submitted once the portal opens on that day. No prior access to the application will be permitted.

Required application information for Traditional Community Solar can be found in Sections 1.F., 5.E. and 5.F. of the October 2022 version of the Program Guidebook.

A webinar will be held on Monday, October 24 at 1PM to go over both the scoring criteria and the portal interface for application submittal. Join link for webinar: <https://energy-solution.zoom.us/j/95373684104>

20. Does the IPA or the Program Administrator have a process for addressing Day One bugs in the portal to help ensure fair project submission for all AVs? Will there be a backup such as e-mailing or uploading applications to SharePoint by a certain time?

Special Traditional Community Solar focused office hours will be offered by the Program Administrator the day of and the day after the application opening as well as a dedicated IT and operations team to answer phones and emails.

21. When will an application be determined to be complete? If completion requires payment of the application fee, will a system be in place to receive the application fee? In order for applications to be considered fully submitted, they must be batched and payment should be initiated on the application fee. Fees may be paid by wire, check, credit card, or ACH direct deposit. Along with the batching release in the portal on October 27, 2022, a payment feature will be rolled out as well to enable payment for submitted batches.

### **Interconnection Status – Top Two Queue Position**

22. Is an executed interconnection agreement required to claim points at the time of application?

An executed interconnection agreement is required to achieve the points available for a top 2 queue position. Additionally, the project must have a top two queue position **among community solar projects** on the substation for claiming these points. Interconnection agreements must be both executed and valid, meaning not expired.

### **General**

23. If a hearing in which the Authority Having Jurisdiction (AHJ) will vote on the permitting/allowance of a TCS project occurs after November 1, 2022, can the AV still submit the project on November 1, 2022 without official AHJ approval?

A requirement of the Part I application is that all land use permits are submitted. As outlined in Section 7.4.1. of the Agency's Long-Term Plan, "For ground mounted systems over 250 kW a land use permit, when applicable from the Authority Having Jurisdiction ("AHJ") over the project. In the event a land use permit is not applicable, written confirmation from the AHJ that no permit is required must be provided."

### **Corrections from Original Published Versions of Rationale and Scoring Requirements**

#### **Rationale Document**

- There was a typographical error in the initial version of the Traditional Community Solar

Rationale document. The minimum point threshold will be 5 points. Find corrected version here: <https://illinoisabp.com/wp-content/uploads/2022/10/TCS-Scoring-Rationale-October72022.pdf>

### **Final Scoring Guidelines**

- In the Final Scoring Guidelines document, under Verification within the “Qualification and Demonstration, Verification, and Compliance” section, a typographical error indicated that the Scoring Cure Period was “Approximately 32 weeks”. The document, on the Program website, has been corrected to read “Approximately 2 weeks.” Find corrected version here: <https://illinoisabp.com/wp-content/uploads/2022/10/Final-TCS-Scoring-Guidelines-7-Oct-2022.pdf>. Please keep in mind this is a tentative schedule and the volume and quality of applications may impact these approximations.
- In the Final Scoring Guidelines document published on October 7, 2022, in footnote #12 there was a typographical error. Mention of “Construction and electrical work” in this footnote should have been changed to “project development work”. That correction has now been made in the final version of the document.
- In the Final Scoring Guidelines document, there was an error omitting “disturbed land” from items that would negate the COA subcontractor. That correction has now been made in the final version of the document.

## **TRADITIONAL COMMUNITY SOLAR CLARIFICATIONS #2 PUBLISHED OCTOBER 26, 2022**

### **Resources on Traditional Community Solar (TCS) Guidelines and Scoring**

- [Final Scoring Guidelines](#)
- [Rationale for Final Scoring Guidelines](#)
- [TCS Clarifications #1](#)
- [Webinar Slides from 10/24](#)
- [Webinar Recording from 10/24](#)
- [Portal Help Guides \(includes batching and Part I CS submission\)](#)

### **Equity Eligible Contractors**

1. Can an EEC buy a community solar project that was submitted to TCS that fails to get awarded a REC Contract then submit the application to another category?

