

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1953
PHASE I

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Investigation into Proposed Green Tariff.

ORDER

DISPOSITION: STIPULATED MOTION TO AMEND GRANTED;
ORDER NO. 19-075 AMENDED

I. INTRODUCTION AND BACKGROUND

On March 5, 2019, in Order No. 19-075, we approved Portland General Electric Company's voluntary renewable energy tariff (VRET) program with certain modifications.¹ We adopted PGE's proposal to review policy issues related to this docket in two phases, allowing PGE to procure up to 300 megawatts (MW) of new nameplate resources through power purchase agreements (PPA) under the first phase of its VRET program, with remaining issues to be addressed in a second phase. PGE's VRET program includes a cap of 100 MW on the PGE Supply Option (PSO), and a cap of 200 MW for a Customer Supplied Option (CSO), available to customers with demand in excess of 10 average MW.²

In response to opening customer enrollment on May 31, 2019, PGE received customer demand totaling 160 MW. One customer indicated interest in the CSO; many customers did not specify an option. In June 2019, PGE informed two CSO-eligible customers that had expressed interest in the PSO about the CSO. In particular, PGE indicated that the selected PGE-procured resource was expandable beyond 100 MW, and would include the same terms and conditions under the CSO. Ultimately, one customer who had enrolled under the PSO and two customers who were outside the cap for the PSO moved to the CSO.

¹ Order No. 19-075 (Mar 5, 2019).

² PGE/400, Sims-Tinker/5.

At an August 29, 2019 settlement conference regarding Phase II of PGE's VRET program, the parties raised concerns regarding whether there were any distinctions between the CSO and PSO as implemented, as well as PGE's involvement in CSO resource procurement. Parties viewed the implementation as having effectively enrolled 160 MW in the PSO. From PGE's perspective, 100 MW of the CSO was enrolled, and 60 MW of the PSO was enrolled.

PGE submitted a compliance filing on September 13, 2019, including rate credit calculations and executed customer agreements. At the October 22, 2019 Regular Public Meeting, Staff of the Public Utility Commission of Oregon raised concerns about whether PGE's implementation of the CSO was consistent with Order No. 19-075. As memorialized in Order No. 19-348, we opened a process to review and potentially amend or clarify Order No. 19-075 regarding PGE's VRET program. We determined that this process would address, on a prospective basis, the appropriate, measurable or testable distinctions between the PSO and the CSO, the allocation of remaining program capacity between the CSO and PSO, and any program procedures that would benefit from clarification, including queue procedures. The Commission voted to suspend Phase II of this proceeding pending this Phase I clarification process. Additionally, we prohibited PGE from offering or enrolling any additional customers under the PSO until otherwise directed.

II. PROCEDURAL HISTORY

In Order No. 19-348, we directed the Administrative Hearings Division to establish a process for review and clarification of Order No. 19-075 consistent with ORS 756.568. On November 12, 2019, Staff filed a stipulated status report indicating that the parties to this proceeding had participated in settlement discussions and Staff, the Alliance of Western Energy Consumers, Calpine Energy Solutions, LLC, Northwest and Intermountain Power Producers Coalition, the Oregon Citizens' Utility Board, Portland General Electric Company, and Renewable Northwest (stipulating parties) had reached a settlement in principle that addressed the issues identified in Order No. 19-348.³ The status report also indicated that the remaining parties, Avangrid Renewables, NW Energy Coalition, PacifiCorp, and Walmart Inc. did not object to the agreement in principle. On January 14, 2020, the stipulating parties filed a stipulated motion to amend Order No. 19-075 to the extent necessary to effectuate the agreement reached between the stipulating parties to address the compliance filing issues with PGE's VRET program.⁴ The stipulating parties represent that no other party to this proceeding objects to the

³ Status Report (Oct 5, 2019).

⁴ The stipulating parties submitted the affidavit of Josh Halley, senior product portfolio specialist with PGE and declaration of Scott Gibbens, senior economist for Staff, in support of the stipulated motion.

stipulated motion. No party filed a response or requested a hearing within the 15 day deadline under OAR 860-001-0420(5).⁵

III. STIPULATED MOTION TO AMEND

The stipulating parties request that the Commission amend Order No. 19-075 to the extent necessary to effectuate the terms of their agreement. The stipulating parties contend that the agreement will ensure that interested eligible customers are able to participate in the VRET program and also will permit evaluation of customer interest in the PSO and CSO.

