

## Stakeholder Workshop and Invitation to Comment on the Contract Form

FEBRUARY 19, 2021

Public Act 99-0906 (the “Future Energy Jobs Act”) provided for the establishment of the Illinois Solar for All Program to procure of Renewable Energy Credits (“RECs”) from new photovoltaic distributed generation and community solar projects through 15-year contracts. A standard REC delivery contract between the utilities and Approved Vendors was developed and was published for use in May 2019 (the “May 2019 REC Contract”). On October 21, 2019, the Illinois Power Agency (“Agency” or “IPA”) filed its first revised long-term renewable resources procurement plan (“Revised Plan”), which was approved by the Illinois Commerce Commission (“ICC”) with modifications in Docket No. 19-0995 on February 18, 2020. Under the Revised Plan, the Agency proposed a substantial refresh of the May 2019 REC Contract based upon lessons learned from the execution and early administration of the initial contracts. A copy of the Revised Plan is available [here](#).

On February 19, 2021, the Program Administrator posted to the [www.illinoisSFA.com](http://www.illinoisSFA.com) website a draft of the Illinois Solar for All Program REC Contract (the “February 2021 Draft REC Contract”). The February 2021 Draft REC Contract is proposed to be the standard contract form for the Illinois Solar for All Program between each Approved Vendor and Ameren Illinois Company (“AIC”), Commonwealth Edison Company (“ComEd”) or MidAmerican Energy Company (“MEC”).

As explained further below, an additional version of the REC Contract featuring the State of Illinois as the counterparty (and thus incorporating various forms, disclosures, and standard terms and requirements required under Illinois law) will be released at a later date.

**The Program Administrator invites interested parties to submit their comments on the February 2021 Draft REC Contract.** All comments received in accordance with the process outlined below will be reviewed by representatives from the Illinois Power Agency (“IPA”), the Illinois Solar for All Program Administrator (Elevate Energy), AIC, ComEd, MEC, Staff of the Illinois Commerce Commission, and the IPA’s Procurement Administrator (NERA Economic Consulting). The timeline and process for interested parties to provide comments is as follows:

- Please submit your comments on the February 2021 DRAFT REC Contract by email to the Program Administrator at: [comments@illinoisSFA.com](mailto:comments@illinoisSFA.com)
- Please provide telephone and e-mail contact information in the event that the Program Administrator seeks clarification regarding your comments.

- Each of your comments must be clearly indicated with tracked changes in Microsoft Word. We strongly encourage you to provide explanatory notes either in a separate document or highlighted in tracked changes.

**The deadline to provide comments is 5 PM Central Prevailing Time (“CPT”) on Thursday, March 11, 2021.**

Written comments submitted to the Program Administrator according to the process above and submitted prior to the deadline will be posted to the illinoisSFA.com website and made publicly available.

**Stakeholder Workshop: Thursday, February 25, 2021.  
10:00 AM to 12:00 PM (Central Prevailing Time)**

A stakeholder workshop has been planned to facilitate stakeholder engagement on the REC Contract development process prior to the written comments submission deadline. The workshop will proceed in two parts. The first part of the workshop will provide an overview of the February 2021 Draft REC Contract, a walkthrough of the key changes relative to the May 2019 REC Contract and answer any clarifying questions participants may have. The second part of the workshop will be to engage stakeholders in an interactive dialogue on the proposed contract provisions contained in the February 2021 Draft REC Contract in advance of the receipt of written comments.

**Join from the meeting link**

<https://illinois.webex.com/illinois/j.php?MTID=m3420c5f215df4cd730defdc67b3e1869>

**Join by meeting number**

Meeting number (access code): 133 411 7245

Meeting password: 3w2Kde6UXuD

**Tap to join from a mobile device (attendees only)**

[+1-312-535-8110](tel:+1-312-535-8110).,1334117245## United States Toll (Chicago)

[+1-415-655-0002](tel:+1-415-655-0002).,1334117245## US Toll

Please direct all questions to the Program Administrator at: [comments@illinoisSFA.com](mailto:comments@illinoisSFA.com)

## Explanatory Notes

To facilitate the review of the February 2021 Draft REC Contract by interested parties, we provide the following notes:

(a) The REC Contract may include multiple Transactions. One batch of systems submitted by Seller and approved by the ICC corresponds to one Transaction, and the key terms of such Transaction (such as pricing and size of the Designated Systems within the batch) are specified in the Product Order applicable to such Transaction. For avoidance of doubt, each batch will only consist of system(s) within a specific Illinois Solar for All sub-program; a Product Order shall not include systems approved pursuant to different sub-programs. (Additionally, this contract is only for systems participating in the Illinois Solar for All Program. It is separate from any contracts entered into for systems participating in the Adjustable Block Program).

(b) The form of the Product Order is provided in Exhibit A, and each Product Order contains three (4) schedules, Schedule A, Schedule B, Schedule C and Schedule D. Schedule A to a Product Order shall include summary information of each Designated System proposed by Seller under the Illinois Solar for All Program for which batch has been approved by the ICC for inclusion in the REC Contract. Once a Designated System is Energized, the IPA or its designee shall prepare and complete Schedule B to the Product Order for such Designated System, which includes updated summary information related to the Designated System, and which shall be the basis for determining applicable payments under the REC Contract. Schedule C includes a summary of the size information of Designated Systems within the Product Order and is updated when a Designated System(s) within the Product Order is removed from the REC Contract or has a change in size between the initial application (Part I) and energization (Part II). Schedule D includes information related to a Designated System if it is being removed from the REC Contract during the term of the Agreement.

(c) The May 2019 REC Contract featured a different contract structure and different section ordering. In order to facilitate a meaningful review of the changes between the February 2021 Draft REC Contract and the May 2019 REC Contract, a Base Agreement has been prepared. The Base Agreement is a restructured version of the May 2019 REC Contract that conforms to the structure and section ordering of the February 2021 Draft REC Contract without any substantive changes. A redline comparison between the February 2021 Draft REC Contract and the Base Agreement has been provided along with the February 2021 Draft REC Contract for your convenience.

(d) Under the Illinois Solar for All Program, there shall be two standard forms of REC Contract as follows:

- (i) A REC Contract to be used between the Approved Vendor and an electric utility (AIC, ComEd or MEC), which is the February 2021 Draft REC Contract issued on February 19, 2021.
- (ii) A separate REC Contract to be used between the Approved Vendor and the IPA will be issued at a later date and will incorporate several forms, disclosures, and standard terms and conditions required by the State of Illinois. A separate announcement will be posted to the Illinois Solar for All website ([illinoisSFA.com](http://illinoisSFA.com)) when such contract becomes available.