

ORDER NO. 12 126

ENTERED APR 10 2012

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1538

In the Matter of

SOLAR CONGREGATIONS EQUITY  
INVESTORS, LLC, on behalf of the BOARD  
OF DIRECTORS OF THE INTERCHURCH  
CENTER,

Request for Waiver of the 12-month Solar  
Photovoltaic System Installation Requirement  
under OAR 860-084-0210(1).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on April 10, 2012, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.

BY THE COMMISSION:



*Becky L. Beier*

**Becky L. Beier**  
Commission Secretary

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. 4

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: April 10, 2012**

REGULAR  CONSENT  EFFECTIVE DATE April 10, 2012

DATE: April 2, 2012

TO: Public Utility Commission

FROM: Moshrek Sobhy *MS*

THROUGH: *BC* Bryan Conway, *MG* Maury Galbraith, and *LK* Lori Koho

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1538) Request by Solar Congregations Equity Investors, LLC for a waiver of the 12-month solar photovoltaic system installation requirement pursuant to OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

Staff recommends the Commission grant Solar Congregations Equity Investors, LLC's (SCEI) request for a waiver of the OAR 860-084-0210(1) installation requirement and extend the installation deadline to August 10, 2012.

**DISCUSSION:**

SCEI, on behalf of the Board of Directors of the Interchurch Center (ICC), is requesting a waiver of the 12-month installation requirement under OAR 860-084-0210(1). Portland General Electric (PGE) awarded ICC a capacity reservation to install a small Solar Photovoltaic (SPV) system (less than ten kW) during the April 2011 open enrollment period of the Commission's Pilot Solar Photovoltaic Program (Pilot).

SCEI states that the installation of the proposed SPV system was planned to take place during or after the summer of 2011 upon completion of an upgrade to the building's roof and HVAC system. Financing of the solar project was secured through ICC co-owners, Disciples of Christ. A deposit in the amount of six thousand dollars was paid to Sustainable Solutions Unlimited (the solar contractor). Upon inspection of the roof, the assigned structural engineer of the project advised ICC to thoroughly review the existing trusses for damage caused by previous loading cycles. The engineer concluded that the existing condition is not structurally acceptable and the existing structure should be strengthened or the mechanical unit loading should be removed as soon as possible.

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SCEI explains that the building has four co-owners, and that any decisions with respect to changes to the building must be acceptable to all parties. Accordingly, the matter must be proposed and adopted to the Board of Directors of ICC through a more formal decision process. The ICC Board decided to independently assess the roof and the structure of the building. The engineering consultant concluded that the existing trusses are overstressed. Upon consultation with the truss manufacturer, it has been recommended to add new lumber or beams to the bearing walls to relieve the roof trusses from carrying the mechanical units.

Due to the approaching deadline, SCEI requests that the Commission waive the requirements of OAR 860-084-0120(1) and extend the deadline by four months to allow for the completion of the installation of the proposed solar system.

OAR 860-084-0000(3) provides:

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

In Staff's opinion, the decision making process of the ICC Board is an internal matter that is not necessarily common among different types of potential applicants. However, it appears from the information provided by SCEI, that ICC obtained the necessary financing and retained a solar installation contractor to complete the project during the 12-month installation period. Due to unforeseen building structure issues that require additional work before the installation of the proposed system, the installation of the proposed SPV system could not be completed as planned.

Based on this information, Staff finds that ICC demonstrated its commitment to install the system and considers the delay caused by the unforeseen building structural issues to be an acceptable “good cause” for a waiver.

#### **PROPOSED COMMISSION MOTION:**

Solar Congregations Equity Investors' request for waiver of the 12-month installation requirement be granted and the installation deadline be extended to August 10, 2012.

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