

ORDER NO. 12 4 25

ENTERED NOV 06 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

CROOK COUNTY SOLAR 1 LLC

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 November 6, 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. CA7

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: November 6, 2012

REGULAR _____ CONSENT X EFFECTIVE DATE November 6, 2012

DATE: October 22, 2012

TO: Public Utility Commission

FROM: Robert J. Procter *RP*

THROUGH: Jason Eisdorfer *E* and Maury Galbraith *MG*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by Crook County Solar 1 LLC, a wholly owned subsidiary of Solitas Energy 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 the waiver request to Crook County Solar 1 LLC and extend the installation deadline by three months from April 6, 2013, to July 6, 2013.

DISCUSSION:

Crook County Solar 1 LLC ("CC Solar 1") was awarded a 500kW Capacity Reservation on April 6, 2012, under Pacific Power's Oregon Solar Incentive Program ("OSIP"). The 500kW_{AC} Solar Electric Generating Facility (Facility) is located in Crook County, Oregon. It will interconnect with PacifiCorp at their radial distribution circuit that originates from the Powell Butte Substation (Powell Butte).

A company called Power Engineers completed the required engineering to interconnect the Facility, and the Interconnection Application was subsequently filed with PacifiCorp on June 2, 2012. After discussion with PacifiCorp, they agreed that all necessary information to review their application was provided as of June 26, 2012.

On October 2, 2012, PacifiCorp notified CC Solar 1 that the Facility met all of the requirements referenced in OAR 860-084-0320(2). PacifiCorp, however, identified a network upgrade was needed at the Powell Butte. After further review, PacifiCorp determined that network upgrade was not needed. PacifiCorp approved the Interconnection Application on October 17, 2012.

Docket No. UM 1538 (Crook County Solar 1 LLC waiver)
October 22, 2012
Page 2

Under normal circumstances, the Interconnection Application would have been approved within 14 business days of June 26, 2012, which would have been July 17, 2012. As a result of the back and forth on the network upgrade, CC Solar 1 received an approved Interconnection Agreement on October 17, 2012, a three-month delay in their schedule. One result of the delay in receiving approval of the interconnection application is that equipment could not be ordered and the conditional-use permit could not be filed with Crook County.

CC Solar 1 has expended a considerable amount of time and placed a substantial amount of capital at-risk in an effort to complete tasks that are required to place the Facility in-service. The tasks include, but are not limited to, the following:

- ALTA Survey
- Phase 1 Environmental Survey
- Wildlife Impact and Monitoring Plan [Conditional Use Permit]
- Emergency Management Plan [Conditional Use Permit]
- Erosion Control Plan [Conditional Use Permit]
- Noxious Weed Control Plan [Conditional Use Permit]
- Electrical Engineering Plans for Construction Permitting
- 5% Safe Harbor Agreed-Upon Procedures Report

CC Solar 1 is requesting a waiver now rather than waiting until closer to the current installation deadline because their lending institution has expressed concern that the three-month delay in received approval from PacifiCorp will jeopardize CC Solar 1's ability to reach commercial operation by the Capacity Reservation Expiration Date of April 6, 2013. In particular, the lender is concerned that permitting/inspection delays may arise since this will be the first ground-mount solar facility in Crook County. They have also expressed concern about delays due to winter weather conditions in central Oregon.

Staff supports this waiver request at this point in time rather than waiting until the applicant is closer to their deadline in order to allay concerns of their lender.

PROPOSED COMMISSION MOTION:

Crook County Solar 1 LLC's request for waiver of the 12-month installation requirement for the Facility be extended by three months, from April 6, 2013, to July 6, 2013.

UM 1538 Crook County Solar 1 LLC waiver