Section XXX.10 Definitions
XXX.20 Applicability
XXX.30 Application Procedures
XXX.40 Required Application Information
XXX.50 Certification Requirements
XXX.60 Certifications Conditioned Upon Compliance
XXX.70 Annual Recertification and Reporting
XXX.80 Reinstatement of a Certificate
XXX.90 Complaint Procedures
XXX.100 Commission Oversight
XXX.110 Maintenance of Records
XXX.120 Fees
XXX.130 Initial Compliance Date


SOURCE: Adopted at 37 Ill. Reg. __________, effective ________________

Section XXX.10 Definitions

Terms defined in Section 16-128A of the Act shall have the same meaning for purposes of this Part as they have under Section 16-128A of the Act, unless further defined in this Part.

"Act" means the Public Utilities Act [220 ILCS 5].

"Applicant" means an entity that files an application with the Illinois Commerce Commission (Commission) requesting certification pursuant to Section 16-128A of the Act to be an installer of new solar or new wind projects.

"Certificate Holder" means an entity that has received certification pursuant to this Part and that is in good standing with the Commission.

“Commission” means the Illinois Commerce Commission.

“Company” has the same definition as found in Section 3-112 of the Act. [220 ILCS 5/3-112]
“Corporation” has the same definition as found in Section 3-113 of the Act. [220 ILCS 5/3-113]

"Directly supervised" means that there is a person on-site at the new solar or new wind project who meets the qualifications to perform solar or wind installations who is available for consultation and review of work performed by apprentices or electrical contractors who may be performing installations.

"Entity" means a Company or Corporation or Person or limited liability partnership that is involved in the business of installing utility-scale generation.

"Illinois Community College Board" is the State coordinating board for community colleges that administers the Public Community College Act [110 ILCS 805] in a manner that maximizes the ability of the community colleges to serve their communities.

"Install" means to perform the electrical wiring and connections necessary to interconnect the new solar or new wind project with the electric utility's transmission or distribution system at the point of interconnection between the project and the utility. The meaning of "install" in this Part specifically does not include:

- Electrical wiring and connections to interconnect the new solar or new wind project performed by utility workers on the electric utility's distribution system;
- Electrical wiring and connections internal to the new solar or new wind project performed by the manufacturer; or
- The on-site construction and installation of a wind turbine and its electrical components and non-electrical parts, or solar panel and its electrical components and non-electrical parts and the collector substations; or
- Tasks not associated with the electrical interconnection of the new solar or new wind project and the utility, including those relating to planning and project management performed by individuals such as an inspector, management planner, consultant, project designer, contractor or supervisor for the project.

"NEC" shall mean the National Electric Code adopted by the National Fire Protection Association, Inc, 1 Batterymarch Park, Quincy MA 02169 (NFPA 70), effective August 24 2016.
"Person" has the same definition as found in Section 3-114 of the Act [220 ILCS 5/3-114].

"Qualified person" means any and all electricians person who performs the installations on behalf of the certificate holder and who has satisfactorily completed state mandated apprentice or training programs for an electrician in another state, or has at least three years work experience in electricity project installation, or is directly supervised by a person who has at least three years work experience in electricity project installation, or has completed at least one of the following programs requiring lab or field work and received a certification of satisfactory completion: an apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program or a North American Board of Certified Energy Practitioners (NABCEP) appropriate distributed generation technology certification program; an Underwriters Laboratories (UL) distributed generation technology certification program; an Electronics Technicians Association (ETA) distributed generation technology certification program; or an Associate in Applied Science degree from an Illinois Community College Board approved community college program in the appropriate generation technology. To be considered a "qualified person", the experience and/or training relied upon must be with the same type of generation technology for which the qualification status is sought.

“New solar or new wind projects” means Utility-scale solar projects or Utility-scale wind projects where the installation begins on or after June 1, 2017.

“Person” has the same definition as found in Section 3-114 of the Act [220 ILCS 5/3-114].

"USDOL registered electrician apprenticeship program" and "United States Department of Labor registered electrician apprenticeship program" means an electrician apprenticeship training program that is registered with the United States Department of Labor (USDOL).

"USDOL certification of satisfactory completion" means that person has received a nationally recognized and portable Certificate of Completion from an electrician apprenticeship program that is registered with USDOL.

“Utility-scale solar project” means the same as that term is defined in Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10).

“Utility-scale” wind project” means the same as that term is defined in Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10).
Section XXX.20 Applicability

After June 1, 2017, all entities that install new utility-scale solar or new utility-scale wind projects in the State of Illinois shall be certified by the Commission under this Part.

