

ENTERED JUL 05 2016

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC, on behalf of ALBANY
REGIONAL MUSEUM,

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 July 5, 2016, 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:




Kristi Collins
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.

ORDER NO. 16 242

ITEM NO. CA12

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: July 5, 2016**

REGULAR _____ CONSENT X EFFECTIVE DATE July 5, 2016

DATE: June 24, 2016

TO: Public Utility Commission

FROM: Cindy Dolezel *for*

THROUGH: Jason Eisdorfer and Michael Dougherty *m*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV, LLC for a waiver of the 12-month solar photovoltaic system installation requirement pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the request by PGPV, LLC (PGPV) to waive the 12-month deadline to install a 10.0 kW solar photovoltaic (SPV) system under Pacific Power's Oregon Solar Incentive Program (OSIP) Program to December 23, 2016.

DISCUSSION:

Issue

Whether PGPV established good cause supporting its request for a waiver of the 12-month deadline to install its SPV System so that it can maintain its capacity reservation pursuant to OAR 860-084-0210(1) for its SPV system.

Applicable Law

Each project that receives a capacity reservation holds that reservation for 12 months 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 award date; the deposit fees are paid; 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) and (2).

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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." OAR 860-084-0210(2) provides that once a capacity reservation expires, the customer must re-apply for a reservation. 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."

Discussion and Analysis

PGPV secured a 10.0 kW reservation as part of the May 2015 capacity lottery; for an Albany Regional Museum project located within Pacific Power's service territory.¹

Staff has conferred with Pacific Power regarding the status of this project. Pacific Power confirmed to Staff that the project has met all the other requirements to date, including deposits, interconnection agreements and fees. Staff also confirmed the status of the project with PGPV. PGPV has purchased solar panels, has acquired permits, but in December a leak in the roof was detected. This put the installation on hold while the roof was replaced in May 2016. Permits are being prepared for all projects, with some already submitted. Staff feels comfortable with the status of the project and the actions taken so far indicate intention to successfully install the system. The delay in installation appears to be due to circumstances over which PGPV had little or no control. In analyzing for "good cause," Staff's primary considerations were PGPV's demonstrated actions toward completion of the project and history of successfully completed SPV projects.

Conclusion

Based on this analysis, Staff recommends the waiver request be granted.

PROPOSED COMMISSION MOTION:

Grant the request by PGPV to waive the 12-month installation requirement for the SPV systems under Pacific Power's OSIP and the deadline be extended until December 23, 2016.

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¹ The project number is 5568836.