

ORDER NO. 12 127

ENTERED APR 10 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

SOLWATT, LLC and KENT and LAURA
MADISON,

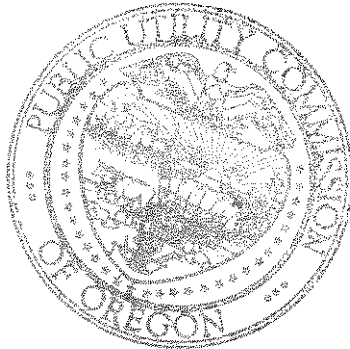
Request for Waiver of the 12-month Solar
Photovoltaic System Installation Requirement
under OAR 860-084-0210(1).

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. 3

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: *axc* Bryan Conway, *MB* Maury Galbraith, and *LK* Lori KohoSUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Request by Solwatt, 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 Solwatt, LLC's request for a waiver of the OAR 860-084-0210(1) installation requirement and extend the installation deadline to July 1, 2012.

DISCUSSION:

On April 1, 2011, PacifiCorp awarded Kent and Laura Madison, and Solwatt, LLC (collectively "Petitioners"), a capacity reservation to install a 360 kW Solar Photovoltaic (SPV) system. Pursuant to OAR 860-084-0210(1), the proposed SPV system must be installed on or before April 1, 2012. Upon near completion of the project, a dispute arose between PacifiCorp and Petitioners with respect to the primary voltage interconnection requirements under OAR 860-084-0130(2)(b). In Order No. 12-107, the Commission granted Solwatt's request to waive the voltage interconnection requirements.¹

PacifiCorp and Petitioners could not complete their respective remaining work in the project until the Commission's decision on the voltage interconnection requirements waiver request. Therefore, Petitioners ask the Commission to waive the 12-month

¹ PacifiCorp and Solwatt jointly agreed on certain measures to resolve the matter. See Appendix A of the Commission Order No. 12-107.

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requirement under OAR 860-084-0210(1) and extend the deadline to July 1, 2012, to allow both parties to complete their respective work in the project.

OAR 860-084-0000(3) provides:

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

Petitioners provided information of the significant work they performed to install the project within the 12-month deadline. In addition, Petitioners provided a description of the work remaining by each party to complete the project. The delay in not meeting the original deadline is largely due to the circumstances imposed by the primary voltage interconnection issue. PacifiCorp does not oppose the waiver request. Further, since PacifiCorp has worked with Petitioners to resolve the voltage interconnection requirements issue, both parties have demonstrated their commitment and willingness to complete the project. Petitioners provided a description of the remaining work to complete the project.

This request is being presented before the Commission after the expiration of the April 1, 2012, installation deadline. Staff's legal representative advised that the Commission has authority to grant such waiver under OAR 860-084-0000(3). Further, Staff notes that the Commission received Petitioners' request on March 8, 2012, which is before the expiration of the original deadline.

Based on this information, Staff agrees that Petitioners established good cause for the waiver and recommends approval.

PROPOSED COMMISSION MOTION:

The request by Kent and Laura Madison, and Solwatt, LLC, to waive the 12-month installation requirement and to extend the deadline to July 1, 2012, be granted.

UM 1538.Solwatt extension