A project submitted to the TCS category cannot be moved to another category without withdrawal of the original application and re-application in the new category. Projects that are re-submitted to the Program in this manner will require a new application fee.

2. Can an EEC buy a what was originally slated to be a TCS project before November 1st from a TCS developer and put it into the EEC Block?

A project may only be submitted in one category. If a community solar project has not been applied to the Program is sold to an EEC-certified Approved Vendor, the EEC AV may choose to submit the project in the TCS category or the EEC category.

3. Are Approved Vendors who are Equity Eligible Contractors automatically qualified as an

EEC Designee?

Yes, an additional application to become certified as an EEC is not required for EEC certified AVs to act as an EEC Designee. Still, the Approved Vendor must have an active Designee application and be connected with an Approved Vendor through Designee registration, this step is required of all Designees active in the Program and has not changed. Finally, per the Final Scoring Guidelines, any EEC that is acting as a Designee on a TCS project must be named by the Approved Vendor submitting the project. This EEC Designee commitment must be in compliance with the requirements outlined in the Final Scoring Guidelines and must be demonstrated via a contract, attestation, agreement, etc. signed by both parties.

4. Can you please confirm that if an EEC designee uses any subcontractor that is not also an EEC-certified designee, that precludes the project from taking points under the EEC category?

In the guidance issued on October 21, 2022, the IPA clarified that: *EEC certified Designees are permitted to utilize nested Designees/subcontractors, but those Designees must be EEC certified in order to receive points for utilization of EEC Designees.*

A project which receives points for commitments to work with EEC-certified Designees under the scoring criteria must utilize nested Designees/subcontractors which are also EEC-certified.

5. Given there are no EEC certified Designees at present, is it possible to get points under this category if the AV applying is not themselves an EEC?

If there are no active EEC Designees at the time of application and the Approved Vendor is not an EEC, then no, there are no points available for this Approved Vendor under the Equity Eligible Contractor section of scoring criteria.

For this program year, Designees that have submitted an application but are not yet certified as Equity Eligible Contractors by the Program Administrator will be permitted to be utilized as EEC Designees. If a Designee's EEC application is not approved by the Program Administrator, a substitution will need to be made for a qualifying EEC Designee. Applicant EEC Designees will need to be certified by the time the application scoring cure period begins. This allowance will only be made in the initial scoring of Day 1 applications. After such time, all EEC Designees must be certified at the time of Part I application submission to achieve points for the EEC scoring criteria.

**Portal Functionality**

6. Can 2 people be logged into the same account in the Program portal and be entering applications independently?

Yes.

7. Is there a file size limit for uploads in the Program portal?

No, there is no file size limitation for uploads.

8. Will previously batched Part I applications be migrated over from the Legacy portal prior to the 11/1 deadline? If not, will all those applications fall behind the new Part I applications submitted on 11/1 in terms of processing priority?

All Part I applications that originated in the legacy portal have now been transferred to the new Program portal. Please reach out to the Program Administrator if this is not the case.

9. Will the portal option for TCS apps go live prior to November 1st so developers can populate all of the required application info and save in draft format as opposed to filling out all applications and submitting on November 1st?

No, the portal will not open earlier than 8AM CPT on November 1, 2022, for Traditional Community Solar applications.

10. The dropdowns for Tracking Type don't perfectly align between the guidelines and the portal. Can you confirm that 1-axis backtracking equals backtracking in the portal, and 2-axis tracking equals dual axis in the portal?

Confirmed as stated.

### **Interconnection Status**

11. As it relates to the points offered for the top 2 queue position in the clarification document, the IPA states "interconnection agreements must be both executed and valid meaning not expired". Can you confirm that this requirement applies to scoring criterion item 4.a (Project has a valid interconnection agreement at the time of application (Add 1 point) as well)?

Yes, a valid and executed interconnection agreement is required for both scoring items 1.a and 1.b under "Interconnection Status".

12. Under the "Interconnection Status" scoring criteria section, the first two items are:

- a. Has valid interconnection agreement (1 point)
- b. Has a top two queue position among community solar projects on a substation on the date of application (2 points)

Can you get points for both of these scoring criteria?

