

ORDER NO. 11 375

ENTERED SEP 27 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

TANNER CREEK ENERGY,

Request for Waiver of 12-Month
Installation Requirement
(OAR 860-084-0210 (1))

ORDER

DISPOSITION: APPLICATION APPROVED

On September 9, 2011, Tanner Creek Energy filed an application with the Public Utility Commission of Oregon (Commission) under OAR 860-084-0210 (1) requesting a waiver of the 12 month installation requirement.

A full description of the filing, its procedural history, and Staff's recommendation are contained in the Staff Report, attached as Appendix A and incorporated by reference.

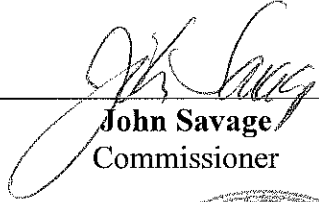
At its Public Meeting on September 20, 2011, the Commission adopted Staff's recommendation to grant an extension to November 30, 2011.¹

¹ Staff's Report contained a typographical error. The Staff Recommendation on page 1 should have stated the date of November 30, 2011, as identified in the Proposed Commission Motion on page 2.

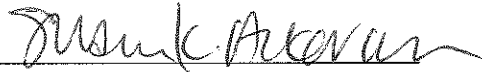
ORDER

IT IS ORDERED that the Tanner Creek Energy's request for waiver of the 12-month installation requirement for the proposed Solar Photovoltaic system is approved, and the deadline is extended to November 30, 2011.

Made, entered, and effective SEP 27 2011.



John Savage
Commissioner



Susan K. Ackerman
Commissioner



A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

ITEM NO. 9

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT**

PUBLIC MEETING DATE: September 20, 2011

REGULAR X CONSENT _____ EFFECTIVE DATE September 20, 2011

DATE: September 12, 2011

TO: Public Utility Commission

FROM: Moshrek Sobhy *MS*

THROUGH: *MG* Lee Sparling, *MS* Maury Galbraith, and *MG* Lori Koho *LK*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No.UM 1538)
Request by Tanner Creek Energy for a waiver of the 12-month solar system installation requirement pursuant to OAR 860-084-0210 (1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the waiver request to Tanner Creek Energy and extend the installation deadline to November 15, 2011.

DISCUSSION:

On September 8, 2011, Tanner Creek Energy (TCE) submitted its waiver request for two Solar Photovoltaic (SPV) systems on behalf Williams Hudson Bay Farm. The proposed systems are 10 kW each. Pacific Power and Light (PPL) awarded capacity reservations for the two systems on October 5, 2010, and October 14, 2010, under tracking nos. 5840093 and 5484073, respectively.

TCE summarized the factors contributing to its inability to meet the 12-month installation requirement for these two systems as follows:

- Harvest and irrigation factors forced a late summer installation window.
- Colder than normal weather pushed out harvesting schedules two to three weeks beyond the anticipated schedule.
- The relatively remote locations impose longer construction schedules and more time to coordinate with local building authorities and utility crews.

Docket No. UM 1538 (Tanner Creek Waiver)
September 12, 2011
Page 2

Specifically, TCE provides that because of required field access during the cultivation and harvest season, construction could not begin earlier. Moreover, coordination with local utility crews for assistance in scheduling shutdown and cutover efforts could be relatively time consuming in remote areas. According to TCE, when a system is set to "go live," the circuit must be shut down to allow for the addition of the PV system to the customer's panel as well as installing the revenue grade bi-directional meter. The issue is not about the technical aspect of these activities but rather it is with respect to scheduling and dispatching utility personnel to remote areas. Also, TCE indicates that similar delays should be taken into account with respect to scheduling building and electrical inspections with local permitting authorities.

Furthermore, Williams Hudson Bay Farm is located in the eastern part of the State where scheduled irrigation is critical as the crops near harvest. An extended irrigation shutdown was not an option. Due to the anticipated delay by the above factors, TCE is requesting a 45-day extension to install the proposed SPV systems.

On September 9, 2011, TCE provided additional information demonstrating applicant's commitment to install the proposed systems by the original deadlines. The supporting information included the systems' design plans, Solar Access and Shade Reports for the proposed sites, and an installation schedule showing the project's timeline for permitting, construction, inspection and testing. TCE also indicated that it has compiled all the supplemental information required by Umatilla County for the zoning review, building permit and electrical permit.

OAR 860-084-0000(3) provides:

"The Commission may waive any of the rules contained in Division 084 for good cause."

Based on this information, Staff agrees that TCE has demonstrated a good cause for the waiver request. Staff recommends extending the installation deadline to November 30, 2011.

PROPOSED COMMISSION MOTION:

TCE's request for waiver of the 12-month installation requirement for the two SPV systems be granted and the deadlines be extended to November 30, 2011.

UM 1538. Tanner Creek.waiver