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March 20, 2020

**VIA ELECTRONIC MAIL (Kristopher.Bremer@PacifiCorp.com)**

Mr. Kristopher Bremer  
Director, Generation Interconnection  
PacifiCorp  
825 NE Multnomah, Suite 1600  
Portland OR 97232

Subject: **Notice of Intent to file Complaint of Enforcement**  
Q1045--Sunthurst Energy, LLC--Pilot Rock Solar 1, LLC

Dear Mr. Bremer,

By this letter, Sunthurst Energy, LLC (“Sunthurst”)<sup>1</sup> hereby gives notice of its intent to file a Complaint with the Public Utility Commission of Oregon (“Commission”) pursuant to OAR 860-082-0085(2) ten days from the date above, arising from PacifiCorp Corporation’s (“PacifiCorp’s”) violation of its Interconnection System Impact Study Form Agreement (“System Impact Study”) with Pilot Rock Solar 1, LLC (Q1045)<sup>2</sup> executed August 29, 2018.

**Provisions of Interconnection Study being violated.**

Under Commission rules, the System Impact Study must include a “reasonable schedule for completion” (OAR 860-082-0060(7)(a)), and the utility must make “reasonable, good-faith efforts to follow the schedule set forth in the system impact study agreement for completion of the study” (OAR 860-082-0060(7)(d)). PacifiCorp committed to complete the System Impact Study “30 business days after the Applicant returns the executed study, required technical data, and requested deposit.” Sunthurst met all conditions for PacifiCorp’s performance, thereby starting the 30-business day clock, on or before August 7, 2018.

**Specific Acts or Failure to Act giving rise to the violation.**

PacifiCorp has failed to exercise reasonable, good-faith efforts to follow the schedule set forth in the System Impact Study in the following ways:

1. Failing to complete the study despite more than 19 months elapsed time since August 7, 2018, and
2. by knowingly entering into the Study Agreement with an unreasonable schedule for completion; and
3. by telling Sunthurst, on or about January 22, 2020 that it “may” complete Sunthurst’s System Impact Study later this year; and
4. By prioritizing completion of Community Solar Program applications received in 2020 ahead of completion of Sunthurst’s System Impact Study.

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<sup>1</sup> Sunthurst owns and controls the Pilot Rock Solar 2 project f/k/a Pilot Rock Solar 1.

<sup>2</sup> Sunthurst renamed Pilot Rock Solar 1 as “Pilot Rock Solar 2” in October 2019. The project and its interconnection queue number, Q1045, remain the same.

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**Type of relief to be requested.**

PacifiCorp's failure to complete Sunthurst's System Impact Study proximately caused the Community Solar Program Project Administrator and the Commission to deny Pilot Rock Solar 2 (Q1045) preliminary certification in the Community Solar Program on or about March 9, 2020. In its Complaint to the Commission, Sunthurst anticipates requesting immediate injunctive relief to remedy this harm.

**Good faith efforts to resolve this matter.**

Sunthurst has continually worked in good faith with PacifiCorp attempting to secure a completed System Impact Study in a reasonable time. Sunthurst is willing to continue working on resolution.

Sincerely,



Kenneth Kaufmann

Attorney for Sunthurst Energy, LLC

Copy:

Filing Center  
Public Utility Commission of Oregon  
PO Box 1088  
Salem, OR 97308-1088  
PUC.FilingCenter@state.or.us

PacifiCorp c/o CT Corporation  
780 Commercial St. SE  
Suite 100  
Salem OR 97301

CERTIFICATE OF SERVICE

In accordance with ORCP 9, I hereby certify that on March 20, 2020, I caused to be served a full and exact copy of the foregoing **Notice of Intent to file Complaint of Enforcement** via:

First Class Mail with postage prepaid, deposited in the US mail at Lake Oswego, Oregon

hand delivery

facsimile transmission

overnight delivery

e-mail

OPUC EFILING SYSTEM, if registered at the party's e-mail address as recorded on the date of service in the eFiling system, pursuant to UTCR 21.100 addressed to the following parties at the address(es) listed below:

<p>Mr. Kristopher Bremer Director, Generation Interconnection PacifiCorp 825 NE Multnomah, Suite 1600 Portland OR 97232 <b>Kristopher.Bremer@PacifiCorp.com</b></p> <p>(electronic mail)</p>	<p>Filing Center Public Utility Commission of Oregon PO Box 1088 Salem, OR 97308-1088 <b>PUC.FilingCenter@state.or.us</b></p> <p>(electronic mail and US First Class Mail)</p>
<p>PacifiCorp c/o CT Corporation 780 Commercial St. SE, Suite 100 Salem OR 97301</p> <p>(US First Class Mail)</p>	

Dated: March 20, 2020

s/ Kenneth E Kaufmann

Kenneth E Kaufmann

Attorney for Sunthurst Energy, LLC

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