

March 26th, 2025

TurningPoint Energy
7272 E. Indian School Road, Suite 540
Scottsdale, AZ 85251

RE: Request for Feedback on Draft Program Guidebook

TurningPoint Energy (“TPE”) appreciates the opportunity to provide comments on the IPA’s request for feedback on the updated Program Guidebook. While this year’s Program Guidebook is largely similar to previous years, we appreciate the IPA’s attention to updating details to reflect the subtle changes from year to year. TPE has identified one important concern on the updated document:

Extended Withhold Request Concept Needs Far Greater Definition

TPE is concerned that the new “Extended Withhold Requests” concept is potentially ripe for abuse without further definition around what specific circumstances might be considered, and could further create a perverse incentive for the submission of increasingly high risk projects with the knowledge that such projects may have significantly more time to fix potential fatal flaws before any significant financial assurance becomes due. In either case, the effect would be a poorer outcome for ratepayers for whom the delivery of RECs and clean energy will be unnecessarily delayed, and a poorer outcome for projects behind those granted special treatment who would be ready to pay and move forward immediately.

A wide range of projects may have what could be considered to be “circumstances beyond their control that prevent a project from moving forward for ICC approval.” Historically, however, the expectation has been that projects receiving a REC award be ready to move forward or drop out so that valuable program capacity can flow to a project that *is* ready. Without very specific rules, any number of reasons could be convincingly presented as a circumstance worthy of such special treatment, thus delaying the completion of a REC-generating project by 6-12 months (and potentially more if such applicant is ultimately unable to resolve the circumstance limiting their ability move forward).

One such example: an applicant may suggest that they have been caught up in an interconnection situation that *could not have been predicted* in which a contingent upgrade *wrongfully* landed on their project. Their ability to move forward with the REC Award might therefore be subject to a successful dispute with the utility on the cost or validity of the contingent upgrade that has landed on their project. Without specific guidelines, a developer may be able to convincingly argue the merits of why their particular situation is unique and warrants special treatment, such that they should not have to pay their deposit. However, contingent upgrades are not uncommon, and developers should be responsible for understanding remaining risks at the time of award and be comfortable providing performance assurance if they wish to secure such award.

For the continued success of Illinois Shines, program capacity must be deployed to applicants ready to stand behind their project by paying performance assurance, and any exceptions should

be extremely rare, public, and very well-defined. Anything otherwise would be unfair to potential waitlisted applicants behind them whose projects would be ready to move forward if such award were not being held.

Conclusion

TPE once again appreciates the opportunity to comment on this document, and we respectfully request that the Extended Withhold Request concept, if left in the program rules, be considerably limited in what circumstances might be considered (or might not be considered) such that capacity remains available for projects ready to move forward immediately.

Respectfully submitted,



Nick Theisen

Director, Business Development



ntheisen@tpoint-e.com | <https://turningpoint-energy.com> | (602) 820-1182