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February 9, 2012

Public Utility Commission of Oregon
Attn: Filing Center
PO Box 2148
Salem, OR 97308-2148

Re: Docket #UM1535

WAIVER REQUEST

Gentlemen:

I am writing to you on behalf of my clients, Kent and Laura Madison of Echo, Oregon, and Solwatt LLC, to request a waiver of the requirements of OAR 860-084-0134(2)(b)(Primary voltage interconnection), OAR 860-084-0133(3)(b)(100% of payable generation), and OAR 860-084-0365(1)(payable generation delivered), due to the unique circumstances of their current contract with PacifiCorp. The subject property is now substantially completed and ready for connection. The only issue preventing the project from commencing operation, following an investment by my clients in excess of \$1,200,000.00, is the interpretation of the OAR provisions. Time is therefore critical, and the waiver is necessary to allow this project to move forward from construction to the operational phase.

My client bid the project based upon the belief that the rules would allow connection on the load side rather than the current interpretation by Pacific Power that requires interconnection at distribution voltage. OAR 860-084-0130(2)(b) reads as follows:

“Eligible systems with capacity reserved under the competitive bidding option must connect to the distribution feeder that services the customer’s property. The point of common coupling may be located on the load side of the retail customers existing electric service subject to utility approval and to the extent authorized by law.”

Solwatt LLC bid the job based upon coupling on the load side consistent with their interpretation of the rules. The added cost of coupling on the high side of the transformer as we are now being advised the rules require, is approximately \$200,000.00 which was not included in the bid and was a requirement unknown to my client until the project was nearly completed. The waiver is requested to allow this project to meter on the low side of the transformer as the project was bid and constructed.

It is my understanding that PacifiCorp does not object due to the circumstances. PacifiCorp does intend to file comments to clarify the uniqueness of this particular case.

Very truly yours,

COLLINS & COLLINS, LLP

/s/ Robert W. Collins, Jr.

Robert W. Collins, Jr.
For Solwatt LLC

RWCJr/tr
cc: Clients