Specifically, the stipulating parties agree that the 160 MW currently subscribed should be included under the PSO, with the remaining 140 MW of capacity reserved for the CSO. The stipulating parties agree that PGE or any other party may file for reconsideration of the individual program caps on or after March 23, 2020. Any change to the program caps would be based on a Commission determination that doing so is appropriate under the current circumstances of the program. Additionally, any anticipated effective date for shifting available capacity would occur no earlier than June 1, 2020. The stipulating parties agree that these changes may include reallocation of any unsubscribed amount of the remaining 140 MW of capacity to non-CSO customers.⁶

The stipulating parties agree that PGE may have no role in CSO project procurement prior to any cap changes. While CSO and PGE-procured projects may be the same, the CSO customer must independently select the shared resource and the contracts must be negotiated separately. PGE's role would be limited to providing interested customers with information about: (1) program description and mechanics; (2) the queue and remaining capacity under the cap; (3) the possibility that beginning March 23, 2020, the Commission may consider changes to program capacity for effect no earlier than June 1, 2020; and (4) the Renewable Northwest website as a source of a map of potential projects and developers. PGE will work with interested CSO customers, and the CSO customer will determine the appropriate point in time to involve PGE during contract negotiations. PGE will maintain final contract approval, but may only object to qualifying PPAs to avoid shifting costs and risks onto non-participating customers or PGE shareholders.

⁵ We note that due to the unique procedural posture of this motion, without testimony or briefs, the record contains no new substantive information upon which to base this decision. As a result, this decision will be of limited value in resolving any potential future disputes between the parties in implementing the terms of their agreement. In Phase II of this proceeding, we expect more development of a record on any settled issues.

⁶ Unsubscribed portion refers to the capacity under the 140 MW CSO portion and not yet in the CSO queue.

Additionally, the stipulating parties agree that the CSO queue will be established based on the timestamp of the email in which a customer returns the signed, non-binding letter of intent (letter of intent), regardless of whether the letter is submitted to PGE prior to March 23, 2020. The stipulating parties included, as Attachment A to the stipulated motion, the letter of intent to be used for the CSO. The stipulating parties agree that a CSO customer must fulfill the terms of the letter of intent to maintain a position in the queue and enroll in the program, and that PGE, the resource supplier, and the CSO customer must act in good faith to sign a final contract.

Finally, the stipulating parties note that in response to parties' concerns, and consistent with the requirements of Order No. 19-075,⁷ PGE has updated the minimum PPA requirements and has posted the updated requirements to its website.⁸

IV. RESOLUTION

The Commission may, at any time, upon notice to the public utility and after opportunity to be heard, rescind, suspend, or amend any Commission order.⁹ In Order No. 19-075, we approved PGE's VRET proposal, and in doing so we addressed with specificity issues including calculation of the capacity credit calculation, inclusion of a risk adjustment charge, CSO eligibility, and incremental credits. While PGE's proposal included a separate PSO and CSO, with a cap of 100 MW applicable to PGE-procured resources, and a cap of 200 MW for the CSO,¹⁰ the details of implementing the two programs were not addressed. As a result of issues raised in response to PGE's compliance filing, we found a need to identify appropriate, measurable, or testable distinctions between the PSO and the CSO, and the allocation of remaining program capacity between the PSO and CSO. Additionally, we recognized the potential that other program procedures, including queue procedures, might benefit from clarification.

We find that the terms agreed to by the stipulating parties, as summarized above, are reasonable and provide needed clarification to PGE's VRET program, as approved in Order No. 19-075. Specifically, we find that the stipulating parties' agreement (1) ensures currently subscribed customers can participate in the program and reserves the remaining capacity for CSO customers, (2) provides for the opportunity to revisit the individual caps as appropriate, and (3) clarifies PGE's involvement in the resource procurement process under the CSO. In particular, we recognize that the stipulating

⁷ Order No. 19-075 at 8 (requiring PGE to "develop and publish minimum PPA standards so that customers may access clear information about PPA requirements, so that all eligible customers will have non-discriminatory access to [the] Customer Supply Option.")

