

From: Sameer H. Doshi
To: IPA.Solar
Subject: [External] Re: Draft Guidebook Released for Feedback – Comments Due April 3, 2023
Date: Thursday, March 30, 2023 17:39:00
Attachments: [REDACTED]

Hello,

Below are my comments on the draft Illinois Shines / Adjustable Block Program Guidebook published on March 14, 2023.

My page references below are to the clean version of the draft Guidebook, <https://illinoisabp.com/wp-content/uploads/2023/03/2023-Draft-Program-Guidebook-March-14-2023.pdf>.

I am writing solely as an individual, on behalf of no entity; and I have not shared or discussed these comments with anyone.

I. Small typos and other corrections

Bottom of page 6: insert a quotation mark before "transparent"

Page 6, footnote 2: insert "Contractor" after "Equity Eligible"

Top of page 7: change "under 10 kW" to "up to 10 kW". Then delete "and including" in the next line.

Top of page 8: delete "Solar" before "Craft" (see, e.g., <https://www.icc.illinois.gov/docket/P2017-0332/documents/325755/files/567094.pdf>)

Page 16, footnote 8: the second sentence has two typos ("withing" and "location").

Page 53: change "Contact" to "Contract"

Page 64: change "2021 REC Delivery Contracts" to "2021 and 2022 REC Delivery Contracts"

Footnote 44 on page 80: change "2021 REC Contract" to "2021 and 2022 REC Contracts"

Page 81: change "106-0662" to "102-0662"

Table on page 81: maybe drop a footnote mentioning that for community solar projects selected **prior to** the February 2020 Revised LTRRPP, the \$11.17/\$10.88 adders were for 25% to 50% small subscriber levels (not 25% up to less than 50%); and the \$22.34/\$21.77 adders were for above 50% up to 75% (not 50% up to 75%).

Page 82, footnote 47: change "16-107.6" to "16-107.5"

II. Traditional Community Solar project selection

Either in the short "Traditional Community Solar" section on page 10, or in Appendix E beginning on page 110, the Guidebook should mention that the Traditional Community Solar category may have random selection if necessary to break a tie among marginal applicant

projects (as described in this recent blog post: <https://illinoisabp.com/2023/03/10/traditional-community-solar-scores-for-program-year-2022-2023>).

Another significant point in the same March 10th blog post that (I think) is not already in the draft Guidebook is this: "Between projects with tied scores that belong to a single Approved Vendor, an Approved Vendor will have the option to select which of their projects would be selected and which moved to the waitlist in order to keep that Approved Vendor within the 20% developer cap." That could also be incorporated in the Guidebook.

And if there are any *other* significant policy points in the March 10th post (or any other recent IPA public announcements) not already in the Guidebook, those could be incorporated.

III. Block allocation methods

I have a question or suggestion about a possible ambiguity in the treatment of a waitlist within a Group/category. Page 81 (section 6.B) says: "Projects may be selected off a waitlist . . . when a new block of capacity is opened". And Section 1.G.1 (page 18) says: "Waitlists of projects will carry over to the following Program/Delivery year." That seems straightforward enough: to me, it implies that when a new annual block opens on June 1st (pages 16, 50), waitlisted projects for the same Group/category will go into the application queue first, before new applications. If that's the intent, then that could be clearly stated in section 1.E. (Or if something else is the intent, then the alternative idea could be expressed in section 1.E.)

That raises more questions: **(1)** if waitlisted projects from the prior program year (for a particular Group/category) fully fill a block on the opening day (June 1st), does the "soft close" process described in section 1.F (page 17) then immediately apply? Also, **(2)** under this hypothetical scenario, would the block be considered "open" for new applications at 12:00 AM on June 1st, or would IPA announce prior to midnight that waitlisted applications are going to fully occupy the new program year's block? (If the latter, it might make sense to close the prior program year's applications a few hours before midnight on May 31st, or something like that, so IPA can take stock. A process point like that could be noted in the chart on page 50.) My question (2) about whether the block is considered "open" at 12:00 AM on June 1st under this hypothetical circumstance is inspired by the statement in Section 1.F, "a project will receive the price of the block that is open at the time the Part I project application is submitted."

