

VIA ELECTRONIC FILING

April 17th, 2025



Re: Response to IPA Request for Stakeholder Feedback Regarding Enhancements to Equity Eligible Contractor Certification

To Whom it May Concern,

Artemis Energy LLC appreciates the opportunity to provide comments in response to the IPA's questions regarding enhancements to the Equity Eligible Contractor certification.

Please find our comments attached.

Thank you.

J. Margo Holowicki
Principal

Background and Introduction

Artemis Energy is a woman-owned LLC operating under the Illinois Adjustable Block Program as an Equity Eligible Contractor and Approved Vendor. Founded in 2024, we currently have 6 MW under REC contract, with several additional projects pending approval.

Artemis Energy has greatly benefited from the EEC program, which has supported our growth, fostered greater independence, and helped us mitigate risk. Through this program, we've also had the opportunity to work alongside highly professional contracting partners, from whom we continue to learn and evolve.

Artemis firmly believes that EEC vendors must retain the capacity to operate independently from their partners in order to achieve progressive autonomy as they develop expertise across the various disciplines involved in solar development. We support the IPA's efforts to ensure that EECs are empowered to build this capability.

Response to Questions:

A. Ownership and Control by Equity Eligible Persons

The current EEC certification process requires that a business be majority-owned by EEPs. However, the Agency is concerned about ownership arrangements where the majority-owner EEP is a silent partner with limited involvement in the business, while the minority owner is a large, established company managing all business operations.

1. In the 2026 Long-Term Plan, should the Agency propose requiring additional documentation or evidence to demonstrate that the majority-owner EEP(s) has/have active control and management of the business? If so, what types of governance documentation would be appropriate (e.g., operating agreements, bylaws)?

a. What should the Agency consider as qualifying criteria for demonstrating 'active control and management' of a business by majority-owner Equity Eligible Persons (EEPs)? Are there specific roles, responsibilities, or decision-making authorities that should be used to define this standard?

Artemis Response:

Artemis believes one of the main intentions of the EEC program is to empower EEPs to manage and grow their own independent solar contractor businesses. To preserve the integrity of this opportunity, it is critical to ensure that EECs and the EEPs that run them maintain independence from their contracting partners. Requiring the release of governance documents would prove that EEPs are in control of their companies. Our own governing documents, including operating agreements and bylaws, are sufficient to demonstrate our independence and leadership. In short, we are supportive of requiring the disclosure and evaluation of governance documents for EEC status determination.

B. Verifying the Socio-Economic Status of Majority-Owner EEPs.

During the development of the 2024 Long-Term Plan, the ICC's Final Order rejected the IPA's proposal to require majority-owner EEPs to demonstrate socio-economic status that signifies disadvantage. However, concerns remain regarding whether all EEPs benefiting from the EEC category align with the intent of CEJA to support historically disadvantaged individuals and businesses.

1. In the 2026 Long-Term Plan, should the Agency propose requiring EEP majority-owners to demonstrate their socio-economic status (e.g., income documentation) to ensure they are individuals who would most benefit from equitable investments? If so, what types of documentation would be appropriate?

a. What should be considered when determining proper income cut-offs for eligibility, and how might those thresholds be set to balance inclusivity with the intent of prioritizing individuals facing systemic economic barriers?

b. What sources of verification should be utilized to authenticate socio-economic status, and what challenges might arise in collecting and assessing this information?

2. Are there other alternative measures that the Agency should consider to ensure the

EEC certification process is fair and effective? Please include detail related to any suggestions made in response to this question.

Artemis Response: Artemis does not have a comment on this matter at this time.

C. Preventing Manipulation of the EEC Category

The Agency is concerned about potential manipulation of the EEC category, such as through "sleeving" or "pass-through" arrangements, where non-EEC companies form partnerships with EEPs to access EEC benefits without genuinely advancing equity goals. Additionally, the Equity Accountability System Assessment highlighted that some EECs are relegated to superficial roles in project development, such as equipment procurement, rather than engaging in substantive project management or operations. These issues undermine the purpose of the EEC category, which is intended to promote meaningful participation and economic opportunity for businesses owned and controlled by EEPs.

1. Should the Agency require EECs to demonstrate a minimum level of involvement in project development, construction, or operations to qualify for the EEC category in Illinois Shines? If so, what criteria should be used to measure involvement?

2. Should the Agency create a scoring or prioritization system within the EEC category in Illinois Shines to reward projects where EECs serve as the primary developer or operator? If so, what factors should be included in such a system?

3. Should the Agency implement a scoring or prioritization system within the EEC category in Illinois Shines to reward EECs that demonstrate a stronger commitment to equity (e.g., by employing a higher percentage of EEPs or operating in EIEC areas)? If so, what criteria should be used for scoring?

4. Should additional disclosure and transparency be required regarding EEC ownership structures and subcontracting arrangements?

5. What additional measures could help deter sleeving or pass-through structures, where EEP ownership is nominal but non-EEC entities control operations and enjoy most of the financial benefits?

6. What best practices should the IPA consider to ensure legitimate EEC participation without placing undue burdens on EEP majority-owners?

Artemis believes that the disclosure of the EEC's governing documents should be sufficient to establish that the system is not being manipulated. Further efforts apart from document disclosure to verify this would be cumbersome to all parties and would likely result in the exclusion of program participants who are acting in good faith.