

ORDER NO. 15 121

ENTERED APR 14 2015

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

IMAGINE ENERGY, LLC, on behalf of
DOWNTOWN VALUE INN,

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

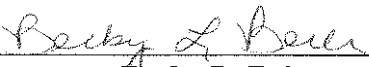
ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on April 14, 2015, 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
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 Circuit Court for Marion County in compliance with ORS 183.484.

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ITEM NO. CA9

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: April 14, 2015**

REGULAR _____ CONSENT X EFFECTIVE DATE April 14, 2015

DATE: March 31, 2015

TO: Public Utility Commission

FROM: Cindy Dolezel *CSJ*

THROUGH: Jason Eisdorfer and Aster Adams *JE* *AA*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Request by Imagine Energy, LLC, on behalf of its customer, Downtown Value Inn, for a waiver of the 12-month solar photovoltaic system installation requirement set forth in OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission approve Imagine Energy's request, made on behalf of its customer, Mr. Ganesh Sonpatki of the Downtown Value Inn, to extend the 12-month installation deadline from April 14, 2015, to June 14, 2015, for the completion of a 9.99 kW solar photovoltaic system in Pacific Power's (PAC) Solar Incentive Program.

DISCUSSION:

Issue

Each project that receives a capacity reservation retains it for 12 months beginning from its reservation start date, so long as a preliminary interconnection application is submitted and approved by the utility within two months of the reservation start date; the deposit fees are paid; and the project is installed within 12 months of its reservation start date or, if needed, the project receives a waiver to extend the installation deadline. See OAR 860-084-0210(1).

Jonathan Cohen, the project manager for Imagine Energy, LLC, requests a waiver under OAR 860-084-0000(3) on behalf of its customer Mr. Ganesh Sonpatki of the Downtown Value Inn to extend the 12-month installation deadline by two months due to

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delays in finalizing financing and the timely completion of a series of 11 volumetric incentive rates (VIR) awarded projects.

Applicable Rules

OAR 860-084-0210(1) states that "A capacity reservation expires...if the system has not been installed within twelve months of the reservation start date, unless a waiver is granted under OAR860-084-0000." The evaluation criterion set forth in OAR 860-084-0000(3) for waiver of Division 084 rules is "good cause shown." The Commission has discretion to determine what constitutes "good cause."

Analysis and Recommendation

Downtown Value Inn is one of 11 VIR solar projects started by Mr. Sonpatki. Eight of the 11 projects are under construction and the remaining three are approaching the 12-month installation deadline. Downtown Value Inn has been delayed due to financing delays and due to all the other ten projects closely approaching the April installation deadline at one time.

Jonathan Cohen of Imagine Energy stated: "The installation of these eleven projects was prioritized based on ease of permitting and installing at each location." The customer would like to ensure the two-month extension is approved before he purchases the solar equipment and begins the final construction process.

Downtown Value Inn has paid deposits in a timely manner and the interconnection application was submitted and approved before the required two-month deadline. Permits are being prepared for submission and little delay is expected.

Staff verified the status of this project with PAC, which stated it did not foresee any issues with this project being installed before the requested deadline of June 14, 2015, if all necessary documentation is submitted in a timely manner.

Staff concludes that the request for a waiver to ensure that the deadline is not surpassed before finalizing the purchase of solar panels and completing the construction is reasonable.

In analyzing the "good cause" rule criterion, Staff notes that there has been demonstrated investment in equipment, permit development, and preparation, but the project was delayed by unforeseen issues due to securing financing and timing of other projects. It seems reasonable that the project will be completed by June 14, 2015.

Based on this analysis, Staff recommends this waiver request be approved.

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PROPOSED COMMISSION MOTION:

The request for a waiver by Imagine Energy on behalf of the Downtown Value Inn to: (1) waive the 12-month installation requirement for the completion of a 9.99 kW solar photovoltaic system in Pacific Power's Solar Incentive Program and (2) extend the deadline from April 14, 2015, to June 14, 2015, be approved.

CA9-UM 1538 Downtown_Value_Inn VIR waiver request