



**COMMENTS ON DRAFT APPROVED VENDOR APPLICATION REQUIREMENTS
ENGIE DISTRIBUTED SOLAR**

October 19, 2018

SoCore Energy LLC (dba ENGIE Distributed Solar) respectfully submits these comments on the IPA's Draft Approved Vendor Application Requirements ("Draft Requirements") released on October 3, 2018. ENGIE Distributed Solar is a market leader in commercial, industrial, and distributed solar and storage portfolio development based in Chicago, IL.

SoCore was acquired by ENGIE North America Inc. in April 2018. ENGIE NA employees about 5,500 people in a wide range of energy-related businesses, including low-carbon or carbon-free electricity generation and cogeneration, energy storage, retail energy sales, and on-site energy management and engineering services. Globally, ENGIE is headquartered in Paris, France and employs some 150,000+ people in energy and facilities-related businesses.

ENGIE enthusiastically supports the IPA's overarching goals of ensuring the legitimacy of program participants and weeding out "bad actors." ENGIE Group has made numerous commitments regarding ethics (including matters related to procurement, human rights, customers, competitors and other stakeholders). We recognize the importance of ensuring that Approved Vendors do not break the public trust and reflect poorly upon the solar industry as a whole. Consumer protections are essential to any customer-facing industry and we fully support their application in the context of the Adjustable Block Program.

ENGIE is a steering committee member of the Joint Solar Parties (JSP) and supports its filed comments on the Draft Requirements. Our goal in filing separate comments is simply to further illustrate and emphasize the JSP's recommendation about the definition of "Affiliate" as used in the Draft Requirements.

Legal and Regulatory Information – Right-Sizing the Scope of Inquiry

The Draft Requirements cite to the definition of "affiliate," in Section 7.3.1 of the Long-Term Renewable Resources Procurement Plan.

"“Affiliate” means, with respect to any entity, any other entity that, directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with each other or a third entity.” LTRRPP page 145.

By this definition, ENGIE Distributed Solar has approximately 3,000 affiliates worldwide operating within 22 separate business units. In North America alone, there are 400+ separate entities. We do not have the legal and regulatory information requested readily available because, as far as we were able to ascertain, there is no other registration or certification process in any industry in which ENGIE participates that requires disclosures about all affiliates. We are confident that it is not the IPA's intent to require a document search at this scale.



The JSP has proposed several possible alternatives – highlighted below – for reducing the burden on large, complex conglomerates such as ENGIE while still requiring pertinent disclosures.

(Paraphrased from the JSP comments)

[ALTERNATIVE 1 (preferred)] Keep the definition as is, but only apply it to **entities that will be materially involved in developing Adjustable Block program-eligible assets in Illinois**. This keeps the focus where it should be: on those parts of large and complex businesses that will interact with Illinois.

[ALTERNATIVE 2] Keep the definition as is, but only apply it to **entities involved in the development, installation, or marketing of distributed solar assets in the United States (community or behind-the-meter)**. This allows the IPA to look at an entity's national presence so it will be aware if substantial problems occurred in other states, but won't pull in unrelated affiliates that will not have an impact on Illinois site owners or customers. We would further recommend narrowing this application to exclude affiliated LLCs that are created to hold or divvy up ownership interests in one or more project asset for the exclusive purpose of facilitating third-party financing, e.g. Project Companies.

[ALTERNATIVE 3] Use the narrower definition of "affiliate" that IPA outlines in Question #6 under "Company Background," but limit the scope to only U.S. based affiliates. This would ask for information **about U.S. based entities that are "up the chain" (own, directly or indirectly) or "down the chain" (owned by, directly or indirectly) from the Approved Vendor**. This provides a look into the Approved Vendor and its owners and subsidiaries, but not unrelated sibling companies.

Thank you for your consideration. We would be happy to answer any questions that the IPA or the Program Administrator may have – please do not hesitate to reach out.

A handwritten signature in black ink that reads "Madeleine Klein".

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