February 10, 2022

UM 2111 Scoping Announcement

UM 2111 Stakeholders:

This announcement describes Oregon Public Utility Commission (OPUC) Staff's plan to resume activities under the UM 2111 Investigation into Interconnection Process and Policies, including a proposed scope and process, as well as, a comment opportunity and a workshop invitation.

Background

Commission Order No. 20-211 opened Docket No. 2111 as an umbrella docket to, "consider the broad range of interconnection issues in a manner that is inclusive of all generator types; organized into manageable segments; and builds off of existing efforts and pilot activities."[1]

At the time the docket was opened, the range of potential issues were placed in three broad categories:

- **Cost:** prohibitive interconnection upgrade costs assigned to individual generators in serial queue order with limited opportunity to vet utility studies, propose alternative solutions, or otherwise consider modern standards and best practices;
- **Certainty and control:** limited ability to predict and mitigate interconnection costs through siting, sizing, and project design;
- **Process:** administrative practices and enforceability measures (or lack thereof) that cause delays, increase costs, and create additional uncertainty for generators and utility interconnection Staff.[2]

Scoping process

Included in this announcement is Staff's proposal for addressing the interconnection issues. This plan looks for a phased approach to address issues Staff considers priorities, with a desire to target root cause solutions and remove barriers for the generator types at the focus of state policy. Staff is looking for stakeholder's concise comments on Staff's approach, including: any issues omitted, issue prioritization, phasing, and the overall process. Staff would appreciate comments be limited to five pages if possible.

Following receipt of comments will be a workshop to discuss both the plan scope, as well as the issues to be addressed. See Attachment A for workshop details. Additionally, Staff would like to extend an invitation to stakeholder groups to make a brief (15 minutes) presentations on their comments at the workshop, if desired.

After the issues workshop Staff will finalize its plan for moving forward with the docket. This will be presented to the Commission at a public meeting for the Commission to opine on the proposed approach. Staff's schedule for the relaunch phase is shown in the table below. This timeline will get the investigation to the starting point.

Date	Activity
Feb 11	Release Relaunch Announcement

[1] See Docket No. UM 2111, Commission Order No, 20-211, July 6, 2020, Appendix A, p. 5.
[2] Id, p. 6.

Feb 24	Comments on Issues, Prioritization, Phase 1 work group process from Stakeholders
March 9	Workshop to discuss issues lists and prioritization
April 5	Public Meeting for Commission to opine on Staff's suggested approach
April →	Work sessions scheduled

Staff looks forward to working with stakeholders to develop a comprehensive issues list and prioritization strategy for UM 2111 in the coming months.

Scope and Process Proposal

This section provides a straw proposal to tackle the wide range of interconnection issues raised in different venues over many years. A detailed inventory of the interconnection issues raised by stakeholders in specific dockets is provided in Attachment B. This reflects Staff's understanding of the issues identified on the record to date; Staff does not take a position on any of the issues at this time and looks forward to further refining the issues list with Stakeholders.

Prioritization

Several developments since UM 2111 opened in 2020 should be considered in prioritizing issues for this investigation. House Bill 2021 requires electric utilities to decarbonize their retail electricity sales by 2040 in a manner that provides direct benefits to local communities. The bill includes elements such as $50 million in grant funds for community renewable energy projects and programs for local governments and utilities to work together to develop green products that meet local goals.

Other legislation passed in the session included House Bill 3141 which expanded Public Purpose Charge (PPC) uses to include "distribution system-connected technology" (DSCT). The interim definition of DSCT will begin directing PPC funds to smart inverters and battery energy storage systems used at customer sites.[3]

Since the docket was opened there have been other developments pointing to the need to prioritize with UM 2111. The Pacific Northwest, in additional to other areas of the country are seeing more instances of extreme weather, such as last summer's unprecedented heat wave or the potential for de-energization to mitigate wild fire risk. This has drawn attention to value of more resilient distributd resources, such as micro-grids. The UM 2005 investigation into distribution system planning, and subsequent filed plans that provide some transparency into the state of the system for interconnection. UM 2005 has explored hosting capacity analysis, UM 2111 will look to further some of those discussions.

