

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2009

MADRAS PV1, LLC,
Complainant,

vs.

PORTLAND GENERAL ELECTRIC
COMPANY,
Defendant,

Pursuant to ORS 756.500.

SUPPLEMENTAL
RULING

DISPOSITION: ADDITIONAL ISSUES ADDRESSED; INFORMATION PROVIDED

On February 7, 2020, I issued a ruling in this docket addressing several outstanding procedural issues. That ruling granted in part Portland General Electric Company's January 3, 2020, motion to amend its answer and complaint. The ruling also reviewed and clarified my ruling of December 9, 2019, per the January 17, 2020, request of Madras Solar. Finally, the ruling determined that given the limited nature of the impact of PGE's amendment to the issues in question in the proceeding, no change in the procedural schedule was warranted.

This supplemental ruling addresses two additional issues that my ruling of February 7, 2020, did not address given the need to rule on the motion to amend the counterclaim and the motion for clarification consistent with the procedural schedule. Also, given the haste which the ruling of February 7, 2020, was issued, I provide additional explanation for the portion of that ruling addressing the denied counterclaim regarding facility study costs.

First, in its January 21, 2020, response to PGE's motion to amend its answer and counterclaim, Madras Solar requested the imposition of penalties for a violation of a Commission order, under ORS 756.990.¹ Madras argues that PGE's proposed amendments attempt to resolve interconnection disputes in violation of a Commission order, prior to the completion of the QF-LGIP process. PGE argues that Madras Solar cannot claim that PGE bypassed the informal dispute resolution process, because Madras Solar brought interconnection issues into this case.

¹ Madras Solar Response to PGE's Motion to Amend Answer and Counterclaim and Request for Imposition of Penalties for Violation of Commission Order Under ORS 756.990 (Jan 21, 2020)

Madras Solar's request for the imposition of penalties is denied. PGE's counterclaim request was made consistent with a reasonable reading of my rulings regarding the scope of this docket.

Second, on February 5, 2020, PGE filed a supplemental response to Madras Solar's motion for clarification, to which Madras Solar objected.²

PGE's request to provide a supplemental response is granted.

Finally, my ruling of February 7, 2020, denied PGE's request to amend its complaint to request that the Commission conclude Madras Solar is obligated to pay for the costs identified in the Facilities Study. In doing so, I stated that the studies have not been completed and submitted into this docket. It is my understanding that the Facilities Study included with PGE's amended counterclaim is not yet final. Accordingly, I denied the request of PGE as inconsistent with ORCP 18, which requires a statement or amount for damages. In this case, I determined that the requested interconnection costs which PGE seeks to impose are not finalized and hence the relief requested by PGE is not yet known, and will not be known until the Facilities Study is finalized. I intended to include this additional explanation with my ruling of February 7, 2020, but failed to do so given the haste with which I issued the ruling.

Dated this 10th day of February, 2020, at Salem, Oregon.



Nolan Moser
Chief Administrative Law Judge

² PGE Supplemental Response to Madras Solar's Motion for Clarification (Feb 5, 2020)