

BEFORE THE

PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of PORTLAND GENERAL ) UM 1953 - Phase II  
ELECTRIC COMPANY, )  
) CALPINE ENERGY  
) SOLUTIONS, LLC'S CROSS-  
Investigation Into Proposed Green Tariff ) EXAMINATION STATEMENT AND  
EXHIBITS

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Calpine Energy Solutions, LLC (“Calpine Solutions”) hereby submits its Cross-Examination Statement and Exhibits to the Public Utility Commission of Oregon (“OPUC” or “Commission”) in this proceeding.

**CROSS-EXAMINATION STATEMENT**

Based on the record and discovery at this time, Calpine Solutions intends to cross examine the following witnesses:

Witness(es): Karla Wenzel, Josh Halley, and Brian Faist<sup>1</sup>  
Party: Portland General Electric Company  
Anticipated time: 30 minutes

Calpine Solutions also reserves the right to ask follow-up questions of any witness who is cross-examined by another party, the Administrative Law Judge, or the Commissioners.

**CROSS-EXAMINATION EXHIBITS**

Calpine Solutions may use or move for admission of the following exhibits at the hearing, copies of which are attached hereto:

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<sup>1</sup> To efficiently prosecute the hearing, Portland General Electric, the Northwest and Intermountain Power Producers Coalition, and Calpine Solutions have agreed to use of this three-witness panel for purposes of the hearing even though the various rounds of pre-filed testimony of these witnesses was submitted through different two-witness panels.

| <b>Testimony/Exhibit</b> | <b>Description</b>  |
|--------------------------|---|
| Calpine Solutions/200    | PGE's Response to Calpine Solutions' Data Request No. 007 |
| Calpine Solutions/201    | PGE's Response to Calpine Solutions' Data Request No. 008 |
| Calpine Solutions/202    | PGE's Response to NIPPC's Data Request No. 007            |
| Calpine Solutions/203    | PGE's Response to NIPPC's Data Request No. 002            |

DATED: September 22, 2020.

RICHARDSON ADAMS, PLLC

/s/ Gregory M. Adams

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Of Attorneys for Calpine Energy  
Solutions, LLC

September 18, 2019

TO: Gregory M. Adams  
Richardson Adams, PLLC

FROM: Jay Tinker  
Director, Rates and Regulatory Affairs

**PORTLAND GENERAL ELECTRIC  
UM 1953  
PGE Response to Calpine Data Request No. 007  
Dated September 4, 2019**

**Request:**

**Reference PGE/500, Sims-Tinker/6: 1-2, stating, “Customers filled the subscription window for the 100 MW available in this option in under two minutes.” Did PGE contact individual customers in the Company-Procured PPA option or the Customer-supplied PPA option before the enrollment window opened to alert them to the program or to encourage that they enroll? If so, please identify the metrics that PGE used to determine which customers to contact, e.g., all eligible customers or some subset of customers such as customers already enrolled in PGE’s unbundled REC programs.**

**Response:**

Yes, PGE contacted specifically those individual customers who had been enquiring and engaging with PGE about green tariff programs. PGE also contacted customers that were publicly known to be subscribers of green products.

In April 2018, PGE announced that it was seeking approval for its Green Tariff in a news release. After Commission Order No. 19-075 approved the Green Tariff in March 2019, PGE posted a description of the Customer Supply Option including Power Purchase Agreement minimum requirements, along with an email contact for more information.

Customer demand is what led PGE to develop the green tariff, and PGE worked directly with customers in the development of the program and throughout the regulatory processes of UM 1690 and UM 1953. PGE/100 contains letters from several of these customers.

September 18, 2019

TO: Gregory M. Adams  
Richardson Adams, PLLC

FROM: Jay Tinker  
Director, Rates and Regulatory Affairs

**PORTLAND GENERAL ELECTRIC  
UM 1953  
PGE Response to Calpine Data Request No. 008  
Dated September 4, 2019**

**Request:**

**Does PGE share with ESSs data available to PGE regarding individual customers' level of participation in PGE's green energy programs procuring unbundled RECs for customers, and the level of expenditure of such customers in such programs? If not, does PGE agree that it possesses information related to such customers' financial commitment to green energy programs not available to ESSs?**

**Response:**

Yes, PGE publicly shares individual customers' enrollment in and platinum, gold, and silver-level commitments to its unbundled REC programs. PGE does not share, publicly or directly with ESSs, more granular MWh data regarding individual customers' level of participation.

