



February 17, 2023

RE: Illinois Power Agency Minimum Equity Standard Waiver

To whom it may concern,

We are disheartened to see that the Illinois Power Agency (IPA) is in process to create a loophole for solar developers operating in the State of Illinois, and accepting Illinois ratepayer funds in the form of Renewable Energy Certificate (REC) contracts, to avoid the Minimum Equity Standard (MES) set forth in the Climate and Equitable Jobs Act (CEJA). We understand that this waiver is intended to be issued in rare circumstances. However, it may be beneficial to address the qualification as an Equity Eligible Person (EEP) and Equity Eligible Contractor (EEC) first.

The IPA has recognized the fact that the workforce development programs authorized through CEJA have not yet launched and will take time to generate the training programs and graduates once the Illinois Department of Commerce and Economic Opportunity (DCEO) awards grants for this purpose. Including graduates and those currently enrolled in the workforce development programs authorized under the Future Energy Jobs Act (FEJA) in paragraphs (a)(1), (a)(2), and (a)(3) of Section 16-108.21 of the Public Utilities Act is a great way to meet the demand for EEP and EEC in accordance with the MES for Adjustable Block Program (ABP), and other IPA REC contracts. Currently, the IPA only recognizes the Solar Pipeline (a)(1), and the Multicultural Training Program (a)(3) in this definition of an EEP. The Craft Apprenticeship Program (a)(2), facilitated by the Illinois IBEW Renewable Energy Fund (ILIBEWREF), needs to be added to this definition.

The ILIBEWREF trained more individuals than the other two FEJA funded programs combined in the first phase of the grant. Training partners are established at 25 training centers across the State that include IBEW Apprenticeship Schools, High Schools (all in environmental justice communities), Community Colleges, and with Community-based Organizations supporting returning citizens and the justice involved. Our programs are all designed to lead to careers in the electrical industry by offering electrical pre-apprenticeship, and Department of Labor (DOL) registered electrical construction apprenticeship opportunities. Thus, creating a pathway to be designated as a Qualified Person per the Illinois Commerce Commission (ICC) Distributed Generation (part 468), and New Utility Solar (part 461) certifications required for all solar work in Illinois.

The ILIBEWREF, now operating under a grant with the DCEO, has trained over 150 new individuals since July 1, 2022, and has over 350 students currently enrolled with our various training partners that will complete the programs by June 30, 2023 (1st year of the two-year grant). All of our graduates are provided job placement with established electrical contractors who are available for subcontracts to meet the MES requirements. By not including the Craft Apprenticeship Program, the IPA has excluded over 2,000 graduates and current participants in our programs, many employed by Certified Disadvantaged Business Enterprises (DBEs) all across Illinois. This number represents 60% of all workers trained through the FEJA funded workforce development programs.

While we applaud the creation of the Equity Eligible Contractor designation to address historical inequity in construction contracting, this designation as worded, does not fully address requirements to perform electrical work in the State of Illinois. We propose the following language to clarify the efforts of this designation and apply other requirements to perform the work detailed in CEJA.

Illinois IBEW Renewable Energy Fund • 2722 S. Martin Luther King, Jr. Dr. • Chicago, IL 60616 • ibewref.org

“Equity Eligible Contractor” means a certified Disadvantaged Business Enterprise (DBE, MBE, WBE, or VBE) Licensed Electrical Contracting business that is majority owned by Equity Eligible Persons, or a certified Disadvantaged Business Enterprise (DBE, MBE, WBE, or VBE) Licensed General Contracting business, nonprofit, or cooperative that employs licensed electrical subcontractors and is majority-governed by Equity Eligible Persons as defined below:

- 1) Persons who graduate from or are current participants in any of the following:
 - a. Workforce Development Programs authorized under the Future Energy Jobs Act (Solar Pipeline, Craft Apprenticeship, Multicultural Solar Training programs).
 - b. Workforce Development Programs authorized under the Climate and Equitable Jobs Act (Clean Jobs Workforce Network, Clean Energy Contractor Incubator, IL Climate Works Pre-apprenticeship, Returning Citizens Clean Jobs Training, or Clean Energy Primes Contractor Accelerator programs).
- 2) Persons who are graduates of or currently enrolled in the foster care system.
- 3) Persons who were formerly Incarcerated, excluding contract fraud convictions.
- 4) Persons whose primary residence, or established primary place of business is in an Equity Investment Eligible Community.

