



## **Borrego Solar Systems, Inc. Follow-Up Comments on the Illinois Power Agency's Block 1 Lottery Strawman Proposal**

Borrego Solar Systems, Inc. ("Borrego") appreciates the opportunity to submit Follow-Up Comments on the Illinois Power Agency's ("IPA") Block 1 Lottery Strawman Proposal ("Strawman"). We recognize and appreciate the time and thought that went into the development of both the Long-Term Renewable Resources Plan ("LTRRP"), the Strawman, and the proposals outlined in the request for follow-up comments. We recognize the difficult task of weighing the disparate opinions of stakeholders, and we applaud the IPA and InClima for seeking these additional comments.

In general, Borrego supports the comments submitted by the Joint Solar Parties ("JSP") and the Coalition for Community Solar Access ("CCSA") with a few clarifications outlined below. While we generally support all of the JSP and CCSA recommendations, we want to emphasize our support for a significant pre-bid collateral, as suggested by CCSA, and the allocation of the reserved block capacity before any lottery or switching would occur. We think these two elements will help developers make rational decisions. We also offer a couple of clarifications and additional thoughts on several matters.

### **Cut-Off Date for Community Solar**

Borrego supports a strict cut-off date for eligible community solar projects. Projects that submitted an interconnection application after September 10, 2018 should not be eligible for this phase of the Adjustable Block Program. We understand JSP's nuanced perspective on this, but we think a cleaner approach is better. Developers have had plenty of time to submit interconnection applications prior to that date.

### **Developer Cap**

Borrego appreciates the IPA and InClima's attempt to limit participation in the lottery through the suggestion that no developer should be able to submit more cumulative project capacity than the totality of the blocks available. We support JSP and CCSA's opposition of this proposal. Borrego believes a developer cap on the awards is a better way to ensure diversity of winners and projects. We believe that a developer cap, where no single developer could receive REC contracts for more than 30% of each of the capacities of Blocks 1-3 available through the lottery, is the only way to eliminate the possibility of market concentration. This will require some diligence on behalf of the IPA and InClima to make sure shell companies and affiliates aren't set up to circumvent the cap.

### **Prioritize Projects that are More Ready**

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We reiterate our suggestion from previous comments that the IPA and InClime consider prioritizing the lottery for projects that are more “ready” than others. Per our previous comments, two examples of this is to weight or prioritize the lottery for projects that are 1) first in the interconnection queue, or 2) not contingent on other Approved Vendors’ interconnection upgrades. All “ready” projects must have an executed Option and Lease Agreement (or proof of ownership of the site), not just a letter of intent, and would have to prove their place in the interconnection queue or that they are not contingent on other Approved Vendors’ interconnection upgrades to move forward. These projects should be given REC contracts before other contracts, in accordance with a developer cap.

### **Project Verification**

We support the IPA’s proposal, and the JSP and CCSA comments, that recommend developers show proof of all non-ministerial permits (not just an attestation) and an executed Option and Lease Agreement. We reiterate our suggestion from previous comments that if the IPA and InClime need additional time after the lottery is triggered to verify that projects are indeed eligible, they should take such time. We applaud the IPA and InClime for striving to hold the lottery within 35 days of program opening, but if another few weeks is needed to verify eligible projects (especially if additional factors are included, such as readiness), then the IPA and InClime should take the time to do so. A delay in running the lottery for community solar need not delay the progress of the other market segments.

In conclusion, we greatly appreciate the chance to provide additional thoughts on this important process. We believe the Illinois solar market can be successful, and that companies like ours will be justified in our commitment to Illinois.

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