



February 9, 2022

VIA ELECTRONIC MAIL

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To Illinois Power Agency Procurement Administrator:

On behalf of Boralex Inc. ("Boralex") we are submitting our response to the request for comments on the Draft Indexed RECs RFP Rules [REDACTED] posted by the Procurement Administrator on January 24th and 20th respectively. Boralex appreciates the efforts by the Procurement Administrator to develop the Spring 2022 Procurement Event.

Introduction

Boralex is an independent power producer that develops, builds, and operates renewable energy power and energy storage facilities in Canada, France, the United Kingdom and the United States. With an installed capacity of 2.5 GW, Boralex is a leader in the Canadian market and is France's largest independent producer of onshore wind power. Boralex is recognized for its solid experience in optimizing its asset base in four power generation types — wind, hydroelectric, storage, and solar. Boralex ensures sustained growth by leveraging the expertise and diversification developed over the past 30 years.

Boralex understands that the decisions we make today help shape our shared energy future. We are equally committed to our role as a responsible and ethical neighbor, employer, taxpayer, and steward of the environment. We engage with stakeholders early, often, and broadly in informed discussions to ensure that our projects are consistent with local interests. We grow the economies of the communities where we operate by creating community investments and purchasing goods and services locally.

The recently enacted Climate and Equitable Jobs Act (the "Act") established Illinois as a national leader on climate action. The Act obligates Illinois to achieve 100% clean energy by 2050. The Act provides interim goals of 40% renewable

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energy by 2030 and 50% by 2040. The Act establishes specific requirements for the procurement for indexed renewable energy credits from new utility-scale wind projects, new utility-scale solar projects, and new brownfield site photovoltaic projects. Boralex is eager to assist Illinois in achieving the State's climate objectives, through a well-designed REC procurement program.

Feedback regarding the Draft Indexed RECs RFP Rules and the Part 1 and Part 2 Illustrative Forms

The RFP Process and Rules document and the Illustrative Part 1 and Part 2 Forms were very useful in helping us understand the draft RFP submission requirements in their current iteration. The RFP instructions and the Part 1 and Part 2 Forms were all clearly structured and easy to follow.

Our following limited comments regarding the Part 1 and Part 2 Forms focus primarily on the desire to reduce the likelihood of unintentional breaches of the representations that may be triggered by inadvertent hair-trigger defaults. We propose that IPA consider making the following adjustments to the Representations and Certifications inserts to address this issue:

1. Part 1 Form, Insert P1-2: Project Labor Agreement Insert, paragraph 4: We Propose the following adjustment: "certify that the Project Labor Agreement shall in all material respects cover all terms and conditions of employment on a specific construction project and ~~must~~ will materially include the following...."
2. Part 1 Form, Insert P1-5, Project Certification Insert:
 - a. In paragraph 4: "to the best of the Seller's knowledge and belief the Project has reached the appropriate development milestones to fully expect that the Project will deliver its first REC to each Company on or before May 31, 2025"
 - b. In paragraph 8: "the information provided in the Proposal regarding the Project, including the description of the Project site, is true, up-to-date, and accurate in all material respects to the best of my knowledge and belief."
3. Part 1 Form, Insert P1-6, Seller's Certification Insert, paragraph 8: "all information provided in the Part 1 Proposal is true and accurate in all material respects to the best of the Officer's knowledge and belief"
4. Part 2 Form, Insert P2-4, Certifications, paragraph 1: "all information in the Part 2 Proposal is true and accurate in all material respects to the best of the Seller's knowledge and belief"

Sincerely,

John Partyka
Director, Commercial Transactions

