

# Response to Comments: Draft PY6 Vendor Manual

06.27.2023

## Overview and Response Summary

The Illinois Power Agency (the “Agency”) and the Program Administrator (the “Program Team”) published the proposed Illinois Solar for All (ILSFA) Draft Approved Vendor Manual for Program Year 6 on May 30, 2023, with a Request for Comments due on June 13, 2023. Several parties submitted written comments. The Program Administrator also held a [webinar](#) on June 1, 2023, to provide an overview of the changes from the previous program year and received questions and comments from stakeholders during the webinar. The Program Team has considered these written and webinar comments and appreciates the thoughtful input. The final Approved Vendor Manual is available, and the full comments on the proposal are posted on the ILSFA website.

Comments have been summarized and addressed below.

### **1. Savings requirements for Non-Profit or Public Facilities projects using the federal investment tax credit.**

A comment was received requesting clarification of the savings requirement about the investment tax credit (ITC) because of the changes made by the Inflation Reduction Act (IRA), which make it possible for a Non-Profit or Public Facilities to take the Federal Investment Tax Credit (ITC) through either “direct pay” or through the sale of the ITC to a third party.

**Response:** Because federal guidance on “direct pay” is still being developed, the Program Administrator will keep the same approach for now with a greater savings expectation (65%) when the ITC is captured versus not captured. As more guidance around the IRA implementation becomes available, the Agency will review REC prices to accommodate the changes in value and savings requirements.

## 2. Clarification of Battery Backup requirements

A comment was received noting that Section 10.14. Systems with Battery Backup addresses some issues raised with onsite generation credits and battery backup usage against energy arbitrage selling utility power back to the grid. The commenter recommended that Energy Storage Systems should be required to be installed per the requirements set forth in NFPA 855: Standard for the Installation of Stationary Energy Storage Systems to ensure public safety and first responder safety.

**Response:** The Program Team agrees that adding this language will be helpful; however, to coordinate with Illinois Shines, this language will be added during the next Vendor Manual update. This manual has a recommendation for the NFP 855 standard to be used.

## 3. Defining Eligible Trainees and Qualified Job Training Programs

A comment was submitted recommending that Other Qualifying Programs requirements be adjusted such that trainees from these programs have a clear path to the individual being deemed a Qualified Person upon completion. The commenter recommended an adjustment to the requirement that 50% of course completion cannot include only classroom time because to sit for the certification exams, one must have the installation credits in a decision-making role to qualify. The commenter recommended that once an individual has completed the classroom and experience requirements, they can be listed as an Other Qualifying Program Eligible Trainee.

**Response:** There is a request for comments as part of the 2022 Long-Term Plan related to training requirements for Other Qualifying Programs, and the Approved Vendor Manual will be updated in the fall based on responses received to that request.

## 4. Job Trainee Waiver Process

The commenter requested that in Section 15.2 Waiver Process it be specified that all good faith efforts to secure qualified trainees should come from both the FEJA and CEJA-funded programs along with required documentation of said outreach and verification that the documented communications are factual and current from the organizations that administer the workforce development programs. All applications

for waivers issued to Approved Vendors shall be made available through Freedom of Information Act (FOIA) requests in a timely manner.

**Response:** The last updates to the 2022 Long-Term Plan and AV Manual made the change from prioritizing FEJA and CEJA training programs to the current process of not prioritizing FEJA and CEJA and making all eligible training programs (including OQPs) acceptable for outreach. The Program Administrator and Agency will work to review and process any FOIA requests in accordance with the timelines set forth in 5 ILCS 140/.

## 5. Community Solar waitlist and Daily Average

The comment stated that the language regarding the waitlist process makes the Daily Average target (100% of subscriptions) impossible to maintain since it will take several days or even weeks for a customer to provide payment information, sign a contract, and be fully verified. The commenter expressed concern that if they cannot maintain a waitlist of customers who are ready to be allocated immediately, there will always be a delay between a project subscription shortfall and fully enrolling a replacement customer.

**Response:** Because this program serves income-eligible households, the Program Administrator feels strongly that additional transparency and consumer protections are necessary and that it is important to clarify when customers may expect to start seeing savings. Signing contracts while only in a waitlist status limits households' ability to transfer to another project, if one becomes available, which can allow them to start realizing savings sooner. The Program Team does acknowledge that this can have an impact on the Daily Average target and will work to address that in the upcoming Plan update and any associated changes needed in the REC contracts.

## 6. Marketing materials and media interviews

The proposed three-week turnaround time for marketing materials to be reviewed by the Program Administrator was noted in a comment as a concern. This commenter stated that their experience is that the existing approval process triples the time it takes to launch an ILSFA campaign compared to other leading programs, making it more difficult to run individualized, community-centered partnerships that have

proven effective in reaching low- and moderate-income households since each piece of marketing must go through its own approval process.

**Response:** The Program Administrator will complete reviews as quickly as possible. However, because the Program Administrator and the Agency both need to review materials, we are maintaining two weeks specification for Program Administrator/IPA review and one week for AV follow-up edits within the Approved Vendor Manual.

## 7. Media interview review

The commenter is seeking clarification on how the Program Administrator intends to review media interviews in advance to confirm that program benefits are conveyed clearly and accurately. They note that most of these are live interviews and expect that notification of the Program Administrator that a media interview is scheduled is sufficient.

**Response:** For media interviews, the expectation is simply a notification of the interview, date, and outlet. However, the Program Team does require that press releases are submitted for review.

## 8. Grassroots Education Organization and Approved Vendor Coordination

The commenter expressed their support for Approved Vendors to be able to reach out to individual Grassroots Education organizations. They provided the detail that for some parts of the state, finding an Approved Vendor who is actually doing the work takes more time than any other part of the process.

**Response:** The Program Team wants Grassroots Educators to have the most current information about Approved Vendors operating in their communities. However, Approved Vendor program activity information needs to be maintained with the Program Administrator to ensure it is reported consistently across the ILSFA webpage and materials as well as all Grassroots Educators. As always, Approved Vendors should keep the Program Administrator updated of their ILSFA activities, and the Program Administrator will work with Grassroots Educators on additional ways to facilitate communication, so they have the most current information of ILSFA Approved Vendors operating in their communities.

**9. Exclusion of police stations, jails, prisons, and immigration detention centers from consideration as Critical Service Providers that could qualify as participants in the Non-profit and Public Facilities sub-program.**

During this comment period, two comments were received responding to this question. One comment supporting exclusion of police stations, jails, prisons, and immigration detention centers was received in addition to those submitted in October 2022 with stakeholder feedback for the previous update to the ILSFA Approved Vendor Manual. The other comment submitted during this feedback period acknowledged “the sometimes acrimonious relationship between carceral institutions and the communities they operate in” but added that this sentiment is not necessarily true throughout Illinois, especially downstate and in rural communities. The comment addressed an existing project where an Income Eligible community welcomed ILSFA solar on their police station. The commenter opposed the exclusion of these facilities from the Critical Service Provider list and suggested that the program consider utilizing the scoring protocols to favor non-carceral projects over projects that serve carceral facilities for PY7.

**Response:** Since the majority of the comments submitted during this and the previous comment period regarding this issue were in favor of excluding carceral institutions from the ILSFA program, the Program Administrator has made this change in the Approved Vendor Manual. Requests from individual entities requesting designation as a Critical Service Provider will still be reviewed and evaluated with consideration of the public comments received.