Next, I have a comment or question about the "Uncontracted Capacity" / "Capacity Redistribution" discussion (section 1.H). Refer to the second paragraph on page 21, particularly these two sentences:

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.

The use of the phrase "those waitlisted projects" (i.e. "waitlisted capacity not met through uncontracted capacity distribution") seems to *possibly* imply that the allocation of uncontracted capacity from the prior program year to waitlisted projects (which the first sentence of that same paragraph, not quoted above, seems to say would occur around June 14th) occurs *before* the allocation of the new delivery year's block to waitlisted projects. But

that could be at odds with the interpretation I outlined a couple paragraphs above in these comments, where a new program year's block will be allocated on June 1st to, initially, the prior program year's waitlisted projects. Or maybe I'm misunderstanding things. Whatever is the Agency's intent, some clarifications for consistency in all these passages could be helpful.

Also, the statement "Final block sizes for [] 2023-24 [], inclusive of reallocated capacity, will be announced once the 2022-23 Program year concludes" on page 17 should perhaps be clarified to mesh with the page 21 passage that implies the announcement of uncontracted capacity redistribution would occur around June 14 (and not immediately after May 31).

There is a possibility where a block could reach "soft close" status, and then actual closing, shortly after June 1st and mostly or entirely from new applications for the program year ... and then the block could open again on June 14th when additional capacity from the prior program year is allocated. And then, potentially, the block could get filled (immediately or later) and reach "soft close" status again for the second time in the program year. Perhaps that is already contemplated, but if that is undesirable, the Agency could make design changes to avoid that outcome.

Some of the tensions I identified in my paragraphs above could be ameliorated if the annual opening of a block occurred around mid-June rather than June 1st. Just an idea for your consideration.

IV. Public Schools capacity allocation

My comments above in part III generally apply to the Public Schools category, but then I have some additional questions or comments for this category.

For the chart on page 12: in the first row of the chart on page 12 **and** the third row of the chart on page 12, I suggest editing as follows:

Tier 3, Tier 4, ~~or~~ schools not located within Environmental Justice Communities

This edit is consistent with a line on page 11 of the Guidebook, and with a line at the bottom of page 170 of the 2022 LTRRP.

For the reallocation of uncontracted capacity to Public Schools for a subsequent program year (this could occur either according to the paragraph at pp.19-20, or possibly also the paragraph at the bottom of page 20), will this be allocated *pro rata* among the six Public Schools sub-blocks? If so, that could be stated on page 11 and/or in section 1.H.

For the Public Schools category, within a given Group, I'm assuming the "soft close" approach described in section 1.F (page 17) applies when all six sub-blocks are filled (if prior to the 180-day mark in a program year). How, then, does the soft close process work (if prior to the 180-day mark), exactly: can any school project apply and be accepted up to a cumulative 10 MW (or 7 days), regardless of Tier or EJC status or MW size? That could be clarified in section 1.F.

For the "Public Schools Waitlist Specifics" section on page 19 (section 1.G), I have the following questions intended for clarity:

* Regarding "If capacity is reached prior to 180-day prioritization window for this block" [as a predicate for adding to the waitlist]: does this quoted phrase mean capacity is reached in

all six sub-blocks of the Group? Or in just one sub-block?

