

[Commenter 6]

**Comments on
Indexed REC
Contract and
Preliminary
Proposal
Requirements**

From: [Commenter 6]

Sent: Monday, October 6, 2025 9:00 PM

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

Cc: [Commenter 6]

Subject: [Commenter 6] Comments on Draft Renewable Energy Credit Agreement and Draft Proposal Requirements for the Fall 2025 Indexed REC Procurement

Attached please find [Commenter 6] comments in response to the Illinois Power Agency's (IPA) Request for Comments, posted on September 22, 2025, on the IPA's Draft Renewable Energy Credit Agreement (REC Agreement) and Draft Proposal Requirements for the upcoming Fall 2025 REC procurement. [Commenter 6] appreciates the opportunity to provide such comments.

Sincerely,

[Commenter 6]

[Commenter 6]'s contact information

[REDACTED] **Comments on**
Draft Renewable Energy Credit Agreement and Draft Proposal Requirements
for the Fall 2025 Indexed REC Procurement

[REDACTED] is submitting comments in response to the Illinois Power Agency's (IPA) Request for Comments, posted on September 22, 2025, on the IPA's Draft Renewable Energy Credit Agreement (REC Agreement) and Draft Proposal Requirements for the upcoming Fall 2025 REC procurement. For questions on [REDACTED] comments, please contact:

[REDACTED]

Objection to Brownfield Project Location Requirement

[REDACTED] takes exception to the following "requirement" for Brownfield projects on page 25 of the Draft Proposal Requirements under "Other requirements:" "Project must be entirely contained within the Brownfield site."

[REDACTED] is not aware of any statutory basis for the purported "entirely contained within" requirement, which would limit the number and feasibility of brownfield solar projects that can participate in REC procurement events as well as (more generally) reducing the incentives and opportunities to develop such projects at brownfield locations. [REDACTED] urges the IPA to replace the above-stated "requirement" with the following text:

At least 50% of the surface area of the project must be located within an area subject to regulation by one or more of the enumerated authorities under one or more of the remediation programs enumerated in Section 1-10 of the IPA Act.

Similarly, the following revisions should be made to Section 2.2(e) of the REC Agreement:

If the Project is a Utility-Scale Wind Project, a Utility-Scale Solar Project or a Hydropower Project, at least 50% of the Project is located within the physical location identified in the Site Description in the Product Order; and if the Project is a Brownfield Site Photovoltaic Project, ~~the Project is entirely located within the physical location identified in the description of the Project Site in the Product Order and such Project Site currently features or featured actual blight or contamination prior to remediation~~ at least 50% of the surface area of the Project is located within an area subject to regulation by one or more of the enumerated authorities under one or more of the remediation programs enumerated in Section 1-10 of the IPA Act in Section 1-10 of the IPA Act. If the Project is proposed to be located within one or more Energy Transition Community Grant Area(s) under the RFP, at least 50% of the Project must be located within such Energy Transition Community Grant Area(s) as identified in the Site Description in the Product Order. If the Project is proposed to be located in or adjacent to a Hydropower Preference

Community under the RFP, the Project must be located in or adjacent to such Hydropower Preference Community as identified in the Site Description in the Product Order.

The IPA should accept a proposed Brownfield project as meeting the requirement of being “contained within a Brownfield site” when at least 50% of the surface area of the Project is located within an area subject to regulation under one or more of the remediation programs enumerated in Section 1-10 of the IPA Act, because contamination is often not static, but dynamic and has the potential to spread beyond its current location, not just remain in the currently impacted area. The objective of the brownfield remediation programs specified in Section 1-10 is to incentivize the redevelopment of properties that may be complicated by the presence or potential presence of hazardous substances, pollutants, or contaminants. This objective of incentivizing redevelopment applies to the entire property that contains the contamination, not just isolated contaminated locations within the property. Allowing a Brownfield photovoltaic project to qualify for a REC procurement if at least 50% of the surface area of the the proposed project is located within the area of the property being regulated under one of the enumerated remediation programs recognizes that contamination is not static and aligns the application of the remediation program(s) with the realities of risk management, regulatory compliance, and the redevelopment of contaminated property. Such an approach would also allow the IPA to likely have a more successful Brownfield solar REC procurement with more applicants and larger projects after falling short in some previous prior Brownfield solar REC procurements.