

Chapter 8

TOPIC 1: Energy Sovereignty

Questions

1. Is a 25% sub-program carveout for energy sovereignty projects an appropriate goal for all sub-categories?

JSP RESPONSE: Based on program performance to date, not for the residential categories but it is appropriate for NPPF and community solar. The Joint Solar Parties recommend a review of the entire set of residential category requirements and processes to address the barriers to AV participation in residential sector that could increase energy sovereignty options, but also provide increased participation in general.

2. In the current Project Selection protocol, the 25% Energy Sovereignty carveouts are held for the full program year, but reduced after the ninth month by the value of any Environmental Justice projects with Energy Sovereignty that were instead counted under the EJC carveout. Is this an appropriate approach? Should the carveout release remain as-is, last the full program year, or more simply be released for non-sovereignty sub-program projects after 9 months?

JSP RESPONSE: The Joint Solar Parties do not object to the EJC carveout or non-sovereignty subprograms.

3. What barriers might prevent Small DG participants from choosing to own their system? How can the Agency facilitate more residential energy sovereignty projects?

JSP RESPONSE: Each Approved Vendor has a different model. Some residential developers prefer a lease or PPA approach to maintain ownership even beyond the financing period for a longer term. Other Approved Vendors prefer to sell the system prior to it being placed in service. The Joint Solar Parties are not familiar with any residential developers in Illinois that own, operate, and finance systems but sell them (at a price affordable to a typical Solar for All customer) at about 6-7 years into operation. The Joint Solar Parties recommend a review of the entire set of residential category requirements and processes to address the barriers to AV participation in residential sector that could increase energy sovereignty options, but also provide increased participation in general.

4. What obligations or restrictions should be considered for a subscriber wishing to sell their ownership share in a community solar project?

JSP RESPONSE: The Joint Solar Parties do not propose any restrictions other than those imposed by the Approved Vendor as part of the sale or in the subscription (such as requiring the buyer to be income-qualified; allowing sales to non-income qualified customers notwithstanding Approved Vendor-imposed requirements would create intolerable risks of clawbacks on the REC Contract).

TOPIC 2: EJ Self-Designation Committee

Questions

1. Should self-designated areas have a “time limit” on how long they are to be considered self-designated, and if so, how long? a. Or, should we conduct an impact analysis based on block groups? If so, how often should the analysis be performed?

JSP RESPONSE: Including a time limit has the potential unintended consequence of encouraging self-designation in support of specific project(s). Self-designations should be persistent.

2. To date, the Environmental Justice expert members have been asked to commit to a 1-year term on the self-designation committee, and afterwards is then asked annually to see if they’d like to continue to serve on the committee. Should there be limits to how long committee members may serve and, if so, how long should it be?

3. Are there other recommendations for the makeup of the EJ Community Self-Designation Committee?

JSP RESPONSE: The committee should include also at least one member of the solar industry as well.

TOPIC 3: Distributed Generation Sizing

Questions

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

JSP RESPONSE: In Public Act 102-0662, the General Assembly removed the requirement that net metering only be available when a distributed generation system is primarily sized to offset a customer’s usage. Any reimposition of a cap would frustrate the legislative intent of CEJA. Moreover, after the 2024-25 delivery year, when few (if any) residential systems will be receiving full retail net metering, the system only offsets the supply portion of a customer’s bill (about half to two thirds of the bill) and not delivery or taxes and other fees. Thus, the net kilowatt-hours consumed is not the relevant question; the relevant question is the value of net metering credits (for those provided in cash value—which is an option for residential as well as non-residential customers) against the total bill.

Additionally, the Joint Solar Parties do not support restrictions limiting project size for low-income residents that are not placed on the Adjustable Block Program. It is counter to the CEJA legislative initiatives to restrict or limit benefits of low-income customers. The Joint Solar Parties recommend against an approach that is more restrictive than the restrictions imposed by the General Assembly in Section 16-107.5 of the Public Utilities Act.

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?

JSP RESPONSE: The Joint Solar Parties note that ComEd and Ameren have procedures for determining future electric requirements in their tariffs implementing Section 16-107.5(d) and (d-5) (residential behind-the-meter net metering). The Joint Solar Parties see no reason to deviate from the current utility tariffs.

