

## 2025-26 Program Guidebook for Illinois Shines – Rationale for Decisions Related to Stakeholder Feedback

April 18, 2025

The Illinois Power Agency (“Agency” or “IPA”) deeply appreciates stakeholder comments received through its stakeholder comment processes conducted for the purpose of updating the Illinois Shines Program Guidebook. Comments received helped the Agency in the finalization of Program requirements for the 2025-26 Program Year.

The Agency provides this rationale document to offer explanation as to how and why decisions were made around any updates or lack thereof to the Guidebook.

### A. Signature Bundling Availability for Community Solar Disclosure Forms

Signature bundling allows Approved Vendors and Designees to bundle Community Solar disclosure forms together so that they need only a single e-signature. Feedback received from stakeholders urged the Agency to deploy the Signature Bundling feature. In March 2023, the Program Administrator and IPA approved a solution that enables Approved Vendors and Designees that have developed signature bundling solutions to upload the disclosure form bundle in place of each individual disclosure form in the Portal.

Approved Vendors and Designees interested in uploading signature bundled Community Solar Disclosure Forms to the Portal are responsible for developing the signature page with an approved third-party e-signing solution and must request and receive written approval from the IPA.

Once the signature page is approved by the Agency and signed by the subscriber, the Approved Vendor or Designee shall locate the disclosure forms awaiting signature in the Portal by navigating the Disclosure Form page in the View task and upload the entire signature bundled file for each distinct disclosure form awaiting signature using the “Upload Signed Form PDF” button.

The Agency has edited the Program Guidebook to incorporate the current Signature Bundling workaround process and will create website resources for interested Approved Vendors and Designees.

The Agency understands the desire to incorporate Signature Bundling into the Portal and has analyzed the possibility but due to technical limitations, this feature will remain off the Portal until further notice.

### B. Co-location Pricing Across Program Years

Co-location pricing is set as a safeguard to prevent developers from inappropriately maximizing income from incentives, such as by dividing up a larger project into multiple, smaller projects that individually qualify for higher REC incentives. Commenters indicated they found methodology described in the draft 2025-26 Program Guidebook to be confusing and, in some cases, redundant. To further explain the calculation methodology, co-location pricing examples have been inserted to Section 4.F of the final 2025-26 Program Guidebook. Additionally, a co-location REC price calculator will be added to the Program website to ensure further clarity for Approve Vendors.

The Agency would like to clarify that the edits related to co-location pricing across Program Years described in Section 4.F of the 2025-26 Program Guidebook are not new requirements but a methodology explanation for how REC prices are determined for co-located projects that span Program Years. As stated under Sections 7.9.4.1 and 7.9.4.2 of the 2024 Long-Term Renewable Resources Procurement Plan, if a project that is co-located with another project is submitted more than two years after ICC approval of the original system, then this co-located pricing adjustment will not apply. However, if the second co-located project has already been built and interconnected at the time of project application, the date of interconnection must be more than two years after the ICC approval of the original system. If not, it will be subject to co-location pricing.

### C. ICC Batching and Submission Process

The Agency received feedback that the extended withhold process as proposed in Section 5.B of the draft 2025-26 Program Guidebook was not favored by stakeholders as it may lead to gaming and abuse if not further refined. In agreement, the Agency has decided to not move forward with the extended withhold process and instead work on refinements to the current batching and ICC memo submission process.

The Agency has seen in the past year an increase in requests to hold projects from submission to the ICC beyond the two allowances offered as well as untimely requests to edit submissions that have already been sent to the ICC. While the Agency understands that these development issues - especially those related to interconnection queue timing - are legitimate and diminish certainty in project development, the Program must operate in an effective manner, ensure fairness across all submitted projects, and dissuade Approved Vendors from submitting speculative projects to the Program that are not ready for ICC approval. As these hold requests are most often seen with Traditional Community Solar projects, a project category that has a lengthy waitlist, the Agency believes that projects that cannot commit to being submitted for ICC approval within the time period allowed for with the two withholds must be withdrawn from the Program in order to provide for projects that are indeed ready to proceed. The two withholds offered allows for approximately four weeks of extra time for the Approved Vendor to resolve any outstanding issues with a project before it is submitted to the ICC. Additionally, the Agency hopes that this will encourage the submission of truly mature projects to the Program with the understanding that projects are meant to be submitted to the ICC for approval for a REC Contract following Part I application verification.

