



September 6, 2024

Illinois Power Agency
105 W Madison Street, Suite 1401
Chicago, IL 60602

RE: Stakeholder Feedback Request: Updating Distributed Generation (“DG”) Disclosure Forms for Supply-Only Net Metering

Palmetto Solar LLC (“Palmetto”) appreciates the opportunity to supply comments to the Illinois Power Agency (“Agency”) as it considers important revisions to the DG Disclosure Forms in light of upcoming changes to net metering in the State. Our limited comments focus on the transition process between the DG Disclosure Forms currently available and the updated DG Disclosure Forms being contemplated by the Agency.

I. Background

The DG Disclosure Forms have been a staple consumer protection measure under the Adjustable Block Program/ Illinois Shines (“Program”) since its launch on January 30, 2019. Over this time, the DG Disclosure Forms have gone through several minor and major revisions that have impacted the language, formatting and functionality of the DG Disclosure Forms. The Agency is now contemplating further revisions in response to upcoming changes in net metering, as defined in Public Act 102-0662. As the Agency considers further revisions to the DG Disclosure Forms, we strongly encourage applying lessons learned from prior revision processes to inform a transition with as little impact on industry and applicants as possible.

II. No Gaps in DG Disclosure Form Availability

Given the success and growing awareness of the Program amongst industry and the public over the past five years, a significant percentage of annual DG deployments in the State ultimately enroll in the Program. To facilitate consistent, efficient enrollments Approved Vendors (“AVs”) and Designees have designed internal and consumer-facing processes that incorporate Program and Consumer Protection requirements. This is particularly true for the DG Disclosure Forms which Palmetto and many other Program participants issue to customers via the Disclosure Form API functionality.

Section V.A.1 of the current Consumer Protection Handbook, effective June 1, 2024 states, “the Approved Vendor or Designee must provide the completed standard Disclosure Form, and the customer must sign that Disclosure Form, *before* (emphasis added) the customer signs a contract.” Disruptions in the availability of the DG Disclosure Forms or critical tools that enable efficient use of those forms, can have material impacts on participating entities and their ability to issue customer contracts necessary to conduct business.



On April 12, 2024 the Program provided additional details¹ on the closure of the Program from May 27 - June 3, 2024 in order to facilitate the end of the 2023-2024 Program Year and the beginning of the 2024- 2025 Program Year. The Program clarified that, “all Portal functions, including the ability to submit Part I project applications or to download or submit Disclosure Forms (in all forms and manners including API, CSV, PDF), will be unavailable during this period”. Without a way to access DG Disclosure Forms, Program participants across the State were unable to compliantly contract with new prospective customers, leading to significant market and customer confusion.

We implore the Agency and the Program Administrator to manage future transitions involving the disclosure form, including this transition contemplated for January 1, 2025, in a manner that does not restrict access to the DG Disclosure Forms necessary to contract with new prospective customers.

III. Effective Date of New DG Disclosure Forms & Formal Guidance

In the Agency’s August 21st Stakeholder Feedback Request, the Agency clarified that it “plans that the new Disclosure Forms will be available starting January 1, 2025.” While this provides insight into when the new disclosures will become available, it does not clarify when the new disclosures will be required to be used by all Program participants. With such significant changes being contemplated and the likelihood for technical revisions by the Program and participants to ensure API and CSV functionality, sufficient transition time should be afforded. We would strongly encourage the Agency to permit a transition period of at least *thirty days* from the date that final versions of the DG Disclosure Forms and the associated CSV and API functionalities are made available to Program participants.

Further, to promote an orderly transition in the market, the Agency and the Program Administrator should consider hosting a webinar or developing a guideline that addresses the changes made to the DG Disclosure Forms, the effective date that the new DG Disclosure Forms will be enforced and a decision matrix.

We greatly appreciate the opportunity to provide feedback to the Agency and look forward to continuing to participate in the DG Disclosure Form update process.

Respectfully submitted,

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¹<https://illinoisshines.com/year-end-program-closure-updated-mes-submission-materials-and-supplemental-guidance-stakeholder-feedback-published/>