BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 1505

In the Matter of PUBLIC UTILITY COMMISSION OF OREGON Solar Photovoltaic Pilot Program.	Renewable Northwest Project's Motion For Order Allowing Supplemental Comments in Response to Proposals to Reduce Capacity for April 1 Allocation **EXPEDITED HEARING REQUESTED**

Renewable Northwest Project (RNP) moves the Commission for an order allowing parties in this docket to submit one round of supplemental comments in order to respond to proposals by Staff, PacifiCorp, and Portland General Electric Company—made for the first time in their Closing Comments in Phase II of this docket—to significantly reduce the solar feed-in tariff capacity allocation scheduled for April 1, 2011. We have been informed by Stephanie Andrus that PUC Staff does not take a position on the motion. RNP circulated a draft of this motion to the other parties late yesterday. RNP has received no responses regarding the other parties' positions on the motion as of the time of filing. Due to the time constraints surrounding this motion, RNP has proceeded with filing.

To ensure that the timeline for filing additional comments will not delay the Commission's decision-making process, RNP also requests that the Commission set an expedited schedule for the supplemental comments and limit the comments only to issues related directly to the proposal described above and to the Volumetric Incentive Rate (VIR), with which the capacity reduction proposal is intertwined. The proposed timeline for submitting supplemental comments is Monday, March 14, 2011. This will leave two full

days for the Commission to review the comments before the public meeting on March 17, 2011.

In addition, RNP requests that the Commission confirm that parties will be permitted to address the Commission with respect to the capacity reduction proposal, as well as the VIR, at the March 17, 2011 public meeting. This request is particularly important if the Commission declines to allow supplemental comments, but RNP requests an opportunity to address the Commission orally with respect to this issue even if supplemental comments are allowed.

The reason for RNP's motion is that parties have not had the opportunity to respond to a major program change proposed for the first time in Closing Comments in UM 1505, Phase II. As background, Staff indicated in its Opening Comments in the UM 1505 docket that it would recommend a greater than 10% decline in the VIR at the public meeting in the separate proceeding to address the VIR.[1] In simultaneous Opening Comments, other parties highlighted stability and predictability of the April 1 enrollment as critical to the success of the program.[2] At a workshop following the Opening Comments, Staff appeared to acknowledge the importance of program stability and the difficulty that an unexpected and sudden VIR change would create for contracts already in place. Yet, neither Staff nor the utilities raised the possibility of a capacity reduction during the workshop. In Closing

[1] Opening Comments of PUC Staff, UM 1505 Phase II (February 11, 2011), page 3 ("Given the level of demand in the previous reservation windows, Staff believes that a decrease of more than 10 percent is appropriate and will make a recommendation for a rate reduction that is greater than 10 percent.").
[2] *See* Joint Opening Comments of RNP et al., Opening Comments of OREP, Opening Comments of ODOE and Energy Trust (all filed February 11, 2011).

Comments, Staff and the utilities made two different proposals for reducing April 1 capacity—Staff by 75% and the utilities by 50%.

RNP expected that, because this proposal was an alternative to the April 1 VIR reduction, that both the VIR and the capacity reduction would be eligible for comments at the March 17, 2011, hearing. When RNP learned that a decision in UM 1505 could be forthcoming before the March 17 hearing, and that the March 17 hearing might not permit comment the capacity reduction issue, RNP prepared this Motion.

RNP believes its proposals are a sensible way for parties to comment on the capacity reduction proposals. A capacity reduction could have a dramatic effect on individuals and solar businesses participating in the pilot program, and RNP believes that it is important for all parties to have a chance to respond.

DATED this 10th day of March, 2011.

ESLER, STEPHENS & BUCKLEY

By: /s/ John W. Stephens
John W. Stephens
Of Attorneys for Renewable Northwest Project

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **RENEWABLE NORTHWEST PROJECT'S MOTION FOR ORDER ALLOWING SUPPLEMENTAL COMMENTS IN RESPONSE TO PROPOSALS TO REDUCE CAPACITY FOR APRIL 1 ALLOCATION** on the following persons on March 10, 2011, by hand-delivering, faxing, e-mailing, or mailing (as indicated below) to each a copy thereof, and if mailed, contained in a sealed envelope, with postage paid, addressed to said attorneys at the last known address of each shown below and deposited in the post office on said day at Portland, Oregon:

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DATED this 10th day of March, 2011.

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