* Regarding "projects will be added to waitlist following the prioritization for this block outlined in Section 1.D": Section 1.D on pp. 11-12 does not exactly define a *prioritization*, so this seems a bit difficult to parse. On the plain face of this quoted text, this sounds (to me) like Tier 1/Tier 2/EJC schools are prioritized first, so that if (prior to the 180-day mark in a program year) space in a Tier 3/Tier 4 sub-block opens, the top Tier 1/Tier 2/EJC project of that size on the Group waitlist gets selected first for that space. That seems like the Tier 3/Tier 4 sub-blocks are actually more like "general" sub-blocks, and the allocations for Tier 1/Tier 2/EJC are actually minimums. But (and I could be misunderstanding) that doesn't sound consistent with the intent evinced in the last paragraph on page 170 of the 2022 LTRRPP, or consistent with the last paragraph and the subsequent chart on page 11 of the draft Guidebook. If the Agency agrees with what I'm saying (though maybe you don't!), would it make more sense to say that projects will be added to the Group waitlist based on application date, while projects will be selected from the Group waitlist (prior to the 180-day date) when a project's appropriate sub-block gets new space? As an additional point, I'm thinking that if projects are placed on the waitlist (prior to the 180-day mark) in an order other than chronological application order, then *after* the 180-day mark, when the sub-blocks are essentially dissolved and the rule is supposed to be "projects [] will be accepted on a first-come, first serve basis regardless of Tier, [EJC] location, or project size" (p.12), selections from the waitlist may not reflect the first-come, first served idea, which again seems inconsistent. I'm not trying to advocate for any particular policy, but just attempting to make suggestions for consistency and clarity.

* In the final paragraph of section 1.G, regarding the first two sentences ("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..." and the sentence about the "reshuffling of the waitlist [] at the start of each Program year"): these provisions seem somewhat confusing or unnecessary when you also have the final sentence of the paragraph, "Projects will take capacity from their designated sub-block according to the project type, Group, and size" -- which, similar to what I wrote above, I think is more consistent with other provisions in the draft Guidebook and 2022 LTRRPP.

That's all of my comments. Thanks very much for your consideration,
Sameer

[REDACTED]

On Tuesday, March 14, 2023 at 04:43:31 PM CDT, Illinois Adjustable Block Program Administrator <admin@illinoisabp.com> wrote:



Illinois Adjustable Block Program

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Draft Guidebook Released for Feedback – Comments Due April 3, 2023

March 14, 2023

The Agency has released a draft Program Guidebook for the Illinois Shines program for stakeholder feedback.

This draft Guidebook will undergo stakeholder feedback, the Agency will review comments submitted, and then release a final version of the Guidebook for the 2023-24 Program year, which commences on June 1, 2023. All changes in this draft version of the Program Guidebook are to be considered proposals upon which stakeholders can provide feedback (aside from those changes derived from stand-alone feedback processes that have already occurred, such as the [December 2022 consumer protections feedback process](#), [MES waiver feedback process](#), and the [Public Schools feedback process](#)).

The Agency will release the updated Guidebook for the 2023-24 Program year on April 17, 2023, 45 days in advance of the start of the Program year, to allow Program participants to review, understand, and prepare to be in compliance with all changes in the Program Guidebook when the 2023-24 Program year commences on June 1, 2023.

PLEASE NOTE - Changes to program requirements via edits to the Program Guidebook as published on April 17, 2023 will not take effect until June 1, 2023. After June 1, 2023, all Program participants are expected to be in compliance with new program requirements finalized in this Guidebook update process or may face disciplinary action.

Next Steps in Program Guidebook Comment & Update Process

- Comments on draft Program Guidebook due **April 3, 2023**
 - [Draft Program Guidebook](#)
 - Comments should be emailed to IPA.Solar@illinois.gov
- Agency to review comments and make final edits
- Agency to release final Program Guidebook for 2023-24 Program year on **April**

17, 2023

- Updated Program Guidebook takes effect **June 1, 2023**

High Level Changes to Draft Guidebook

- Proposal to prohibit the use of TBD Disclosure Forms for Community-Driven Community Solar projects
- Proposed updates to information to submit related to projects with batteries
- Proposed updates to signature requirements on site control documentation
- New information regarding the publishing of disciplinary decisions made by Program
- New information on the Public Schools anchor tenant waiver
- New information on the MES waiver
- Clarifications related to public school land ownership and project siting requirements
- General reordering and clarifying of information
- Shifting of listed requirements, waivers, attestations, etc. into appendices

Thank you!

Illinois Adjustable Block Program

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