

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: April 15, 2014

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE April 15, 2014

DATE: April 7, 2014

TO: Public Utility Commission

FROM: Adam Bless 

THROUGH: Jason Eisdorfer, Maury Galbraith, and Aster Adams   

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV, LLC for a waiver of the 12-month solar photovoltaic system installation requirement at the Dundee Fire Station, pursuant to OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

I recommend the Commission grant the request by PGPV, LLC (PGPV) to extend the 12-month deadline to install a solar photovoltaic system (SPV) at the Dundee fire station under PacifiCorp's solar incentive program by three months, to July 15, 2014.

**DISCUSSION:**

Issue

PGPV requests a waiver of the 12-month deadline for installation of a SPV system at the Dundee fire station under the PacifiCorp Solar Incentive Program. The project was enrolled in the program in April 2013, with an installation deadline of April 15, 2014. PGPV requests a three-month extension, to July 15, 2014.

Rule

The applicable rule is OAR 860-084-0210(1), which states that a capacity reservation expires 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(3). The evaluation criteria set forth in OAR 860-084-0000(3) for waiver of Division 84 rules is "good cause" shown. The Commission has discretion to determine what constitutes "good cause."

Analysis

PGPV explains that this SPV project is to be installed at a new Dundee fire station. The new fire station was scheduled to be complete by February 23, 2014, which would have allowed sufficient time for PGPV to install the SPV system by its original deadline. Completion of the fire station is now expected in mid-May 2014. PGPV therefore requests a three month extension of its original deadline for the SPV installation.

In analyzing for “good cause,” I considered the fact that the delay in SPV system installation is due to delays in the construction of the fire station, a circumstance outside the solar contractor’s control. I also considered the large number of systems previously installed by PGPV, making it highly likely that they will complete the SPV installation once the fire station construction is complete.

Conclusion and Recommendation

I conclude that delays in the fire station construction are outside the solar developer’s control, and therefore qualify as good cause. I therefore recommend granting the new deadline of July 15, 2014.

**PROPOSED COMMISSION MOTION:**

The request by PGPV to extend the 12-month deadline to install a solar photovoltaic system at the Dundee fire station under the PacifiCorp solar incentive program be granted, and the deadline extended by three months, to July 15, 2014.