



Stakeholder Feedback: 2026 Long-Term Renewable Resources Procurement Plan

Nelnet Renewable Energy (AV ID: 2044)

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Dear Illinois Power Agency,

Thank you for the opportunity to provide stakeholder feedback on the 2026 Long-Term Renewable Resources Procurement Plan. Nelnet Renewable Energy (NRE) is pleased to respond to the Agency's request for comments and respectfully submits this feedback as an active Approved Vendor and Developer of distributed generation projects under the Illinois Shines program.

NRE's feedback to Chapter 10 (Diversity, Equity, and Inclusion) is set out below with specific focus on the following topics:

- Topic 2: Project Workforce Definition
- Topic 3: Minimum Equity Standard (MES) Compliance
- Topic 5: MES Data Collection and Reporting

Chapter 10

Topic 2: Project Workforce Definition

Question 1: What additional guidance or clarity can the Agency provide regarding the project workforce definition?

- There is a clear and ongoing need for additional guidance and clarity regarding the definition of "project workforce" as it applies to MES compliance. During the MES Year-End Compliance Webinar on April 15, 2025, stakeholders repeatedly raised questions seeking clarification on which roles qualify under the definition, particularly for off-site or administrative functions. However, the responses provided by the Agency and Program Administrators were often repetitive and relied on generalized or stock language without addressing the underlying confusion or nuance presented in

the questions. The repeated nature of these inquiries in various forms highlights that the current definition is not sufficiently clear or practical for real-world application.

- For compliance to be meaningful and enforceable, the definition of project workforce must be more detailed, with clear examples across a variety of project types and employment roles. Importantly, the Agency requires that qualifying work be physically performed within Illinois, yet it appears that this distinction is not always clearly communicated or understood. The addition of visual aids, flowcharts, or other reference tools would serve as valuable resources to guide AVs and Designees through the reporting process. Without clearer and more specific guidance, the risk of inconsistent reporting and unintended noncompliance remains high, even with the ability to submit questions to the MES Team at Illinois Shines.

Question 3: Are the current thresholds (e.g., 5% of REC value) and definitions for counting subcontractor employees clear and equitable?

- No, in our experience, the definitions are not clear. Only after attempting to locate additional resources and directly approaching Program Administration, did we gain full clarity that an AV or Designee does not need to report the data for a subcontractor who also participates in the Illinois Shines program. It is questionable whether the originally issued program resources assist AVs and Designees as intended as we have received outreach from other participants when compiling the relevant data that appears to indicate widespread misunderstanding.
- Moreover, as the thresholds and definitions currently stand, we do not consider them equitable to AVs and Designees. If a company does not formally engage with the program or receive program funds, it is unclear why AVs and Designees are expected to report detailed workforce information on their behalf, as well as hold responsibility for meeting MES compliance for their employees. This creates a compliance burden for AVs and Designees, who must attempt to collect sensitive employment data from third-party companies with no direct obligation or incentive to cooperate.
- This is creating a reporting process that is difficult to enforce and inconsistently applied. For reporting requirements to be effective, they must align with a subcontractor's relationship to the program and be supported by clear expectations, appropriate incentives, or shared accountability. Without that alignment, AVs and Designees are placed in a difficult position of trying to comply with standards that are, in practice, outside of their control.

Topic 3: MES Compliance

Question 1: Should the Agency maintain or adjust the proposed MES percentage increase schedule? If it should be adjusted, how?

