



Proposed Process for Collection of Demographic and Geographic Data Request for Stakeholder Feedback

October 14, 2021

Background

On September 15, 2021, Governor Pritzker signed the Climate and Equitable Jobs Act ([Public Act 102-0662](#)) into law. This Act includes significant changes to the Illinois Power Agency Act (20 ILCS 3855, the "IPA Act"), including an overhaul of certain elements related to the Adjustable Block Program. As this Act also frees up additional funding for supporting new renewable energy project applications, those changes include requirements that certain Adjustable Block Program categories reopen (or open for the first time, in the case of new categories) within 90 days after the effective date.

The Illinois Power Agency ("IPA" or "Agency") is seeking feedback on certain provisions of the law in order to prepare for opening of additional blocks on December 14, 2021 in compliance with P.A. 102-0662. This feedback will be utilized by the Agency to develop interim requirements for the opening of blocks in December; such requirements may ultimately be revised and/or modified in accordance with the approval of the Agency's next Long-Term Renewable Resources Procurement Plan by the Illinois Commerce Commission, which is expected to occur in the summer of 2022.

The Agency seeks stakeholder feedback on the process for collection of demographic and geographic data under the Adjustable Block Program. Responses to this Request for Stakeholder Feedback should be submitted to the IPA by November 4, 2021 by emailing written responses to IPA.Solar@illinois.gov with the subject, "Responder's Name - Response to Demographic and Geographic Data Collection Feedback Request."

In general, responses will be made public and published on the websites of both the Adjustable Block Program and the Illinois Power Agency. Should a commenter seek to designate any portion of its response as confidential and proprietary, that commenter should provide both public and redacted versions of its comments. Independent of that designation, if the Agency or the Program Administrator determines that a response contains confidential information that should not be disclosed, the IPA reserves the right to provide its own redactions.

Illinois Adjustable Block Program

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Requirements of the IPA Act

New Section 1-75(c-20) of the IPA Act creates new program data collection requirements for the Agency, which read in part as follows:

(1) Purpose. Data collection, data analysis, and reporting are critical to ensure that the benefits of the clean energy economy provided to Illinois residents and businesses are equitably distributed across the State. The Agency shall collect data from program applicants in order to track and improve equitable distribution of benefits across Illinois communities for all procurements the Agency conducts. The Agency shall use this data to, among other things, measure any potential impact of racial discrimination on the distribution of benefits and provide information necessary to correct any discrimination through methods consistent with State and federal law.

(2) Agency collection of program data. The Agency shall collect demographic and geographic data for each entity awarded contracts under any Agency-administered program.

(3) Required information to be collected. The Agency shall collect the following information from applicants and program participants where applicable:

(A) demographic information, including racial or ethnic identity for real persons employed, contracted, or subcontracted through the program and owners of businesses or entities that apply to receive renewable energy credits from the Agency;

(B) geographic location of the residency of real persons employed, contracted, or subcontracted through the program and geographic location of the headquarters of the business or entity that applies to receive renewable energy credits from the Agency; and

(C) any other information the Agency determines is necessary for the purpose of achieving the purpose of this subsection.

(4) Publication of collected information. The Agency shall publish, at least annually, information on the demographics of program participants on an aggregate basis.

(5) Nothing in this subsection shall be interpreted to limit the authority of the Agency, or other agency or department of the State, to require or collect demographic information from applicants of other State programs.

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Proposed Approach

The IPA is required to collect demographic and geographic data “for each entity awarded contracts” under all Agency programs. As the Seller under REC Contracts awarded through the Adjustable Block Program, this requirement extends to Approved Vendors. Furthermore, the Agency is required to collect specific information “from applicants and program participants,” which may potentially encompass Approved Vendors, their subcontractors, and project hosts/customers. The IPA proposes to collect data initially through the application to become an Approved Vendor and subsequently through the annual Approved Vendor renewal process. Accordingly, the Agency proposes to add the following required fields to the Approved Vendor application and renewal forms.

