

Invitation to Comment on the Contract Form

JULY 25, 2023

On March 21, 2022, the Illinois Power Agency (“IPA”) developed a revision to its Long-Term Renewable Resources Procurement Plan (“2022 Long-Term Plan”) and filed this plan with the Illinois Commerce Commission (“ICC” or “Commission”). The Commission released a Final Order in Docket No. 22-0231 approving the 2022 Long-Term Plan with modifications on July 14, 2022. The 2022 Long-Term Plan sets forth a Home Repairs Pilot program to offer incentives that help address home repair costs to improve participation in the Low-Income Single-Family and Small Multifamily Solar Subprogram.

On June 30, 2023, the Governor of Illinois approved Public Act 103-0188 to amend Section 1-56 of the IPA Act (20 ILCS 3855/1-56) to provide that the projects participating in the Illinois Solar for All Program and for which applications were submitted on or after the effective date of Public Act 103-0188 shall be subject to the prevailing wage requirements included in the Prevailing Wage Act, with the exception of (i) projects that serve single-family or multi-family residential buildings and (ii) projects with an aggregate capacity of less than 100 kilowatts that serve houses of worship.

To conform with the implementation of the Home Repairs Pilot program as well as the Prevailing Wage Act requirements, updates to the Illinois Solar for All Program REC Contract (the “REC Contract”) are now needed. The updates are to be made through an Addendum to the REC Contract that incorporates a Prevailing Wage Act requirements annex and a Home Repairs Pilot annex.

On July 25, 2023, the Program Administrator posted to the www.illinoisSFA.com website a copy of the draft Addendum 1 (the “Draft Addendum 1”) and related documents, available: [here](#).

The Program Administrator invites interested parties to submit their comments on the Draft Addendum 1 to the REC Contract. All comments received in accordance with the process outlined below will be reviewed by representatives from the IPA, the Illinois Solar for All Program Administrator (Elevate Energy), AIC, ComEd, MEC, Staff of the ICC, 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 Draft Addendum 1 and related documents by email to the Program Administrator at: 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 Tuesday, August 1, 2023.

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.

Please direct all questions to the Program Administrator at: comments@illinoisSFA.com

Explanatory Notes

To facilitate the review of the Draft Addendum 1 and related documents by interested parties, we provide the following notes:

- (a) Once the Addendum is finalized, it is envisaged that Approved Vendors will be required to execute the Addendum once along with any new Product Order. For avoidance of doubt, the update to the REC Contract will not affect any existing Designated Systems currently under contract.
- (b) For avoidance of doubt, the Addendum must be signed by all Approved Vendors with a new Product Order regardless of whether Prevailing Wage Act requirements or Home Repairs Pilot requirements are applicable to the Designated System(s) under such new Product Order.
- (c) In order to facilitate a meaningful review of the changes made by Draft Addendum 1 to the REC Contract, a redline comparison to the REC Contract has been provided along with the Draft Addendum 1 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), for which the draft addendum is based on.
 - (ii) a separate REC Contract to be used between the Approved Vendor and the IPA. Upon finalizing the Addendum, a separate analogous addendum related to the IPA counterparty REC Contract will be issued incorporating all final changes considered.

Summary of Key Changes

The Draft Addendum 1 have been developed to include:

- a) Prevailing Wage Act requirements. (REC Contract Sections 1.78.1, 2.2, 6.5 & Exhibit A)
- b) Home Repairs Pilot Adder. (REC Contract Sections 1.18, 1.25, 1.58.1 - 1.58.4 & Exhibit A)