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June 28, 2016

Public Utilities Commission of Oregon
Filing Center
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RE: OPUC Docket UM 1773 PGE PARTIAL WAIVER OF COMPETITIVE
BIDDING GUIDELINES, APPROVAL OF RFP SCHEDULE Comments of Small
Business Utility Advocates

Attention Filing Center:

Small Business Utility Advocates (“SBUA”) appreciates the opportunity to comment on the revised PGE Request for Proposals (“RFP”), Renewable Energy Resources. SBUA presents perspective from the small business, known also in utility service, as small nonresidential customers, on the RFP documents and process. Small nonresidential customers have several interests in these proceedings. As utility customers small nonresidential ratepayers will likely experience a change in their utility rates, especially as PGE utilizes the RFP process to build projects or seek renewable energy resources to meet the State of Oregon’s recently revised Renewable Portfolio Standard, revised recently in SB 1547. Small nonresidential also have an interest as capital projects especially bring with them a prospect of work. Small nonresidential customers may also have interests in an RFP that increases the availability of renewable energy in Oregon and thereby reducing greenhouse gas emissions, increasing emergency preparedness, among other interests. SBUA members are generally small businesses, and many of them are state-certified minority or women-owned, and/or emerging small businesses.

SBUA’s comments focus primarily on incorporating supplier diversity for small businesses in PGE territory into the RFP process. This includes work prospects and as well as the addition of metrics allowing evaluation of the ability and actual participation of small business in the process. SBUA comments also include notes on the bid bond requirement.

A. Supplier Diversity.

In SBUA's first set of comments, SBUA focused on promoting supplier diversity in the RFP process. SBUA appreciates the addition of language to Section 1 of the revised RFP supporting PGE's commitment to promoting diversity and economic development by ensuring equal opportunity in all competitive bid events for qualified minority-owned, women-owned, disabled veteran-owned and emerging small business enterprises (MWESB) suppliers.¹

SBUA had suggested in its previous comments that PGE include provisions for preference points and including in non-price factors inclusion in a bid certified firms in a given project team. The utility has not included provisions expressing preference points for this aspect and SBUA hopes that this remains a discussion item within the utility in the process of finalizing the RFP format and process.

However, even without changing any substantive requirements or preference points, PGE could add metrics questions to the RFP process. This would allow PGE to track characteristics of the bid applicants which could provide data useful to the utility in determining to what extent the RFP, which is a result of the State of Oregon's legislative process, is fulfilling PGE's expressed support for supplier diversity. Such RFP process would help produce RFP results that are more transparent in demonstrating the process and beneficiaries of the RFPs, understandable to ratepayers regarding the acquisition of the resources, and fair to ratepayer businesses paying for the resources development.

Among other possible provisions in the PGE 2016 Draft Renewable RFP, SBUA identifies below certain underlined provisions by which PGE could incorporate information requests to track supplier diversity.:

8.2 Non-price factors

Non-price factors could include “Association of certified COBID firms in the project.”

Appendix G: Required Bid Information

Add Contractor and Subcontractor information to the Experience of Developer Team, including information regarding state certifications.

¹SBUA suggests that PGE evaluate updating its supplier diversity to be consistent with the State of Oregon's Certification Office for Business Inclusion and Diversity (“COBID”) certification by including veteran-owned businesses in its support for supplier diversity.

Provide the following information:

- Describe the developer's participation in successfully developing power production projects in the U.S., emphasizing projects located in the Pacific Northwest (whether in development or constructed) and those that are similar to the project proposed in the bid. Provide a synopsis of the developer's role (i.e. development, construction, long-term owner for a PPA or seller of asset, etc.). Identify customers of projects and aforementioned structures. Identify suppliers that have been used for projects (i.e. Vestas, General Electric, etc.)
- List members of the development and management team and provide a brief, summary resume of each individual (include a description of that individual's training, experience, function(s) performed for the project and area(s) of expertise).
- List major subcontractors identifying those which have state COBID certification.
- Describe business-related litigation or regulatory investigations in which the developer or development team members were previously (in the last 7 years), are currently, or are expected to be engaged.

SBUA notes that page three of the IE Report describes the RFP is well known to the development community and there is strong interest in the potential it represents.

B. Bid Bond Requirement.

In its prior comments, SBUA expressed concern over the minimum bid bond requirement because the terms make it much easier for a large energy developer to be the successful bidder. SBUA appreciates PGE's removal of the requirement from the RFP.

C. Rate impacts of transmission and integration requirements:

SBUA notes briefly that it appreciates and supports robust discussion of whether and how transmission and integration are included in the RFP document. These items translate into line items on small nonresidential power bills and this RFP process is the beginning of determining impact on customer bills of these costs.

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SBUA closes with appreciation for all those participating in this discussion and providing expertise as Oregon's largest electric utility participates in implementing State of Oregon's policy.

Sincerely,

/s/ Diane Henkels

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