

July 22, 2019

Anthony Star, Director
Illinois Power Agency
105 W. Madison Street, Suite 1401
Chicago, IL 60602

Via Electronic Mail

RE: Response to 2019 Long-Term Renewable Resources Procurement Plan Update Request for Comments

Administrator Star:

As a leading national solar developer, Nexamp appreciates the opportunity to provide comments following the Illinois Power Agency (IPA)-led workshops last month.

Nexamp was founded over a decade ago, and since that time has grown from a small residential solar installer to a fully integrated solar development company that develops, owns, and operates over 200 projects totaling over 150 MW of solar installations in half a dozen states.

The growth and success of our program can be attributed to our fair and equitable subscription program, which allows for all people regardless of income, credit history, dwelling or geographic location to access clean energy. Given the flexible terms of our agreement, customer satisfaction with our product is paramount to the success of our platform.

We suggest the changes below with the aim of ensuring a consumer-friendly, accessible community solar marketplace in Illinois that will allow for a burgeoning and successful clean energy future for the state.

Waitlist

Nexamp supports the Joint Solar Parties' suggestion to move away from the rank-ordinal waitlist and rely instead on project-readiness milestones for project selection through the use of an ISA-proxy. We would, however, make one slight modification; instead of requiring a collateral deposit for projects that exit the interconnection queue and reapply, Nexamp suggests prioritizing those projects on the waitlist which have already paid their full ISA-deposit. This will ensure that projects with development capital already invested will proceed ahead of more speculative projects.

Disclosure Form

We echo the Joint Solar Parties' request that the disclosure form be simplified, with an eye towards providing community solar customers with all necessary information to make an informed decision while ensuring clarity and concision by removing unnecessary language. With this goal in mind, we have several specific suggestions for changes to the disclosure form.

1. **Prioritizing Information Most Important to the Customer**

The description of Renewable Energy Credits (RECs) should be moved out of the first section of the disclosure form and located elsewhere. The current placement of the description will likely cause unnecessary confusion for customers, as they do not receive or benefit directly from RECs.

Information most valuable to customers in evaluating the community solar program they are considering joining – namely, sign-up fees, cancellation fees, savings rate, projected annual savings rate, and contract length – should be prioritized in this first section of the form.

2. Ensuring Flexibility to Better Serve Customers

It is most beneficial to customers for Approved Vendors to have the ability to assign customers to projects as they become available, rather than be committed to one specific project within the program. Such flexibility has been provided for in New York and Massachusetts to ensure that customers begin to benefit from the community solar program they are enrolled in as soon as possible. Accordingly, we recommend that the data requirements under “Project Specifications” (p. 3) in the disclosure form reflect this. Specifically, the form should be modified to allow Approved Vendors to better serve their customers in this way by listing the utility territory, rather than address and county or municipality, for site location in this section. In this same spirit, the construction timeline should be removed from the form.

3. Ensuring that the Project Specifications Section is Relevant to the Customer

The Project Specifications section also includes details that do not apply to all Approved Vendors. For instance, the language regarding refunds for payments made does not apply to our product, as we do not require that participants pay a deposit or any upfront costs to subscribe. Customers will likely find this information confusing, and therefore it should only apply to Approved Vendors for whom this pertains.

4. Removing Unobtainable Subscription Specifications Section Information

The language pertaining to the month in which bill credit application will commence should be removed, as this depends on the utility meeting their deadlines and therefore, we cannot know this information.

5. Ensuring that the Subscription Specifications Section is Relevant to the Customer

We have several suggestions for the Subscription Specifications section of the disclosure form to improve clarity and ensure program relevance.

First, the language regarding the length of the term of the customer’s subscription should be removed as this will depend upon how long the customer chooses to participate in the program.

Second, the language for products with a single upfront payment (including the total upfront payment amount and due date, recouping the cost of a subscription, and how much can be recouped) should only apply to Approved Vendors who use that model.

The language regarding payment schedules and amounts (pp. 4-5) does not apply to our product and will likely create significant confusion among those considering a Nexamp community solar subscription. For Approved Vendors who use a guaranteed savings discount – as is the case with our product –the payment schedule information on pages 4 and 5, up to but not including the “frequency of subscription payments” – should be removed to reduce confusion among customers. Instead, IPA should add a section in which the discount rate can be stated.

The “net cashflow” language in this section does not pertain to our contract and is likely to cause confusion among customers. We ask that this language be amended to clarify its application to programs with guaranteed savings discounts, or at the least removed for Approved Vendors with such programs.

Finally, we request that for Approved Vendors who select "no" following the question "does your subscription require you to receive service from a specific ARES?" the remainder of this section not populate on the form, to avoid confusion among customers of vendors to whom this section does not apply.

In essence, the disclosure form should be limited to only the information most relevant to the Approved Vendor’s project type in order to avoid unnecessary confusion among customers.

Consumer Protection Measures

1. Removing Burdensome and Confusing Requirements that do not Serve the Customer

In keeping with the goal of ensuring that customers are fully informed upon making their decision to participate in a community solar program, and eliminating customer confusion, the following should be removed from the information required to be included in Approved Vendor contracts:

- A description of the project’s long-term maintenance plan, and
 - Current production projections and a description of the methodology used to develop production projections
2. Clarification of Certain Consumer Protection Requirements

We request clarification of the following:

- What specifically is being asked for regarding the data privacy policies of the Project Developer;
- What the benefit to customers and consumer protection would be of the Project Developer’s provision of evidence of insurance; and
- What exactly is required with regards to the statement that the developer does not make representations or warranties concerning the tax implications of any bill credits provided to the subscriber.

Illinois Shines Marketing

The Illinois Shines website should be split into 2 separate sections: one for consumers and one for developers. Currently content which is only meaningful for consumers is collocated with that which is only meaningful for developers. For example, the “Community Solar” dropdown on the home page has a link for developers (“Project Requirements”) directly above a link for customers (“Complaint Center”). In another case, the FAQ includes a section on Distributed Generation – which is only meaningful for developers – alongside sections intended for consumers.

Sectioning off consumer and developer content will make the website much more easily navigable for both. NY-Sun provides a good model for a consumer-friendly website.

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We would again like to express our appreciation for the opportunity to provide feedback as the IPA reviews the current program and works to ensure the effectiveness of the program in the years ahead. We share the Agency’s commitment to ensure a robust, consumer-friendly community solar market in Illinois, and our comments above are founded upon this conviction.

We thank you for your consideration.

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