⁸ Stipulated Motion at 6 & n 25.

⁹ ORS 756.568.

¹⁰ PGE/400, Sims-Tinker/5.

parties' agreement retains the total Phase I program cap of 300 MW, ensuring no increased risk to cost of service customers. Additionally, we find that the agreement provides appropriate clarifications regarding queue procedures. Accordingly, we amend Order No. 19-075 to adopt the stipulating parties' agreement, as set forth on pages five and six of Appendix A to this order. The remainder of the order is unchanged.

V. ORDER

IT IS ORDERED that:

1. The stipulated motion to amend Order No. 19-075 filed by Staff of the Public Utility Commission of Oregon, the Alliance of Western Energy Consumers, Calpine Energy Solutions, LLC, Northwest and Intermountain Power Producers Coalition, Oregon Citizens' Utility Board, Portland General Electric Company, and Renewable Northwest, on January 14, 2020, is granted.
2. Order No. 19-075 is amended to adopt the agreement set forth in the stipulated motion. The remainder of the order is unchanged.

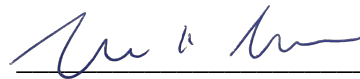
Made, entered, and effective Jan 31 2020.



Megan W. Decker
Chair



Letha Tawney
Commissioner

Mark R. Thompson
Commissioner

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.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1953

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Investigation into Proposed Green Tariff.

STIPULATED MOTION TO AMEND
ORDER NO. 19-075

Pursuant to ORS 756.568 and Order No. 19-348, the Alliance of Western Energy Consumer (AWEC), Calpine Energy Solutions, LLC (Calpine), Northwest and Intermountain Power Producers Coalition (NIPPC), Oregon Citizens' Utility Board (CUB), Portland General Electric Company (PGE), Renewable Northwest (RNW) and Staff of the Public Utility Commission of Oregon (Staff) (hereafter, Moving Parties), respectfully move the Commission to amend Order No. 19-075 to the extent necessary to effectuate the agreement among the Moving Parties as a follow up to the Commission's Order No. 19-348 issued at the October 22, 2019 Regular Public Meeting. No other party to this proceeding objects to this Motion.

I. Background

The Commission approved Phase I of PGE's Green Energy Affinity Rider (GEAR or Green Tariff) program in Order No. 19-075. Phase I of the program was capped at a total of 300 MW, comprised of a 100 MW cap for a PGE-procured resource to be made available to any non-residential customer whose aggregate demand across all retail schedules exceeds 30kW.¹ The remaining 200 MW was reserved for the customer supplied option (CSO) for customers with demand in excess of 10 aMW, generally referred to as the "bring your own power purchase agreement (PPA)" option, whereby customers could source a project and approach PGE about

¹ *In re Portland General Electric Company*, OPUC Docket No. UM 1953, Order No. 19-075 at 4 (Mar. 5, 2019).

1 participating in the GEAR.² For the CSO option, PGE retains final review and approval over
 2 PPA terms and conditions.³ Consistent with Order 19-075,⁴ PGE made its objective PPA criteria
 3 available on its website, and has revised and reposted the criteria consistent with Order 19-213.⁵

4 Risks and costs of the program are paid for by subscribers, who also continue to pay all
 5 other applicable rates and supplemental schedules.⁶ Both PGE-procured and CSO subscribers
 6 receive a credit for the value of incremental energy and capacity provided to PGE's system by
 7 the PPA from other cost of service (COS) customers.⁷ Any PPA cost above the energy and
 8 capacity value credited to the subscribers is to be borne by those subscribers.⁸ Incremental
 9 credits to PGE-Supply Option participants were prohibited, meaning that those subscribers
 10 cannot receive a credit from the program that exceeds the cost of participating in the program.⁹
 11 Conversely, the Commission's resolution for the CSO option allows for the possibility of a
 12 floating credit on a case-by-case Commission approved basis, such that the credit does not
 13 guarantee net savings to the participant, but may result in net savings.¹⁰

14 In March 2019, PGE posted the minimum PPA terms and conditions on its website, and
 15 released a Request for Quotations (RFQ) asking for pricing and project details for the two supply
 16 options of the Green Tariff.¹¹ This RFQ was not required to be filed with the Commission and
 17 was not filed with the Commission.¹²

18 ² *Id.* at 8.

