

BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

AR 614

In the Matter of

PUBLIC UTILITY COMMISSION OF  
OREGON,

Rulemaking related to a New Load Direct  
Access Program.

INITIAL COMMENTS OF VITESSE, LLC

Vitesse, LLC (Vitesse), a wholly-owned subsidiary of Facebook, Inc. (Facebook), owns and operates a large data center in Prineville, Oregon where it is a customer of Pacific Power & Light.

Vitesse thanks the Public Utility Commission of Oregon (Commission) for the opportunity to participate in this important rulemaking proceeding related to a New Load Direct Access Program.

Vitesse also thanks Commission Staff for the considerable thought and effort expended in preparing the proposed rules, as well as actively engaging the various stakeholders in the process.

Vitesse believes the proposed rules are appropriately prescriptive, while reserving issues best addressed in the electric companies' tariffs.

As directed by Administrative Law Judge Moser, Vitesse submits a redlined version of proposed OAR 860-038-0730, which includes Vitesse's suggested revision of the program participation notice requirements.

Vitesse looks forward to participating in the June 21, 2018 Rulemaking Hearing.

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Respectfully submitted,

Dated this 18th day of June, 2018.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: /s/ Troy Greenfield  
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ADOPT: 860-038-0730

RULE TITLE: New Large Load Eligibility Requirements

RULE SUMMARY: This rule limits eligibility to incremental loads greater than 10 MWa, requires notice for participation, requires participants opt out of cost-of-service rates, and sets notice requirements.

RULE TEXT:

(1) Only New Large Loads that meet the following requirements are eligible to participate in the New

Large Load Direct Access Program:

(a) Load must be separately metered.

(b) For New Large Loads, the load must be incremental to the Historic Cost of Service Load at that Site.

(c) Load must have opted out of cost-of-service rates.

(d) Each New Large Load consumer must notify the electric company of its intent to enroll in the New

Large Load Direct Access Program and opt out of cost-of-service rates at the ~~earlier~~ latter of either:

(A) ~~A~~ Execution of a binding written agreement with the utility to receive distribution service for eligible new load,

or

(B) ~~One year prior to energizing the meter.~~ Such other time as mutually agreed upon by the New Large Load consumer and the electric company.

~~(2) Subsection (1)(c) is waived for eligible New Large Load that has entered into a written agreement with an electric company prior to August 31, 2018, indicating its intent to receive distribution service from an electric company and for which the electric company has not planned to provide generation supply service.~~

~~(3)~~ (2) If the actual load of a facility served under the New Large Load Direct Access Program is less than ten average megawatts per year in the second or third year of receiving service and the shortfall in load is not attributable to equipment failure, energy efficiency, load curtailment or load control, or other causes outside the control of the New Large Load Direct Access Program consumer, the consumer must be enrolled in the general cost-of-service opt-out program in the following direct access enrollment window.

STATUTORY/OTHER AUTHORITY: ORS 183, 756, 757

STATUTES/OTHER IMPLEMENTED: ORS 756.040, ORS 757.600 through 757.667