

**PUBLIC UTILITY COMMISSION OF OREGON  
INTRAOFFICE CORRESPONDENCE**

DATE: April 30, 2024  
TO: Caroline Moore  
FROM: Ted Drennan  
SUBJECT: Verification of Pacific Power's (PacifiCorp or Company) Compliance Filing pursuant to Order No. 24-036 in UM 2032 effective March 15, 2024. Docket UM 2032.

In Order No. 23-005 the Public Utility Commission of Oregon (Commission) directed the Oregon-jurisdictional utilities to “develop and make filings, as necessary, to facilitate a QF’s ability to pay for both ERIS and NRIS analysis.” The utilities were also directed to “negotiate a non-standard contract implementing a QF's decision, after review of both ERIS and NRIS reports, to interconnect with a host utility using ERIS[.]” Order No. 23-164 denied motions for rehearing, and clarified Order No. 23-005.

The Joint Utilities (Idaho Power, PacifiCorp, and Portland General Electric) submitted compliance filings on September 9, 2023, with an errata on November 8, 2023. Stakeholders filed initial comments on November 22, 2023, and the Joint Utilities along with other stakeholders filed reply comments on January 5, 2024. The Commission addressed the compliance filings at the February 6, 2024, public meeting and issued Order No. 24-036 approving the compliance filings subject to Staff’s recommendations, with modifications. These recommendations included:

1. Remove the requirement that QF's attest that they understand the "consequences" of selecting ERIS prior to executing a Facilities Study Agreement,
2. Allow a minimum of 120 days from receipt of the draft QF-LGIA for negotiating a non-standard PPA, and
3. Allow optional 30-day extensions for negotiating non-standard PPAs<sup>1</sup>

On March 21 PacifiCorp submitted a compliance filing to meet with the requirements of Order No. 24-036. Following that, the Company made errata filings on April 22, 2024 and April 23, 2024 to address concerns Staff raised. To comply with the Commission directive, the Company adjusted the Applicability included in its Non-Standard Avoided Cost Rates Schedule, striking the following language:

If the QF elects to be studied for Energy Resource Interconnection Service, the QF must provide an attestation to the Company’s transmission function that it intends to negotiate a power purchase agreement, and the attestation must be provided to the Company’s transmission function before the QF executes an interconnection facilities study agreement.

The Company edited the Applicability section to allow for 120 days of PPA negotiations with optional mutually-agreed upon 30-day extensions, as included in the Company’s April 22 errata filing.<sup>2</sup>

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<sup>1</sup> Staff’s language conditioned the 30-day extension on an “if-needed” basis, which the Commission replaced with “upon agreement of both parties.” See Order NO 24-036, page 1.

<sup>2</sup> See PacifiCorp’s April 22, 2024, filing, page 1.

Finally, the Company also revised Article 11.3 of the QF-LGIP, to include the 120-day time period to execute a power purchase agreement, subject to mutually agreed upon 30-day extensions; included in the April 23 errata.<sup>3</sup>

As part of the verification, Staff reviewed the Company filing which included the revised QF-LGIP and Non-Standard Avoided Cost Rates Schedule for completeness and accuracy. Staff confirmed the included documents removed the attestation requirements, and incorporated the required changes in the QF-LGIP.

Staff filed no information requests as the filing included all requisite documents to perform the analysis and review. Staff finds that all of the revisions are correct.

Based on the review of the Company's application, Staff concludes that PacifiCorp's Standard PPA forms and Non-Standard Avoided Cost Rate Schedule filed on March 21, 2024, and amended in the April 22-23 errata filings consistent with the requirements included in Order 24-036.

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<sup>3</sup> See PacifiCorp's April 23, 2024, filing, page 1.