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

JSP RESPONSE: Please see above.

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)?

JSP RESPONSE: The Joint Solar Parties oppose an additional administrative burden (on both the Approved Vendor and the Program Administrator attempting to make a Part II approval decision, some of which have been substantially delayed under Solar for All) that causes delays that impact customers and Approved Vendors. It should not be more burdensome for a low-income resident to invest in solar or electrification than general market programs.

TOPIC 4: ILSFA Community Solar Subscription Sizing

Questions

1. Should Community Solar subscribers be allowed to subscribe to a greater number of kWh than anticipated usage?

JSP RESPONSE: Yes. Limiting to 110% of the customer's recent usage will not only ensure that the customer's credit will be far lower than their limit, but it will also prohibit the practice of oversizing a subscription temporarily to a customer in arrears to allow that customer to exit arrears more quickly. Because a customer in arrears pays no subscription fees under "net crediting" until they are out of arrears, an Approved Vendor may make a business decision to take the very customer beneficial step of temporarily free subscriptions to remove that customer from arrears followed by 50% discount to bill credits once the customer is out of arrears and able to pay their bill.

2. If tariffs now allow credits to be applied to charges beyond the electricity supply charges, should the Agency consider a different subscription limit based on the kWh used? If so, what would that recommended limit look like?

JSP RESPONSE: The Joint Solar Parties oppose a limit on subscription size. Please see above.

TOPIC 5: Eligible Job Trainees and Job Training Requirements

Questions

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

JSP RESPONSE: Yes. NABCEP is and continues to be recognized as the national industry standard and should remain an option for all trainees. NABCEP PV Associate Program is an accredited program that provides the fundamental principles of the application, design, installation, and operation of PV energy systems.

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?

JSP RESPONSE: The Joint Solar Parties do not object to the current approach and oppose 100% classroom requirements completion required.

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?

JSP RESPONSE: Generally speaking, hiring of trainees should be seen as a success for the trainee and the Approved Vendor/Designee rather than there be an incentive to cycle through trainees and not have a clear pathway from trainee to a permanent full-time position. The Joint Solar Parties would support waivers, but would prefer the Agency extend the overall cycle to 3-4 years.

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?

JSP RESPONSE: The Joint Solar Parties do not support different job training requirements for Approved Vendors of different sizes.

TOPIC 7: Use of CleanChoice Settlement Funds

Questions:

1. What are potential ways that the Agency could use the settlement money, and what are the benefits and drawbacks of each?

JSP RESPONSE: The Joint Solar Parties recommend spending the funds on projects, which is the highest and best use of funds for the Solar for All program. The Joint Solar Parties do not have a position on how the funds should be allocated within Solar for All.

2. Are there ways that the Agency could use the money that would address gaps in ILSFA that the Agency cannot otherwise address? If so, what are they?

JSP RESPONSE: While \$525,000 is a substantial amount of money in any objective sense, within the context of project development it is probably best used as a supplement to existing programs rather than an attempt to procure RECs from a new (and different) source. The start-up administrative costs would likely take a substantial chunk out of that funding and for only limited opportunities.

TOPIC 8: Community Solar Subscription Reporting

Questions

1. Should the verification of community solar subscription levels shift to quarterly reporting instead of Daily Average reporting after the first year of the project? [Note: This change would only be effective for future contracts and not retroactive for currently approved projects.]

JSP RESPONSE: The current REC Contract is unreasonably risky and burdensome for community solar. As written, there is essentially no ability to keep a system 100% subscribed because any time a low income residential subscriber drops and is not immediately replaced (as in replaced effective the following day), the daily average irreversibly falls below 100% and thus there is a loss under the REC Contract that cannot be made up in the future.

A far better approach is to mirror the ABP 20-year REC Contract and review subscription levels on two days (the first business days of June and December) and evaluate the higher subscription and small subscriber level between the two days. The more days that are available for the quarterly check-in to allow the Approved Vendor to maximize subscription levels, the better Solar for All Approved Vendors will be able to meet subscription targets.

If the IPA insists on quarterly evaluation of subscription levels, the evaluation should be based on a single day with a single cure day available (for instance, the first and 30th day of a Quarterly Period). Daily averages are unreasonable unless paired with a substantial safe harbor.