Relaunching Docket No. UM 2111 will require careful issue identification and prioritization. Based on recent developments, and a desire to target root cause solutions that will help a range of generator types, Staff proposes the following prioritization strategy to begin tackling major interconnection issues:

- **Root cause:** Issues that address the root causes of interconnection barriers, complaints, and disputes; Issues that reduce interconnection barriers across multiple state-jurisdictional generator types.
- **Customer and community benefits:** Issues that reduce barriers to projects that provide direct customer and community benefits, including resiliency-focused projects, small-scale projects,

[3] See Docket No. UM 2195, Staff Report, November 24, 2021.

and community-based projects; issues that best position utilities to interconnect and help maximize the impact of incentives and grant opportunities.

- **Decarbonization:** Issues that will help enable smarter, flexible resources that minimize the costs and maximize the benefits of decarbonization, e.g., fossil dispatch offset, grid services, T&D avoidance.

Issue grouping
With the extensive list of issues, Staff suggests a phased approach to the docket. Below are Staff's proposed issue groups in order of prioritization. The first set of issues listed above would comprise Phase 1 of the docket. Phase 2 and beyond would be comprised of remaining issues in digestible chunks, which may be tackled in sequence or, depending on resources and current priorities, could address more than one issue group in a subsequent phase. Staff would continue to prioritize issues with the biggest impact and/or the most consensus. The consensus approach would look for issues where stakeholders agree on potential solutions, then move forward with finalization of said solutions.

- **Group 1: Focus on underlying methodologies and ensuring readiness for the types of projects being promoted by state policy (community, resiliency, flexible decarb)**
    - Ensuring rules, policies, and practices for identification of upgrades account for modern technologies and industry best practices including, but not limited to:
        - Modernizing the screening and interconnection study practices
        - Incorporating updated standards such as IEEE 1547-2018[4]
        - Incorporating advanced inverters, storage, islanding, and other modern configurations
        - Modernizing and right-sizing the upgrade options considered when an upgrade is needed

- **Group 2: Focused on cost allocation practices**
    - Assigning system upgrades between generators, including use of cluster studies
    - Assigning system upgrades between generators and other system beneficiaries (utilities and customers), e.g., more clarity on "reasonable costs" to be borne by a generator
    - Assigning interconnection upgrades for QF's renewing contracts
    - Explore any additional improvements to rules and utility practices for identification of upgrades that account for modern technologies and industry best practices that weren't addressed in Group 1

- **Group 3: Focused on generator ability to manage costs**
    - Generators' ability to perform studies and construct upgrades
    - Ensuring there is an efficient, effective, and accessible dispute resolution process(es) for all generator types, and any other processes to ensure sufficient ability to verify and challenge interconnection studies and results
    - Limits on upgrade costs or deviation from cost estimates
    - Clarity on material changes, option to request multiple POIs and other configurations, downsizing, and aggregation (includes net metering)
    - Requirements for transparent communications, access to in-person meetings with engineers, professional engineer stamps, access to standards and assumptions, study inputs, baseline data, and price assumptions

- **Group 4: Focused on efficient processes and predictability**

[4] See https://site.ieee.org/sagroups-scc21/standards/1547rev/.

- Interconnection process
  - Predictability and enforcement of timelines, responsiveness, and preventing congestion in the queue. Includes publishing interconnection application processing metrics.
  - Predictability, speed, and enforcement of construction timelines
  - Remedies for utility and generator violations of rules/processes, reasonable, non-discriminatory, good faith actions.
- Rule structure
  - Whether to adopt rules for 10 MW – 20 MW Oregon jurisdictional generators.
  - Whether to continue to have separate rules for NEM, SGIP and separate LGIP.

