

**To:** Illinois Power Agency  
**From:** The Joint Non-Governmental Organizations (ELPC, NRDC, Vote Solar)  
**Date:** December 3, 2021  
**Subject:** Joint NGOs - Response to Utility-Scale and Brownfield Site Photovoltaic Procurement Comment Request.

The Environmental Law and Policy Center, the Natural Resources Defense Council and Vote Solar (VS), commenting together as the Joint Non-Governmental Organizations or Joint NGOs (JNGOs), appreciate the opportunity to comment ahead of the Illinois Power Agency's (IPA or Agency) development of its 2022 revision to the Long-Term Renewable Resources Procurement Plan (Plan or LTRRPP).

The passage of the Climate and Equitable Jobs Act (Public Act 102-0662) this fall requires significant expansion and reimagination across the renewables programs and procurements outlined in the IPA's Plan. It is an exciting and busy time and the IPA has a lot on its plate. With this in mind, the Joint NGOs urge the Agency to anticipate the need for continued growth and evolution even after the final Plan has been approved by the Illinois Commerce Commission. This need for ongoing evolution will be particularly true for:

- The new community-driven community solar program, where the state still has much to learn about what a successful community-driven project looks like (and potentially for other new programs where there is still much to learn).
- REC prices, where Illinois needs to set prices to drive significantly expanded renewables goals, but does not want to repeat past mistakes of failing to adjust those prices if market response is out of line with statutory goals.
- And the low-income distributed generation subprogram of the Illinois Solar for All Program, which has seen far lower uptake than similar programs in other states and therefore requires ongoing and detailed attention to get it on track.

The Joint NGOs comments in response to the various requests for feedback published in early November touch on each of these topics and respond to multiple of the specific requests for comments the IPA makes. The Joint NGOs look forward to working constructively with the Agency and other stakeholders through the Plan's update process and beyond to make Illinois' renewables programs and procurements a success and achieve the goals of the Climate and Equitable Jobs Act.

## General Questions

1. Are annual procurements sufficient, or should procurements be more frequent? If procurements are conducted annually, is there a time of year that would be best to hold them?

Annual procurements with a range of the number of annual RECs being sought at least five years in advance would provide greater certainty for developers. Utility scale renewables projects have long lead times and it can take years to get a project even to the stage of being ready to bid into the procurements. Visibility into the size of the market in the near- and medium-term would de-risk projects to some extent.

2. What would be the most effective way to create that optimization [of RECs from utility-scale projects located in Energy Transition Community Grant areas]? For example, the approach used for prioritizing RECs from Illinois and adjacent states prior to the enactment of the Future Energy Jobs Act could be used. In that approach, bid evaluation would first select projects (subject to the application of the confidential price benchmark) from those areas, then if volumes to be procured remain, would select bids from projects in other areas. Another approach could be to have different eligibility requirements for projects located in these areas. Another approach still could weight price versus other requirements.

One approach for the IPA to optimize procurement would be to include an adder for projects located in Energy Transition Community Grant areas. The adder could be used in the bid evaluation. An example of this was Consumers Energy's Fall 2019 renewables procurement, where they used "Value Added Criteria" to weight various project attributes in the bid evaluation. ([Link to presentation by Consumers Energy](#)). Furthermore the JNGOs recommend that the IPA identify other siting factors that provide non-energy benefits to the people and the state of Illinois and report on the capacity quantities of bids and projects that exhibit those factors. These factors should include, at minimum, co-agricultural benefits and pollinator-friendly sites (for solar), likely among others. While not required under the law, this information should be quite easy to obtain and would help paint a clearer picture of the myriad non-energy benefits renewables expansion is bringing to Illinois.

## Subsequent Forward Procurements (conducted prior to the approval of the updated Long-Term Plan)

6. Should the IPA take into consideration previously procured RECs for utility-scale wind and utility-scale solar, which meet the requirement of "new wind project" and "new solar project", in establishing the subsequent forward procurement targets? Or is "proportion" intended to refer only to the ratio between new wind and new solar contracts? In the alternative, should the IPA make a complete reset of the competitive procurements

targets and attempt to procure the full 10,000,000 REC target (which could result in unmet procurement targets or insufficiently competitive procurement events)? Please provide analysis supporting your position.

While the JNGOs agree that the language referenced in Section 1-75(c)(1)(C)(iii) of the IPA Act is somewhat ambiguous, it seems likely that “proportion” refers only to the ratio between new wind and new solar contracts. This interpretation would result in the most rational outcome from a policy perspective because it would be most consistent with achieving the broad RPS goals.

## Brownfield Site Proposed Approach

The Joint NGOs have no objection to the IPA’s proposed approach of first conducting procurements consistent with changes in the wake of Public Act 102-0662, with a subsequent analysis of what barriers were removed through these changes, before layering in additional changes to the brownfield site photovoltaic (PV) project procurement structure. As the IPA does explore noncompetitive approaches, however, it should seek to prioritize, and therefore value, PV development on dirtier sites and on sites for which the surrounding community supports the PV conversion. The need for community support is all the more important for projects within urban and environmental justice (EJ) communities. The positive outcomes that can come with brownfield site PV development - particularly the re-use of land that is otherwise too contaminated to be used and the property tax benefits that can accompany such re-use - should certainly be prioritized for EJ communities. However, only to the extent that a community truly wants such a project. Some brownfield sites are appropriate for other types of redevelopment and some communities would prefer other types of redevelopment. Those preferences should be respected.