With the goals of efficiency and equity in mind, the Program Administrator will strictly follow the long-standing requirement that a project may be withheld from submission to the ICC no more than twice. After two withholds are exhausted for a project, the project must be submitted to the ICC or the application must be withdrawn from the Program.<sup>1</sup> This will ensure that no project is able to “squat” on capacity that could be used for a project that is ready to be ICC approved. If a project is forced to withdraw from the Program after the second withhold from ICC submission, the project may be resubmitted to the Program in the future. A new application fee will be required for resubmitted projects.

Additionally, Approved Vendors will be required to communicate any withhold requests 10-12 days prior to the relevant ICC meeting. The increasing number of untimely requests received by the Program Administrator related to withholds from ICC submission creates inefficiencies in program administration and creates confusion, errors, and inefficiencies in program administration.

The Agency appreciates all comments received on related to solutions to these issues and hopes these process adjustments will benefit all.

#### **D. Interconnection Agreements from Ameren Sent to End Use Customer Rather Than Interconnection Applicant**

Commenters requested that the Agency accept proof of a filed interconnection agreement in lieu of a signed interconnection agreement between the utility and the customer. While the Agency understands difficulties associated with the fact that Ameren Illinois Company (“Ameren”) sends executed interconnection agreements to the underlying customer rather than the applicant, the Agency has determined that proof of an executed interconnection agreement will still be required as this is used to ensure project maturity. However, in order to provide other opportunities for compliance with this requirement, other documents that demonstrate the existence of an approved interconnection will be deemed acceptable for submission in lieu of the executed interconnection agreement. This may include Permission to Operate, Certificate of Completion, or a screenshot from the Ameren portal that shows proof of approved interconnection, including the size of the system and date of approval.

#### **E. Designee Requirements and Interaction with End-Use Customers**

Designees are third-party (i.e., non-Approved Vendor) entities that have direct interaction with end-use customers on behalf of the Approved Vendor or other Designees and are required to register to the Program when participating in Illinois Shines. Commenters requested a distinction between entities working on residential and commercial projects for the Designee registration requirement is necessary due to the complexity of external parties and subcontractors involved in large-scale solar developments.

The Agency agrees with commenters and therefore added a clarification in Section 2.G to the Designee registration requirements for residential vs. commercial projects. With respect to Distributed Generation solar projects for residential customers, the physical presence of a Designee on a customer’s property constitutes direct interaction with the end-use customers for the purposes of Designee registration. For Distributed Generation solar projects for commercial customers, entities that perform activities that are limited in scope and/or duration and are tangential to the solar project (such as installing perimeter fencing) do not need to register as a Designee.

The Agency encourages entities to contact the Program Administrator for a determination when unsure if a Designee or nested Designee registration is required.

#### **F. EEC Certification and Single Project Approved Vendors**

The Agency received written feedback requesting Equity Eligible Contractors (“EECs”) retain the ability to form EEC Single-Project Approved Vendors (“SPAVs”) after the Equity Eligible Person (“EEP”) majority-owner of the EEC in question has lost their EEP designation due to changes in the Equity Investment Eligible Community (“EIEC”) map or moving out of an EIEC area.

The Agency appreciates the impacts that changes to the EIEC map may have on EEP status. As stated in Section 10.1.1 of the 2024 Long-Term Renewable Resources Procurement Plan, when EIEC map changes occur, the Agency will approve individuals that qualify based on primary residency using both the updated and the former map for the remainder of the Program Year. Allowing for leniency and transition during years when the maps are updated. For EEPs that are

majority-owners of EECs whose EEP status is affected by the map update, their status will change at their next EEC annual registration renewal. For EECs that may lose the status of EEC due to a majority-owner EEP no longer qualifying as an EEP, any projects already under contract through the EEC Category will not be affected by that loss of status. Furthermore, it is outlined in Section 10.1.2.1 of the 2024 Long-Term Renewable Resources Procurement Plan that an EEC must be majority-owned by an EEP, not another EEC. Therefore, an EEC that is majority owned by an EEP that loses its EEP certification cannot continue to create SPAVs after the majority-owner EEP no longer qualifies as an EEP.

The Agency believes this approach fairly considers the impact of EIEC map changes while curtailing possible gaming of the EEC designation. The Agency encourages entities concerned with changes to the EIEC map to look into the process by which communities can request self-designation of Environmental Justice Communities.