19 ³ *Id.*

20 ⁴ *Id.*

21 ⁵ *In re Portland General Electric Company*, OPUC Docket No. UM 1953, Order No. 19-213 at
 22 9.

22 ⁶ *Order No. 19-075* at 5.

23 ⁷ *Id.*

24 ⁸ *Id.*

25 ⁹ *Id.*

26 ¹⁰ *Id.* at 6.

¹¹ Affidavit of Josh Halley at paragraph 3

¹² Affidavit of Josh Halley at paragraph 4.

1 On May 31, 2019, PGE opened customer enrollment for Phase 1 of its GEAR program.¹³
2 PGE received customer interest in excess of the 100 MW cap from customers eligible for the
3 PGE Supply Option. When customers declared their interest, most did not distinguish or identify
4 the option in which they were interested. Only one customer indicated a desire to participate in
5 the CSO option.¹⁴

6 In June 2019, PGE notified two customers who had expressed interest in PGE's initial
7 Company offering about the CSO, as they met the size requirements for that portion of the
8 program.¹⁵ PGE informed these customers that the CSO would maintain the same terms and
9 conditions as the PGE offering, as the selected PGE Supply Option resource was expandable
10 beyond 100 MW.¹⁶ Two customers who had not initially qualified for the PGE Supply Option
11 due to the cap limit and one who was already enrolled under the PGE Supply Option cap elected
12 to move to the CSO program.¹⁷

13 Staff and other parties became aware of PGE's implementation of the program at the
14 August 29, 2019 Settlement conference for Phase II of the program. At that time, the parties
15 (PGE, Staff and others) became aware of the different interpretations of the Commission's
16 direction for implementation in Order 19-075, related to both the individual program caps,
17 management of the queue, and PGE involvement in procuring a resource to service CSO
18 customers.

19 In its September 13, 2019 compliance filing, PGE notified the Commission that it had
20 reminded large customers who qualified for the CSO "that they were still eligible for the CSO
21 and that the CSO was a way for them to participate in the Green Tariff with a PPA of their
22

23 ¹³ Affidavit of Josh Halley at paragraph 5.

24 ¹⁴ Affidavit of Josh Halley at paragraph 13.

25 ¹⁵ Affidavit of Josh Halley at paragraph 7.

26 ¹⁶ Affidavit of Josh Halley at paragraph 8.

¹⁷ Affidavit of Josh Halley at paragraph 9.

1 preference.”¹⁸ Ultimately, a few interested large customers did enroll in the CSO with only one
 2 customer who had been eligible for the PGE Supply Option moving to the CSO option. 160 MW
 3 was the entire demand the Company had received following its initial offering at the end of
 4 May.¹⁹ In PGE’s view, the result was that 100 MW of the CSO option was utilized and 60 MW
 5 of the PGE procured option was subscribed.²⁰

6 Following Staff’s and other parties’ understanding of PGE’s implementation of Phase I of
 7 the program, concerns were raised related to PGE’s compliance with the Commission’s Phase I
 8 Order. Specifically, Staff and some parties were concerned that there was little if any distinction
 9 between the CSO Option and the PGE Supply Option as implemented by PGE, and in their view
 10 the PGE Supply Option effectively utilized 160 MW of the GEAR program’s 300 MW
 11 cumulative cap.²¹ These parties were also concerned that PGE’s process and involvement in the
 12 procurement of a resource to meet all 160 MW of subscribed demand was consistent with the
 13 Commission’s Phase I Order.²²

14 The Commission heard arguments related to PGE’s Compliance Filing at the
 15 October 22, 2019 Regular Public Meeting. At that Meeting, the Commission opened a process to
 16 review and potentially clarify Order No. 19-075 to address issues raised by some parties to the
 17 proceeding.²³

18 In accordance with Commission Order No. 19-348, the Moving Parties engaged in
 19 multiple settlement discussions and exchanged multiple redlines of an issues list in an attempt to
 20 resolve the concerns some parties had raised about PGE’s Phase I Compliance Filing. As a
 21

22 ¹⁸ PGE Compliance filing at 2.

