

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1805

NORTHWEST AND INTERMOUNTAIN  
POWER PRODUCERS COALITION,  
COMMUNITY RENEWABLE ENERGY  
ASSOCIATION, and RENEWABLE  
ENERGY COALITION,

Complainants,

vs.

PORTLAND GENERAL ELECTRIC  
COMPANY,

Defendant.

RULING

DISPOSITION: RESPONSIVE PLEADINGS STAYED

**I. SUMMARY**

In this ruling, I stay the due date for Portland General Electric Company (PGE) to respond to separate requests seeking clarification or reconsideration of Order No. 17-256.

**II. PROCEDURAL HISTORY**

In Order No. 17-256, the Commission granted PGE's Motion for Summary Judgment and clarified Order No. 05-684. On July 20, 2017, PGE made a Schedule 201 compliance filing.

In response to PGE's compliance filing, the Commission has received two requests related to Order No. 17-256. On September 8, 2017, ten qualifying facilities (Petitioners) jointly filed an application for reconsideration of Order 17-256.<sup>1</sup> Because the Petitioners are not parties to this docket, they also filed a petition to intervene out of time. On September 11, 2017, the original Complainants to this proceeding (Northwest Intermountain Power Producers Coalition, Community Renewable Energy Association, and Renewable Energy Coalition) filed a request for clarification or reconsideration of Order No. 17-256.

I grant Petitioners' petition to intervene out of time. Petitioners filed a response to the PGE motion on September 20, 2017.

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<sup>1</sup> The ten QFs are: Dayton Solar I LLC, Starvation Solar I LLC, Tygh Valley Solar I LLC, Wasco Solar I LLC, Fort Rock Solar I LLC, Fort Rock Solar II LLC, Alfalfa Solar I LLC, Fort Rock Solar IV LLC, Harney Solar I LLC, and Riley Solar I LLC.

### III. POSITIONS OF THE PARTIES

On September 19, 2017, PGE filed an expedited motion for stay the time for it to file a response to Petitioners' request for reconsideration. PGE argues that it is burdensome to be required to respond to the request before the Commission ruled on Petitioners' petition to intervene out of time. PGE argues that the proceedings both for the Petition and the associated application, should be stayed until such time as the Commission decides the matter.

The Petitioners oppose the stay, arguing that the Complainants—which are original parties to this proceeding—have adopted Petitioners' arguments and that any objection to Petitioners' application is mooted by PGE's need to respond to those arguments as put forward by Complainants.

### IV. DISCUSSION

At the September 12, 2017 Public Meeting, the Commission addressed PGE's Schedule 201 compliance made in response to Order No. 17-256. The Commission approved the compliance filing "subject to any prospective action that we may take at our September 26, 2017 Regular Public Meeting."<sup>2</sup>

Because the Commission may provide further guidance or clarification in this docket at the upcoming September 26, 2017 Regular Public Meeting, I find a temporary but indefinite stay is appropriate until more detailed direction is available. Indeed, such guidance may have a substantial impact on the issues raised by Complainants and Petitioners.

### V. RULING

Accordingly, the dates for PGE's response to Petitioners' and Complainants' requests for clarification and rehearing are temporarily stayed.

Dated this 20th day of September, 2017, at Salem, Oregon.



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Allan J. Arlow  
Administrative Law Judge

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<sup>2</sup> Order 17-346 entered September 14, 2017.