

June 29, 2023

Illinois Power Agency
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Via email: IPA.ContactUs@Illinois.gov

Re: ISEA Feedback 2024 IPA LTP Chapter 8: Illinois Solar for All

The Illinois Solar Energy Association (“ISEA”) appreciates this opportunity to provide feedback in response to the Illinois Power Agency’s (“IPA”) request for input on various issues raised through the June 8, 2023 announcement related to Chapter 8 in the next iteration of the Long-Term Renewable Resources Procurement Plan (“LTP”). While ISEA provided feedback in response to the IPA’s May 26, 2023 request for comment as a member of the Joint Solar Parties (“JSP”), ISEA is separately submitting additional comments in response to the June 8, 2023 request. ISEA generally supports JSP’s comments pertaining to Chapter 8, but wishes to emphasize and/or elaborate on certain questions posed by the IPA.¹

As a preliminary matter, ISEA wishes to comment generally on the variety of new compliance and reporting obligations referenced under each chapter in the May 26, 2023 and June 8, 2023 requests for feedback. While ISEA shares the IPA’s goals of a vibrant and diverse solar industry in Illinois serving all consumers and generally supports improvements to the programs aimed at achieving those goals, ISEA is concerned that recent history since transitioning to the current program administrator warrants caution. As all participants recognize, since the latter half of 2022, several wrinkles in the administration of the programs impeded developer and consumer participation. Such impediments continue to this day. ISEA realizes that particular questions or proposals under each chapter do not necessarily mean that the IPA will take a specific approach in the upcoming LTP, but nonetheless respectfully suggests that the 2024 LTP may not be a suitable vehicle for implementing any significant changes. Rather than attempt to make any measurable changes to the programs, ISEA urges moderation and generally maintaining the status quo to ensure that administration of the programs is on a solid foundation. Once a sure footing is reliably confirmed, changes to the programs that impose additional obligations and burdens on participants could be considered for implementation in subsequent years.

TOPIC 3: Distributed Generation Sizing

Background

The Agency recognizes growth in electrification incentives and efforts to promote the replacement of fossil fuel reliant technology with renewable energy reliant technology.

¹ In the interest of avoiding unnecessary duplication, ISEA will omit from its comments topics on which it has no additional input beyond that provided by JSP.

Electrification may increase electricity consumption, thus creating demand for higher electric production to offset the increased demand. Federal incentives included in H.R. 5376 (known as the “Inflation Reduction Act” or “IRA”) such as electric vehicle, heat pump and other electric appliance purchases are initial steps toward widespread future electrification. At the same time, electrification incentives are still being finalized and are not yet widely available to Illinois income-eligible residents.

As a common industry best practice, the Agency believes that energy efficiency and electrification efforts should be done prior to development and installation of a distributed generation system so that the system can be properly sized to a customer’s actual usage, rather than an estimated usage that is guessing the additional electricity costs of equipment not yet installed or purchased. While there are industry standards for estimating the impact on a customer’s bill, in actuality there is a wide variance in the actual impacts due to a wide variety of contributing factors unique to each customer’s residence/building and the equipment that is used.

The Agency remains determined to ensure proper use of ILSFA program funding and finding a balance in the sizing of ILSFA projects that acknowledges the potential for future electrification, but is not oversized to a point where the customer is unable to utilize the credits generated from the system, which would be a waste of Program incentives that could be utilized with other eligible customers.

The Agency proposes setting sizing limits on projects based on the percentage of current electricity usage:

- **Residential (Small and Large) Solar:** 150 percent limit of recent 12 consecutive month usage²
- **Non-Profit and Public Facilities:** 110 percent limit of recent 12 consecutive month usage³

Questions

1. Should the proposed caps on the sizing of a Distributed Generation systems in the ILSFA program be higher or lower?

ISEA RESPONSE: Some customers’ overall energy usage can be quite low, so even a mild change in behavior, a new addition to a family/household, the hiring a new employee, the installation of an electric vehicle charger, or electrification of a home or building can produce a large percentage change in usage. If a cap is implemented, it should be no lower than 150%.

² Reasonable considerations will be made where customer does not have consecutive 12 months at current residence.

³ Reasonable considerations will be made where customer does not have consecutive 12 months at current residence.

2. To what extent should potential electrification efforts be considered in the calculation of Distributed Generation sizing caps? Are there any additional considerations the Agency should be aware of in its oversizing determinations?

