

BEFORE THE
PUBLIC UTILITY COMMISSION OF OREGON

UM 1725

In the Matter of)
)
IDAHO POWER COMPANY)
)
Motion for Temporary Stay of Its Obligation to)
Enter Into New Power Purchase Agreements)
With Qualifying Facilities)
)
)

**PETITION TO INTERVENE OF
GARDNER CAPITAL SOLAR
DEVELOPMENT, LLC**

Gardner Capital Solar Development, LLC (“Gardner Solar”) hereby petitions the Public Utility Commission of Oregon (“Commission”), pursuant to ORS § 756.525 and OAR 860-001-0300, to intervene in the above captioned proceeding and to appear and participate as a party. In support of its petition, Gardner Solar states the following:

1. The name and address of the Intervenor is:

c/o Joseph Benga
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2. Gardner Solar will be represented in this docket by:

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3. Copies of all pleadings, production requests, production responses, Commission orders and other documents in this proceeding should be provided to the following:

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4. Gardner Solar will be affected by the outcome of this proceeding and its interests cannot be represented by any other party. As background, Gardner Solar is a leading developer of utility scale solar projects that is developing solar projects in the state of Oregon. Gardner Solar is the direct owner and developer of a number of qualifying facility solar projects for which it submitted formal requests to Idaho Power Company (“Idaho Power”) for standard power purchase contracts pursuant to Oregon Schedule 85 on April 7, 2015. In response, Idaho Power informed Gardner Solar that it had decided to suspend its obligation to enter into Schedule 85 contracts. Idaho Power also stated that it had filed a Motion For Temporary Stay of its Obligation to Enter into New Power Purchase Agreements with Qualifying Facilities (“Motion”) in this docket. On information and belief, Idaho Power directly refers to the five solar projects related to Gardner Solar’s Schedule 85 requests on page 4 of its Motion, lines 10-12.

5. Idaho Power also filed an “Application to Lower Standard Contract Eligibility Cap and to Reduce the Standard Contract Term,” and “Application for Approval of Solar Integration Charge,” and an “Application for Change in Resource Sufficiency Determination” (the “Applications”).
6. Without the opportunity to intervene, Gardner Solar would be without any means to participate in this proceeding, which materially impacts Gardner Solar. Disposition of the Applications could also have an impact on future development opportunities.
7. Resolution of the Motion will have an impact on Gardner Solar’s ability to go forward with the development of current solar power projects in Oregon. In particular, Gardner Solar wishes to note for the record the need for an expedited decision regarding the Motion because of project development timelines and the benefits from meeting deadlines for eligibility for federal investment tax credit. Gardner Solar will address the merits of the Motion in a separate filing.
8. It is in the public interest to grant Gardner Solar’s Petition to Intervene and granting this request will not unduly broaden the issues or prejudice any party to this proceeding.

WHEREFORE, Gardner Solar respectfully request that the Commission grant its
Petition to Intervene with full party status in this proceeding.

FOLEY & LARDNER LLP

By /s/ Thomas McCann Mullooly
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Dated May 13, 2015.

Attorneys for Gardner Capital Solar Development, LLC

Certificate of Service

I hereby certify that I have on this day served by email a true and correct copy of the foregoing document upon each person designated on the service list in Docket UM 1725.

Dated at Washington, D.C., this 13th day of May, 2015.

/s/ Kurt Rempe
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Docket No: UM 1725 **Docket Name:** IDAHO POWER STANDARD CONTRACT ELIGIBILITY CAP

[Print Summary](#)

Subject Company: [IDAHO POWER COMPANY](#)

In the Matter of IDAHO POWER COMPANY, Application to Lower Standard Contract Eligibility Cap and to Reduce the Standard Contract Term, for Approval of Solar Integration Charge, and for Change in Resource Sufficiency Determination; Filed by Lisa F....

Filing Date: 4/24/2015

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