- **Parallel process: Issues that will be addressed occur in other processes**
  - UM 2032:
    - Utilities requirement for QFs to interconnect under Network Resource Interconnection Service (NRIS).
    - Assigning network upgrades to generators without reimbursement
    - Some exploration of "reasonable costs" to be borne by a generator
  - Distribution System Planning
    - How to account for interconnection constraints in utility system planning activities
    - Providing pre-emptive data and visualizations necessary to predict and/or mitigate upgrades through siting, sizing, and project design (a.k.a. Hosting Capacity Analysis)
  - AR 631
    - Power Purchase Agreement terms and conditions will have some impact on:
      - Study and construction timelines for generators
      - Requirements to hit milestones and avoid congestion in the queue
      - Modifying point of interconnection (POI) and other configurations

Approach to Group 1 Issues/Phase 1 strategy:
In light of the grouping and prioritization strategy described above, Staff proposes to form a work group that will focus on identifying solutions to the following, interrelated issues first:

Distribution-level "hosting capacity" thresholds:

- Exploration of the thresholds used to screen generators and identify the need for major distribution-level protective equipment during the interconnection process. Focused on analytical methods and threshold levels used in interconnection process e.g., calculating low loading conditions, setting thresholds for the ratio of generation to loading, geographic and temporal granularity of assumptions and inputs. Can also include exploration reasonable technologies to mitigate impacts when thresholds are reached in the interconnection study analysis e.g., transfer trip, 3vO sensing, smart inverters, storage, fiber or radio frequency, and etc.

  - Expected to inform and, potentially be informed by, the work in Distribution System Planning to increase the transparency and visualization of system data.[5]

[5] Staff sees the division of efforts between UM 2111 and Distribution System Planning (DSP) as: DSP will consider the data that is published, how its published, and the system investments required to collect and publish it. UM 2111 will examine the underlying data sources and methodologies. DSP efforts will be most impactful if they provide information that reflects the screening thresholds and analyses examined in UM 2111.

- **Advanced inverters:** Incorporate IEEE 1547-2018 and policies needed to incorporate advanced inverters into existing interconnection rules and practices.
    - Expected to impact the threshold analysis and technologies used to mitigate impacts when thresholds reached in #1.
- **Storage and flexibility:** Integrate storage, islanding, and other modern configurations more explicitly into interconnection rules, policies, and practices.
    - Expected to impact the threshold analysis and technologies used to mitigate impacts when thresholds reached in #1.

Staff's approach for Phase 1 would include three issues as discussed above. Staff considered separating the items in three workstreams, but due to the issues and interested parties overlapping across items, a single, consolidated workstream is proposed. Following discussion with stakeholders, if the issues are separable, with different subject matter experts involved, Staff could see three separate workstreams. Parties can discuss the approach in the March 9 workshop.

Whether it is a single- or multi-workgroup path, the schedule would be set for meetings on at least a monthly basis. The objective of the workgroup would be to fully refine issues and develop recommendations (consensus or document different positions) for the refined issues. Depending on the process selected, Phase 1 issues could be presented for Commission decision on an ad-hoc basis, or once recommendations are available for all of the issues. Commission decisions on the work group issues will be dependent on the conclusions presented.

After Phase 1, issues would be queued for upcoming phases. Staff and stakeholders would address successes and failures with the initial approach. This should allow for continual improvements in the process.

Staff anticipates presenting recommendations to the Commission at the Public Meeting scheduled for April 5. Following Commission guidance, Staff will schedule workshops, tentatively on a monthly basis. While final timelines are not known at this point, Staff would envision updating the Commission on the status of UM 2111 every six months, or sooner if there are reasons, such as consensus on issues.

Conclusion
Staff appreciates the interest in this docket and looks forward to working with stakeholders to resolve issues as expeditiously as possible.

Questions
If you have questions on the process or content of this workshop, contact:

Ted Drennan
Utility Strategy & Integration Division
503-580-6380
ted.drennan@puc.oregon.gov

Attachment A
February 11, 2022

Oregon Public Utility Commission

Announcement

Wednesday, March 9th, 2022 1:00-3:00 a.m. Zoom Meeting

Link to Meeting
Dial-in: 1-971-247-1195
Meeting ID: 827 2678 0497
Passcode: 6789423059

Staff of the Public Utility Commission of Oregon (OPUC) will hold a scoping workshop for UM 2111 investigation into Interconnection Process and Policies. This workshop will focus on interconnection issues to address, and prioritization of issues. Staff is extending an invitation for stakeholder groups to make presentations of approximately 15 minutes to describe interconnection issues of most relevance, prioritization, and process.

