

Memo to accompany Questions to Participants in AR 548

March 14, 2011

From: Phil Carver

To: The ALJ and participants in AR 548

Subject: Moving Forward

Attached is a two page document entitled Questions to Participants in AR 548. Participants and interested parties are requested to respond to [phil.carver@state.or.us](mailto:phil.carver@state.or.us) regarding the scheduling questions by noon Thursday March 17.

Thanks in advance.

Copy to Maury Galbraith

Questions to Participants in AR 548

Phil Carver, OPUC Staff

March 14, 2011

On March 3 ALJ Patrick Power granted Portland General Electric's request to postpone the March 9 hearing and deadline for comments (see <http://edocs.puc.state.or.us/efdocs/HDA/ar548hda133914.pdf>). This memo provides options for going forward and questions to participants.

In the interest of a timely resolution of issues raised by PGE and the City of Portland, OPUC Staff is considering requesting the formal Rulemaking Hearing in AR 548 be held on either Monday May 16 (AM or PM) or the afternoon of Tuesday May 17. Please indicate if any of these three times won't work for you.

Staff is considering having a workshop on the issues in this proceeding on either the morning or the afternoon of Wednesday March 30 or Thursday March 31. Please indicate if any of these four times won't work for you.

Staff requests written comments as soon as possible from participants on any issue. Staff is especially interested in comments on the following issues:

**Issue 1:** The City of Portland requests in its comments filed on March 1 that:

*... the Rules should be re-written to reflect the feeder's operating concern as a location qualifier for net metering service – not the customers location, property ownership or contiguous nature. (at the bottom of page 1).*

Staff notes that ORS 757.300(d)(B) requires that a "Net metering facility" be "located on the customer-generator premises;"

**Issue 2:** The City of Portland proposes in its comments filed on March 1 to:

*...remove the Rule's reference to customer generator size, yet retain the 2 megawatt limit on the power actually net metered into the utility distribution system ... (at the bottom of page 2, emphasis in original).*

Staff is interested in how this could be implemented in the rule.

**Issue 3:** PGE informally raised concerns about the proposed language in the last sentence of proposed OAR 860-039-0065(3). Staff is interested in alternative rule language that would address how to apply kWh credits when the kWh rate is not uniform. The current OAR is silent on this issue.

**Issue 4:** PGE and PacifiCorp informally raised concerns about maximum limit of two megawatts of proposed OAR 860-039-0010(1)(b). This is where the designated meter is on a residential tariff and the aggregated meter is on a non-residential tariff. Staff is interested in how to set a reasonable kW or MW limit for this case.

Please file comments with the filing center as described in the **AR 548 - [Notice of Proposed Rulemaking Hearing with Statement of Need and Fiscal Impact](http://www.puc.state.or.us/PUC/admin_rules/proposed/index.shtml)** at [http://www.puc.state.or.us/PUC/admin\\_rules/proposed/index.shtml](http://www.puc.state.or.us/PUC/admin_rules/proposed/index.shtml)

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If comments or lists of issues are received before the workshop, Staff will e-mail them to interested participants in AR 548. Having written comments before the workshop date will help identify and resolve issues at the workshop.

If you know of other people who might have an interest in AR 548, please have them send an e-mail to [phil.carver@state.or.us](mailto:phil.carver@state.or.us).

Thank you for your interest and participation in AR 548.

**CERTIFICATE OF SERVICE**

**AR 548  
Staff Correspondences**

I certify that I have this day served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties.

Dated this 14<sup>th</sup> day of March, 2011 at Salem, Oregon.



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