Section XXX.30 Application Procedures

   a) The applicant shall file its application for certification under this Part and provide all information required by this Part.


   c) Applications for certification shall be submitted with the appropriate fee payment.

   d) Applications for certification shall be filed with the Chief Clerk of the Commission and shall be verified pursuant to Section 200.130 of the Commission's Rules of Practice (83 Ill. Adm. Code 200.130). Applications by a corporation shall be verified by a corporate officer.

   e) An entity may complete the certification process after completing an installation of a new utility-scale solar or new utility-scale wind project.

Section XXX.40 Required Application Information

Applications for certification under this Part shall contain the following information:

   a) The applicant's name (including d/b/a, if any), street address, telephone number, facsimile number, website, and email address. The applicant shall provide the business name as that name appears on its Illinois Secretary of State's Office registration. The applicant shall provide the business name as it appears on its Illinois Secretary of State's Office registration, including any and all assumed business names. This information shall be kept current and any change shall be filed with the Chief Clerk of the Commission at the Commission's Springfield office within 15 days after the change occurs;

   b) Contact information, including names, addresses, telephone numbers, facsimile numbers and email addresses for persons or entities responsible for issues related to processing the application;

   c) Applicant's Federal Employer Identification Number (FEIN) or Taxpayer Identification Number (TIN), as applicable;
d) A certification that the applicant will comply with informational and reporting requirements established under this Part;

e) A statement that the Applicant agrees to accept service by electronic means as provided for in 83 Ill. Adm. Code 200.1050 (the Commission's Rules of Practice);

Section XXX.50 Certification Requirements

BELOW ARE THREE “PROPOSED LANGUAGE” ALTERNATIVES FOR STAFF CONSIDERATION, AS EXPLAINED AND JUSTIFIED IN SECTION 7 OF WIND ON THE WIRES’ COMMENTS

PROPOSED LANGUAGE A -- section 50(b) is deleted:

a) The applicant certifies that it will remain in compliance with all applicable laws and regulations and Commission rules and orders, including, but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and this Part.

b) The applicant certifies that it will ensure that its employees, agents or contractors, or the employees, agents or contractors of any entity, agent or contractor with which it has contracted to perform those functions within the State of Illinois, shall:

1) Comply with applicable building and electrical codes, including those contained in the NEC;

2) Comply with manufacturer's installation instructions;

3) Install only new solar or wind projects to meet recognized industry standards; and

34) Ensure that all obligations required under this Part and Sections 16-128(a) and 16-128A of the Act are met prior to placing into, or returning into, use any new solar or wind project that the certificate holder installed.
be) The applicant certifies that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.

cd) The applicant certifies that every installation of a new solar or new wind project will be performed only by:

1) a qualified person; or

2) an electrical contractor who is not a qualified person, provided he/she is directly supervised by a qualified person; or

3) a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person provided he/she is directly supervised by a qualified person.

de) The applicant certifies that it is licensed to do business in the State of Illinois.

**PROPOSED LANGUAGE B** -- section 50(b) is not deleted, but section 50(b)(3) is deleted:

a) The applicant certifies that it will remain in compliance with all applicable laws and regulations and Commission rules and orders, including, but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and this Part.

b) The applicant certifies that it will ensure that the qualified persons' employees, agents or contractors, or the employees, agents or contractors of any entity, agent or contractor with which it has contracted to perform an installation of those functions within the State of Illinois, shall:

1) Comply with applicable building and electrical codes, including those contained in the NEC;
2) Comply with manufacturer's installation instructions;

3) Install only new solar or wind projects that meet recognized industry standards; and

34) Ensure that all obligations required under this Part and Sections 16-128(a) and 16-128A of the Act relative to an install were met prior to placing into service—or returning into use any new solar or wind project that the certificate holder installed.

c) The applicant certifies that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.

d) The applicant certifies that every installation of a new solar or new wind project will be performed only by:

- 1) a qualified person;

- 2) an electrical contractor who is not a qualified person, provided he/she is directly supervised by a qualified person;

- 3) a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person provided he/she is directly supervised by a qualified person.

e) The applicant certifies that it is licensed to do business in the State of Illinois.

