

December 3, 2021

Response of IIEC to the Illinois Power Agency's Request for Stakeholder Feedback

On the Large Customer Self-Direct RPS Compliance Program

IIEC is interested in the self-direct process as described in the IPA's Request for Stakeholder Feedback, including all of the questions outlined therein, and appreciates the opportunity to provide feedback and looks forward to continuing opportunities to participate in the process. IIEC's answers are shown in blue font, below. However, due to time constraints and uncertainties concerning a number of aspects of the overall program, please note that IIEC has left several of the questions blank, indicating that it has no feedback in that regard at this time. IIEC reserves the right to provide additional information, as appropriate, on these questions or other issues involving the self-direct process, or to change the responses herein, as the process unfolds and more information becomes available.

1) How should the IPA determine whether multiple retail customer accounts indeed connect back to the same corporate parent?

a. What documents would constitute appropriate proof of such affiliation, and allow that affiliation to be understood as connecting back to that customer's utility account? IIEC recommends IPA review the Frequently Asked Questions (FAQs) developed by the ICC Staff in collaboration with ComEd, Ameren and IIEC as regarding energy efficiency opt-out. The FAQs can be accessed at https://www.icc.illinois.gov/downloads/public/informal-processes/EE%20Opt-Out%20FAQ_11-30-21%20FINAL.pdf. In that case, in regard to a similar provision related to multiple sites, it was specified that by signing and submitting the subject application to opt-out of the utility energy efficiency program the applicant was certifying "that that the owners of the customer accounts listed are legally related by virtue of a shared or common parent company that holds, directly or indirectly, a controlling interest in each account's owner."

b. For multiple aggregated accounts, should the 10,000 kW threshold based on coincident or non-coincident "total highest . . . demand" peak demands? IIEC recommends non-coincident demand, as this information is readily available on customers' bills. Use of coincident demand would require securing and analyzing either 15 minute or 30 minute interval load data for all periods, which are not readily available to customers, for all of the applicant's accounts. As a practical matter, this is not feasible.

2) Is this approach to determine whether a project is "new" the correct approach?

a. Should the Agency instead consider "new" as a facility that had not yet been energized as of the effective date of P.A. 102-0662?

3) For geographic qualification, would facilities qualifying under Section 1-75(c)(1)(I)'s new provisions for electricity transmitted to Illinois-based HVDC converter stations also qualify (once such converter stations are built and qualified)?

- 4) How should the IPA handle this requirement for establishing program size?
- a. What such publicly available analyses and studies are available to the Agency in determining self-direct program size?
 - b. By when each year should the Agency make this determination, and using what process?
 - c. Should the Agency publish the initial delivery year self-direct program size as part of its upcoming Long-Term Plan?
 - d. Given that customer account size does not account for permitted account aggregation by corporate affiliates, how can the IPA best assess the size of the retail customer market eligible for self-direct RPS compliance?

5) If the IPA receives applications for the program which exceed the amount of RECs it will include each year, how should the Agency choose between competing applicants?

- a. While the law indicates that the Agency “shall ensure participation is evenly split between commercial and industrial users,” how should the Agency choose between individual commercial or industrial users within that category should applications exceed program capacity?
- b. Should the Agency maintain a program waitlist for qualified applicants, with preference for waitlisted applicants when the program next reopens for applications?

6) What is the correct approach to determining bill credit levels? Do commenters agree with the IPA’s statutory interpretation? What other interpretations could be offered to this language?

7) Given that the Commission does not normally approve compliance filings, how should the Agency comply with this provision? [The Agency should file its information as if it were a tariff filing. The Commission has the ability to review and suspend tariff compliance filings, if warranted. In the alternative, and should it be determined the Agency cannot treat the compliance filing in the same manner as a tariff filing, IIEC recommends the Agency seek comments from all interested parties prior to filing. The Agency should make information such as workpapers available on a transparent basis on its website in order to facilitate review by interested parties.](#)

- a. What process should the Agency propose for the Commission’s review and approval of self-direct rates? [The Commission should review for correctness and reasonableness.](#)
- b. What information should the Agency include in such a filing to a) assist the Commission in making that determination and b) provide interested parties with visibility into how self-direct crediting rates are being set? [The Agency should make information such as workpapers available on a transparent basis on its website in order to facilitate review by interested parties, preferably in advance of the filing.](#)

8) How should the application process operate?

- a. Should these steps be completed contemporaneously?
- b. By when should applications open?

c. For how long should the application window stay open for a given delivery year?

9) How should the Agency determine whether an applicant is indeed compliant?

a. What types of documentation should the Agency seek?

b. For the prevailing wage and equity standards requirements in 1-75(c)(1)(R)(2)(vii), how might the applicant prove compliance?

c. What confidentiality considerations apply to the receipt of this information?