### **G. Definition of Dual Use**

The Agency received written feedback requesting that it clarify that certain man-made waterbodies are eligible for points under the Illinois Shines Scoring Criteria for Traditional Community Solar Projects. Specifically, the feedback requested changes to scoring criteria for Traditional Community Solar Projects within the Appendix E of the Guidebook. However, the scoring criteria for Traditional Community Solar Projects is set out in Section 7.4.3.1 of the 2024 Long-Term Renewable Resources Procurement Plan and therefore cannot be changed via updates to the Program Guidebook.

The feedback additionally requested a clarification to a footnote within Appendix E for the same purpose. The Agency appreciates the desire for certainty from developers of Floating Solar Photovoltaic systems. The Agency has therefore updated this footnote to provide some additional clarity regarding the inclusion of Floating Solar Photovoltaic projects within the Agency's understanding of "dual-use."

### **H. MES Reporting**

In addition to written response received during this process, the Agency has received feedback from the market that Minimum Equity Standard ("MES") reporting is administratively burdensome and there is ongoing confusion on reporting requirements. The Agency has reviewed its methods for collecting and analyzing MES compliance reporting with the goal to enhance the integrity of this data and simplify the process for reporting entities.

In order to make MES reporting more streamlined, the Agency has revised MES reporting documents with the following:

- Further clarity on scope of workforce
- More succinct narrative questions to streamline reporting and facilitate more useful responses
- Aggregated and streamlined questions, reducing redundancies

These changes were made with the goal of making the reporting process simpler, while ensuring that the information collected is more focused, actionable, and meaningful for future analysis need to ensure the success of the Equity Accountability System.

## I. MES Safe Harbor Approach

The Agency has received questions related to how the MES applies to businesses with a total Illinois-based Illinois Shines project workforce that is small enough such that the percentage calculation results in less than one person. As the MES increases in future Program Years (incrementally to 30% by 2030), participating entities must increase their efforts to attract, recruit and retain EEPs and EECs into the clean energy workforce. For example, the MES compliance rate will increase to 18% in PY 2026-2027 at which time any entity with six or more employees must have at least one EEP employed within its workforce to be considered compliant.

The Agency has developed a “Safe Harbor Approach,” as outlined in Section 7.B of the Program Year 2025-26 Program Guidebook, as an avenue to compliance for businesses in this situation.

The Agency believes that this approach demonstrates good faith effort to comply with the MES, while acknowledging that these smaller businesses may need an alternative path to compliance due to low staff numbers.

## J. MES Waivers on a Project or Portfolio Basis

The Agency has updated the 2025-26 Program Guidebook to include guidance previously shared in the MES FAQs and the [MES Waiver rationale document](#) (released March 17, 2023). This guidance specified that waiver requests would be considered on a project level, as contemplated by Section 1-75(c-10) of the IPA Act. To ease the administrative burden for Approved Vendors with a significant number of small distributed generation projects, the Agency allows Approved Vendors in the Program to request a waiver for a portfolio made up of distributed generation projects.

## **Issues Flagged in Comments that Cannot Be Amended due to Inclusion in the Long-Term Plan or REC Contract\***

### K. Agrivoltaics – Scoring and Crop Timing

The Agency received several comments from stakeholders regarding agrivoltaics projects. The feedback requested generally that the Agency consider a heavier weighting in the points system for these projects and specifically requested that the Agency allow a year for crops to be established while allowing for the solar array to be generating electricity and receiving RECs during that establishment year. However, the Agency cannot amend the points system nor the requirements for agrivoltaics projects within the Program via updates to the Illinois Shines Program Guidebook. These requirements come from Section 7.4.3.1 of the 2024 Long-Term Renewable Resources Procurement Plan. The Agency will be requesting stakeholder feedback on the Long-Term Plan across the Spring/Summer 2025, and encourages commenters to provide feedback on items in the Long-Term Plan via that process.

The Agency additionally received feedback requesting it consider an exception to allow agrivoltaics projects to receive points for pollinator habitat. Again, the Agency cannot amend this requirement via updates to the Illinois Shines Program Guidebook because this requirement comes from Section 7.4.3.1 of the 2024 Long-Term Renewable Resources Procurement Plan. The Agency encourages commenters to provide feedback on items in the Long-Term Plan via that process.