**PROPOSED LANGUAGE C** -- section 50(b) is not deleted, but section 50(b)(3) is corrected:

a) The applicant certifies that it will remain in compliance with all applicable laws and regulations and Commission rules and orders,
including, but not limited to, the requirements of Sections 16-128(a) and 16-128A of the Act and this Part.

b) The applicant certifies that it will ensure that the qualified persons its employees, agents or contractors, or the employees, agents or contractors of any entity, agent or contractor with which it has contracted to perform an install those functions within the State of Illinois, shall:

1) Comply with applicable building and electrical codes, including those contained in the NEC;

2) Comply with manufacturer's installation instructions;

3) Install only—new solar or wind projects that meet recognized industry standards; and

4) Ensure that all obligations required under this Part and Sections 16-128(a) and 16-128A of the Act relative to an install were met prior to placing into service—or returning into, use any new solar or wind project that the certificate holder installed.

c) The applicant certifies that it will comply with applicable licensing and municipal bonding requirements to do business in the State of Illinois.

d) The applicant certifies that every installation of a new solar or new wind project will be performed only by:

1) a qualified person; or

2) an electrical contractor who is not a qualified person, provided he/she is directly supervised by a qualified person; or
3) a person who is not a qualified person but is enrolled in a training program that, upon satisfactory completion, will meet the requirement to become a qualified person provided he/she is directly supervised by a qualified person.

e) The applicant certifies that it is licensed to do business in the State of Illinois.

Section XXX.60 Certifications Conditioned Upon Compliance

Each certification issued to an applicant is conditioned upon compliance with the provisions of this Part and Sections 16-128(a) and 16-128A of the Act. Violation of this Part or the Act makes the certificate holder subject to penalties, including suspension, revocation, fines or a combination of sanctions.

Section XXX.70 Annual Recertification and Reporting

a) A certificate holder shall recertify annually submit a statement indicating that it will or will not recertify to remain in good standing with the Commission. Recertification involves submitting a Recertification Report that includes the information required by subsection (c) and (d) of this Section and, for any late reports, any applicable late fees.

b) A certificate holder can but does not need to recertify if it is not under contract to perform, or performing, an install for a new solar or new wind project.

c) By June 1 of each year, each certificate holder shall submit a recertification report identified with the name of the certificate holder as it appears in the most recent Commission order granting certification under this Part. The report shall be filed with the Chief Clerk of the Commission and shall be verified by a corporate officer pursuant to Section 200.130 of the Commission's "Rules of Practice" (83 Ill. Adm. Code 200.130).

de) The recertification report shall contain the following information:

1) A statement certifying that the certificate holder continues to maintain the required qualifications for the service authority granted in its certificate;

2) A statement confirming the certificate holder's continuing compliance with all requirements set forth in this Part and Sections 16-128(a) and 16-128A of the Act; and
3d) All reports shall provide the name, telephone number, email address and mailing address of at least one person who is designated by the certificate holder to address questions pertaining to the report.

e) A certificate holder that does not submit a Recertification Report within 30 days of the June 1st annual recertification date is subject to late fees as specified in Section XXX.110.

Section XXX.80 Reinstatement of a Certificate

A former Certificate Holder may apply for reinstatement of its certificate if it: (1) had been a Certificate Holder within the past three years; (2) had properly notified the Commission of its decision to not recertify; (3) provides a recertification report in conformance with section XXX.70(c) and [4] demonstrates that the information it is required to provide under subsection 50 has not changed since its last valid certificate.

Section XXX.9080 Complaint Procedures


Section XXX.10090 Commission Oversight

a) Upon complaint or on the Commission's own motion, the Commission may investigate all activities subject to this Part or Sections 16-128(a) or 16-128A of the Act, including violations of this Part or the statutes.

b) If, after notice and hearing, the Commission determines that an entity has or is installing new solar or new wind projects without Commission certification required under this Part despite being notified by the Staff of the Commission to complete the certification process required under this Part, the Commission shall issue penalties for noncompliance.

Section XXX.110400 Maintenance of Records

The applicant or certificate holder shall agree to adopt and follow procedures ensuring that documentation regarding the installation of new solar or new wind facilities are retained for a period of not less than three calendar years after the calendar year in which they were created. These records shall be made available by request to the Commission or its Staff on a confidential and proprietary basis.

Section XXX.120440 Fees

a) The following fees shall apply:
1) Application for certification  $3,500

2) Recertification or Reinstatement  
   none

3) Late filing annual recertification report  
   (minimum $100)  $10/day

4) Returned check fee  $25

b) Application and recertification fees are nonrefundable.

c) All fees under this Part shall be paid by certified check, cashier's check or money order made payable to "Illinois Commerce Commission/Solar and Wind Certification". Each payment shall be accompanied by documentation identifying what fee is being paid, the applicant or certificate holders’ name, address and Federal Employer Identification Number (FEIN)/Taxpayer Identification Number (TIN).

Section XXX.130420 Initial Compliance Date

The initial date for compliance with this Part is June 1, 2017.