ISEA RESPONSE: Potential electrification efforts and changes in customer behavior should be considered. For lower usage customers these changes can drive a high percentage change in usage, while in absolute terms the change is not “unreasonable.” If caps are deemed necessary and not inconsistent with Public Act 102-0662, the IPA may want to consider an additional one page disclosure to be signed by the customer describing any plans to increase electricity usage.

3. To what extent should specific electrification plans be in place for the customer to justify an oversized system? What timeline of electrification

ISEA RESPONSE: If a cap is implemented, electrification plans over a 12-24 month period should be considered.

4. Should the Agency allow for projects to be over the proposed limits on a case-by-case basis? If so, what requirements and/or proof should be required for projects that want to exceed the limit (i.e., written proof of plans and/or purchases of new or upgraded electrical systems)?

ISEA RESPONSE: If a cap is implemented, invoices or estimates should be considered but not required. The IPA should recognize that there may not always be specific evidence of plans several months in advance. Any evidence should be considered on a case-by-case basis, including affidavits from a customer. The IPA should bear in mind, however, that the more requirements it imposes on customers, the greater the burden will be and may decrease the odds of a customer committing to any project.

TOPIC 5: Eligible Job Trainees and Job Training Requirements

Background

The ILSFA program requires that Approved Vendors utilize Eligible Job Trainees from qualified job training programs. Eligible Job Trainees can come from one of two types of Qualified Job Training Programs: Public Act 102-0662 (colloquially known as “CEJA”) and Public Act 99-0906 (colloquially known as “FEJA”) Workforce Development Programs, or Other Qualifying Programs (“OQPs”). ILSFA Approved Vendors may also hire eligible trainees from an Other Qualifying Program (OQP), so long as they can demonstrate that completion of the job training program would lead to the eligible trainee becoming a Qualified Person under the [83 Ill. Adm. Code 468.20](#). Eligible Job Trainees are currently considered Eligible Job Trainees by completing CEJA or FEJA job training programs within the past 36 months or completing 50 percent of classroom requirements of an OQP in the past 24 months.

Following [83 Ill. Adm. Code § 468.20](#), students of an OQP must complete at least 50 percent of classroom requirements of one of the following to be considered an Eligible Job Trainee:

- An apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program
- A North American Board of Certified Energy Practitioners (NABCEP) distributed generation technology certification program
- An Underwriters Laboratories (UL) distributed generation technology certification program;
- An Electronics Technicians Association (ETA) distributed generation technology certification; program;
- An associate degree in applied science from an Illinois Community College Board approved community college program in the appropriate distributed generation technology.

The Agency is specifically interested in reviewing the second bullet point “A North American Board of Certified Energy Practitioners (NABCEP) distributed generation technology certification program” which is ambiguous on what NABCEP training and/or certifications can be used to achieve a Qualified Person status (or coursework approval for an OQP) since NABCEP does not list this exact certificate title within their [Certifications](#).

ILSFA has received multiple OQP applications that indicate that the graduates of those OQPs will receive the NABCEP PV Associate Credential. The NABCEP PV Associate Credential is separate from the Board Certifications offered through NABCEP. The NABCEP PV Associate Credential is described as a Program that “recognizes individuals who have demonstrated knowledge of the fundamental principles of the application, design, installation, and operation of Photovoltaic, Solar Heating or Small Wind energy systems.” Additionally, NABCEP notes that “passing a NABCEP Associate exam qualifies an individual to design, sell, install, or maintain systems in a supervised capacity,” for more information about the NABCEP PV Associate Credential visit: <https://www.nabcep.org/certifications/associate-program/>

The Agency believes that the NABCEP PV Associate Credential may similarly reflect the skill sets of FEJA job training programs, which prepare job trainees for entry level positions in the solar industry, but seeks further public comment.

Additionally, ILSFA Approved Vendors have reported to ILSFA that the cycling of job trainees from OQPs after a 24-month period places a burden on Approved Vendors to release those job trainees from employment instead of maintaining them on staff, especially amongst smaller businesses.

Questions

1. Is a curriculum resulting in NABCEP Board Certification necessary for sufficient preparation for the kinds of work assigned to ILSFA job trainees?

2. Should a NABCEP Associated Credential training option alone be a sufficient curriculum to qualify an Other Qualifying Program? If so, should 100% of classroom requirements completion be required, compared to the 50% or more classroom completion requirements for existing options, detailed above?

