

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: September 8, 2015**

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE September 8, 2015

DATE: August 31, 2015

TO: Public Utility Commission

FROM: Cindy Dolezel *CSD*

THROUGH: *I* Jason Eisdorfer and *aa* Aster Adams

**SUBJECT:** OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1538) Request by Solar Options Northwest LLC (SONW) on behalf of its customer, South Salem Senior Center (SSSC), for a waiver of the two-month solar photovoltaic system interconnection application requirement set forth in OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

Staff recommends the Commission approve SONW's request, made on behalf of its customer SSSC, to waive the two-month interconnection application submission deadline, set forth under OAR 860-084-0210(1), so that the deadline is extended from July 28, 2015, until September 28, 2015, for a solar photovoltaic system in Portland General Electric's (PGE) Solar Incentive Program and to reinstate the capacity reservation for this project.

**DISCUSSION:**

Issue

Each project that is awarded a capacity reservation retains it for 12 months from 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). SONW requests a waiver under OAR 860-084-0000(3), on behalf of its customer, SSSC, to waive the two-month interconnection application deadline that was not met due to a missing application that the customer sent several times to the utility.

Applicable Rules

OAR 860-084-0210(1) states that "A capacity reservation expires...if a completed interconnection application is not filed within two months of the reservation start date or if the system has not been installed within 12 months of the reservation start date, unless a waiver is granted under OAR 860-084-0000." 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 and Recommendation

SONW, on behalf of its customer SSSC, applied for a capacity reservation as part of the May 2015 enrollment window and received a capacity award from PGE as Reservation Number 7478T4, for a 10 kW Direct Current (DC) solar photovoltaic array starting with the allocation on May 28, 2015, an interconnection application submission deadline of July 28, 2015, and finally with the system installation deadline of May 28, 2016.

After the application was submitted on May 28, the project's \$500 deposit was paid by SONW, on behalf of the customer, in a timely manner. Once the reservation was confirmed, SONW entered into a contract with its client, started the system design, and submitted plans to the City of Salem for the required building permit which was approved on August 10, 2015. Although SONW contacted PGE several times to check on the status of the interconnection application, both before the deadline and after the deadline, it was not until August 11, 2015, that SONW was informed that PGE had not received the application and that the project's allocation was lost. PGE advised SONW that according to the program rules, SONW would not be able to submit the application and be part of the Solar Incentive Program, unless a waiver of OAR 860-084-0210(1) was granted by the PUC for the two-month interconnection application.

In analyzing the "good cause" rule criterion, Staff notes that the contractor engaged multiple times with the utility checking on the application and received no feedback that the application was not received. The contractor did pay all relevant fees, conducted the system engineering, submitted all other documentation in a timely manner, and acquired permits for the project. To that end, Staff notes that there has been confusion surrounding communication between applicants and the utilities about the interconnection application process and when the applications are received and approved. Staff believes that SONW was diligently working for its customer and made reasonable attempts to contact the utility both before and after the deadline to follow up on the status of the application.

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Based on this analysis, Staff recommends this waiver request be approved.

**PROPOSED COMMISSION MOTION:**

The request by Solar Options Northwest, LLC, made on behalf of its customer South Salem Senior Center, to waive the two-month interconnection application submission deadline, set forth under OAR 860-084-0210(1), and to extend the application deadline from July 28, 2015, until September 28, 2015, for a solar photovoltaic system in Portland General Electric's (PGE) Solar Incentive Program and to reinstate the capacity reservation for this project, be approved.

CA11-UM 1538 Solar Options NW, South Salem Senior Center, VIR waiver request