1. How many individual persons do you employ?
 - a. How many of the persons are full-time employees?
 - b. How many of the persons are contract employees?
2. Please provide a count of employees by county in Illinois, and employees located outside of Illinois.
3. Are you a minority-owned or female-owned business enterprises as specified in Section 1-75(c)(7) of the Act or a small business as defined in the Small Business Advisory Act (20 ILCS 692/5)?
4. Provide the number of employees who identify as:
 - a. Male
 - b. Female
 - c. Nonbinary
 - d. Not available
5. Provide the number of employees in the following age categories:
 - a. Under 20 years of age
 - b. 20-29
 - c. 30-39
 - d. 40-49
 - e. 50-59
 - f. 60-69
 - g. 70 and over
6. Provide the number of employees who report their race as:
 - a. White
 - b. Black or African American
 - c. American Indian or Alaska Native
 - d. Asian
 - e. Native Hawaiian or Other Pacific Islander

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- f. Some Other Race
 - g. Multiracial
 - h. Not available
7. Provide the number of employees who report their ethnicity as Hispanic or Latinx.
8. Provide the number of employees whose annual income is:
 - a. < \$30,000
 - b. \$30,000 - \$50,000
 - c. \$50,000 - \$70,000
 - d. \$70,000 - \$90,000
 - e. > \$90,000
9. Provide the number of employees whose highest educational level is:
 - a. Some high school
 - b. High school graduate or G.E.D.
 - c. Trade or vocational training
 - d. Two-year degree
 - e. Some post-secondary school
 - f. College graduate
 - g. Advanced degree
10. Provide the number of employees who were formerly incarcerated.
11. Provide the number of employees who are graduates of or currently enrolled in the foster care system.
12. Provide the number of employees who are veterans.
13. Provide the number of employees serving in the Reserves or National Guard.
14. Provide the number of employees who are disabled.

Approved Vendors will likewise be required to collect this information from their subcontractors and report this information to the Program Administrator. The data collected from all program applicants through the proposed fields above will be aggregated and reported annually by the Agency via the Program website, including a map of the locations of all program participants.

Stakeholder Feedback Questions on Proposed Approach

A. Data Collection

1. Are there demographic categories or classifications that the above proposed list fails to capture? Please provide specific examples and reasons for their inclusion.

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2. Are there any proposed demographic categories or classifications as proposed above that should be altered? Please provide specific examples and reasons for proposed changes.
3. Are there any proposed demographic categories or classifications that should be removed? Please provide specific examples and reasons for removal.
4. The Agency seeks feedback on the process for the submission of data collected by Approved Vendors from subcontractors. One possible approach would be for Approved Vendors to submit subcontractor information on a project-by-project basis. Another approach would be for Approved Vendors to submit subcontractor information on a quarterly basis. The Agency is also open to alternative proposals; for each proposal, please provide an explanation as to why a particular approach may or may not be preferable.
5. For purposes of subcontractor reporting, should Approved Vendors be required to report demographic and geographic data on each subcontractor with whom the Approved Vendor worked on a project in the Program during the reporting period? Should the subcontractors from which this data is collected be limited to those with a direct role in project development, such as sales/marketing and installation? Are there other categories of subcontractors to be included (or excluded) and if so, why?
6. New Section 1-75(c-20) refers to collecting data on “program participants.” Might this be understood as referring to customers or hosts? If so, how should the IPA seek to obtain demographic information about customers, and what sensitivities apply to making such inquiries of customers? Who is the right entity to collect that information and how, and how should that information then be reported back to the IPA?

B. Reporting & Accuracy of Data

1. For the purposes of determining an Approved Vendor’s geographic location, the Approved Vendor may be headquartered outside of Illinois or may have more than one branch office. Is the main office of an Approved Vendor an accurate reflection of that Approved Vendor’s geographic location? Alternatively, should the branch office which runs the Approved Vendor’s ABP participation be used or is there a better representation of an Approved Vendor’s geographic location?
2. What measures should the Agency consider to facilitate the collection of accurate data from Approved Vendors?

Next Steps

Stakeholder feedback received on the proposals discussed herein will be considered for use in

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the opening of new blocks of Program capacity, and possible inclusion in the development of the new draft Long-Term Renewable Resources Procurement Plan.

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