

**[Committer 20]**  
**Comments on**  
**Draft ISC Contract**

**From:** [Commenter 20]

**Sent:** Mon 5/18/2026 10:27 AM

**To:** Illinois-RFP <Illinois-RFP@nera.com>

**Subject:** Re: Draft Indexed Storage Credit Agreement of April 22, 2026

Hello! I'm sorry, I want to add a little bit to what I sent on Sunday night, May 17th. The additions are shown in **red bold** font below. Thanks,

[Commenter 20]

**From:** [Commenter 20]

**Sent:** Sun 5/17/2026 11:58 PM

**To:** Illinois-RFP <Illinois-RFP@nera.com>

**Subject:** Draft Indexed Storage Credit Agreement of April 22, 2026

Hello,

I'm sorry for sending this well after your requested deadline of Wednesday, May 13th. [Commenter 20 information]

I have a comment about Section 1.6 (definition of "Available" or "Availability"). Part of the Section 1.6 definition is "available for charging and/or discharging, consistent with RTO rules."

This defined concept is referenced throughout the (draft) contract, including Sections 2.6, 4.1(b), & 6.1, and Exhibit C-1. However, in these places in the contract, the language generally doesn't specify whether "Availability" of **charging** or "Availability" of **discharging** is intended to be used. This ambiguity could pose difficulties for contract administration.

Note that MISO Tariff, Module A ([https://docs.misoenergy.org/miso12-legalcontent/Module\\_A\\_-\\_Common\\_Tariff\\_Provisions.pdf](https://docs.misoenergy.org/miso12-legalcontent/Module_A_-_Common_Tariff_Provisions.pdf)) includes the following defined concepts for (as there defined) Electric Storage Resources:

- \* **Hourly Economic Maximum Charge Limit**
- \* **Hourly Economic Maximum Discharge Limit**
- \* **Hourly Emergency Maximum Charge Limit**
- \* **Hourly Emergency Maximum Discharge Limit**
- \* Hourly Regulation Maximum Charge Limit
- \* Hourly Regulation Maximum Discharge Limit

As a legal matter, **each of the three successive pairs of values** could differ (**within the pair**) at any given time. (Whether they could differ as an *engineering* matter is somewhat beyond my understanding.) **And which pair of values is most relevant for the "Availability" concept in the Agency's Indexed Storage Agreement contract may not be immediately obvious. These values are explained more in MISO Business Practices Manual No. 002 (Energy and Operating Reserve Markets) rev. 25** (<https://cdn.misoenergy.org/BPM-002%20Energy%20and%20Operating%20Reserve%20Markets49546.zip>) **at pages 154-157.**

And the PJM Open Access Transmission Tariff, Part I, Section 1 (<https://agreements.pjm.com/oatt/3900>) has these defined concepts for (as there defined) Energy Storage Resources:

- \* Charge Economic Maximum Megawatts

\* Discharge Economic Maximum Megawatts

Again, those could differ, legally speaking.

So I would respectfully suggest that the Agency consider whether any clarifications could be made in Section 1.6 or elsewhere in the contract to tighten the intent here.

Thanks for your consideration,

[Commenter 20]