Workshop overview

OPUC Order No. 20-211 opened Docket No. UM 2111 which staff proposed to act as "a general investigation, serving as an umbrella docket to organize, track, and monitor the range of interconnection issues and efforts to address them.[6]" Changing technology, policies, markets, and consumer interests continue to highlight a need to update the interconnection framework. Staff proposes a strategic approach to bring holistic, fair, and efficient reform to Oregon jurisdictional interconnections. At the workshop, stakeholders will provide feedback on Staff's proposal. Following the workshop, Staff will incorporate feedback into its proposal and submit a formal request for the Commission to approve the approach, and issues covered.

Logistics

Staff will provide an agenda for the workshop to this distribution list in advance of the March 9, 2022 meeting.

Questions

If you have questions on the process or content of this workshop, contact:

Ted Drennan
Utility Strategy & Integration Division
503-580-6380
ted.drennan@puc.oregon.gov

/s/ Ted Drennan

To receive meeting notices and agendas for this docket, send an email to puc.hearings@state.or.us , and ask to be added to the service list for Docket No. UM 2011. You will then receive emails with workshop details, when new documents have been added to the docket, or there is a change to the schedule.

[6] See Docket No. UM 2111, Commission Order No, 20-211, July 6, 2020, Appendix A, p. 9.

Attachment B
February 11, 2022

Attachment B: Issues Inventory

Staff's intent in UM 2111 is to investigate issues related to the modernization of interconnection policies and practices in Oregon. The following table is Staff's summary of interconnection issues that have been raised in past and current OPUC dockets.

Oregon Jurisdictional Interconnection Issues Recently Identified by Stakeholders		*UM 1930*	*UM 2000*	*UM 2032*	UM 2108	UM 2099	Other* *
Costs							
Identification of upgrades and costs	Ensuring rules, policies, and practices for identification of upgrades account for modern technologies and industry best practices including, but not limited to: • Modernizing the screening and interconnection study practices • Incorporating updated standards such as IEEE 1547-2018 • Policies and practices required for smart inverters, storage, islanding, and other modern configurations • Modernizing and right-sizing the upgrade options considered when an upgrade is needed.	X	X			X	X
	Ensuring there is an efficient, effective, and accessible dispute resolution process(es) for all generator types, and any other processes to ensure sufficient ability to verify and challenge interconnection studies and results.	X	X	X	X	X	X
	Generators' ability to perform studies and construct upgrades.	X	X	X			X
	Utilities requirement for QFs to interconnect under Network Resource Interconnection Service (NRIS).	X	X	X	X		X
Allocation of upgrades and costs	Assigning system upgrades between generators, including use of cluster studies.	X	X	X	X	X	X
	Assigning system upgrades between generators and system beneficiaries (utilities, customers), including: • More clarity on "reasonable costs" to be borne by a generator • How to account for interconnection constraints in utility system planning activities • Assigning *network upgrades* to generators without reimbursement.	X	X	X		X	X
	Assigning interconnection upgrades for QF's renewing contracts.			X			X
Certainty and Control							
Transparency	• Providing pre-emptive data and visualizations necessary to predict and/or mitigate upgrades through siting, sizing, and project design (a.k.a. Hosting Capacity Analysis). • Requirements for transparent communications, access to in-person meetings with engineers, professional engineer stamps, access to standards and assumptions, study inputs, baseline data, and price assumptions.	X	X	X		X	
Certainty of cost estimates	Limits on upgrade costs or deviation from cost estimates.	X	X	X		X	X
Changes and optionality	Clarity on material changes, requesting multiple POIs and other configurations, downsizing, and aggregation.		X	X			X
Processes							
Application and study process	Predictability and enforcement of timelines, responsiveness, and preventing congestion in the queue. Includes publishing interconnection application processing metrics.	X	X	X	X		X
Construction	Predictability, speed, and enforcement of construction timelines. Includes publishing construction metrics.	X		X	X		X
Rules Violations	Remedies for utility and generator violations of rules/processes, reasonable, non-discriminatory, good faith actions.		X	X			X
Rule structure	• Whether to adopt rules for 10 MW – 20 MW Oregon jurisdictional generators. • Whether to have separate rules for NEM, SGIP and separate LGIP	X		X			

