

EXPANDED CONSUMER PROTECTION WORKING GROUP AGENDA

Friday, December 1, 2023

Poll Question Series 1:

Which marketplace participant best describes you?		35 participated
Approved Vendor	43% (15/35)	
Designee/Nested Designee	14% (5/35)	
Consumer	0% (0/35)	
Government Agency	29% (10/35)	
Non-Profit Advocacy/Community Group	14% (5/35)	
Prospective Approved Vendor/Designee	0% (0/35)	
Other	0% (0/35)	

TOPIC 1	Disclosure Form errors and noncompliance
BACKGROUND	<p>A key consumer protection requirement in both the Illinois Shines and Illinois Solar for All programs is the standard Disclosure Form. Both programs require that all customers receive and sign a standard Disclosure Form before signing their installation contract (for distributed generation (DG)) or subscription (for community solar). The purpose of the Disclosure Form is to provide clear, consistent information to the customer about the Program, the specific offer by the Approved Vendor/Designee, and consumer rights.</p> <p>The Program Administrator for Illinois Shines has begun a detailed audit of Disclosure Forms associated with submitted applications to better understand how market participants are completing the Forms. While this review remains ongoing, the Program Administrator and Illinois Power Agency wanted to flag certain issues identified to date so participants could adjust their practices and ask any questions they may have at this time.</p> <p>Some of the issues identified thus far include the following:</p> <ul style="list-style-type: none"> • Disclosure Forms where the customer signed after the installation contract (for distributed generation) or subscription agreement (for community solar). • DG Power Purchase Agreement (PPA) Disclosure Forms where the Initial and Final PPA price per kilowatt-hour is entered in cents (incorrect) rather than dollars (correct) (e.g., for a price of 7 cents/kWh, the DF should reflect “0.07” not “7.00”). • DG PPA and Lease Disclosure Forms where the escalation rate is entered as a decimal (incorrect) rather than a percentage (correct) (e.g., for 3%, the Disclosure Form should say “3.0” rather than “.03”). • DG REC (Renewable Energy Credits) incentive pass-through amounts that exceed the total incentive payment amount.

	<ul style="list-style-type: none"> • DG and CS (Community Solar) fields where the Approved Vendor or Designee refers to another document (e.g., “see contract” or “addendum”) without providing an answer to the prompted question/issue. <p>In the coming weeks, the Program Administrator and IPA intend to institute a few measures to address these deficiencies. First, they will release a special announcement outlining the identified Disclosure Form deficiencies/errors and describing how to avoid them. Further, the Consumer Protection Team of the Program Administrator for Illinois Shines will begin issuing Notices of Potential Violation for late-signed Disclosure Forms while the Strategy Team will reach out directly to Approved Vendors and Designees for other Disclosure Form-related deficiencies. The Program Administrator notes the above issues to put market participants on notice and seek feedback on the same.</p>
ISSUES/ QUESTIONS TO DISCUSS	<ul style="list-style-type: none"> • <i>What questions do market participants have about the above examples of identified Disclosure Form issues?</i> • <i>Other than additional Program announcements and the Program Administrator’s Strategy Team conducting direct outreach, what additional forms of assistance would be helpful for Approved Vendors and Designees to improve compliance with Disclosure Form requirements?</i> • <i>What questions (if any) do market participants have on resources available to them for information about what is required in specific fields on the Disclosure Form?</i>
MEETING MINUTES	<p>Stakeholder feedback included:</p> <ul style="list-style-type: none"> • Several participants agreed that increasing the character limits for certain free text fields could be helpful. The Program Administrator stated one option is to add additional text in the “Additional Information” section on the Disclosure Form, which has a sizeable character limit. • One participant suggested adding validations to catch formatting errors (e.g. inputting decimals instead of percentages). The Program Administrator relayed that it is currently considering validations such as this one for the portal. • Several participants agreed that a recorded training walking Program participants through the common Disclosure Form errors could serve as a valuable resource. • One participant raised a concern about the audit on Disclosure Forms given different Program events that have transpired (Program closure pre-CEJA, Program Administrator transition, etc.). The Program Administrator clarified that the audit is focused on Disclosure Forms created post-leniency (post-June 1, 2023, for distributed generation and post-June 30, 2023, for community solar).

TOPIC 2	Market feedback on potential continued supply chain issues
BACKGROUND	<p>During the 2022-23 Program Year, the Program Administrator received many complaints from consumers regarding delays in the installation of their systems (and, correspondingly, delays in the submission and approval of their applications). Through discussion with Approved Vendors and Designees, the Program Administrator learned some of these issues were attributable to supply chain delays. While the Program Administrator continues to receive consumer complaints regarding application delays, the Program Administrator is not hearing that such delays are tied to supply chain issues.</p> <p>The Program Administrator seeks feedback from market participants on whether supply chain-related delays have subsided and are no longer a (primary or other) cause of concern. On a related note, the Program Administrator seeks information on sources and severity of other (non-application processing) delays Program participants regularly experience.</p>
ISSUES/ QUESTIONS TO DISCUSS	<ul style="list-style-type: none"> • <i>What types of supply chain issues are market participants experiencing in the current market?</i> • <i>How have these issues (and their severity) changed over the past year?</i> • <i>How, and when, are Approved Vendors and Designees communicating with customers about these delays?</i> • <i>Do market participants anticipate any changes to the sources (or severity) of delays in 2024?</i> • <i>What other sources of external delays occur (e.g., permitting and inspection) and how are market participants communicating with customers about those delays?</i>
MEETING MINUTES	<p>Stakeholder feedback included:</p> <ul style="list-style-type: none"> • One community solar market participant stated that its company experiences delay due to supply chain issues when their system has an outage or repair after the project goes online. The participant stated that specific parts may be built to order which results in longer lead times. • One participant stated it has not experienced any supply chain issues for residential solar this year but that large commercial projects often experience supply chain delays for large electrical gear (not solar-specific gear but required for the electrical part for the interconnection/electrical design, etc.). The participant stated that its most significant delay for its projects is still related to the interconnection/permitting process.