23 ¹⁹ Affidavit of Josh Halley at paragraph 11.

24 ²⁰ Affidavit of Josh Halley at paragraph 12.

25 ²¹ Declaration of Scott Gibbens at 1-2.

26 ²² Declaration of Scott Gibbens at 1-2.

²³ *In re Portland General Electric*, OPUC Docket No. UM 1953, Order No. 19-348 (Oct. 25, 2019).

1 result of those discussions, the Moving Parties reached agreement resolving all of the items on
 2 the issues list, and therefore respectfully request that the Commission amend Order No. 19-075
 3 as necessary to effectuate the agreement among the Moving Parties.

4 II. Discussion

5 Oregon Revised Statute 756.568 provides the Commission with authority to rescind,
 6 suspend and amend orders at any time upon notice to the public utility and after an opportunity
 7 to be heard as provided in ORS 756.500 to ORS 756.610. In this case, the Moving Parties
 8 respectfully request the Commission amend Order No. 19-075 in order to resolve Phase I
 9 Compliance Filing Issues with PGE's VRET program.

10 The Moving Parties agree that there is good cause for the Commission to amend
 11 Order No. 19-075 as follows:

- 12 • The 160 MW currently subscribed will all be under the PGE procured portion of the
 13 GEAR program; the remaining 140 MW of capacity is dedicated to the CSO portion.
- 14 • PGE or any other party may file for reconsideration of the individual GEAR program
 15 caps on or after March 23, 2020, with an anticipated effective date for shifting available
 16 capacity occurring no earlier than June 1, 2020. A shift would only occur following a
 17 Commission determination that doing so is appropriate under the current circumstances
 18 of the program, based on the evidence before it. Cap reconsideration may include
 19 reallocation of any unsubscribed portion of the remaining 140 MW of capacity to non-
 20 CSO customers. Unsubscribed portion refers to the capacity under the 140 MW CSO
 21 portion and not yet in the CSO queue (defined below).
- 22 • PGE may have no role in CSO project procurement prior to Commission approval (if
 23 any) for cap reconsideration; PGE may provide interested customers with information
 24 about the program that would be limited to:
 - 25 ○ Program description and mechanics;
 - 26 ○ Queue and remaining capacity under cap information;

○ The fact that beginning March 23, 2020, the Commission may (but is not obligated to) consider changes to the program capacity with an anticipated potential effective date if such changes are made of June 1, 2020; and

○ Reference to RNW website for a map of potential projects and developers.

- PGE will maintain final contract approval and will work with interested CSO customers. PGE may only object to qualifying PPAs to avoid shifting costs and risks onto non-participating customers or PGE shareholders. The customer may determine the appropriate point in time to involve PGE during contract negotiations.

- CSO and PGE procured projects may be the same, however, the contracts must be separately negotiated, and the customer must independently choose the shared resource.

- CSO queue will be established based on timestamp of email where a customer returns the signed, non-binding letter of intent, regardless of whether the letter is submitted to PGE prior to March 23, 2020.²⁴

- All parties (the Company, resource supplier and the CSO customer) must act in good faith to sign a final contract. The Customer must perform the terms of the letter of intent to enroll in the program and to maintain a position in the queue.

These amendments will ensure that interested eligible customers are able to participate in the GEAR program, while allowing time to determine whether and to what extent there is customer interest in the CSO portion of the GEAR program.

Further, in response to parties' concerns, PGE has updated the minimum PPA requirements and has posted the updated requirements to its website.²⁵

²⁴ Letter of Interest is included in Attachment A.

²⁵ The Moving Parties provide this for completeness of information, but note that Order No. 19-075 does not need to be amended to address this issue, as it directed PGE to "develop and publish minimum PPA standards so that customers may access clear information about PPA requirements, so that all eligible customers will have non-discriminatory access to Customer Supply Option." Order 19-075 at 8.


