

[Commenter 5]

**Comments on
REC Rollover
and
Redistribution
Methodology**

From: [Commenter 5]

Sent: Friday, September 4, 2026 5:02 PM

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

Cc: [Commenter 5]; [Commenter 5]

Subject: [Commenter 5] Response on RFI for REC Rollover and Redistribution Methodology for Indexed REC Procurements

NERA Team,

Please find attached [Commenter 5] response to the RFI regarding the REC Rollover and Redistribution Methodology for Indexed REC Procurements.

We appreciate the opportunity to provide feedback and have outlined our recommendations and considerations for your review.

Best,

[Commenter 5]

Response to the Request for Information on REC Rollover and Redistribution Methodology for Indexed REC Procurements

Background

_____ appreciates the opportunity to comment on the Illinois Power Agency's use of rollover and dynamic redistribution for unfulfilled utility-scale renewable energy credit (REC) quantities. We support using both mechanisms but recommend that the Agency sequence them to maximize near-term procurement while preserving a credible pathway for brownfield development.

Illinois' extensive subsurface mine areas present a significant opportunity for clean energy development. Although these sites involve technical complexities, repurposing them would unlock substantial public value: more than 7,400 coal mines, including approximately 5,500 underground mines, have operated in the state since commercial mining began. These lands now offer a meaningful opportunity for new economic development, particularly by allowing rural communities to benefit from the energy transition.

Recommended approach:

First, dynamically redistribute any unfilled wind/hydropower quantity to additional utility-scale solar bids that clear the solar benchmark, and roll forward only the residual.

Second, retain and improve access to the brownfield category by allowing any project with verified photovoltaic capacity on a qualifying brownfield to bid that share into the brownfield category and the balance into utility-scale solar, without dividing the project by meters.

Third, confirm that land underlain by abandoned coal mine workings qualifies as a brownfield site, and accept alternative documentation for mines that closed before the federal Surface Mining Control and Reclamation Act of 1977 (SMCRA).

1. Use dynamic redistribution before carrying unfilled wind/hydropower quantity forward

When the wind/hydropower target is undersubscribed, the Agency should select additional utility-scale solar bids in the same event, provided they clear the solar benchmark. Only what remains after that should roll to a later procurement. Section 5.6 of the Plan and the ICC's October 16, 2025 Order on Reopening already permit this.

A benchmark-clearing solar bid is an immediate opportunity to place RECs under contract. Deferring it adds execution risk and cost without improving the result. With wind supply already constrained by tariff-driven cost increases and federal permitting challenges, further deferral could also leave customers exposed to higher PPA prices as federal tax incentives phase down. Because every bid still clears its own technology's benchmark, ratepayer price discipline is unchanged.

The Fall 2026 rules should state the sequence explicitly: (1) fill each category target; (2) allocate unfilled wind/hydropower quantity to the lowest-priced remaining solar bids that clear the solar benchmark; (3) roll forward only the residual.

Brownfield shortfalls should remain reserved for brownfield projects while the Agency addresses the qualification barriers below.

2. Add a proportional allocation option for projects partially sited on brownfields

The Agency should allow a photovoltaic project with verified generating capacity on a qualifying brownfield to bid that share into the brownfield category and the balance into utility-scale solar. The share would be measured by nameplate DC capacity inside the qualifying boundary, verified before bidding.

This is a slight extension of Section 5.5.2 of the Plan, which already permits a separately metered brownfield portion to participate alongside a separately metered greenfield portion. The proportional option preserves that division without requiring the physical or electrical split.

Why separate metering does not fit brownfield boundaries. Brownfield boundaries follow the shape of the disturbance: mine maps, permit records, No Further Remediation letters, etc. They are irregular. Solar arrays are the opposite: fixed, repeating units on a regular grid, sized around the parcel boundaries, water features, residential setbacks, and largely independent of the configuration of any subsurface mine configurations. Solar arrays are laid out in long rows of panels mounted on single axis trackers which run hundreds of feet per row, repeating every 15~20ft. A brownfield boundary such as the extents of a subsurface mine workings will cross these tracker rows, roads, and electrical infrastructure in all manner of arbitrary angles.

