

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 13, 2022**

REGULAR **CONSENT** **EFFECTIVE DATE** December 14, 2022

DATE: November 21, 2022

TO: Public Utility Commission

FROM: Ted Drennan

THROUGH: Bryan Conway, Caroline Moore, and Scott Gibbens **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1631)
Request for waiver of net metering aggregation requirement pursuant to
OAR 860-039-0065(1)(c).

STAFF RECOMMENDATION:

Staff recommends the Public Utility Commission of Oregon (Commission) approve the request by Applicants to waive the requirement that the designated meter for the customer's net metering facility and any additional meters be on the same primary feeder before the utility is required to allow the customer to aggregate them for the purpose of net metering.

DISCUSSION:

Issue

Whether the Commission should approve Applicant's request to waive the OAR that requires a utility to allow a net metering customer to aggregate load served through different meters only if the meters to be added are served by the same primary feeder as the net metering customer's designated meter at the time of application.

Applicable Law

OAR 860-039-0065(1)(c) states that for the purpose of measuring electricity usage under the net metering program, a public utility must, upon request from a customer-generator, aggregate for billing purposes the meter that is physically attached to the net metering facility ("designated meter") with one or more meters ("aggregated

meter") in the manner set out in this rule. This rule is mandatory upon the public utility only when: "The designated meter and the aggregated meters are served by the same primary feeder at the time of application."

The evaluation criterion set forth in OAR 860-039-0005(2) for waiver of Division 039 rules is "good cause shown." The Commission has discretion to determine what constitutes "good cause."

Analysis

On October 17, 2022, Daniel Benua filed a request for a waiver of OAR 860-039-0065(1)(c) for his residence. The following is a summary of the interaction between the Applicant and Portland General Electric (PGE or the Company).

On January 4, 2020, PGE received a completed net metering application for Benua. The application indicated the customer would like to aggregate any excess generation from the net meter to an additional meter. The net metering facility is located on the customer's property and connected to PGE's North Plains-13kV feeder, while the additional meter is connected to PGE's North Plains-Mason Hill feeder.

On January 17, 2022, the Company reviewed the Benua application and determined the aggregation request did not qualify as the meters were on differing feeders. Then, on January 18, the Company notified Benua and the solar installer the net metering application had been approved. The email sent did not notify the customer that the aggregation request failed due to meters on separate feeders. The Company can find no record of notifying the customer of net-metering infirmities.

The customer then installed a 13.68 kWDC/11.4 kWAC solar array. The Company received a copy of the approved electric inspection on June 21, 2022. Two days later the net meter was installed. After the net meter was installed, the Company notified the customer that the aggregation request did not meet the approval criteria as the second meter was on a different feeder. As of the most recent billing cycle (August 29 to September 28) the net metering account shows a credit of banked excess generation that is approximately double the use of the proposed aggregation account for the time period of June 29 to September 28.

In discussion with Staff, the Company stated they do not oppose the waiver request, and notified Staff that PGE's Powerclerk platform, used to manage net-metering applications, has been recently updated. Powerclerk will now automatically send an email to customers notifying them of the results of an aggregation request during the initial application review. This should eliminate similar issues going forward.

Conclusion

In reviewing the request, Staff believes the Applicants took the appropriate steps to secure a valid net metering aggregation agreement with the Company. The customer sized the installation to offset both meters, given the application approval sent on January 18, 2022. Had PGE notified the Applicants of the infirmities of the aggregation application in a timely fashion, the system would have been sized appropriately.

Given the circumstances underlying the request for waiver, Staff believes approval is appropriate. Several similar requests were approved by the Commission in Orders 17-487, 12-471, and 22-345. These included similar instances of customer confusion. It is clear that in this case the Applicants took appropriate steps to aggregate meters for net metering, but were not notified of any issues until the project was completed. Staff believes PGE has taken steps to avoid such issues going forward.

PROPOSED COMMISSION MOTION:

Approve the request by Applicants to waive the requirement that the designated meter and the aggregated meters be on the same primary feeder.