The recommended changes to this program ensure that the contractors benefiting from the EEC designation are appropriately Licensed, are Certified Disadvantaged Business Enterprises, that graduates of Workforce Development Programs authorized under FEJA are not excluded, participants do not have histories including a conviction of contract fraud, and includes businesses based in and creating employment opportunities in Equity Investment Eligible Communities. Currently, 10% of all REC contracts in all Adjustable Block Program are required to be issued to Equity Eligible Contractors. This percentage will increase to 30% in coming years. Without these recommended changes, this lucrative program is vulnerable to fraud, excludes large portions of the community from participating, and will not create the opportunity it is designed to do.

We understand that with the volume and scheduling of work funded with REC contracts issued by the IPA may create labor shortages in some regions. Creating a waiver process may be an option to not impede the growth of this industry in Illinois. Perhaps, before we get there, we should first make certain that all Equity Eligible Persons and Contractors are represented.

Further, if a waiver procedure is developed, we recommend that the required documented communication between contractors/developers and the appropriate training organizations, labor unions, schools, etc. shall require verification by the organizations. This and all materials submitted in a waiver request shall be made available through the Freedom of Information Act (FOIA).

Respectfully submitted,



Robert Hattier, Executive Director
Illinois IBEW Renewable Energy Fund

International Brotherhood of Electrical Workers

LOCAL NUMBER 134

2722 SOUTH DR. MARTIN LUTHER KING, JR. DRIVE
CHICAGO, ILLINOIS 60616



February 17, 2023

It is my honor to make you as an agency aware of the tremendous amount of hard work that has been put into making Local 134 IBEW Apprenticeship the most diverse and inclusive workforce in the Building Trades. I would ask to rethink the idea of not recognizing the Craft Apprenticeship to meet the DEI requirements outlined in CEJA. I welcome your agency to tour our Apprenticeship facility and see firsthand the solar training and our class diversity. Please feel free to contact me anytime to discuss how we could accomplish this tour.

In Solidarity,

Donald Finn
Business Manager/Financial Secretary
IBEW Local 134
[REDACTED]

Illinois State Conference
of
I.B.E.W.

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18670 Graphics Dr., Suite 200
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LU 9 - Chicago	LU 109 - Rock Island	LU 176 - Joliet	LU 364 - Rockford	LU 601 - Champaign-Urbana	LU 794 - Chicago
LU 15 - Downers Grove	LU 117 - Elgin	LU 193 - Springfield	LU 461 - Aurora	LU 649 - Alton	LU 1220 - Chicago
LU 19 - Aurora	LU 134 - Chicago	LU 196 - Rockford	LU 513 - Decatur	LU 701 - Lisle	LU 2285 - Waukegan
LU 21 - Downers Grove	LU 145 - Rock Island	LU 197 - Bloomington	LU 533 - Chicago	LU 702 - West Frankfort	
LU 34 - Peoria	LU 146 - Decatur	LU 214 - Chicago	LU 538 - Danville	LU 725 - Terre Haute, IN	
LU 51 - Springfield	LU 150 - Waukegan	LU 309 - Collinsville	LU 547 - Galesburg	LU 757 - Joliet	

February 17, 2023

It is my honor to make you as an agency aware of the tremendous amount of hard work that has been put into making IBEW Apprenticeships the most diverse and inclusive workforce in the Building Trades. Illinois State Conference of IBEW would ask you to reconsider the idea of not recognizing the Craft Apprenticeship to meet the DEI requirements outlined in CEJA.

We welcome your agency to tour our Apprenticeship facilities and see firsthand the solar training and our class diversity. Please let us know if you would like to schedule a tour of any of our apprenticeship facilities.

In Solidarity,

William Niesman
Chairman
Illinois State Conference of IBEW

Alan Golden
Secretary/Treasurer
Illinois State Conference of IBEW



Local Union No. 9

International Brotherhood of Electrical Workers AFL-CIO

William W. Niesman
Business Manager

Bryan J. Nieciak
Financial Secretary

February 17, 2023

RE: Illinois Power Agency Minimum Equity Standard

To whom it may concern,

We at IBEW Local 9 as well as our Contractors as a Labor Resource Supplier are disappointed in the Renewable Energy Market to see that the Illinois Power Agency (IPA) is in process to create a loophole for solar developers operating in the State of Illinois and accepting Illinois ratepayer funds in the form of Renewable Energy Certificate (REC) contracts, to avoid the Minimum Equity Standard (MES) set forth in the Climate and Equitable Jobs Act (CEJA).