Yes, PGE possesses information related to such customers' financial commitment to green energy programs. Nevertheless, PGE used publicly available information about those commitments, and about municipal clean energy targets, to prospect interest in the Green Tariff.

September 11, 2020

TO: Carl M. Fink  
Blue Planet Energy Law, LLC

FROM: Karla Wenzel  
Manager, Regulatory Strategy and Initiative

**PORTLAND GENERAL ELECTRIC  
UM 1953  
PGE Response to NIPPC Data Request No. 007  
Dated August 28, 2020**

**Request:**

Reference PGE Exhibit 800, p. 17, lines 2-4:

- a. Please specify the total number of customers that formally requested service under the GEAR program for Phase 1.
  - i. Please identify all such customers.
- b. Of the total number of customers identified in response to Question 2.a., how many of such customers were not previously customers on PGE's system?
  - i. Please identify all such customers.
- c. If any customers identified in response to Question 2.a., were already customers on PGE's system, did PGE assign new customer representatives to work with such customers on GEAR issues? For the purposes of this question, please interpret the term "customer representative" as any employee of PGE that routinely works with specified customers regardless of their official job title.
  - i. If so, please provide the names of the customer representative providing service with respect to standard cost of service offerings and with respect to the GEAR program.
- d. Please describe the accounting treatment and provide journal entries documenting how PGE segregates cost of administration for its GEAR Program, expressly including:
  - i. Labor
  - ii. Outside Services
  - iii. State & Federal Lobbying
  - iv. Marketing and business development
  - v. Legal costs

- vi. Credit and risk
  - vii. Billing and invoicing
  - viii. Regulatory matters.
- e. Please specify the total number of customers that have inquired about requested service under the GEAR program for Phase 2.
- i. Please identify all such customers.
  - ii. Please provide all documents, communications and analysis regarding estimated program demand.
- f. Of the total number of customers identified in response to Question 2.d., how many of such customers were not previously customers on PGE's system?
- i. Please identify all such customers.

**Response:**

- a. For the purposes of responding to this data request, PGE interprets "formally requested" as having submitted a Letter of Intent (LOI). The total number of customers who submitted a LOI for Phase 1 is 19, including 17 customers in the PGE-supply option and two customers for the Customer-supply Option (CSO). See PGE Exhibit 601 for the press release from August 2019 which contains the Phase 1 subscribers' names. The names of the two customers who submitted LOIs for the CSO have not been made public and are confidential customer information.
- b. PGE objects to this request on the basis that it requests protected customer information as PGE maintains the anonymity of customers in the queue. Notwithstanding this objection, of the 19 customers identified in Part A of this data request, one customer was not a PGE customer at the time they submitted their LOI.
- c. PGE did not assign any new customer representatives to work with the customers identified in PGE's response to Part A of this data request. An existing (non-incremental staff) product developer with thorough knowledge of the program provided information to customers on the GEAR. Their name is provided as Attachment 007-A, which is protected information and subject to Protective Order No. 18-260.
- d. Upon Commission approval of PGE Schedule 55, on March 25<sup>th</sup>, 2019, PGE began tracking administration costs associated with offering the GEAR.<sup>1</sup> Prior to March 25<sup>th</sup> 2019, development costs were not accounted for separately, as they were covered in base rates according to standard product development practice.
  - PGE is tracking its actual costs using an Accounting Work Order beginning March 25, 2019. Actual costs tracked through August 31, 2020 are provided as Confidential Attachment 007-B. Attachment 007-B is protected information subject to Protective Order No. 18-260.

<sup>1</sup> More specifically, PGE began this tracking with its next pay period beginning April 1, 2019.

