

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1931

PORTLAND GENERAL ELECTRIC  
COMPANY,

Complainant,

vs.

ALFALFA SOLAR I LLC , DAYTON  
SOLAR I LLC, FORT ROCK SOLAR 1  
LLC, FORT ROCK SOLAR II LLC, FORT  
ROCK SOLAR IV LLC, HARNEY SOLAR I  
LLC, RILEY SOLAR I LLC, STARVATION  
SOLAR 1 LLC, TYGH VALLEY SOLAR I  
LLC, WASCO SOLAR I LLC

Defendants.

RULING

DISPOSITION: REQUEST FOR LEAVE TO REPLY GRANTED; REPLY ACCEPTED

In this ruling, I grant the defendants' October 23, 2019 Request filed on behalf of Alfalfa Solar I LLC, Dayton Solar I LLC, Fort Rock Solar I LLC, Fort Rock Solar II LLC, Fort Rock Solar IV LLC, Harney Solar I LLC, Riley Solar I LLC, Starvation Solar I LLC, Tygh Valley Solar I LLC, and Wasco Solar I, LLC (defendants or NewSun QFs) for Leave to Reply to the response of Portland General Electric Company (PGE) filed October 16, 2019, accept into the record defendants' Reply in Support of Application for Reconsideration, and direct PGE to file a response by November 4, 2019.

In Order No. 19-255, entered August 2, 2019, the Commission granted summary judgment for PGE and denied the cross-motion for summary judgment filed by NewSun QFs and a joint motion of the three intervenors: Community Renewable Energy Association (CREA), Renewable Energy Coalition (the Coalition), and the Northwest and Intermountain Power Producers Coalition (NIPPC).

NewSun QFs and the intervenors filed applications for reconsideration of that order on October 1, 2019, to which PGE responded on October 16, 2019. On October 23, 2019, NewSun QFs filed the instant motion along with the substantive reply they wish to make. NewSun QFs acknowledge that this submission, without my prior request, is not permitted under OAR 860-

001-0720(4). NewSun QFs note that CREA, NIPPC, and the Coalition support its request. They further note that PGE does not agree that the reply should be allowed and reserves the right to interpose an objection.

Under OAR 860-001-0720(6), if the Commission fails to enter an order within sixty days of the filing of an application for reconsideration, the application is deemed denied. In light of all of the circumstances of these proceedings, it is important for the Commission to issue a decision that addresses all of the concerns of the parties, rather than to merely let the allotted time run out on the application. Accordingly, the motion should be granted, the reply accepted, and PGE directed to fully address each of the matters raised by the NewSun QFs.

### **RULING**

I grant the defendants' Request for Leave to Reply and accept defendants' Reply in Support of Application for Reconsideration into the record. PGE must file a response to defendants' Reply in Support of Application for Reconsideration on or before November 4, 2019.

Dated this 24th day of October, 2019, at Salem, Oregon.



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Allan J. Arlow  
Administrative Law Judge