

Sample Documents

Letter of Intent (Seller/System Owner)

Notes

The **System Owner** has title to RECs from the system unless the System Owner has entered into an agreement to provide to another party unconditioned title to the RECs or the right to legally transfer RECs to the Illinois Power Agency (“IPA”) under the Supplemental Photovoltaic Contract (“SPV Contract”). The **Seller** is the individual or entity that will be the counterparty under the SPV Contract and that will provide RECs for one or more systems to the IPA. The **Bidder** is a party that submits any part of a response to the SPV RFP.

If the System Owner and the Seller are different entities or individuals then the Bidder must submit either a signed contract between the Seller and the System Owner or a letter of intent from the System Owner that demonstrates that the Seller will have ownership of the RECs or will have the contractual right to legally transfer or assign the RECs from the system to the IPA.

Each Bidder may develop its own letter of intent to meet its business needs. Such a letter of intent would be required to include:

- A statement from the System Owner that it intends to give the Seller unconditioned title to the RECs from the system(s) or the right to legally transfer or assign such RECs; and
- An acknowledgment by the System Owner that the letter of intent may be submitted as part of a proposal pursuant to an Illinois Power Agency procurement event;
- A statement that the System Owner does not have a letter of intent in regards to the system(s) with a party other than the Seller.

A sample is provided on the next page.

**Fall 2015 Procurement Events (SPV RFP)
15 OCT 2015**

Sample Letter of Intent (Seller/System Owner)

The parties to this Letter of Intent (“LOI”) are the System Owner and the Seller, as identified immediately below:

<u>Identification of the System Owner</u>	<u>Identification of Seller</u>
<input type="checkbox"/> System Owner is an individual Name of individual: _____	<input type="checkbox"/> Seller is an individual Name of individual: _____
<input type="checkbox"/> System Owner is an entity Name of entity: _____ Name of signatory: _____ Title of signatory: _____	<input type="checkbox"/> Seller is an entity Name of entity: _____ Name of signatory: _____ Title of signatory: _____

The above named entities or individuals, referred to collectively as the “Parties” to this LOI and individually as a “Party,” acknowledge and agree to the following:

1. The System Owner is the owner of the system(s) as identified further below.
2. The System Owner has given, or intends to give to the Seller unconditioned title to the RECs from the system(s) or the right to legally transfer or assign such RECs.
3. The System Owner does not have a letter of intent in regards to the system(s) identified below with a party other than the Seller.

<u>Identification of System</u>	
(address of the system):	_____
(size, in kW of DC rating):	_____
<i>[add additional information for additional systems as needed]</i>	

Agreed

As of the date last appearing below, the Parties to this LOI set forth their agreement to the provisions contained herein.

By: _____
Signature
(Signatory for System Owner as identified above)
Date: _____

By: _____
Signature
(Signatory for Seller as identified above)
Date: _____

Host Acknowledgment

Notes

The **Host** is the individual or entity that owns or controls the site where the system is installed or will be installed. The **System Owner** is the individual or entity that has title to RECs from the system (unless or until the System Owner enters into an agreement to provide to another party, such as an aggregator, title to the RECs).

If the System Owner and the Host are different entities or individuals; then a Host acknowledgment is required for the system.

There are two samples provided below. The first sample is Appendix 3 to the SPV Contract. Execution of this document is required under the terms of the SPV Contract and Bidders may submit it in advance with the Proposal. The second sample is another format for the Host Acknowledgment that is acceptable for purposes of presenting the Proposal.

While Bidders can be assured that these samples are acceptable for purposes of presenting the Proposal, Bidders are not required to use these samples. Bidders may instead develop their own documents to satisfy the requirements of the Proposal and such documents will be evaluated on a case-by-case basis.

Fall 2015 Procurement Events (SPV RFP)
15 OCT 2015

(Sample 1) Host's Acknowledgement and Certification

The undersigned is the owner of the premises at which, the System indicated in the Renewable Energy Credits Purchase and Sale Agreement (Contract No: [*this may be left blank if acknowledgment is provided with the Proposal*]) with the Illinois Power Agency (the "Agreement") will be developed. The undersigned hereby acknowledges and certifies for the benefit of Illinois Power Agency as follows:

The undersigned consents to the construction, installation, operation and maintenance of System at the Host's premises at:

(address of the System): _____

Owner of the premises at which System resides ("Host"):

Host is an individual
Host Name: _____

Host is an entity
Name of entity: _____
Name of signatory: _____
Title of signatory: _____

By: _____

Signature of Host

Date: _____, 20____

Name of System (optional): _____

Fall 2015 Procurement Events (SPV RFP)
15 OCT 2015

(Sample 2) Host Acknowledgment

I own the site where the system identified below will be installed and developed. I acknowledge and agree to this system being located on my premises or site.

By: _____

Signature of Host (the owner of the site where system is or will be located)

Date: _____

Name of Bidder (optional but recommended): _____

<p><u>Identification of System :</u></p> <p>(address of the system): _____</p> <p>(name of System Owner, Bidder or Seller) _____</p> <p><u>Identification of the Host</u> (Owner of the site where system is located):</p> <p><input type="checkbox"/> Host is an individual Name of individual: _____</p> <p><input type="checkbox"/> Host is an entity Name of entity: _____ Name of signatory: _____ Title of signatory: _____</p>
