

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: July 21, 2015**

REGULAR _____ CONSENT X EFFECTIVE DATE July 21, 2015

DATE: July 9, 2015

TO: Public Utility Commission

FROM: Cindy Dolezel *CSO*

THROUGH: Jason Eisdorfer and Aster Adams *J E* *ha*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Request by DPI Solar on behalf of its customer, Alisa Christensen, 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 DPI Solar's request, made on behalf of its customer Alisa Christensen, to waive the two-month interconnection application submission deadline for a solar photovoltaic system in Portland General Electric's (PGE) Solar Incentive Program and reinstate the capacity reservation for this project.

DISCUSSION:

Issue

Each project that is awarded a capacity reservation retains it for 12 months beginning from its 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). DPI Solar requests a waiver under OAR 860-084-0000(3), on behalf of its customer Alisa Christensen to waive the two-month interconnection application deadline that was not met due to a misunderstanding between the customer and the solar company.

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 OAR860-084-0000." 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

DPI Solar, on behalf of its customer Alisa Christensen, applied for a capacity reservation as part of the April 2014 enrollment window and received a capacity award from PGE as Reservation Number 25E5R3 for a 6.5 kW solar photovoltaic array starting on June 16, 2014, with an installation deadline of June 26, 2015. The solar array was constructed and inspected by the City of Portland permitting officials on June 16, 2015.

In June of 2014, DPI Solar instructed the customer to sign and submit the interconnection application and thought the application had been completed and accepted. Months later after construction of the solar array, DPI Solar attempted to connect the constructed array through the Permission to Operate process in June 2015. DPI Solar learned at this point that its customer's interconnection application had been denied, because the customer had not submitted a signed interconnection agreement form. The customer thought the form had been submitted and was never notified that it was not. DPI Solar called Staff to inform them of the miscommunication and inquire about the process to seek a waiver and get the project reinstated in the program.

In analyzing the "good cause" rule criterion, Staff notes the customer was unfamiliar with the application process and accidentally did not submit a form with a signature and was not notified that there was a disqualification issue. The customer did pay all fees and submitted all other documentation in a timely manner. Once DPI Solar learned about the project's official denial, it immediately contacted the Commission Staff to try to remedy the situation and has been forthcoming with information. DPI Solar operated under the belief that the requirements of the project had been met and hopes that the customer will not be penalized because of a mistake involving the submission of a signed interconnection request agreement.

Staff is aware that there has been confusion in the past surrounding the communication of interconnection application approvals and denials between contractors and the utilities. DPI Solar's misunderstanding about the status of its application is consistent with this history. Further, DPI Solar had the project constructed under its mistaken understanding of the status of its application. Under these circumstances, Staff

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recommends that the Commission find that there is good cause to waive the two-month interconnection application deadline for this project.

PROPOSED COMMISSION MOTION:

The request by DPI Solar to waive and extend the two-month interconnection application deadline requirement set forth in OAR 860-084-0210(1) from June 16, 2014, to June 16, 2015, for a solar photovoltaic system in Portland General Electric's Solar Incentive Program, for its customer Alisa Christensen, be approved and the capacity reservation be reinstated as of to June 16, 2015.

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