



Post-Award Indexed REC Process Second Workshop: Contract Terms that Stakeholders Would Like To Be Negotiable Post-Award

AGENDA

August 26, 2024

1. Introduction
 - a. People (IPA, NERA, Others)
 - b. Recap on Indexed REC and Workshop Process
 - i. Why is the IPA holding these workshops?
 - ii. What will the IPA do with the information shared during the workshop?
 - iii. Option to submit confidential information or public feedback
2. Workshop Logistics
 - a. Workshop Format
3. Discussion Topic: Contract Terms that Stakeholders would like to be negotiable post-award
 - a. Strike Price – What should be the drivers for requesting a change in strike price post-award of an Indexed REC contract?
 - i. Should there be a ceiling and/or a floor to the allowed change in strike price post-award?
 - ii. Should the strike price be indexed to an inflation index?
 1. If yes, which index?
 2. If no, why?
 - iii. Should agreed-upon industry data sources for cost inputs be considered?
 - iv. Should only specific cost inputs trigger a change in strike price?
 1. Component costs?
 2. Labor costs?
 3. Interest rate?
 4. Interconnection Costs?
 5. Any other cost inputs that should be considered?
 - v. Should there be a minimum increase in cost to trigger a change in strike price?
 - vi. Are there indices that track changes in above cost items?
 1. If yes, should those be used for requesting a change in strike price post-award?
 - vii. Should tariffs on components trigger a request for change in strike price?
 - b. Force Majeure Events

- i. Which Force Majeure Events should be included as a trigger for requesting a change of the Indexed REC contract?
 - c. Others
 - i. Is cancelling a current Indexed REC contract and rebidding in a future IPA Procurement Event a more optimal path than renegotiating a current Indexed REC contract?
- 4. Other Challenges with Current Contract Terms
 - a. Shortfall years and cures
 - i. Current provisions in the contract
 - ii. Are these provisions sufficient?
 - b. RPS Budget
 - i. Overview of Illinois' RPS Budget
 - ii. What can the IPA do without a legislative change to the structure of how RPS funds are collected and spent?
 - iii. Restrictions around what the IPA has authority to change with respect to the RPS Budget
 - 1. Between now and next Long-Term Plan
 - 2. Through the next Long-Term Plan update
- 5. Case Study – Experience renegotiating a contract in another state
- 6. Questions Submitted in Advance of the Workshop
- 7. Future Workshop Topics and Workshop Dates
- 8. Next Steps After the Second Workshop
 - a. Posting of Workshop Summary
 - b. Third Workshop Details – Topic, Agenda, and Date