

# *NRDC and NCLC Comments on ComEd's Proposal to Treat Rooftop PV as EE*

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# PV Should Not be Counted as EE

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- Proposal violates statutory intent
  - Key statutory language: *“‘Energy efficiency’ means measures that reduce the amount of electricity or natural gas consumed in order to achieve a given end use...”*
  - Rooftop PV does not reduce the amount of electricity “consumed”. It only changes where it is generated.
  - ComEd interpreting statute to mean *reduces electricity drawn from the grid*, but that’s not what the statute says.
- Many other policy concerns
  - Reduces investment in actual electric EE given fixed 8-103B budget
    - There are no other sources of electric EE funding...but there are other sources of ratepayer funding of distributed PV
  - ComEd’s legal interpretation opens door to *any* distributed generation – including gas-fired and/or diesel generators – and/or behind-the-meter battery storage being counted as EE
    - Effect would be further reduction in actual electric EE
    - This constitutes a huge change that really should have to be made legislatively
  - Proposal to only count customer-sited PV as EE – and not community solar – will distort market choices between the two
  - Proposal raises range of consumer protection concerns – and redundancy w/current state oversight of current PV programs
  - Unclear how proposal would ultimately affect the grid – if portions of PV counted as EE would have been installed anyway using other sources of funds, the grid might be worse off (because of reductions in actual electric EE that will not be replaced)