

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1987

In the Matter of	)	
	)	STATUS REPORT
PORTLAND GENERAL ELECTRIC COMPANY,	)	
	)	
Request to Update Schedule 201 and Standard Power Purchase Agreements.	)	
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Portland General Electric Company initiated the above-captioned docket in December 2018 to amend its Standard Power Purchase Agreement offered to qualifying facilities under the Public Utility Regulatory Policy Act (PURPA). In November 2019, the Northwest and Independent Power Producers Coalition (NIPPC), Renewable Energy Coalition (REC), and Community Renewable Energy Association (CREA), asked the Commission to stay this proceeding to allow the Commissions’ rulemaking on standard contracting terms and process (Docket No. AR 631) to go forward. The Commission granted the request to stay Docket No. UM 1987 on December 23, 2019.

On December 31, 2020, Portland General Electric Company (PGE) asked to lift the Commission’s previously imposed staff of the above-captioned proceeding, citing the lack of progress in Docket No. AR 631. The Commission denied PGE’s request on February 19, 2021, but ordered Staff to file progress reports regarding Docket No. AR 631 on April 16 and August 30, 2021. The Commission stated that if rules were not yet filed with the Secretary of State by August 30, 2021, Staff should include a proposed procedural schedule for UM 1987 that led to a final resolution of the docket in the first quarter of 2022.

At the Commission’s Regular Public Meeting on August 24, 2021, Staff presented an informational update on the status of AR 631. Staff noted that it had intended to present draft rules to the Commission on that day and recommend the Commission submit the rules to the

1 Secretary of State for publication in the Oregon Bulletin to commence the formal rulemaking  
2 process. However, Staff had concluded that continuing the informal process to allow additional  
3 refinement of the draft rules would be very beneficial and would ultimately result in a more  
4 efficient formal rulemaking process.

5 All parties submitting comments in the informal rulemaking process conducted by Staff  
6 supported delaying the start of the formal rulemaking process to allow further refinement of the  
7 draft proposal rules.<sup>1</sup> The Joint Utilities, which include PGE, commented as follows:

8 [T]he Joint Utilities suggest that Staff recommend that the Commission delay  
9 the start of the formal rulemaking process to allow one additional round of  
10 written comments. This additional process will ensure that the Draft Rules are  
11 better developed before the formal rulemaking process begins. The Joint  
12 Utilities recognize that Staff is under instructions to submit these rules to the  
13 Commission as soon as possible, and that Staff's timing has been responsive  
14 to concerns previously expressed by the Joint Utilities. However, based on  
15 present circumstances, the Joint Utilities believe an additional round of  
16 comments would benefit Staff, stakeholders, and the Commission in their  
17 efforts to modernize and update the QF PPA process and terms and  
18 conditions.<sup>2</sup>

19 Following Staff's Status Update filed on August 30, 2021, the ALJ issued a Memorandum  
20 stating that in the event that Staff is not ready to propose final draft rules in September, Staff  
21 should instead provide an update no later than the September 21, 2021 Regular Public Meeting.

22 Staff is not proposing final draft proposed rules at the September 21, 2021 Regular Public  
23 Meeting, but instead is continuing to work on draft proposed rules with stakeholders. Staff  
24 circulated revised draft rules to stakeholders on September 3, 2021. Stakeholders filed  
25 comments regarding the revised draft on September 20, 2021. Staff is hosting a workshop on  
26 September 22, 2021 to discuss the previously circulated revised draft and parties comments.

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23 <sup>1</sup> The Oregon Solar + Storage Industries Association, NewSun Energy, LLC, the Renewable  
24 Energy Coalition, the Community Renewable Energy Association, and the Northwest and  
25 Intermountain Independent Power Producers, PGE, PacifiCorp, and Idaho Power Company each  
26 filed three rounds of comments regarding draft proposed rules during the informal process  
conducted in 2021.

<sup>2</sup> AR 631 Joint Utilities Comments in Response to Staff's Draft Rules, pp. 5-6 (August 12,  
2021).

1 Following the workshop Staff will consider whether the draft rules would benefit from another  
2 round of comments. In any event, however, Staff will file proposed final draft rules at the next  
3 regular public meeting on October 5, 2021, or at the second regular public meeting in October on  
4 October 21, 2021.

5 DATED this 21<sup>st</sup> day of September, 2021.

6 Respectfully submitted,

7 ELLEN F. ROSENBLUM  
8 Attorney General

9 */s/ Stephanie Andrus*

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12 Of Attorneys for Staff of the Public Utility  
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