Forcing the electrical design to follow the boundary means dropping rows that straddle the line, stranding capacity on exactly the land the category is meant to reclaim; building duplicate collection systems, feeders, meters, and SCADA for no physical or environmental benefit; and subordinating foundation design, which on undermined ground is governed by geotechnical conditions, to a metering line.

Metering also does not measure the boundary. A meter measures the power flow through the equipment coming from solar modules, inverters, transformers, and electrical infrastructure over a wide area. The proportional option performs allocation directly from verified as-built capacity, capped at actual metered production. The Indexed REC Contract already allocates a defined percentage of a single Project's output through the Project Committed Percentage and standing order without dividing the Project physically. This applies the same mechanism.

Safeguards.

- **Verified boundary and capacity:** the same brownfield eligibility evidence, plus a PE stamped site plan, and independent engineer certification of DC capacity inside and outside the boundary.

- **Separate tranches and benchmarks:** each share bid as a separate REC quantity, evaluated against its own category benchmark, tracked separately. Neither receives the other's treatment.
- **No double counting:** deliveries allocated by the approved percentage and capped by metered production; only the verified brownfield share counts toward the brownfield target.
- **Ongoing compliance:** material layout changes require Agency approval and re-certification; module-level records retained.

3. Recognize undermined land as brownfield, and accept alternative documentation for pre-SMCRA mines

Land underlain by abandoned underground coal workings is blighted land. It cannot reliably support long-lived structures, and the risk is serious enough that Illinois has required mine subsidence insurance on homeowner policies in mining counties since 1979. The Illinois State Geological Survey puts the undermined area at roughly 840,000 acres, concentrated in the southern coal counties, and notes that the state has an estimated 5,500 underground coal mines. This land is also "the site of a coal mine" under Section 1-10 of the IPA Act, which refers to coal mines, not surface mines.

We ask the Agency to confirm both points expressly: that undermined land qualifies under the coal-mine prong of the brownfield definition, and that documented workings satisfy the blight-or-contamination representation in the Indexed REC Contract. With that confirmation, developers can underwrite these sites rather than treat eligibility as an open question at bid submission.

The Agency has the authority. Section 1-10 sets substantive conditions only: coal production permanently ceased, re-mining permanently halted, no coal combustion residues accepted, all applicable clean-up and remediation obligations complete, and compliance with applicable environmental rules demonstrated. The four documents required by RFP Rules Section IV.5.6, the mining permit, the DNR-approved reclamation plan, the DNR permit decision, and Phase I–III bond release, are the Agency's own evidentiary construction, and IV.5.6 permits the Procurement Administrator to consider other forms of supporting documentation. Changing the evidence list requires no change to the statute.

The current evidence list excludes the land the statute covers. Those four documents exist only for mines permitted under SMCRA, which took effect in 1977. Most of Illinois' undermined acreage is older. A mine that closed in 1952 was never permitted, never had a reclamation plan approved, and never posted a bond, so no release can be evidenced. Yet it satisfies every condition the statute imposes. The statute qualifies its requirements with "applicable"; obligations that never attached cannot be outstanding. The result is arbitrary: two mines on the same mined trend can sit side by side, one qualifying and one not, solely because of a 1977 date.

Requested change. For mines that permanently ceased production before SMCRA, the Fall 2026 rules should accept:

- ISGS coal mine directory records and historic mine maps establishing mined extent beneath the site;
- IDNR Office of Mines and Minerals records, including any Abandoned Mined Lands inventory or reclamation records;

- a mine-void delineation by a licensed professional engineer or professional geologist; and
- seller certification that production has permanently ceased, re-mining is permanently halted, no coal combustion residues are accepted, and no outstanding clean-up, remediation, or monitoring obligation applies.

Codifying this is preferable to case-by-case review. Sellers must certify eligibility at Part 1; a bidder that cannot predict how its documentation will be assessed will not bid the category, which is what results since 2024 show.

Conclusion

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] mine workings do not follow parcel lines or interconnection geography [REDACTED] A project sited to reclaim this land will include adjacent acreage to reach a viable interconnection and financeable footprint, and it will often sit over mines the current evidence list cannot document. Together, proportional allocation and alternative documentation would allow the verified brownfield share of this type of historic and critical project to count for what it is, while the balance competes on its own merits as ordinary utility-scale solar. Without them, we expect limited additional undermined land to be developed and the brownfield category to remain undersubscribed, regardless of how rollover and redistribution are sequenced.