- In preparing to respond to this data request, we learned that a couple of PGE employees inadvertently did not begin tracking their labor related to the GEAR offering, until September 8, 2020. However, PGE has determined the approximate amount of those employees' time from March 25, 2019 until September 8, 2020, and has included that amount with the actuals listed in Confidential Attachment 007-B.
- PGE will apply the amount collected as Schedule 55 administrative costs to our forecast of Other Revenue in PGE's next general rate case in order to avoid double collecting these costs in rates. The following address the specific categories requested based on costs incurred since March 25, 2019:
  - i. Labor – All applicable labor costs associated with the GEAR are represented in the following categories of this response.
  - ii. Outside Services – PGE has not incurred, and does not plan to incur, outside service costs (i.e. non-labor costs for professional services provided by third-party entities) associated with the GEAR. If PGE were to incur any such costs, they will be a de minimis expense.
  - iii. State & Federal Lobbying – These costs are non-utility costs; they are not recovered from PGE customers, are excluded from rates, and will not be included in the GEAR.
  - iv. Marketing and business development – Applicable labor and material costs associated with Marketing and Business Development are being tracked through PGE's accounting system.
  - v. Legal costs – PGE objects to this request to the extent it seeks information that is subject to the attorney-client privilege or the attorney work product privilege. Notwithstanding the foregoing objection, PGE legal labor costs are not incremental for the GEAR. These costs represent regular ongoing activity that is recovered in base rates.
  - vi. Credit and risk – Applicable labor and material costs associated with Credit and Risk are being tracked through PGE's accounting system. This category also includes resource procurement.
  - vii. Billing and invoicing – PGE anticipates customers will not be billed for this product until January 2022 at the earliest, and as such, no billing and invoicing costs have been incurred. All relevant billing and invoicing costs incurred in 2021 will be tracked through PGE's accounting system.
  - viii. Regulatory matters – PGE regulatory labor costs are not incremental for the GEAR. These costs represent regular ongoing activity related to achieving Commission approval of programs and associated regulatory cost recovery and are recovered in base rates.
- e. PGE objects to this request on the basis that it requests protected customer information, that the request is not calculated to lead to the discovery of admissible evidence, and to the extent it causes undue burden. The names of customers that have inquired about service under the GEAR program for tranche 2 are confidential customer information.

Notwithstanding the objection that it is unduly burdensome, PGE has had preliminary verbal conversations with 14 customers about the potential for additional GEAR capacity.

- f. PGE assumes that NIPPC intended to refer to response to Part E rather than Part D. All of the 14 customers referenced in Part E are current PGE customers.



June 22, 2018

TO: Carl M. Fink  
Blue Planet Energy Law, LLC

FROM: Karla Wenzel  
Manager, Pricing & Tariffs

**PORTLAND GENERAL ELECTRIC  
UM 1953  
PGE Response to NIPPC Data Request No. 002  
Dated June 08, 2018**

**Request:**

**Reference PGE Exhibit 201, page 2, “Applicability”, and PGE Exhibit 200, p. 4, lines 19-23:**

- a. Please explain in detail why PGE chose 30 kW for a threshold to participate in the green tariff program. Did PGE consider or perform any analysis of anticipated impact on the program from selecting a higher or lower threshold? If so, please provide.**
- b. Is PGE intending to contemporaneously lower the threshold for its Direct Access Programs to 30 kW? If not, please describe how selection of this threshold is consistent with the obligation for green tariff terms to mirror Direct Access offerings.**

**Response:**

- a. Residential customers and nonresidential customers 30 kW and below have portfolio options available within Schedules 7 and 32 with renewable options as required by ORS 757.603. The green tariff is meant to be available to those customers not covered by the renewable portfolio options.
- b. No. PGE does not intend to lower the threshold for Direct Access Programs, as the proposed green tariff does not represent an opt-out from cost of service rates. Currently, all nonresidential customers are eligible to purchase electricity from an alternate provider.<sup>1</sup> This opt-out selection is made during an annual window. Customers with greater than 1aMW of load are eligible to opt-out for multiple years at a time, while customers who are below that threshold must select their direct access participation on a yearly basis.

<sup>1</sup> [https://www.puc.state.or.us/Pages/electric\\_restruc/consumer/nonres.aspx](https://www.puc.state.or.us/Pages/electric_restruc/consumer/nonres.aspx)