**Section 466.125 Material Modifications**

a) At any time after an application is deemed complete, including during the pendency of tasks identified in Sections 466.90, 466.100, 466.110, or 466.120, the applicant or the EDC may identify modifications to the proposed DER facility. An existing interconnected DER facility may also propose modifications. The applicant shall submit to the EDC, in writing, all proposed modifications to any information provided in the interconnection request or interconnection agreement for existing DER facilities. Neither the applicant nor the EDC may unilaterally modify the application or interconnection agreement.

b) Within 10 business days after receipt of a proposed modification, the EDC shall notify the applicant whether a proposed modification to either an application or an existing DER facility constitutes a material modification.

c) Material Modification Process for Proposed DER

1) For proposed generating facilities with an active interconnection request, a material modification shall include, but is not limited to, a modification of the interconnection request that:

A) changes the physical location of the point of interconnection such that it is likely to affect the scope of upgrades required to interconnect the DER;

B) increases the export capacity or extends the operating profile of the DER facility;

C) adds or removes energy storage or changes the energy storage operating characteristic;

D) changes or replaces generating equipment (e.g., generators, inverters, transformers, relaying, controls) and substitutes with equipment that is not a like-kind modification;

E) changes transformer connections or grounding; or

F) changes to a certified inverter with different specifications or different inverter control settings or configuration.

2) If the proposed modification is determined to be a material modification, then the EDC shall notify the applicant in writing that the applicant may elect to either:

A) withdraw the proposed modification; or

B) withdraw the interconnection request and proceed with a new interconnection request for the modification.

3) The applicant shall provide its election in writing to the EDC within 10 business days after being provided the material modification determination results. If the applicant does not provide its election, the proposed modification shall be deemed withdrawn and the queue position of the withdrawn application will be forfeited. If the applicant and EDC do not agree, either party may initiate dispute resolution pursuant to Section 466.130.

d) A modification that is not determined to be material may still require evaluation and acceptance by the EDC. The applicant is obligated to pay any necessary study costs of the evaluation. The EDC will notify the applicant of any additional fees or information that may be required to recommence the interconnection review process and restudy the application in order to evaluate the modification. The applicant shall have 10 business days to provide any requested information or required fees. The evaluation will be performed within 15 business days after the EDC receives the required fees or information from the applicant. If the proposed modification is determined not to be a material modification, then the EDC shall conduct the technical review within the remaining time allotted by subsection (b) and an additional 10 business days if needed by the EDC. The EDC shall notify the applicant in writing that the modification has been accepted, and that the applicant shall retain its eligibility for interconnection and maintain its position in the interconnection queue. A modification that is not determined to be material does not require a new interconnection request.

e) Material Modification Process for Existing Interconnected DER

1) For existing interconnected DER facilities with an active interconnection request and have received a certificate of completion, a material modification shall include, but is not limited to, a modification of the interconnection request that:

A) changes the physical location of the point of interconnection in a manner likely to have an impact on technical review;

B) changes the net power flow injection to the feeder, changes the nameplate capacity, or changes the operating characteristics of the DER facility;

C) adds or removes energy storage or changes the energy storage operating characteristics;

D) changes or replaces generating equipment (e.g., generators, inverters, transformers, relaying, controls), and substitutes equipment that is not a like-kind modification;

E) changes transformer connections or grounding; and/or

F) changes to a certified inverter with different specifications or different inverter control settings or configuration.

2) The EDC shall notify the applicant in writing that the applicant may elect to either:

A) withdraw the proposed modification; or

B) submit a new interconnection request for modification.

3) The applicant shall provide its election in writing to the EDC within 10 business days after being provided the material modification determination results. If the applicant does not provide its election, the proposed modification shall be deemed withdrawn and the modification to the existing interconnected DER facility shall not be allowed. If the applicant and EDC do not agree, either party may initiate dispute resolution pursuant to Section 466.130.

4) A modification that is not determined to be material may still require evaluation and acceptance by the EDC, which includes but is not limited to witness testing and setting verifications. The interconnection customer is obligated to pay any applicable fees associated with the EDC’s evaluation of the proposed modification. The EDC will notify the interconnection customer of any additional fees and/or information that may be required to evaluate the proposed modification within five business days of providing the material modification determination results. The interconnection customer shall have 10 business days to provide any requested information and/or required fees. If the proposed modification is determined not to be a material modification, then the EDC shall notify the interconnection customer in writing within 10 business days that the modification has been accepted, contingent upon witness testing, where applicable.

(Source: Added at 46 Ill. Reg. 9666, effective May 26, 2022)