- UM 1930: See Staff Report, October 22, 2019, p. 5 and Attachment C, pp. 44 – 48
- UM 2000: See Staff's Draft Whitepaper, May 28, 2019, pp. 16 – 17 and April 5 Workshop Notes pp. 5-7.
- UM 2032: See NIPPC, the Coalition, and CREA Comments on Staff Issues List, April 9, 2020, pp. 9-10.
- UM 2108: See Staff Report, October 6, 2020.
- UM 2099: See Staff Report, November 3, 2020.
- *"Other" includes disputes, complaints, waivers, other PURPA dockets such as AR 631, distribution system planning and the comments filed by the ICC on UM 2111 on January 4, 2022.

Attachment B
February 11, 2022
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The table below helps to illustrate how Staff's issue grouping translates to the issues inventory:

Oregon Jurisdictional Interconnection Issues Recently Identified by Stakeholders		Activity
Costs		
Identification of upgrades and costs	Ensuring rules, policies, and practices for identification of upgrades account for modern technologies and industry best practices including, but not limited to: • Modernizing the screening and interconnection study practices • Incorporating updated standards such as IEEE 1547-2018 • Policies and practices required for smart inverters, storage, islanding, and other modern configurations • Modernizing and right-sizing the upgrade options considered when an upgrade is needed.	Group 1 (Group 2 if issues remaining to be addressed)
	Ensuring there is an efficient, effective, and accessible dispute resolution process(es) for all generator types, and any other processes to ensure sufficient ability to verify and challenge interconnection studies and results.	Group 3
	Generators' ability to perform studies and construct upgrades.	Group 3
	Utilities requirement for QFs to interconnect under Network Resource Interconnection Service (NRIS).	UM 2032
Allocation of upgrades and costs	Assigning system upgrades between generators, including use of cluster studies.	Group 2
	Assigning system upgrades between generators and system beneficiaries (utilities, customers), including:	
	• How to account for interconnection constraints in utility system planning activities	UM 2005
	• More clarity on "reasonable costs" to be borne by a generator	Group 2 UM 2032 – for network upgrades only
	• Assigning network upgrades to generators without reimbursement.	UM 2032
	Assigning interconnection upgrades for QF's renewing contracts.	Group 2
Certainty and Control		
Transparency	Providing pre-emptive data and visualizations necessary to predict and/or mitigate upgrades through siting, sizing, and project design (a.k.a. Hosting Capacity Analysis).	UM 2005
	Requirements for transparent communications, access to in-person meetings with engineers, professional engineer stamps, access to standards and assumptions, study inputs, baseline data, and price assumptions.	Group 3
Certainty of cost estimates	Limits on upgrade costs or deviation from cost estimates.	Group 3
Changes and optionality	Clarity on material changes, requesting multiple POIs and other configurations, downsizing, and aggregation.	Group 3 AR 631 – similar rules for contracting
Processes		
Application and study process	Predictability and enforcement of timelines, responsiveness, and preventing congestion in the queue. Includes publishing interconnection application processing metrics.	Group 4 AR 631 – similar rules for contracting
Construction	Predictability, speed, and enforcement of construction timelines. Includes publishing construction metrics.	Group 4 AR 631 – similar rules for contracting
Rules Violations	Remedies for utility and generator violations of rules/processes, reasonable, non-discriminatory, good faith actions.	Group 4
Rule structure	• Whether to adopt rules for 10 MW – 20 MW Oregon jurisdictional generators. • Whether to have separate rules for NEM, SGIP and separate LGIP	Group 4

Below is a summary of key interconnection issues presented in recent dispute dockets at the Commission

MEMORANDUM

To: Ted Drennan
From: AHD
Re: Summary of Current Interconnection Complaints
Date: January 31, 2022

I. INTRODUCTION

The purpose of this memorandum is to update staff on the interconnection complaints that are active at this time. There are five interconnection complaints that are currently open. Below is a short discussion of each interconnection complaint.

