

ORDER NO. 14 280

ENTERED AUG 05 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

KARL BOEKELHEIDE,

Request for Waiver of the 12-month Solar
Photovoltaic System Installation Requirement
under OAR 860-084-0210(1).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on August 5, 2014, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

BY THE COMMISSION:



Becky L. Beier
Becky L. Beier
Commission Secretary

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: August 5, 2014

REGULAR _____ CONSENT X EFFECTIVE DATE August 5, 2014

DATE: July 23, 2014

TO: Public Utility Commission

FROM: John Crider *sc*
J *UK* *AG* *sa*

THROUGH: Jason Eisdorfer, Maury Galbraith, and Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by Karl Boekelheide for a waiver of the requirement to file an interconnection application within two months for a solar photovoltaic system installation under the Solar Photovoltaic Pilot Program, pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the request by Karl Boekelheide to waive the Solar Photovoltaic (SPV) Pilot Program requirement to file an interconnection application within two months of the reservation start date, and authorize PGE to review the interconnection application that Mr. Boekelheide filed late, on July 2, 2014.

DISCUSSION:

Issue

Karl Boekelheide requests a waiver of the SPV pilot program requirement to file a completed interconnection application within two months of the reservation start date. Mr. Boekelheide's project was enrolled in the Portland General Electric (PGE) solar pilot program on April 15, 2014. The only waiver requested is for submittal of the interconnection application. There is no request to extend the one-year deadline to complete the project. The Commission received this request on July 9, 2014.

Rule

The applicable rule is OAR 860-084-0210(1), which states that a capacity reservation expires if a completed interconnection application is not filed within two months of the reservation start date, unless a waiver is granted under OAR 860-084-0000(3). The evaluation criteria set forth in OAR 860-084-0000(3) for waiver of Division 84 rules is

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“good cause” shown. The Commission has discretion to determine what constitutes “good cause.”

Analysis

Mr. Boekelheide’s solar contractor, Stelcor Energy, failed to submit the interconnection application within two months of the capacity reservation start date. The reason given is simple oversight. Stelcor Energy is new to the SPV Pilot Program and was not aware of the two-month deadline to file the interconnection application.

PGE was unable to contact Mr. Boekelheide directly, because it had incorrect contact information for him. Mr. Boekelheide was unaware that the deadline for an interconnection application had been missed, and continued with the installation. Construction began on June 18, 2014, and was completed one week later. Mr. Boekelheide then contacted PGE, learned about the missed deadline, and had his contractor send in the interconnection application as quickly as possible. PGE reports that it received the interconnection application from Stelcor Energy on July 2, 2014, approximately two weeks after the deadline.

In analyzing for “good cause,” Staff primary consideration was the fact that the SPV system is installed and ready to operate. The missed deadline was an oversight by the installation contractor, through no apparent fault of Mr. Boekelheide.

Conclusion and Recommendation

The SPV installation is installed and ready to operate. The interconnection request was filed late because of a simple oversight by a contractor who was new to the program. Staff therefore recommends granting the requested waiver.

PROPOSED COMMISSION MOTION:

The request by Karl Boekelheide to waive the Solar Photovoltaic Pilot Program requirement to file an interconnection application within two months of the reservation start date be granted, and PGE be authorized to review the late application that was filed on July 2, 2014.

CA4-UM 1538 Karl Boekelheide VIR waiver request