We have been involved in the current Craft Apprenticeship Program facilitated by the Illinois IBEW Renewable Energy Fund (ILIBEWREF) and have had great success working in this program and feel that this needs to be added to the definition of what the IPA is proposing.

The ILIBEWREF has trained more individuals than the other two FEJA funded programs combined. We are proud of the fact that our partnerships have established practices at 25 training centers across the State that include IBEW Apprenticeships Schools, High Schools, Community Colleges, and with Community-based Organizations.

We, along with our Contractor partners, have played a major role in Renewable Energy in the State of Illinois over the last 15 years and want to make sure that our voices are heard.

We completely agree with addressing the past inequities in contracting resources, as we have made huge strides in this area over the past few years. We do not feel this description addresses the requirements to perform Electrical work in the State of Illinois.

If you are willing to discuss further, we welcome the opportunity to engage along with our Contractor partners to help resolve the issues that have been addressed.

Sincerely,

William W. Niesman
Business Manager
IBEW Local 9



*Electrical Contractors' Association
of City of Chicago, Inc.*

February 17, 2023

RE: Illinois Power Agency Minimum Equity Standard

To whom it may concern,

We are disappointed as a representative of electrical contractors in the Renewable Energy Market to see that the Illinois Power Agency (IPA) is in the process of creating a loophole for solar developers operating in the State of Illinois and accepting Illinois ratepayer funds in the form of Renewable Energy Certificate (REC) contracts, to avoid the Minimum Equity Standard (MES) set forth in the Climate and Equitable Jobs Act (CEJA).

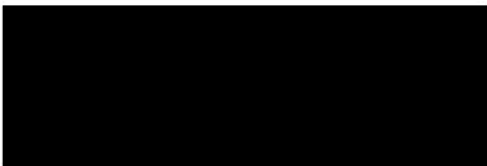
We participate in the current Craft Apprenticeship Program facilitated by the Illinois IBEW Renewable Energy Fund (ILIBEWREF) and have had success working in this program and feel that this needs to be added to the definition of what the IPA is proposing.

The ILIBEWREF trained more individuals than the other two CEJA funded programs combined in the first phase of the grant. We are proud of the fact that we and our partners have established practices at twenty-five (25) training centers across the State that include IBEW/NECA Apprenticeship Schools, High Schools (in environmental justice communities), Community Colleges, and with Community-based Organizations supporting returning citizens and the justice involved.

We, representing nearly 600 Illinois based contractors, have played a major role in Renewable Energy in the State of Illinois and want to make sure that our voices are heard.

We are in full agreement with addressing the past inequities in contracting but this description does not address the requirements to perform electrical work in the State of Illinois.

If you wish and are willing to discuss further, we welcome the opportunity to engage along with our many electrical contractor members and our partners at IBEW, and come to an agreement that will address all of the issues.



Mark L. Thomas
Executive Vice-President
Chicago & Cook County Chapter NECA
Electrical Contractors Association (ECA) of Chicago



2/17/23

RE: Illinois Power Agency Minimum Equity Standard

To whom it may concern,

We are disappointed as a major Contractor in the Renewable Energy Market to see that the Illinois Power Agency (IPA) is in process to create a loophole for solar developers operating in the State of Illinois and accepting Illinois ratepayer funds in the form of Renewable Energy Certificate (REC) contracts, to avoid the Minimum Equity Standard (MES) set forth in the Climate and Equitable Jobs Act (CEJA).

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The ILIBEWREF trained more individuals than the other two FEJA funded programs combined in the first phase of the grant. We are proud of the fact that our partners have established practices at 25 training centers across the State that include IBEW Apprenticeship Schools, High Schools (all in environmental justice communities), Community Colleges, and with Community-based Organizations supporting returning citizens and the justice involved.

We, along with our partner Continental Energy Solutions, and countless other Illinois based contractors, have played a major role in Renewable Energy in the State of Illinois over the last 15 years and want to make sure that are voices are heard.

We are in full agreement to addressing the past inequities in contracting but this description does not address the requirements to perform Electrical work in the State of Illinois.

If you are willing to discuss further, we welcome the opportunity to engage along with our partners from the IBEW and come to an agreement that will address all issues.

Sincerely,

Brian Swiatek
Director of Field Operations
Continental Electrical Construction Company