- As the Agency evaluates the proposed schedule for increasing the MES over the coming years, it is critical that the quotas remain realistic. While we support the intent of the MES and its long-term equity goals, the ability of AVs to meet these escalating thresholds is highly dependent on several external factors, including the continued availability of Equity Eligible Persons (EEPs) and the level of state-supported investment in outreach, workforce development, and training programs. Without sustained and measurable support for EEP recruitment and skill-building over the next five years, the proposed schedule may outpace market capacity, particularly in regions where the EEP pipeline remains limited. Additionally, MES quotas must reflect the state of the solar industry itself; it is unfair and impractical to continue increasing workforce equity quotas if business growth and project volume are not increasing at a comparable rate. MES goals must evolve in tandem with actual industry conditions to ensure compliance remains achievable and equitable.
- Additionally, it is important to recognize that a change in administration or budgetary priorities could impact the continuity of these renewable energy programs, further affecting AVs' ability to comply with increasing MES quotas. As such, we encourage the Agency to consider incorporating alternative pathways for demonstrating MES compliance, such as documented and sustained partnerships with Equity Eligible Contractors (EECs), community-based organizations, or workforce training entities. A more flexible framework that recognizes a variety of good-faith efforts and collaborative strategies would help ensure the program continues to drive equity while maintaining participation and feasibility for all market sectors.

Question 3: How effective are the current enforcement tools in encouraging compliance? Are there unintended consequences or equity impacts in how the Agency currently handles MES noncompliance?

- It is problematic to impose consequences when the program guidance remains convoluted. Taking into account the recent Annual Consumer Complaints and Disciplinary Actions Report and MES webinars, it appears that many AVs and Designees struggle to understand what is required to demonstrate compliance, and the volume of entities who either fail to fully file MES Compliance Plans or Year-End Reports suggests a gap in communication and clarity, not necessarily bad faith. Before considering enforcement tools and noncompliance further, the Agency should focus on improving guidance and communications in this area, standardizing compliance criteria, and offering technical support to ensure that entities are first given a fair and equitable opportunity to succeed under the current rules.

Question 5: Should the Agency create different Minimum Equity Standards for projects in different areas of the state? If so, which areas? If the Agency were to adopt different standards for distinct geographic areas, what criteria or factors should the IPA consider in setting those standards?

- While the intention behind creating regionally tailored MES quotas may be to account for workforce disparities across the state, implementing different MES standards based on geographic area would likely make an already complex process even more difficult to navigate. The Illinois Shines program is already administratively burdensome for many participants, and adding region-specific thresholds would introduce additional layers of complexity, increasing the risk of misclassification, inconsistent application, missed reporting obligations, and inadvertent noncompliance.
- This approach would also place a disproportionate burden on AVs and Designees who would be required to determine and apply the correct standard for each project based on location, often across multiple counties with varied EEP availability. While it is true that rural areas may face legitimate challenges in accessing EEPs, the solution should lie in expanded outreach, investment in training pipelines, and regional support, rather than fragmenting the compliance framework. Consistent standards paired with flexible enforcement mechanisms and localized support would better balance consistency with equity.

Topic 5: MES Data Collection and Reporting

Question 3: The IPA is interested in requiring that EEP registration only occur through the Equity Portal to allow for data integrity and consistency, meaning Approved Vendors and Designees would no longer be able to register EEPs through the Illinois Shines MES reporting process. The Agency is interested in hearing any barriers or unintended consequences that may arise for entities as a result of this change.

- While we recognize the value of the Equity Portal as a centralized tracking and verification tool, requiring all EEPs to register solely through the Portal, without maintaining alternative reporting pathways such as MES Year-End Report, would present significant barriers and likely lead to unintended compliance consequences. In our experience, EEPs may be reluctant to submit personal information directly through the Portal due to concerns around data sensitivity or mistrust of government systems. For employers, this change would require reliance on employees to self-certify their registration and provide documentary proof (for example, screenshots or confirmation emails), creating additional administrative burdens and making it difficult to ensure timely and accurate MES reporting.
- Furthermore, digital access inequities pose a real and disproportionate challenge for many EEPs, particularly those in low-income or rural communities who may lack reliable internet access, email accounts, or familiarity with online platforms. Among workers whose primary language is not English, translation alone may not overcome the barriers posed by unfamiliarity with an online portal or a lack of confidence navigating digital forms. As a result, otherwise eligible workers may not complete registration in time, exposing AVs and Designees to the risk of MES noncompliance through no fault of their own.



Thank you for your consideration of this feedback. Please do not hesitate to reach out should you require any additional information or wish to discuss further.

Sincerely,

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