These points are additive. A project with a valid interconnection agreement will receive 1 point. A project with an executed interconnection agreement and a top two-queue position will receive an additional 2 points.

13. The new Guidebook indicates that a signed interconnection is not required for TCS. Is this the case for CDCS?

Community Solar systems (either TCS or CDCS) are not required to submit an interconnection agreement in the Part I application, but are required to provide a certificate of completion in the Part II application. Traditional Community Solar Part I application submissions may include an interconnection agreement in order to gain more points should scoring occur.

All Distributed Generation systems over 25 kW AC in size must submit an executed interconnection agreement in the Part I application.

14. Will projects with interconnection agreements executed after November 1st be able to have interconnection points applied to their score for the first block?

No, all attributes of a project that will be scored upon for the purposes of obtaining a REC Contract must be present at the time of application submittal. The only exception is the EEC certification of EEC Designees. EEC Designees must be applied at the time of submission, but must be approved by the time the scoring cure period occurs.

15. What is required to demonstrate interconnection queue position?

**For projects interconnecting in the ComEd territory – please use the online portal offered by**

ComEd to check queue position. A printout, screenshot, email, etc. demonstrating queue position from either the utility portal or an email from a utility representative can be provided.

**For projects interconnecting in the Ameren territory** – Please reach out to the utility to assess your queue position. A printout, screenshot, email, etc. demonstrating queue position from either the utility portal or an email from a utility representative can be provided.

**For projects interconnecting with another electric provider** – Please reach out to the interconnecting utility's interconnection group to confirm, and provide a screenshot or email demonstrating queue position.

### **Built Environment**

16. Can you get points for both the Pollinator Habitat criterion and Agrivoltaics criterion? Or is it one or the other?

Yes, you can receive points for both commitment to pollinator friendly habitat and commitment to utilizing agrivoltaics, as long as points awarded do not exceed the 4 point maximum permitted under the Built Environment category.

17. As explained in the October 21 clarifications, applications for projects seeking to obtain points for being sited on disturbed lands will be evaluated to determine whether they meet the criteria outlined in the definition provided in footnote 12 of the scoring criteria. The Program Administrator will evaluate whether the project is sited on land that is (1) in an altered state, (2) in transition from one cover type (under USGS definitions), and (3) due to disturbances by mechanical or non-mechanical means. All three of these elements must be met to qualify as “disturbed land.” Approved Vendors will need to submit documentation which demonstrates that the land disturbances existed prior to the development of the site for installation of the solar project. If land is in transition, the transition can’t have occurred in the past. Do you mean that building solar will mean it is in transition?

The land must be disturbed prior to the development of the solar project. That is, the solar development itself cannot be the trigger of the land disturbance.

18. Can you please confirm that if a community solar project is aiming to get points under the contaminated/disturbed or brownfield category, the site plan must show the project is 100% sited over the contaminated/disturbed or brownfield area?

The Agency will assess documentation provided to demonstrate the achievement of these points against the definitions provided in the Final Scoring Guidelines.

19. What will that be sufficient to secure the points available for disturbed land, contaminated land, and brownfields?

The Agency is open to any documentation that the AV thinks demonstrates the definitions provided for disturbed land, contaminated land, and brownfields.

### **Project Submittal – Timing, Other Program Categories, and Other IPA Procurements**

20. Are we able to submit a project into this program while also submitting to the indexed REC RFP in an effort to secure a REC contract? Understanding, that if selected under the indexed REC RFP, we would pull our TCS application and lose the bid fee.

No, the maximum size allowable for a TCS project is 5 MW AC while for the indexed REC RFP projects must be over 5 MW AC in size (per the definition of utility scale projects). One exception might be a project that is sited on a brownfield. In this case, it is permissible to submit an application to both the indexed REC procurement and the ABP, but if selected in the indexed REC procurement the Approved Vendor would need to withdraw ABP application.

Please direct all further questions on the indexed REC procurement to the Procurement Administrator here: <https://www.ipa-energyrfp.com/>

21. Can AVs submit a project into more than one category?

No, per the Program Guidebook, Section 1.A:

“If a project is eligible for more than one category, the Approved Vendor may select any one of those eligible categories into which to submit the application during the Part I application



as described in Section 5 below. Approved Vendors will be provided with a drop-down list in the Part I application displaying all categories for which the project is eligible in order to make a selection. An application must be submitted into one and only one category."

