

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

UM 1401

In the Matter of

PUBLIC UTILITY COMMISSION OF OREGON

Investigation into Interconnection of PURPA  
Qualifying Facilities With Nameplate Capacity  
Larger Than 10 Megawatts to a Public Utility's  
Transmission or Distribution System.

BENCH REQUEST

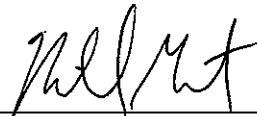
After a review of the Joint Utilities' Standardized QF-LGIP and QF-LGIA, as well as the parties' comments addressing the proposed changes, the Public Utility Commission of Oregon has determined that certain issues require additional clarification from the parties. The parties are asked to provide responses to the following questions:

1. Within both the QF-LGIP and QF-LGIA submitted by the Utilities multiple references to FERC regulatory authority have been deleted. These deletions were not addressed by the parties. Please provide specific justification, with reference to the section number, for the removal of FERC regulatory authority without the addition of OPUC regulatory authority.
2. Within both the QF-LGIP and QF-LGIA, the Effective Date is defined as "[T]he date on which the QF-LGIP[A] becomes effective by the parties." Please clarify this definition, specifically whether the Effective Date should be upon signing of the document, upon completion of commissioning tests or facility upgrades, upon OPUC approval, or some other date.
3. Article 4.1.1 of the QF-LGIA, removes the option of Energy Resource Interconnection Service. The removal was not addressed by the parties during the comment periods. Explain the justification for removing the option of Energy Resource Interconnection Service, and provide examples of negative consequences of retaining this option.
4. Article 4.1.2 of the QF-LGIA refers to certain congestion management costs and procedures. Please provide a working definition of congestion management costs and procedures, and also describe the effect of congestion management costs and procedures on a QF's ability to sell all of its contractual output under PURPA.

5. Please clarify whether Article 4.4 of the QF-LGIA establishes that transmission delivery service to take a QF load is contained in the power purchase agreement.
6. Within the QF-LGIA, the Utilities propose to remove articles 9.9.1 and 9.9.2 regarding Third Party Users, but note that they have not had sufficient time to decide on the removal of these sections.
  - a. Please provide a final recommendation, along with specific justifications, for whether section 9.9.1 and 9.9.2 should be retained in the final QF-LGIA.
  - b. Please provide examples of how Interconnection Customer's facilities would potentially be used by third parties.

The Joint Utilities are ordered to provide a response to these questions by December 18, 2009. Staff and intervenors may provide comments to the Joint Utilities filing by January 15, 2009.

Dated this 30<sup>th</sup> day of November, 2009, at Salem, Oregon.



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Michael Grant  
Chief Administrative Law Judge