

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 20, 2016

REGULAR _____ CONSENT X EFFECTIVE DATE December 20, 2016

DATE: December 2, 2016

TO: Public Utility Commission

FROM: Paul Rossow *PR*

THROUGH: *J* Jason Eisdorfer and *JC* John Crider

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Request by Energy Wise Lighting, Inc. for a waiver of the 12-month solar photovoltaic system installation requirement pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the request by Energy Wise Lighting, Inc. to waive the 12-month deadline to install three 10.0 kW solar photovoltaic (SPV) systems under Pacific Power’s Oregon Solar Incentive Program by an additional three months, to February 12, 2017.

DISCUSSION:

Issue

Whether Energy Wise Lighting, Inc. established good cause supporting its request for waiver of the OAR 860-084-0210(1) requirement that a SPV system be installed within 12 months of the capacity reservation start date.

Applicable Law

Each SPV project that receives a capacity reservation in PacifiCorp’s Oregon Solar Incentive Program holds that reservation for a period of 12 months following the reservation start date, so long as a preliminary interconnection application is submitted and approved by the utility within two months of the reservation start date; the deposit fees are paid; and the project is installed within 12 months of its reservation start date;

or if needed, the project receives a waiver to extend the installation deadline. See OAR 860-084-0210(1) and (2).¹

The evaluation criterion set forth in OAR 860-084-0000(3) for waiver of Division 084 rules is "good cause shown." The Commission has discretion to determine what constitutes "good cause."

Analysis

Energy Wise Lighting, Inc. ("Energy Wise") requests a waiver under OAR 860-084-0000(3) of the 12-month installation requirement for three different 10 kW SPV projects.² PacifiCorp issued two of the capacity reservations to Bill Case and the third reservation to Mario Ortiz on November 12, 2015. Energy Wise submitted the request for waiver within the 12-month period for installation.

Energy Wise explains that the installation deadline was not met because the electricians that were originally hired to complete the SPV projects did not have time to finish on a timely basis. Energy Wise notes that the necessary permits and materials for all three projects have already been purchased and that it anticipates that all requirements for program participation will be met prior to February 12, 2017.

Staff conferred with Pacific Power regarding the status of the respective projects. Pacific Power confirmed with Staff that the projects have met the requirements to date except for a copy of the electrical inspections. When Staff contacted Energy Wise about the solar projects, Energy Wise stated that Craig Electric has been hired to complete the projects and the electrical inspections remain outstanding. Once Pacific Power receives the approved electrical inspection, Pacific Power will install the meters.

Conclusion

To determine whether Energy Wise established "good cause" to waive the installation requirement, Staff considered the reason for the delay and the current status of the solar projects. It appears that the delay was fully not in the control of Energy Wise and that Energy Wise has already taken steps to complete the projects quickly. Further, no potential participants are impacted by the delay in installing these three projects because PacifiCorp's program has closed to new participants. If these reservations are

¹ OAR 860-084-0210(1) states that "a capacity reservation expires if the system has not been installed within twelve months of the reservation start date, unless a waiver is granted under OAR 860-084-0000." OAR 860-084-0210(2) provides that once a capacity reservation expires, the customer must re-apply for a reservation.

² The project numbers for the Pacific Power projects are: 6039448, 6039141, and 6039181.

terminated, the previously-reserved 30 kW will simply be unused capacity. Staff concludes that in light of all these circumstances, Energy Wise has established good cause for its requested waivers.

PROPOSED COMMISSION MOTION:

Grant Energy Wise Lighting, Inc.'s request to waive the 12-month installation requirement for the three SPV systems under Pacific Power's Solar Photovoltaic Pilot Program and extend the installation date from November 12, 2016 to February 12, 2017.