ISEA RESPONSE: NABCEP is an accepted industry standard. NABCEP training alone should be sufficient. Enabling as many low barrier paths as possible is appropriate.

3. Should a waiver option be made available for Approved Vendors to extend the cycle of a job trainee by an additional (1) year after the initial 2-year cycle in order to comply with the job training requirements?

ISEA RESPONSE: ISEA supports a waiver to extend the cycle of a job trainee by an additional year (or more) after the initial 2-year cycle. ISEA also recommends waivers in instances of location. There is inconsistency with the availability of job training programs in certain, more rural, areas of Illinois which leads to difficulties in staffing branches in those areas with the necessary trainees, and with being able to fulfill the installation work in those areas while meeting requirements. It is also unreasonable to expect the currently available Job Trainees to travel multiple hours to a job site that is in one of these more rural areas just so they can meet an expected quota. This can be especially difficult considering that a large number of ILSFA-eligible projects tend to exist in the areas where these Job Training Programs do not.

4. Should the waiver described above be limited to smaller Approved Vendors with less than 50 employees? Allowing smaller Approved Vendors to retain their current workforce from FEJA or OQP programs without having to let job trainees go. Are there any other recommendations for limits to a waiver?

ISEA RESPONSE: The described waiver should not be limited to smaller Approved Vendors. Given the availability of Job Training Programs, and resulting Job Trainees, firms of all sizes are impacted. Given the number of active Approved Vendors in the program currently, keeping barriers as low as possible for all program participants would serve the ILSFA goals best.

TOPIC 6: Prevailing Wage and Job Trainee Requirements

Background

Prevailing wage is a minimum compensation level by county set by the Illinois Department of Labor for construction activities related to public works. House Bill 3351, passed on May 17, 2023, but not yet signed into law, would amend Section 1-56 (b-15) of the IPA Act (20 ILCS 3855) to require that individuals engaged in the construction of applicable projects submitted to the Illinois Solar for All that obtain a REC contract are paid the prevailing wage.

The provisions would apply to Illinois Solar for All projects submitted after the effective date of the legislation, *except* 1) projects serving single- or multi-family residential buildings and 2) projects with an aggregate capacity of less than 100 kilowatts that serve houses of worship. Effectively, this would impact community solar projects and Non-profit and Public Facilities projects (excepting projects under 100 kW that are serving houses of worship).

Section 1-56(b)(2) of the IPA Act contains two provisions that are designed to ensure that the job trainees supported by the job training programs participate in the installation of photovoltaic projects supported by the Program, thus making job trainees participant of construction activities related to public works and subject to Prevailing Wage.

On September 16, 2022, [H.R. 5376](#) (known as the “Inflation Reduction Act” or “IRA”) became Public Law 117- 369. The IRA features several solar related tax incentives. More specifically, the Business Energy Investment Tax Credit (ITC) which includes base credits and additional bonus credits such as the Energy Community Bonus, Low-Income Community Bonus, Low-Income Residential Building or Low-Income Economic Benefit and/or Domestic Content Bonus. Additionally, the IRA established prevailing wage and apprenticeship requirements for the qualification of larger systems to receive the full base credit. The Agency is interested in exploring the IRA further and examining how its implementation will affect ILSFA stakeholders and/or be considered within the ILSFA program.

Questions

1. Now that the prevailing wage requirement will likely apply to many Illinois Solar for All projects, how should prevailing wage requirements be considering a job trainee’s entry-level experience? Should job trainees be subject to the requirement at all?

ISEA RESPONSE: Job trainees should not be subject to prevailing wage requirements. Additionally, it will become increasingly cumbersome and cost-prohibitive for Approved Vendors to comply with both IRA prevailing wage and apprenticeship requirements and ILSFA prevailing wage and job training requirements. It should be one or the other, as the federal requirements attempt to accomplish the same goal while enabling developers to obtain the financing needed to make projects possible. With that in mind, ISEA suggests that the IPA consider an additional limitation on applicability of ILSFA prevailing wage and job training requirements to address this concern; specifically, such requirements should not apply to any project above 1 MW AC. Projects above 1 MW AC generally have to satisfy the IRA prevailing wage and apprenticeship requirements, and so it is not necessary – and is unduly burdensome for Approved Vendors attempting to make solar broadly accessible and financeable – for such projects to have to satisfy both sets of requirements.