III. Conclusion

The process outlined above will provide an opportunity to better learn and understand customers' preferences for either the PGE-procured option or the CSO option. Amending Order 19-075, as requested above, would allow for these objectives to be achieved. For these reasons, the Moving Parties respectfully request that the Commission amend Order 19-075 as described above.

DATED this 14 day of January, 2020.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General


Sommer Moser, OSB # 105260
Assistant Attorney General
Of Attorneys for Staff of the Public Utility
Commission of Oregon

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 1953

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY,

Investigation into Proposed Green Tariff.

AFFIDAVIT OF JOSH HALLEY

I, Josh Halley, being first duly sworn on oath, depose and say:

1. My full name is Josh Halley. I am a Senior Product Portfolio Specialist at Portland General Electric Company (PGE or Company).

2. I am filing this affidavit in support of the Stipulated Motion to Amend Order No. 19-075 being filed concurrently in this matter.

3. In March 2019, through a Request for Quotations (RFQ), PGE sought quotations from competitive developers for quotes for the 100 MW PGE aggregated program and the 200 MW customer supply option (CSO). PGE sought quotes for the CSO because, in meetings with at least one very large CSO eligible customer, PGE was directly asked about indicative pricing, (i.e., PGE was asked what might be a competitive price for a CSO product and

what resource options might look like). In securing quotes, PGE was gathering market information to be helpful to customers.

4. PGE was not required to file the RFQ with the Commission, and PGE did not file the RFQ with the Commission.

5. On May 31, 2019 when the green tariff queue opened, 16 customers provided nonbinding letters of interest.

6. June 6, 2019 following up on demand for the program, PGE met with the resource developer of the 100 MW project, asking about the developer's ability to increase the size of the renewable generation project to meet CSO-eligible customer interest. The developer confirmed that this was possible, at the same terms and conditions of the 100 MW project that PGE was negotiating for the PGE Supply Option.

7. Later on June 10, 2019 and 13, 2019 two customers expressed interests in the green tariff, and PGE advised them that the PGE Supply Option queue had been filled but that they were eligible for the CSO. They expressed interest in PGE's assistance with the CSO option and finding a resource.

8. PGE informed these customers that the CSO would maintain the same terms and conditions as the PGE Supply Option resource as that resource was expandable beyond 100 MW.

9. Two customers who had provided nonbinding letters of interest for the PGE Supply Option but had total demand exceeding the cap elected to move to the CSO program.

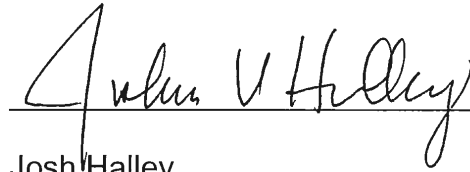
10. On August 18, one customer who was already enrolled under the PGE Supply Option but was eligible for the CSO confirmed its interest in the CSO option.

11. The entire demand the Company received following its initial offering at the end of May was approximately 160 MW.

12. The result was that 100 MW of the CSO option was utilized and 60 MW of the PGE procured option was subscribed.

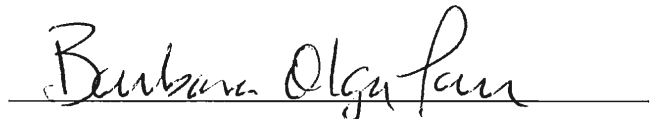
13. When customers declared their interest, most did not distinguish or identify the option in which they were interested. Only one customer indicated a desire to participate in the customer supplied option (CSO).

SIGNED this 3rd day of January, 2020.


Josh Halley

SUBSCRIBED AND SWORN to before me this 3rd day of January, 2020.




Barbara Olga Parr

Notary Public for Oregon

My Commission Expires: ,

April 25, 2021

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1953

In the Matter of

PORTLAND GENERAL ELECTRIC
COMPANY

DECLARATION OF
SCOTT GIBBENS

Investigation into Proposed Green Tariff

I, Scott Gibbens, declare under penalty of perjury under the laws of the State of Oregon:

1. My name is Scott Gibbens. I am a Senior Economist for the Public Utility Commission of Oregon ("Staff") in the Energy Rates, Finance and Audit Division.

