

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2322

PILOT ROCK SOLAR 1, LLC; PILOT
ROCK SOLAR 2, LLC; TUTUILLA SOLAR,
LLC; BUCKAROO SOLAR 1, LLC; and
BUCKAROO SOLAR 2, LLC,

Complainants,

v.

PACIFICORP, dba PACIFIC POWER,

Defendant.

RENEWABLE ENERGY
COALITION'S
PETITION TO INTERVENE

Pursuant to ORS 756.525 and OAR 860-001-0300(2), the Renewable Energy Coalition (the "Coalition") petitions the Oregon Public Utility Commission (the "Commission") to intervene and appear with full party status. In support of this petition to intervene, Coalition provides the following information:

The name and address of the Coalition is:

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Sanger Law, PC will represent the Coalition in this proceeding. All documents relating to these proceedings should be served on the following persons at the addresses listed below:

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The Complainants support this Petition to Intervene.

The Coalition was established in 2009 and is comprised of over forty members that are both small and large qualifying facilities (“QFs”), including many Oregon Community Solar Program (“CSP”) projects, who own and operate over fifty renewable energy generation facilities in Oregon, Idaho, Washington, Utah, and Wyoming. Several types of entities are members of the Coalition, including irrigation districts, water districts, corporations, and individuals. The majority of the individual QFs are small hydroelectric projects, but the membership includes biomass, solar, geothermal, and waste energy. Most of the Coalition’s members operate existing projects that have been operating and selling to Oregon utilities for numerous years, but many of the members are developing or planning to develop new projects. Sunthurst Energy, LLC is a member of the Coalition. Complainants are owned and managed by Sunthurst Energy, LLC.

The Coalition has a substantial interest in this proceeding because the Commission’s interpretation of its standardized interconnection agreement (“IA”) provisions regarding a QF’s contractual right to seek modification of the IA appears to be a matter of first impression. As such, the decisions made in this case could have significant precedential

impacts on Oregon's overall interconnection policies. In addition, the Coalition has a substantial interest in the resolution of various interconnection, IA, and PPA obstacles and challenges facing QFs and CSP projects in Oregon. The Coalition is separately involved in generic dockets regarding interconnection, but its ability to meaningfully participate and advance workable interconnection policies will be materially impaired if it cannot intervene and participate in this significant and related matter. While the Coalition expects its interests to be fully aligned with Complainants on the specifics of this case, the Coalition's interests in the relevant policy matters and implementation of recently adopted policy decisions may not be adequately represented by any other party in this proceeding.

Further, the Coalition has an interest in this proceeding because many of its members have a parallel situation to the Complainants that will be directly or indirectly affected by the proceeding's outcome. Based on its review of the First Amended Complaint, the Coalition identifies the following obstacles PacifiCorp imposes that directly or indirectly affect its members. First, PacifiCorp is requiring many of the Coalition's members to install direct transfer trip, which may be unnecessary. Many, if not all, of the Coalition's members with Community Solar Program IAs have experienced delayed commercial operation dates and other interconnection related concerns or disputes with PacifiCorp, including increased timelines and accelerated milestone payments. The Coalition is not aware of PacifiCorp recently agreeing to accept payment after commercial operation. Many of the Coalition's members have experienced PacifiCorp withholding Power Purchase Agreements. Many of the Coalition's members have an interest in installing battery energy storage. The Coalition has an interest in the rectification of the cumulative harm of PacifiCorp's obstacles to the Community Solar Program.

The Coalition has participated in numerous regulatory proceedings related to the Public Utility Regulatory Policies Act and Community Solar Program. The Coalition's legal counsel has participated in numerous Commission proceedings and investigations regarding Oregon's investor owned utilities, including PacifiCorp. The Coalition's intervention will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay this proceeding.

WHEREFORE, the Coalition respectfully requests that the Commission grant its petition to intervene with full party status in this proceeding and to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, cross-examine witnesses, present argument, and to otherwise fully participate in the proceedings.

Dated this 17th day of May 2024.

Respectfully submitted,



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Of Attorneys for the Renewable Energy Coalition