

ORDER NO. 13 005

ENTERED JAN 15 2013

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1538

In the Matter of

PHILOMATH SCHOOL DISTRICT,

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 January 15, 2013, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is 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.

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: January 15, 2013

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE January 15, 2013

DATE: December 20, 2012

TO: Public Utility Commission

FROM: Robert J. Procter <sup>ME for BP</sup>  
<sub>I</sub>

THROUGH: Jason Eisdorfer and Maury Galbraith <sup>MG</sup>

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by Philomath School District for a waiver of the 12-month Solar Photovoltaic System Installation Requirement under OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

Staff recommends the Commission grant the waiver request to Philomath School District and extend the installation deadline of January 7, 2013 to January 31, 2013.

**DISCUSSION:**

Philomath School District (Applicant) was granted an extension to the installation deadline on October 23, 2012 in Order 12-399. That Order set a new installation deadline of January 7, 2013. Their extension request contained a construction schedule of October 1 – December 15, 2012. The January 7, 2013 installation deadline provided for three weeks of additional time to address any unforeseen issues that may arise.

The Applicant indicates they have faced additional delays. Specifically, the Applicant indicates that the permitting of the solar installation, which has to be pursued separately from the other construction-related permits, has taken longer than was expected. The final permit was finally issued on November 28, 2012. In addition, on November 30, 2012, the serving utility determined that the PV system's AC disconnect installed at the time of building construction must now be re-located. The design of the new interconnect was approved on December 3, 2012. Construction began that same day.

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Due to these various factors, the Applicant requests a revised deadline extension from January 7, 2013 to January 31, 2013.

OAR 860-084-0000(3) provides:

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

Applicant has completed the system design and obtained a signed construction contract. In addition, the design plans for the new AC disconnect was obtained on December 3, 2012. Construction has begun. Applicant is requesting this additional three weeks primarily as a result of these unforeseen delays. While construction was originally expected to commence on October 1, 2012, due to the factors discussed above, it actually began on December 3, 2012. This was nearly a nine week delay. Using the three weeks that were previously built into the schedule along with the three week extension in this request will allow for a similar construction period.

**PROPOSED COMMISSION MOTION:**

Philomath School District's request for an extension of three weeks from their existing January 7, 2013 installation deadline until January 31, 2013 be approved.

UM1538