2. On behalf of Staff, I was the witness in the docket addressing Portland General Electric's (PGE) proposed Green Energy Affinity Rider (GEAR) program.

3. As discussed at the October 22, 2019, public meeting, Staff's first concern with PGE's implementation of the CSO option is that it is inconsistent with Commission Order No. 19-072 (or Phase I Order). Staff's understanding of the CSO option is that the subscribing customer is tasked with identifying a resource and negotiating the contract based on the minimum requirements posted by PGE, which must then be brought to PGE for final approval. Staff also understood the resource to be procured to be distinct from the resource procured by PGE for the PGE Supply Option. Staff understood the CSO option to provide large, sophisticated customers with the freedom to source their own project, reducing the reliance of the program on PGE's monopsony power and protecting the wholesale market. Staff found PGE's implementation of the CSO option to be contrary to this construct.

4. As discussed at the October 22, 2019, public meeting, Staff's second concern with PGE's implementation of the Phase I Order was PGE's reshuffling of customers in the PGE Supply Option queue to the CSO queue. Specifically, Staff's concern was that CSO-participating customers initially contacted PGE with the intent to participate in the PGE Supply Option, as Staff

1 did not understand any GEAR program customer to indicate an intent or desire to procure their
2 own resource under the CSO. Staff understood PGE to have suggested CSO eligible customers in
3 the PGE Supply Option queue to move from the PGE Supply Option to the CSO, which resulted in
4 the third customer in the PGE Supply Option queue to move to the CSO, allowing other interested
5 customers to participate in the GEAR program.

6 5. To the best of my knowledge, the above statements are true and accurate.

7 I hereby declare that the above statements are true to the best of my knowledge and belief,
8 and that I understand it is made for use as evidence before the Public Utility Commission of
9 Oregon and is subject to penalty for perjury.

10
11 SIGNED this 30th day of December, 2019 at Salem, Oregon.

12
13 Signed: 

14 Scott Gibbens
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Portland General Electric
121 SW Salmon Street • Portland, Ore. 97204

PGE Green Future Impact
Letter of Interest

_____, 2020

Dear Portland General Electric Company,

I, _____, representing _____ hereby expresses ____ interest in participating in Portland General Electric Company's (PGE) Schedule 55, commonly known as Green Future Impact (GFI). More specifically, please consider this letter our request to be placed in the queue for the Customer Supplied Option (CSO) of the GFI and are specifically committing to:

- Amount: _____ MWh per year, prorated for partial years
- Term: _____ years (5 - 20 years)
- Point of Delivery: BPAT.PGE
- Resource: Must be:
 - o Technology: Renewable Energy Compliant with ORS 469A et seq.
 - o Location: In the WECC

We understand that there is limited availability for this product under the tariff and that it will be allocated on a first come first serve basis beginning December 1, 2019. We further understand that PGE requests return of this letter by March 23, 2020. Finally, we also understand that the availability of the product to us is conditioned upon the following:

- We will provide a draft PPA/qualifying resource that meets PGE's posted minimum PPA requirements, a copy of which is attached to this letter. If we are not able to provide the draft PPA by June 1, 2020, we will demonstrate to PGE's reasonable satisfaction that we are taking all commercially reasonable actions to obtain and provide such draft PPA. We understand that failure to provide a draft PPA or such satisfactory demonstration that we are taking all commercially reasonable actions to obtain and provide such draft PPA may result in removal from the queue.
- We understand that to finalize the PPA PGE will negotiate directly with the renewable energy supplier, and the PPA will be between PGE and the renewable energy supplier.

APPENDIX A



Portland General Electric
121 SW Salmon Street • Portland, Ore. 97204

- In accordance with the OPUC approved Schedule 55 tariff:
 - o We cannot purchase this product in an amount greater than our total PGE load.
 - o The product is only available to PGE Cost of Service customers.
- Concurrently with PGE's execution of the PPA, we will execute a binding subscription agreement with PGE, substantially in the form attached to this letter, that will identify the project site, point of delivery, facility technology, term and price.

Sincerely,

Signed By: _____

On behalf of: _____

Date: _____