22. Does timing during Day 1 of application matter? i.e. will an application submitted at 8am be better positioned than one submitted at 2pm (both on day 1)?

Timing during Day 1 of application submission does not matter. Section 1- 75(c)(1)(K)(iii)(1) of the IPA Act requires the Agency to select Traditional Community Solar ("TCS") Category projects on a first-come, first-serve basis, and allows the Agency to utilize additional methods to prioritize projects submitted at the same time. As explained in the Agency's 2022 Long-Term Renewable Resources Procurement Plan, the Agency has interpreted "at the same time" to mean projects submitted "on the same day." The TCS Scoring Criteria will be utilized to prioritize projects submitted "at the same time" – that is, on the same day – when the collective size of project applications in MW submitted to the Program exceed the capacity available in the Program. As explained in the Plan, the Agency will maintain the "first-come, first serve basis" outlined in the IPA Act, and will prioritize projects received on the same day in accordance with the scoring criteria. This means that project applications will be scored and ranked by the date the application is submitted.

### **Application Fee Payment**

23. Does the Program accept American Express (AMEX) for the payment of application fees?

Yes, payment with American Express is accepted.

24. What are the additional fees for credit card payment?

The fee for credit card payment is 2.9%, but is capped at \$10,000 per month (on a rolling 30-day basis, not calendar month) per Approved vendor.

25. If a project application is completed and batched on November 1, but then paid for some time in the next 10 days, it will still be registered as a November 1 application and not the date that payment was received.

Yes, this is correct.

26. How do AVs obtain a W-9 for Energy Solutions? Most large companies require W-9s to issue payments.

Energy Solutions' W-9 can be provided upon request by emailing [admin@illinoisabp.com](mailto:admin@illinoisabp.com).

27. How much time do we have to get wire submitted after a batch is submitted?

Fees must be paid with 10 days after a batch has been submitted. If payment is not received within 10 days, the capacity allocation will be withdrawn.

### **Batching**

28. What is the batch minimum and maximum for DG projects?

Batch minimums and maximums are the same for all projects across the Program. The first batch an Approved Vendor submits must be 100kW or larger, there is no batch minimum size after the first submitted batch. The batch maximum size is 5 MW.

29. Can multiple batches be submitted on November 1st?

Yes, multiple batches may be submitted.

30. If you are submitting multiple projects, should you batch all projects together?



As noted above, the maximum batch size is 5 MW AC. This choice is left up to the Approved Vendor, as long as the batch falls within the minimum and maximum batching size requirements. Approved Vendors will also want to keep in mind that once placed on a REC Contract, assignments can only occur at the batch level, not at the project level.

31. Since batches are subject to a maximum of 5 MW in size and that is also the maximum size allowance for a TCS project, do you just not batch them or should each 5 MW TCS project be within its own batch?

All projects submitted to the Program must be batched. A project is not considered fully submitted until it is batched and that batch is submitted. Batches can contain a single project or multiple projects (as long as batching size minimums and maximums are met), this choice is left up to the Approved Vendor.

### **Siting**

32. For scoring criterion, 2.c - Sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County) that does not currently have a community solar project that was approved by the ICC for a REC contract under the Adjustable Block Program at the time of application. (Add 2 points) – To achieve these 2 points, does the project need to be sited within Cook, DuPage, Kane, Lake, McHenry, or Will County? Or can the project be sited in a different county without a community solar project?

It can be sited in any county that does not already have a CS project, excluding those most populous counties in Illinois listed here: Cook, DuPage, Kane, Lake, McHenry, or Will County. For the counties in the state that are the most populated (Cook, DuPage, Kane, Lake, McHenry, or Will County) the project must be sited in a township within that county that does not yet have a CS project, as these counties likely already have several CS projects sited within them.

