

ILLINOIS POWER AGENCY PROCUREMENT EVENTS Supplemental PV Procurement

Invitation to Comment on the Contract Form for the Supplemental PV Procurement

On October 28, 2014, the Illinois Power Agency (“IPA”) submitted a Supplemental Photovoltaic Procurement Plan (“Supplemental Plan”) in accordance with Section 1-56(i) of the IPA Act. The Illinois Commerce Commission (“ICC”) issued its Order with regard to the Supplemental Plan on January 21, 2015. The Supplemental Plan approved by the ICC provides for three procurements of renewable energy credits from photovoltaics using the Renewable Energy Resources Fund (“RERF”). The first and second such procurement events took place in 2015. The third such procurement event is scheduled for March 2016. NERA Economic Consulting has been retained by the IPA as the Procurement Administrator.

On Thursday, January 28, 2016, the Procurement Administrator posted to the procurement website (<http://ipa-energyrfp.com/supplemental-pv-procurement-section>) a Draft REC Purchase and Sale Agreement proposed to be the standard contract form. The Procurement Administrator invites interested parties to submit their comments on the Draft REC Purchase and Sale Agreement. There will only be one round of written comments.

All comments received in accordance with the process outlined below will be reviewed by representatives from the IPA, the Procurement Administrator, the Procurement Monitor, and Staff of the ICC. The timeline and process for interested parties to provide comments is as follows:

- Please submit your comments on the Draft REC Purchase and Sale Agreement by email to the Procurement Administrator at: Illinois-RFP@nera.com.
- Please provide telephone and email contact information in the event that the Procurement 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 **Wednesday, February 10, 2016 at 6 PM CPT**.

For your convenience, the Appendix to this Invitation to Comment contains a set of changes made to the REC Purchase and Sale Agreement used during the November 2015 procurement event for this upcoming procurement event.

Please direct any questions regarding this comment process to the “Ask a Question” page of the procurement website (<http://ipa-energyrfp.com/ask-a-question/>).

Appendix

This appendix is provided for convenience only. This appendix explains selected changes made to the REC Purchase and Sale Agreement; however, interested parties are entirely responsible for reviewing and understanding the Draft REC Purchase and Sale Agreement.

The following are changes made to the contract form dated October 6, 2015 and used for the November 2015 procurement event:

- The requirement to provide proof of an Interconnection Agreement has been replaced with a certification made by the Seller. The change is shown in item 1 below.
- For purposes of assigning the contract, Seller may request an assignment no earlier than thirty (30) calendar days after the effective date of the contract so as to provide adequate time for the completion of execution formalities and for such contract to be recorded by the State of Illinois before an assignment is to be considered. The change is shown in item 2 below.
- The contract expiration date is two calendar months after the Delivery Term End Date. The latest contract expiration date is provided in Exhibit D to conform to Illinois State requirements and has been updated for this procurement event. The change is shown in item 3 below.

Item 1:

Exhibit C:	<div style="border: 1px solid black; padding: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%; padding-right: 10px;">Article 3 and Article 4 Interconnecting Utility</div> <div style="width: 65%;"> <ul style="list-style-type: none"> <input type="checkbox"/> Commonwealth Edison Company <input type="checkbox"/> Ameren Illinois Company <input type="checkbox"/> Other: _____ <p style="color: red; font-size: small;">As set forth in Section 4.1.2 of the Agreement, <u>Seller certifies that the System is located on the customer side of the customer's utility meter, is interconnected to the distribution system of the Interconnecting Utility, and the System has a fully executed Interconnection Agreement. Seller provides proof of an Interconnection Agreement accompanying its submission of this System Energized Notification Form via at least one of the documents listed below (check applicable):-</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Interconnection Agreement; <input type="checkbox"/> Certificate of Completion of Interconnection; <input type="checkbox"/> Comparable document to Certificate of Completion serving as proof of Interconnection Agreement; </div> </div> </div>
4.1.2.	<p style="color: red; font-size: small;">Seller has provided Buyer with a completed System Energized Notification Form (Exhibit C) <u>certifying and an Interconnection Agreement, Certificate of Completion, or comparable document serving as proof of an Interconnection Agreement so as to ensure</u> that the System is located on the customer side of the customer's utility meter, is interconnected to the distribution system of the Interconnecting Utility, and has a fully executed Interconnection Agreement;</p>

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Item 2:

11.3.1. Seller may make a request to Buyer for the transfer or assignment of Seller's rights and obligations under the Agreement to the "Transferee". Such request may be made no earlier than thirty (30) calendar days after the Effective Date of the Agreement. Such request must name the Transferee, provide the relationship between Seller and Transferee (if any), and must provide all necessary documentation to show that Transferee meets all conditions specific to a Seller under this Agreement. Necessary documentation may also include an updated Cover Sheet and updated Appendix 1.1-Appendix 1.5, if applicable. Buyer may request additional information from Seller, and Buyer will have thirty (30) calendar days to provide consent or to notify Seller that Buyer rejects the assignment or transfer.

Item 3:

Exhibit D:

Article 2 Contract Expiration Date	Two (2) calendar months after the Delivery Term End Date, and absent Seller granting an extension, shall in no event be later than <u>March June 1, 2023.</u>
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