II. LIST OF CASES

Case Number	Caption
UM 2164	Zena Solar, LLC v. Portland General Electric Company
UM 1971	Waconda Solar, LLC v. Portland General Electric Company
UM 2177	Sunthurst Energy, LLC v. PacifiCorp
IC 18	Sunthurst Energy, LLC v. PacifiCorp
UM 2125	Dalreed Solar v. PacifiCorp

III. SUMMARY OF CASES

UM 2164 Zena Solar, LLC v. Portland General Electric Company

This case was initially filed on May 24, 2021. It is currently in its final stages; the record is closed and the final brief will be filed on January 31, 2022. In this case a three day in person hearing was held, which has been recorded. Additionally, transcripts of this hearing have been developed.

This case involves a dispute between Zena Solar, LLC and PGE regarding an interconnection agreement. The complaint alleges PGE resisted an independent interconnection study, and is ignoring its results as well as the results of subsequent analysis, and is ultimately requiring expensive upgrades that go beyond what is functionally need to protect the substation in question.

Zena Solar does not think that they should be liable to pay for the contested upgrades at PGE's substation because Zena argues the substation was exposed to the overvoltage issues in question in this case before Zena's interconnection. Secondarily, if they are found liable for these

upgrades, Zena disagrees regarding the equipment that PGE is requiring for the upgrades because that equipment is more expensive than other options, including the utilization of existing equipment. PGE argues both parties previously agreed the upgrades were necessary, and states that no evidence has been presented that those previous determinations should be re-examined. In this case, Zena has completed a competing interconnection study, which has been supplemented with additional analysis that has been provided throughout the litigated proceeding.

The parties have disputed the equipment required with the testimony of expert witnesses. At issue is how we interpret our rules regarding what upgrades are reasonable, or consistent with good utility practice, the competing claims of experts, as well as claim preclusion questions. The final order in this case is expected to be issued no later than March 17.

UM 1971 Waconda Solar, LLC v. Portland General Electric Company

This case was initially filed on September 28, 2018. Currently, this case is in a Motions for Summary Judgment phase.

Waconda's complaint centers on PGE's handling of its interconnection application. PGE has not consented to permit Waconda to hire a third-party consultant to complete an independent SIS. Waconda alleges that PGE refuses to give Waconda information about its system configuration and overall won't cooperate with Waconda. PGE argues it has provided adequate cooperation, and that Waconda has refused routine requests, such as signing an NDA, that would facilitate detailed exchanges of information. Waconda also claims that PGE has effectively prevented it from conducting an independent system impact study, because it has not provided assurances that PGE will review that study in a reasonable, non-discriminatory manner consistent with Commission rules and contractual duties. The parties dispute whether or not the interconnection application has been effectively withdrawn given Waconda's failure to meet specific deadlines, or PGE's non-compliance with study requirements as alleged by Waconda.

The request for Summary Judgment has been filed by PGE; Waconda may file a subsequent counter request, but has not yet done so.

UM 2177 Sunthurst Energy, LLC v. PacifiCorp

This is not technically a complaint yet, as counsel for Sunthrust indicated a complaint would be forthcoming in the summer of last year, and to date the complaint has not been filed. Sunthurst requested extensions on deadlines until PacifiCorp addresses their questions on the interconnection studies. PacifiCorp gave an extension but there are remaining issues. Sunthrust sent and docketed letters regarding the SIS for this project, and various IEEE standards.

Sunthrust has also filed an official notice of intent to file a complaint (described below), but no complaint has been filed.

IC 18 Sunthurst Energy, LLC v. PacifiCorp

Submitted in 2020, Sunthurst indicates it plans to file to enforce an interconnection agreement with PacifiCorp and that there are violations of the IA including PacifiCorp requiring unnecessary upgrades to be paid for by Sunthurst. No complaint has been forthcoming.

