

Posted: September 23, 2026 [\(Revised: September 28, 2026\)](#)

Indexed Renewable Energy Credit Agreement

1.48 “Force Majeure” is defined in Section 10.1.

1.49 “Forward Price Curve” means a schedule containing forecasted market prices of electricity developed pursuant to Section 1-75(c)(1)(G)(v)(3) of the IPA Act and published by the IPA. For purposes of this Agreement, the average value of the Forward Price Curve with respect to a Class of Resource shall be calculated based on the most recent published Forward Price Curve for such Class of Resource available as of the Commission Bid Approval Date and as indicated in the Product Order. For avoidance of doubt, the average value of the Forward Price Curve for purposes of this Agreement is: (a) ~~\$42.68~~41.41/MWh with respect to a Utility-Scale Wind Project or a Hydropower Project; and (b) ~~\$48.07~~46.64/MWh with respect to a Utility-Scale Solar Project or a Brownfield Site Photovoltaic Project.

1.50 “General Contractor” means the entity or organization with main responsibility for the building of a construction project and who is the party signing the prime construction contract for the Project.

1.51 “Government Action” means action by a Governmental Authority to change the eligibility of a Product for an Applicable Program or substantially change the requirements for compliance by persons obligated to comply with the Applicable Program which in either case has a material adverse effect on the value of a Product under this Agreement.

1.52 “Governmental Authority” means any international, national, federal, provincial, state, municipal, county, regional or local government, administrative, judicial or regulatory entity operating under any applicable laws and includes any department, commission, bureau, board, administrative agency or regulatory body of any government.

1.53 “Guarantor” means the party named as the Guarantor in the Guaranty.

1.54 “Guaranty” means an irrevocable and unconditional guaranty made by Seller’s Guarantor, in the form attached hereto as Exhibit E-2, E-3 or E-5, as applicable, with such options as elected therefrom.

1.55 “Hydropower” means any method of electricity generation or storage that results from the flow of water, including impoundment facilities, diversion facilities, and pumped storage facilities.

1.56 “Hydropower Preference Communities” means EJC’s and communities with median incomes that do not exceed 82% of Illinois State’s median income.

1.57 “Hydropower Project” means either: (a) a new hydropower facility, including impoundment facilities, diversion facilities, and pumped storage facilities that use the flow of water to generate electricity or storage, at an existing dam; or (b) a project that involves construction, repair, maintenance, or significant expansion of turbines at an existing hydropower facility, including impoundment facilities, diversion facilities, and pumped storage facilities that use the flow of water to generate electricity or storage, located at an existing dam or of an existing hydropower dam (a “Modernized or Retooled Hydropower Project”).

1.58 “Hydropower Refurbishment Completion Date” means, with respect to a Hydropower Project that is newly Modernized or Retooled, the date for which such Modernized or Retooled activities have been completed so as to qualify the Project for Delivery of compliant REC’s under this Agreement pursuant to Public Act 103-0380.

1.59 “Hydropower Refurbishment Start Date” means, with respect to a Hydropower Project that is newly Modernized or Retooled, the date for which such Modernized or Retooled activities have started.