2. In lieu of Daily Average calculations from data provided by Approved Vendors in their REC Annual Reporting, should Approved Vendors provide quarterly customer lists to the Program Administrator after the issuance of the Community Solar First Year Report?

JSP RESPONSE: The method of providing the information is far less relevant than how it is evaluated. For the Joint Solar Parties' proposal, please see above.

TOPIC 9: Single Project Approved Vendor

Questions

1. Are there changes to the Single Project Approved Vendor definition or requirements that could provide greater accountability for Approved Vendors and entities acquiring Single Project Approved Vendors and associated projects?

JSP RESPONSE: The Joint Solar Parties as an initial matter see nothing in the background and are aware of nothing that suggests acquiring entities are not sufficiently accountable (to whom and for what purposes is not clear). The community engagement plan of an SPAV created for a transaction is likely to be descriptive of the community engagement prior to application (and perhaps imposing longer-term requirements as well). As required for the annual recertification, the SPAV will have to disclose its ownership structure. Acquisition of projects is neither harmful to Solar for All nor the Program Administrator.

2. How could the Single Project Approved Vendor model or other Approved Vendor types be adjusted to accommodate an entity host that is developing multiple projects on properties they own, but is not otherwise involved with solar development? For example, if a library district is interested in building multiple projects across their branches, currently the library district would not be eligible as a SPAV and would have to follow the requirements of an Approved Vendor, which may be burdensome for smaller and limited scope projects like that of the library district.

a. What considerations, if any, should be made for such an entity's Approved Vendor and project registration with respect to the requirement to describe plans for community involvement in the application?

JSP RESPONSE: The issues inherent in the library district example in the question speak more to the administrative burdens of Solar for All generally—which should be reduced not just for the library district and similarly situated entities but all participants—rather than the SPAV context. It is unlikely that the hypothetical library district decided not to participate in Solar for All because it had to send itself a Standard Disclosure Form (and if that is the case, then the Standard Disclosure Form should be further reevaluated).

b. Should such an entity be required to submit plans for community involvement?

c. Is the definition of “community” for such an entity and projects substantively different than for other Approved Vendor registrations and projects?

JSP RESPONSE: It is the responsibility of the Approved Vendor to define community in their application materials in a manner acceptable to the Program Administrator.

3. What concerns, if any, are there about creating an abbreviated SPAV application for project assignments and transfers?

JSP RESPONSE: Other than to the Joint Solar Parties registration as an SPAV has not absolved any Approved Vendor from submitting a Standard Disclosure Form when otherwise required (such as for community solar subscriptions) and that the Joint Solar Parties agree it should not when the SPAV is not the site host, the Joint Solar Parties believe the SPAV approach is important for financing for many larger (and some smaller) projects.

4. Are there any issues with the timing of the purchases/assignments relative to construction that would impact the proposed requirement that any entity that purchases more than one SPAV be required to register as an Approved Vendor or Aggregator Approved Vendor?

JSP RESPONSE: It is not necessary for owners of SPAVs to register as an Approved Vendor because it is not clear what additional requirements they would have that the original developer did not have and adhere to. If the concern is that the *original* community engagement plan is not being followed post-assignment to the SPAV, perhaps the SPAV can have an opportunity to amend the community engagement plan to the extent it remains relevant after the assignment (given that the system will be well under development at that point).

TOPIC 10: Illinois Finance Authority (“IFA”) Resources

Questions

1. Are there models in other states that IPA and IFA could look to in designing any application to the EPA’s Greenhouse Gas Reduction Fund (“GGRF”) and it’s Solar for All competition funding?

JSP RESPONSE: The Joint Solar Parties encourage the Illinois Finance Authority to look at Connecticut Green Bank as the most successful example of a green bank, with elements that can be replicated in Illinois. (See <https://www.ctgreenbank.com/>.)

2. What financial offerings or mechanisms would be most useful to ILSFA AVs and customers from a state Climate Bank?

JSP RESPONSE: The Joint Solar Parties note that ILSFA will need to significantly revise current rules and requirements to allow for diversity in financing solutions. The Joint Solar Parties would be supportive of this detailed review to create a successful low-income program that provides diversity in Approved Vendors as well as financing solutions. Currently, the Joint Solar Parties understand there is only one Approved Vendor active in the residential sector within Solar for All.