

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1859 – UM 1886 and UM 1888 – UM 1890

In the Matters of

FALLS CREEK HYDRO LIMITED  
PARTNERSHIP; RED PRAIRIE SOLAR, LLC;  
VOLCANO SOLAR LLC; TICKLE CREEK  
SOLAR LLC; SSD MARION 4 LLC; SSD  
CLACKAMAS 4 LLC; SSD MARION 1 LLC; SSD  
CLACKAMAS 7 LLC; SSD MARION 2 LLC; SSD  
MARION 6 LLC; SSD CLACKAMAS 1 LLC; SSD  
CLACKAMAS 2 LLC; SSD MARION 3 LLC; SSD  
MARION 5 LLC; SSD MARION 6 LLC; SSD  
YAMHILL 1 LLC; KLONDIKE SOLAR LLC;  
SADDLE BUTTE SOLAR LLC; BOTTLENOSE  
SOLAR LLC; VALHALLA SOLAR LLC;  
WHIPSNAKE SOLAR LLC; SKYWARD SOLAR  
LLC; LEATHERBACK SOLAR LLC; PIKA  
SOLAR LLC; SSD CLACKAMAS 3 LLC;  
COTTONTAIL SOLAR LLC; OSPREY SOLAR  
LLC; WAPITI SOLAR LLC; BIGHORN SOLAR  
LLC; MINKE SOLAR LLC; AND HARRIER  
SOLAR LLC,

Complainants,

v.

PORTLAND GENERAL ELECTRIC COMPANY,

Defendant.

RULING

DISPOSITION: DEADLINES FOR ANSWERS SET AS AGREED TO PARTIES;  
REMAINING DEADLINES STAYED PENDING PREHEARING  
CONFERENCE

On August 24, 2017, Portland General Electric Company (PGE) filed a motion (1) seeking a stay of the deadline for it to answer the 31 above-captioned complaints, and (2) requesting a conference to discuss a schedule for processing these complaints. PGE requests expedited consideration.

PGE states it needs additional time to respond to these complaints. PGE explains that, under Commission rules requiring that an answer be filed within 20 days, the company must answer the first 25 complaints by August 28, 2017, answer the next three complaints by August 30, 2017, and answer the final three complaints by September 5, 2017. While PGE has reached informal agreements with 14 of the complainants to extend its filing deadlines, the company requests an administrative law judge (ALJ) schedule a prehearing conference to discuss and set a reasonable schedule for PGE's initial motions or answers in response to the remaining 17 complaints.

PGE contends that suspending the deadline to file answers pending a prehearing conference does not appear to prejudice the remaining 17 complainants. The company explains that 16 of the 17 complaints involve requests for contracts from qualifying facilities (QF) that have not yet been constructed, and each of the 17 complaints appears to allege that it has already established a legally enforceable obligation (LEO).

In response to PGE's motion, I take the following actions:

- Pursuant to the informal agreements reached among the parties, I approve (1) a 45 calendar-day extension of the deadline for PGE to file answers in dockets UM 1877, UM 1878, UM 1879, UM 1880, UM 1881, UM 1882, UM 1884, UM 1885, UM 1886, UM 1888, UM 1889, and UM 1890; and (2) a 30 calendar-day extension of the deadline to file answers in dockets UM 1875 and UM 1876.
- Based on a finding of good cause, I suspend PGE's obligation to file any motion or responsive pleading in dockets UM 1859, UM 1860, UM 1861, UM 1862, UM 1863, UM 1864, UM 1865, UM 1866, UM 1867, UM 1868, UM 1869, UM 1870, UM 1871, UM 1872, UM 1873, UM 1874, UM 1883.
- Direct ALJ Allan Arlow to schedule a prehearing conference the week of August 28, 2017 to discuss and set a schedule for responsive motions and pleadings in the 17 unresolved complaint proceedings.

Dated this 25<sup>th</sup> day of August, 2017, at Salem, Oregon.



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Michael Grant  
Chief Administrative Law Judge