

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: ELECTRIC UTILITIES

PART 468
DISTRIBUTED GENERATION INSTALLER CERTIFICATION

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AUTHORITY: Implementing Section 16-128A of the Public Utilities Act [220 ILCS 5/16-128A] and authorized by Sections 16-128A and 10-101 of the Public Utilities Act [220 ILCS 5/128A and 10-101].

SOURCE: Adopted at 37 Ill. Reg. _____, effective _____.

Section 468.20 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 a person or entity that files an application with the Illinois Commerce Commission (Commission) requesting certification pursuant to Section 16-128A of the Act to install distribution generation facilities.

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

"Directly supervised" means that there is a person on-site who meets the qualifications to perform distributed generation (DG) installations who is available for consultation and

review of work performed by apprentices ~~or electric contractors who may be performing installations.~~

"Distributed generation facility" shall have the same meaning as the term "distributed renewable energy generation device" as defined in Section 1-10 of the Illinois Power Agency Act [20 ILCS 3855/1-10].

"DOL 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 (DOL).

"DOL 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 the DOL.

"Entity" means an organization, institution or individual that has its own existence for legal or tax purposes and is involved in the business of installing distributed generation.

"Install" means to complete the tasks associated with placement of the DG facility and its connection to the electric utility's distribution system, in accordance with applicable building and electrical codes. ~~on-premise electrical wiring and connections necessary to interconnect the distributed generation facility with the electric utility's distribution system.~~ The meaning of "install" in this Part specifically does not include:

Electrical wiring and connections to interconnect the distributed generation facility performed by utility workers on the electric utility's distribution system; or

Electrical wiring and connections internal to third-party listed equipment and the distribution facility performed by the manufacturer as part of the manufacturing process. ~~or~~

~~Tasks not associated with the electrical interconnection of the distributed generation facility, 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. of 1 Batterymarch Park, Quincy, MA 02169 (NFPA 70E), effective August 25, 2010.

"Qualified person" means a person who performs installations on behalf of the certificate holder and who has ~~either satisfactorily completed at least 20 installations of distributed generation technologies prior to effective date of this Part, or has~~ completed an apprenticeship as a journeyman electrician from a DOL registered electrical apprenticeship and training program and received a certification of satisfactory completion.

"Retail customer" means the same as that term is defined in Section 16-102 of the Act. For purposes of this Part, a "retail customer" includes that retail customer's employees, officers, and agents.

"Self-installer" means an individual who leases or purchases a cogeneration facility for his or her own personal use; and installs such cogeneration or self-generation facility on his or her own premises without the assistance of any other person. [220 ILCS 5/16-128A(a)]

Section 468.30 Applicability

After the initial compliance date specified in this Part, with the exception of self-installers, all entities that install distributed generation facilities shall be certified by the Commission under this Part prior to installing any distributed generation facilities in the State of Illinois.

Section 468.40 Application Procedures

- a) The applicant shall file its application for certification under this Part and provide all information required by this Part.
- b) Contents of documents filed by applicants shall be consistent with Subpart B of the Commission's Rules of Practice (83 Ill. Adm. Code 200).
- c) Applications for certification shall be submitted with the appropriate fee payment. The application fee shall be paid by certified check, cashier's check or money order made payable to "Illinois Commerce Commission/DG Certification". The application fee is nonrefundable.
- d) Applications for certification under this Part 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).

Section 468.50 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 assumed business names if and only if those names are registered with the Illinois Secretary of State's Office. 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 Section 200.1050 of the Commission's Rules of Practice (83 Ill. Adm. Code 200.1050);
- f) An organizational chart demonstrating the applicant's corporate structure, including all affiliated companies, if applicable;
- g) An exhibit containing an internal corporate organizational chart indicating the position and name of the qualified persons who will perform or supervise installations to satisfy the requirements of this Part; and
- h) An exhibit (with any confidential personal information such as a Social Security number redacted) containing the following information for each qualified person who will perform or supervise installations to satisfy the requirements of this Part:
 - 1) A copy of the DOL certification of satisfactory completion of a DOL registered electrician apprenticeship program; and/or
 - 2) Proof of the satisfactory completion, prior to the effective date of this Part, of at least twenty installations of distributed generation facilities.

Section 468.60 Certification Requirements

An applicant shall be certified if its application satisfies the following requirements:

- 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 the distributed generation facility manufacturer's installation instructions;
 - 3) Install only distributed generation facilities 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 are met prior to the placing into, or returning into, use any distributed generation facility 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 distributed generation facility will be performed only by:
- 1) qualified persons; 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~~^s enrolled in a DOL registered electrician apprenticeship program who ~~are~~^{is} directly supervised by a qualified person.
- e) The applicant certifies that it is licensed to do business in the State of Illinois.

Section 468.70 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 make the certificate holder subject to penalties, including suspension, revocation, fines or a combination of sanctions.

Section 468.80 Annual Recertification and Reporting

- a) A certificate holder shall recertify annually to remain in good standing with the Commission.
- b) By April 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).

- c) 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 verified statement, with supporting documentation, of any changes to the original certification qualifications. For each supporting piece of documentation provided, the certificate holder shall state how this information complies with each applicable subsection of this Part;
 - 3) 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
 - 4) The number of distributed generation facilities, classified by installed generation capacity and fuel energy source (solar, wind, natural gas, etc.), that the certificate holder installed during the prior calendar year in each electric utility's service area.
- c) The report shall not contain customer identifying information.
- d) 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.

Section 468.90 Complaint Procedures

Complaints shall be filed in conformance with 83 Ill. Adm. Code 200.160 and 200.170 and 83 Ill. Adm. Code 280.170. The complaint shall comply with the Commission's Rules of Practice (83 Ill. Adm. Code 200).

Section 468.100 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 an entity is installing distributed generation facilities without Commission certification, the Commission shall issue penalties for noncompliance.

Section 468.110 Maintenance of Records

The applicant shall agree to adopt and follow procedures ensuring that documentation regarding the installation of distributed generation 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 468.120 Fees

- a) The following fees shall apply:
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|----|---|----------|
| 1) | Application for certification | \$3,000 |
| 2) | Annual recertification report | \$500 |
| 3) | Application to restore an expired certification/reinstate a revoked certification | \$1,500 |
| 4) | Revision of a certification/petition for address change | \$30 |
| 5) | Penalty for noncompliance | \$6,000 |
| 6) | Late filing annual recertification report (minimum \$30) | \$10/day |
| 7) | Returned check fee | \$25 |
- b) Application and recertification fees are nonrefundable.

Section 468.130 Notification Requirements for Retail Customers Seeking Net Metering Service

Electric utilities shall require retail customers who seek net metering service from an electric utility to provide the following information related to the installation of the retail customer's distributed generation facility:

- 1) The business name, address and phone number of the entity that installed the distributed generation facility;
- 2) The Commission docket number in which the entity obtained a certificate from the Commission; and
- 3) A copy of the invoice for the installation services or other information demonstrating that the designated entity installed the distributed generation facility.

Section 468.140 Initial Compliance Date

The initial date for compliance with this Part is six months after the effective date of this Part.