

Re: **2024-2025 Illinois Shines Program Guidebook**

LiveWire Electrical Systems, Inc. (“LiveWire”) appreciates the opportunity to comment on the draft Illinois Shines Program Guidebook dated March 13, 2024 (the “Draft Guidebook”). We are supportive of the Draft Guidebook revisions, and offer the following comments:

EEC Designees and EEC Subcontractors:

LiveWire is grateful for the positive changes made to the Adjustable Block Program in Section 2H and 2I for new EEC Designees and an EEC Subcontractors who seek to participate in the Program but do not yet have a relationship with an Approved Vendor and/or do not have a customer-facing role for projects submitted to the Program. These improvements will increase the participation and inclusivity of Equity Eligible Persons (EEPs) and Equity Eligible Contractors (EECs) in the Adjustable Block Program to learn self-performance of installation services, to assist with procurement, and to acquire knowledge from more experienced Approved Vendors. These new EEC Designees and EEC Subcontractors will receive initial help towards success as they get more comfortable with this line of business.

Addressing TCS EEC Material Pass-Through.

LiveWire recognizes the improvements made to the Traditional Community Solar Scoring Criteria with respect to EEC involvement as this reduced percentage of 25% will enable smaller, newer EEC firms to actively participate in the Traditional Community Solar Block and forge relationships with non-EEC AVs:

“Project is developed by an EEC certified Approved Vendor or a non-EEC certified Approved Vendor and the contractual commitments for EEC certified subcontractor(s) and/or Designee(s) that all project development work represents at least 25% and up to 50% of the project’s REC Contract value” (Add 1 point).

(2024-2025 Draft Guidebook at 133).

LiveWire supports the 2024-2025 Draft Guidebook Appendix N -Traditional Community Solar Clarifications - in addressing EEC procured material in the Traditional Community Solar Block to meet a certain percentage of the REC value for scoring. Oftentimes, EPCs and non-EEC AVs want EECs to procure equipment with no markup solely to meet the 50% or 75% REC threshold requirement as a pass-through. LiveWire suggests adding the following language to this section in Appendix N to strengthen this rule for preventive measures against TCS EEC material pass-through:

“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 materials ~~costs~~ must be installed tied-by to the EEC Designee that is

performing the electrical, construction, or other site-specific project development work that is related to those materials.”

(2024-2025 Draft Guidebook at 192).

EEC Block Scoring

In order for the EEC category to increase opportunity for its own participants, the 2024-2025 Draft Guidebook can make an improvement to implement a scoring metric for the EEC Block and a blanket rule that requires all projects submitted by EECs to be installed by EECs.

Despite EEC AVs being required to beneficially serve as the owner of the REC Contract for six years following the Part II Verification date, EEC AVs often do not serve as long-term owners and operators of their physical projects or installations for the entirety of the 20-year REC Contract. EECs do not need to be owners of the project for the full 20-year contract, but it is critical for the IPA to implement strategies for EECs to remain physically connected to our projects for installation. An EEC AV will move the project along through Part-1 Verification, ICC Approval, REC Contract Execution, and Collateral Deposit, however, other than the Minimum Equity Standard, there is no rule in the program that ties EECs and EEPs to the physical labor and installation opportunities in our own block. Non-EEC firms get hired to install these EEC Block projects for a lower price which drastically reduces the success and job opportunity for EECs.

LiveWire motivates the IPA to make this necessary conforming change to the program to include an EEC self-performance scoring mechanism to protect the EEC Block. To further enforce policy objectives of the IPA Act and CEJA, and to prevent gaming and sleeving of the EEC Block, LiveWire requests that awarded points are allocated to EECs who self-perform project installation and other scopes of service. "Self-performance" is defined as market-rate cost project development that takes place before the submittal of the Part 1 application, i.e., engineering, shading studies, production estimates, PV Watts capacity factor estimates, REC estimates, negotiating site control agreements, applying for land use permits, and creating plot diagrams and site maps for all systems. This definition also includes project operations that are executed after Part 1 submission but before Part 2 submission, i.e., installation, commissioning, professional services, inspection, certificate of completion, fulfilling community solar subscriptions, and creating generating facilities in applicable tracking registries.

With a goal and an intent to keep EEC projects in the hands of EEC companies to install our own projects, LiveWire proposes an EEC Block scoring criteria as follows:

- *a. The EEC certified Approved Vendor can demonstrate contractual commitments for all project work to be self-performed by the EEC certified Approved Vendor and or EEC Designees (Add 4 points).*



- *b. The EEC certified Approved Vendor can demonstrate the contractual commitments for the EEC certified Approved Vendor and or the EEC Certified Designee(s) that all self-performance project work represents at least 50% and up to 75% of the project's REC contract value (Add 3 points).*
- *c. The EEC certified Approved Vendor can demonstrate the contractual commitments for the Approved Vendor or EEC certified Designee(s) that all self-performance work represents at least 25% and up to 50% of the project's REC Contract value (Add 2 points).*
- *d. The EEC certified Approved Vendor can demonstrate the contractual commitments for the EEC Approved Vendor or EEC certified Designee(s) that all self-performance project work represents at least 1% and up to 25% of the project's REC Contract value (Add 1 point).*

Thank you for your time and consideration.

Respectfully submitted,

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