

**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: MOTION TO STAY PROCEEDINGS GRANTED IN PART AND  
DENIED IN PART

**I. PROCEDURAL HISTORY**

On January 25, 2018, PGE filed the instant complaint seeking Commission resolution of a dispute “relating to the interpretation of ten form standard power purchase agreements executed throughout 2016.”<sup>1</sup>

On February 22, 2018, 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) filed a motion to dismiss the proceeding due to the pendency of a federal district court case on the same subject matter. PGE filed a response in opposition on March 9, 2018.

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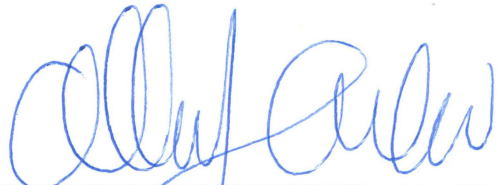
<sup>1</sup> PGE Complaint and Request for Dispute Resolution at 1 (Jan 25, 2018).

Other than their disagreement with the Commission's decision in Order No. 18-174, NewSun QFs provide no compelling reasons to delay yet again the resolution of the matters raised in the complaint and there is considerable uncertainty as to when any ruling by the federal district court judge would be issued. Consequently, a further suspension of the case for an unknown duration would unduly delay the proceedings and burden the record in this matter.

**IV. RULING**

The Renewed Motion to Stay Proceedings and Extend Time to File an Answer is granted to the extent that the defendants may file their answer to the PGE complaint no later than June 11, 2108. The motion is denied in all other respects.

Dated this 1st day of June, 2018, at Salem, Oregon.



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Allan J. Arlow  
Administrative Law Judge