#### L. Request to Change the Definition of “Project Workforce”

As the definition for “project workforce” is outlined in the Agency’s 2024 Long-Term Renewable Resources Plan, this definition cannot be amended via updates to the Illinois Shines Program Guidebook.<sup>2</sup> The Agency will be requesting stakeholder feedback on the Long-Term Plan across the Spring/Summer 2025, and encourages commenters to provide feedback on items in the Long-Term Plan via that process.

#### M. Reallocation of Public Schools Category Capacity at the Close of a Program Year

As the process for reallocation of uncontracted capacity is outlined in the Agency’s 2024 Long-Term Renewable Resources Plan, this process cannot be amended via updates to the Illinois Shines Program Guidebook.<sup>3</sup> The Agency will be requesting stakeholder feedback on the Long-Term Plan across the Spring/Summer 2025, and encourages commenters to provide feedback on items in the Long-Term Plan via that process.

#### N. Traditional Community Solar Scoring

As the scoring mechanism for Traditional Community Solar projects is outlined in the Agency’s 2024 Long-Term Renewable Resources Plan, the details of the scoring mechanism cannot be amended via updates to the Illinois Shines Program Guidebook.<sup>4</sup> The Agency will be requesting stakeholder feedback on the Long-Term Plan across the Spring/Summer 2025, and encourages commenters to provide feedback on items in the Long-Term Plan via that process.

#### O. Subscriber Verification for Community Solar Projects\*

The subscriber verification process for community solar projects is a process that is outlined in the Master REC Contract. Section 2.6(b) of the 2021, 2022, and 2024 20-Year REC Contracts require Approved Vendors to report “the percent of Actual Nameplate Capacity that has been Subscribed as observed on the first Business Day of June and (ii) the percent of Actual Nameplate Capacity that has been Subscribed as observed on the first Business Day of December.” This means that Approved Vendors and Designees are sometimes required to update utility subscriber portals near Federal holidays to ensure that subscriber data is fully updated by the first Business Day of June and December. Because these reporting deadlines are outlined in the REC Contract, there is not flexibility to adjust these deadlines, beyond the REC Contract’s definition of a Business Day, “‘Business Day’ means any day except a Saturday, Sunday, or a Federal Reserve Bank holiday. A Business Day opens at 8:00 a.m. and closes at 5:00 p.m. local time for the relevant Party’s principal place of business.”

Once the utility subscriber portals have been updated, there is time allowed for Approved Vendors and Designees to provide updated subscriber reports to the Program Administrator, which are also outlined in the REC Contract. Specifically, the 2019 REC Contract notes in Section 10(b) (emphasis added):

*For each Community Renewable Energy Generation Project that is Energized, and for the first four (4) full Quarterly Periods after Energization, Seller shall provide to Buyer and the IPA a Community Solar Quarterly Report substantially in the form of Exhibit C on a quarterly basis on or after the first (1st) day of the month, **but no later than the tenth (10th) day of the month of September, December, March or June for the most recent Quarterly Period that has just concluded ending in August, November, February or May, respectively.** Such Community Solar Quarterly Report shall be submitted concurrent with its invoice,*

*indicating the percent of Actual Nameplate Capacity that has been subscribed and the Community Solar Subscription Mix. For avoidance of doubt, the first Community Solar Quarterly Report is required to be submitted only after a full Quarterly Period has concluded.*

Section 6.2 of the 2021, 2022 and 2024 15-Year REC Contracts outline this process as well (emphasis added):

*For each Community Renewable Energy Generation Project that is Energized, and for each of the first four (4) full Quarterly Periods after Energization, Seller shall provide to Buyer and the IPA a Community Solar Quarterly Report substantially in the form of Exhibit C-2 on or after the first (1st) day of the month, **but no later than the tenth (10th) day of the month immediately succeeding the conclusion of each of the first four (4) Quarterly Periods after Energization.** Such Community Solar Quarterly Report shall indicate the percent of Actual Nameplate Capacity that has been Subscribed and the Community Solar Subscription Mix. For avoidance of doubt, the first Community Solar Quarterly Report is required to be submitted only after a full Quarterly Period has concluded.*

In order to ensure minimal confusion and smooth processes between contracts, this timing has been carried forward to the Program's 20-year Master REC Contracts, despite the fact that these contracts are silent on a specific deadline related to the submission of subscriber verification reports. The Program Administrator and the Agency believe that this is the best path forward to ensure clear and successful administration of this part of the Master REC Contract across all projects participating in the Program under the multiple versions of the REC Contract.