<b><u>Must be Located within a TOWNSHIP that Does Not Yet Have An ICC Approved CS Project</u></b>	<b><u>Must be Located in a COUNTY that Does Not Yet Have An ICC Approved CS Project</u></b>
<u>Cook, DuPage, Kane, Lake, McHenry, or Will County</u>	<u>All other counties in Illinois aside from Cook, DuPage, Kane, Lake, McHenry, or Will County</u>

33. Can the IPA add County to the Project Reports on the ABP website?

The county in which a project is located will be added to the application reports before the week closes out, found here: <https://illinoisabp.com/project-application-reports/>

As there will be no ICC approvals between October 26, 2022 and November 1, 2022, this list will be accurate for those AVs submitting projects on November 1st.

### **General**

34. Can Approved Vendors be combined? We currently have each individual project company as an Approved Vendor, but we would like to make the parent company (holding company) an Approved Vendor.

Changes, merging of AVs, or moving projects from one AV to another in the portal must be worked through individually with the Program Administrator. Note that since the process takes time, if there is not already an active AV that the AV want to submit projects under, this may not be possible prior to November 1<sup>st</sup> as a new AV application for the parent company will be required. Please reach out to the Program Administrator for further assistance. Additionally, please keep in mind that single project Approved Vendors have different Part I application requirements, these can be reviewed in the Program Guidebook.

### **Minimum Point Threshold for Waitlist**

35. When the capacity available is exceeded, triggering the scoring process, will all projects be required to meet the waitlist minimum threshold to qualify for an award?

The Agency will utilize the scoring criteria to prioritize projects submitted on the same day and to establish a waitlist for those projects that after scoring do not fit into the block of capacity allotted for this category. On the day applications submitted for the Traditional Community Solar block exceed the MW of capacity offered by the block, scoring will commence. All applications submitted on the same day will be treated equally in terms of application submission timing. The scoring process works as a tiebreaker to rank order projects that are submitted on the day that capacity is exceeded. All projects submitted on the day that capacity is exceeded will be scored and ranked according to their score. The capacity of the block will be filled in order of the rank-ordered project list until the block of capacity is filled. There is no minimum point threshold for selection on the day that scoring is triggered. Once the block of capacity is filled with rank ordered projects, the remaining projects received will be eligible to join the waitlist, provided that they meet the minimum score required for the waitlist (5 points).

As is clear in the Commission's Final Order approving the 2022 Long-Term Plan, the minimum point threshold is to only be used as a threshold to gain a spot on the waitlist, not as a threshold to gain a REC Contract. This means, for project applications received on the day that scoring is triggered, those scored and rank-ordered projects that fill the capacity of the block **will not** be subject to the 5-point waitlist threshold. Once capacity is filled with the top-ranked projects, those projects which are not selected **will** be subject to the minimum point threshold, and must have a score of 5 points or higher to secure a place on the waitlist. All projects submitted after the day that blocks are filled will also be subject to the minimum 5-point waitlist threshold.

### **Waitlisted Process & 2023-24 Program Year**

36. Will waitlisted projects get priority in the next Program year?

Yes. Once capacity for the Traditional Community Solar category has been reached for the 2022-2023 Program Year, subsequent applications must receive a minimum score of 5 points, per scoring requirements discussed in Section 1.F of the Program Guidebook, to receive a spot on the waitlist..

In the case that there is uncontracted capacity from other Program categories at the end of the 2022-2023 delivery year, the uncontracted capacity will be allocated to Program categories according to Section 1.D of the Program Guidebook.

For waitlisted capacity not met through uncontracted capacity redistribution, Section 1-75(c)(1)(K) of P.A. 102-0662 provides that “the waitlist of projects in a given year will carry over to apply to the subsequent year when another block is opened.” Thus, those waitlisted projects will be given priority in selection within their category under that new delivery year’s capacity allocation to that category.

### **Communications**

37. For the Traditional Community Solar capacity, will the IPA publish a list of applications and/or an aggregate number of applications prior to implementing the tiebreaker scoring?

The Program plans to announce on November 2nd how many MW of projects were submitted on November 1st, before application review and scoring commences. Additionally, the Program Administrator will seek to update the block capacity dashboard hourly throughout the day on November 1st.