

US Solar – Feedback on Updated Program Guidebook

Dear IPA,

US Solar respectfully submits this feedback regarding the IPA’s draft Illinois Shines Program Guidebook. We appreciate the IPA providing this opportunity for stakeholder input re: its draft updated Program Guidebook, offer these comments to ensure that the Guidebook maintains consistency both internally and with the new the Long-Term Plan (“LTP”).

First, under the REC Quantity Calculation subsection 7 in the updated Guidebook, there seems to be an inconsistency with the new LTP. As Page 225 of the Long-Term Plan states (emphasis added):

“[t]he final capacity factor can be adjusted down from the initial capacity factor, **but can only be increased** from the original capacity factor **upon satisfactory information** submitted by the Approved Vendor that demonstrates modifications to the system design that justify an increase.”

However, updated Guidebook at page 57 (clean copy) simply states: “The Part II capacity factor cannot be greater than the Part I capacity factor.” To be consistent with the LTP we suggest the following redline change to Page 57 of the Guidebook, to clarify that this section speaks to the issue of REC Quantity Calculation only and does allow a capacity factor increase but only per Section 7.11.3 of the LTP:

~~For purposes of REC Quantity Calculation 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, except as approved under section 7.11.3 of the Long-Term Plan. . . .

Second, while we appreciate the IPA’s additional language regarding program appeals on page 9 of the updated Guidebook (clean copy), we believe this language should also be added to the appeals process discussed on page 72 of the updated Guidebook. We offer the following suggested change to the draft Guidebook (at 72) to ensure internal consistency with the way that appeal deadlines are handled at page 9 earlier in the Guidebook.

~~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. Entities should endeavor to submit appeals within two weeks following the decision that is being appealed. For decisions related to consumer protection, unless otherwise specified by the Program Administrator, the deadline to submit an appeal is two weeks after the determination.~~

Third, as it relates to the new LTP provision regarding maximum AC/DC ratios for systems with a battery/storage component, this update was made to one part of the Guidebook but not another. More specifically, the increase from 155% to 200% was included on page 58 of the updated Guidebook (clean copy) at Section 4.L, but not included on page 76. We thus respectfully suggest that this corresponding change (or similar) should be made to the Part II application process on page 76 of the updated Guidebook:

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 Illinois Shines. Changes to the DC size of the system are governed by ensuring that the 155% DC/AC ratio for systems without a battery/storage component, or 200% for systems with a battery/storage component is not exceeded (refer to Sections 4.K and 4.L of this Guidebook for the full requirement).

Fourth and finally, the new LTP included changes to the requirements for EEC category projects, at least one of which does not yet appear to have been updated in the draft Guidebook. Specifically, Section 7.4.6.2 of the new LTP clarifies that an EEC Approved Vendor (“AV”) can sell an EEC category project (but not the associated REC contract) to a non-EEC AV within the first six years (October 10, 2024 filed LTP, at 181).¹ This change should also be reflected in Section E (Program Categories) of the updated Guidebook at page 18 (clean copy), as suggested in the redline below:

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~~ contracts 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.

Thank you for your consideration.

Sincerely,

s/ *Morgan Pitz*

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¹ See also Docket No. 23-0714, Final Order, February 20, 2024, at 53.