UM 2125 Dalreed Solar, LLC v. PacifiCorp

In this case, Dalreed Solar sought to negotiate a 20 MW non-standard PPA with PacifiCorp. Dalreed repeatedly requested a PPA, and filed a complaint alleging PacifiCorp sought to delay negotiations, and violated PURPA standards by not furnishing the PPA. After the complaint was filed, PacifiCorp produced the PPA.

In an order resolving the case on summary judgment, the Commission found the matter moot, because PacifiCorp essentially provided the relief requested by Dalreed. However, the Commission also determined that PacifiCorp's engagement with QF's required greater diligence to ensure that good-faith negotiations occurred between the parties, given interconnection challenges with PacifiCorp.

The Commission stated that:

> PacifiCorp's actions to date have not reassured us that encouraging PacifiCorp to act proactively to avoid a QF contracting backlog is sufficient. Accordingly, we separately direct Commission Staff in the time remaining before PacifiCorp's Transition Cluster Study results to monitor PacifiCorp's behavior toward qualifying facilities in the Transition Cluster. If Staff determines that additional procedural requirements are appropriate to ensure an efficient and fair processing of requests for power purchase agreements for the transition cluster and/or future clusters, Staff should take action to address this be providing us timely recommendations at a regularly scheduled public meeting or in an appropriate docket.[1]

Additionally, instead of closing the docket after this decision, the Commission left the docket open, until such time as the Commission would "receive a status update from Dalreed Solar indicating Dalreed Solar has executed a PP A with PacifiCorp or alternatively, has decided to abandon the project."[2]

On January 20, 2022 Dalreed filed such an update, in a notice of dismissal without prejudice. Though this filing does not request any action in the docket from the Commission, it does lay out allegations the PacifiCorp did not negotiate in good faith, noting that it does not have the capacity at this time to litigate the issues associated with that negotiation further. Dalreed outlines some of those issues in the motion, identifying delay that caused lowered avoided cost prices, as well as non-renewable pricing that PacifiCorp was obligated to provide, but never did.

[1] *In the Matter of Dalreed Solar LLC, v. PacifiCorp, dba Pacific Power*, Docket No. UM 2125, Order No. 21-097 at 8. (Mar 30, 2021).
[2] Id. At 7.

The final issue outlined in this filing involves an allegation that PacifiCorp failed to follow the provisions of its own tariffs regarding deliverability issues in load pockets. Despite several lower cost alternatives, PacifiCorp states that Dalreed is obligated to construct a $77 million dollar transmission upgrade that is expected to take 10 years to complete. Dalreed states: "While Dalreed Solar is unwilling to litigate this issue, Dalreed Solar asks the Commission to independently investigate and take action against PacifiCorp for refusing to use the third-party PTP transmission process in the Commission approved tariff for wheeling power out of load pockets."[3]

On January 31, 2022, PacifiCorp filed its response to Dalreed Solar's Notice of Dismissal Without Prejudice. PacifiCorp does not object to the requested dismissal.[4] PacifiCorp does object to Dalreed Solar's request directing Staff to independently take action against PacifiCorp for alleged violations of PURPA. PacifiCorp rebuts Dalreed Solar's alleged potential claims, stating PacifiCorp did provide Dalreed Solar with a draft PPA and negotiated in good faith, reasonably updated its avoided cost prices, provided non-renewable avoided cost prices, and conducted an interconnection study process consistent with Commission policy. PacifiCorp argues Dalreed Solar's termination of its interconnection request renders its complaints regarding the PPA negotiation process moot. PacifiCorp concludes that the Commission should reject Dalreed Solar's request to initiate an investigation and pursue action for alleged violations of PURPA.

[3] *In the Matter of Dalreed Solar LLC, v. PacifiCorp, dba Pacific Power*, Docket No. UM 2125, Notice of Dismissal Without Prejudice at 10. (Jan 20, 2022).
[4] *See* PacifiCorp Response at 1.