



Bureau of Planning and Sustainability
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December 16, 2015

To: Oregon Public Utility Commission Filing Center
Re: AR 593

The City of Portland is submitting these comments in support of the rulemaking requested by Obsidian Renewables in AR 593. Portland agrees that it is important to have clear and fair administrative rules in Oregon concerning the terms and conditions of power sales from renewable qualifying facilities (QFs) under PURPA.

Portland is committed to furthering the State of Oregon's policy of increasing renewable electricity generation and displacing fossil-fuel based generation. In April, 2015, Portland City Council adopted the 2015 Climate Action Plan (CAP), which guides the majority of the City's climate and energy work. The policy objectives and actions contained in the Climate Action Plan provided the basis for Portland's interest in UM 1734 and subsequently, in this proceeding.

Specifically, Objective 3 of the CAP directs the City and County to supply 50 percent of all energy used in buildings from renewable resources, with 10 percent produced within Multnomah County from on-site renewable sources, such as solar, by 2030.

The actions that implement this objective include:

Action 3A: Electricity supply

a) Collaborate with Portland General Electric, Pacific Power, customers and stakeholders to reduce the carbon content in Portland's electricity mix by 3 percent per year.

b) Communicate with utilities and the Oregon Public Utility Commission on the critical importance the City and County place on reducing the carbon content of electricity delivered to the City, County and other customers.

Action 3B: Installed Solar and Solar Access

Add another 15 megawatts of installed solar photovoltaic capacity. Motivate and assist households and businesses throughout the community to install solar. Revisit City solar access policy and regulations, recognizing changing conditions due to the proliferation of residential rooftop solar energy systems.

Action 3C: Community Solar

Support the development of community solar projects that benefit all residents, particularly communities of color and low-income populations.

Action 3D: Renewable energy policy

Participate in statewide policy discussions to expand the market in Oregon for renewable energy, including solar, wind, geothermal, biogas and biomass, and remove barriers to widespread participation in renewable energy programs like community solar.

The City of Portland believes that PURPA can and should be an essential part of meeting Oregon's and Portland's policy goals.



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City of Portland has reviewed the legal arguments raised by Obsidian and agrees with the conclusion that the Oregon Administrative Procedures Act compels this matter to be treated as a rulemaking.

Beyond the legal arguments, Portland agrees with Obsidian that the terms and conditions of PURPA sales should be established through a rulemaking process. The issues at stake are broad policy decisions that are better suited to a rulemaking process, rather than a contested-case proceeding. A rulemaking procedure would give the City of Portland -- and other interested stakeholders -- a more appropriate venue to make the broader policy arguments that prompted us to intervene in UM 1734 in the first place.

The City of Portland will participate meaningfully in the rulemaking process by and through staff with considerable expertise in the solar and renewable energy markets. A rulemaking process will yield a more transparent, democratic and better-informed policy with respect to the appropriate terms and conditions for QFs under PURPA.

Thank you for the opportunity to submit these comments.

Respectfully,



Andria Jacob
Senior Manager, Energy Programs and Policy

