

May 19, 2020

Via Electronic Filing

Public Utility Commission of Oregon
Attn: Filing Center
PO Box 1088
Salem, OR 97308-1088

Re: UM 2051 - Fossil Lake Solar, LLC v. Portland General Electric Company

Attention Filing Center:

Enclosed for filing today in the above-named docket is the Declaration of Brett Greene in Support of Portland General Electric Company's Motion for Summary Judgment.

Thank you for your assistance.

Very truly yours,



Jeffrey S. Lovinger

Attachment
1001284

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

UM 2051

FOSSIL LAKE SOLAR, LLC,

Complainant,

vs.

PORTLAND GENERAL ELECTRIC
COMPANY,

Defendant.

**DECLARATION OF BRETT
GREENE IN SUPPORT OF
PORTLAND GENERAL
ELECTRIC COMPANY'S
MOTION FOR SUMMARY
JUDGMENT**

I, Brett Greene, declare:

1. I am the Director of the Structuring and Origination Department at Portland General Electric Company ("PGE"), and I make this declaration in support of PGE's Motion for Summary Judgment. The following statements are true and correct and, if called upon, I could competently testify to the facts averred herein.

2. I received a Bachelor of Science degree in Business Administration from the University of Portland in 2000. I received a Master of Science in Taxation from Golden Gate University in 2009. I joined PGE in 2010 as Tax Manager and was Director of Corporate Finance, Tax and Assistant Treasurer from August 2012 to April 2016. Since April 2016, I have held the title of Director of Structuring, Origination and Strategic Analytics

3. PGE and Fossil Lake Solar, LLC ("Fossil Lake") entered into a Standard Renewable Off-System Variable Power Purchase Agreement (the "PPA") effective April 29, 2015. PGE has signed PPAs with other Qualifying Facilities using the same PPA form.

4. I have completed a study showing the harm to PGE's customers that would occur from withdrawing PGE's termination notice and reinstating the PPA. The estimated harm to customers is \$10.5 million. The financial impact is estimated in nominal dollars.

5. To estimate the financial impact of withdrawing the termination notice, I multiplied the estimated facility output in kWh (per Exhibit A of the PPA) times the difference in prices between the PPA (Schedule 201 effective December 17, 2014) and the Schedule 201 prices effective April 24, 2019. The calculations use monthly on & off-peak facility output and on & off-peak pricing (by month, by year of the fixed price contract period).

6. This method uses a direct comparison of replacing the terminated Qualifying Facility PPA with a new Qualifying Facility Schedule 201 PPA at the prices in effect when the Fossil Lake PPA was terminated.

7. My analysis assumes the facility begins delivery of net output on June 1, 2021. I made this assumption because of Fossil Lake's response to PGE Data Request No. 10(B). That data request asked: "When does Fossil Lake expect to begin initial delivery of Net Output from the Facility to PGE? What is the basis for this expectation?" In response, Fossil Lake stated: "If Fossil Lake can obtain from BPA the required transmission capacity between the Fort Rock and LaPine substations, then Fossil Lake expects to begin initial deliveries from the Facility to PGE on or about June 1, 2021." A copy of the relevant portion of Fossil Lake's Objections and Responses to PGE's First Set of Data Requests is attached as Exhibit 2 to the Declaration of Rebecca Dodd filed in support of PGE's motion for summary judgment in this proceeding.

8. Exhibit A to this declaration provides a summary of my analysis of economic harm to PGE's customers if PGE is required to reinstate the terminated Fossil Lake PPA.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 18th day of May, 2020.



Brett Greene

998243

Fossil Lake Solar, LLC v. Portland General Electric Company
Docket No. UM 2051

Payment Comparison: Current Avoided Costs vs. Fossil Lake Avoided Costs			
Year	Current Avoided Cost (eff. 4-24-19)	Fossil Lake Avoided Cost (eff. 12-17-14)	Difference (customers overpay)
2021	\$ 613,284	\$ 1,361,941	\$ 748,658
2022	\$ 852,773	\$ 2,206,449	\$ 1,353,676
2023	\$ 936,392	\$ 2,249,295	\$ 1,312,903
2024	\$ 1,002,190	\$ 2,292,997	\$ 1,290,807
2025	\$ 1,265,700	\$ 2,349,168	\$ 1,083,468
2026	\$ 1,290,995	\$ 2,402,944	\$ 1,111,949
2027	\$ 1,316,795	\$ 2,451,158	\$ 1,134,363
2028	\$ 1,339,880	\$ 2,490,853	\$ 1,150,972
2029	\$ 1,369,952	\$ 2,560,123	\$ 1,190,170
2030	\$ 246,536	\$ 388,872	\$ 142,336
Total	\$ 10,234,498	\$ 20,753,800	\$ 10,519,302

Fixed Price ends March 31, 2030. 2030 is a partial year.

Analysis compares prices beginning June 1, 2021 (i.e., Fossil Lake's estimated initial delivery date).