

ORDER NO. 14 042

ENTERED FEB 05 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC,

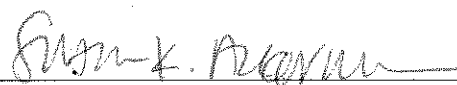
Request for Waiver of the 12-month Solar Photovoltaic System Installation Requirement for the Platt Oak Dairy Projects, under OAR 860-084-0210(1).

ORDER

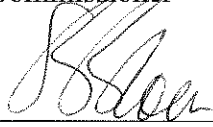
DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

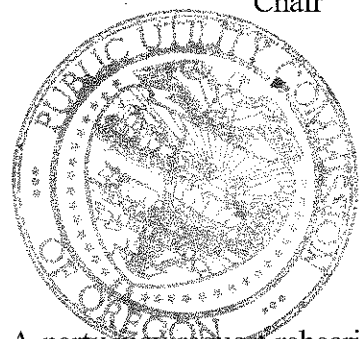
This order memorializes our decision, made and effective at the public meeting on February 4, 2014, to adopt Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

Dated this 5th day of Feb., 2014, at Salem, Oregon.


Susan K. Ackerman
Chair


John Savage
Commissioner


Stephen M. Bloom
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. 1, 2, 3

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 4, 2014**

REGULAR CONSENT EFFECTIVE DATE February 4, 2014

DATE: January 27, 2014

TO: Public Utility Commission

FROM: Adam Bless 

THROUGH:  Jason Eisdorfer,  Maury Galbraith, and  Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV LLC for a waiver of the 12-month solar photovoltaic system installation requirement for its Platt Oak Dairy Project No. 33S0E4, pursuant to OAR 860-084-0210(1).

OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV LLC for a waiver of the 12-month solar photovoltaic system installation requirement for its Platt Oak Dairy Project No. R7P8M8, pursuant to OAR 860-084-0210(1).

OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV LLC for a waiver of the 12-month solar photovoltaic system installation requirement for its Platt Oak Dairy Project No. V1I3Z5, pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission deny the three requests by PGPV LLC to waive the 12-month installation deadline for three solar photovoltaic systems (SPV) at Platt Oak Dairy under the Portland General Electric (PGE) Solar Payment Option Program.

STAFF ANALYSIS AND RECOMMENDATION:

Peter Greenberg of PGPV LLC has requested a waiver of the 12-month deadline for installation of three SPV projects, all located at Platt Oak Dairy, under the PGE Solar Payment Option Program. Each of the three projects is 100 kilowatts (kW) and all of

Docket No. UM 1538 (Platt Oak Dairy VIR waiver)

January 27, 2014

Page 2

them were approved for the Solar Incentive Program in April 2013. This is the first extension request for these three projects.

On January 14, 2014, shortly after submitting the waiver requests, PGPV notified me by telephone that the dairy is having financial difficulties and the dairy operation may cease operations. Without a working dairy operation, there is not enough load to net meter three 100 kW installations. PGPV proposes to look for a new location but has not identified one. There is no way to know what a new interconnection at a new location would involve. In any case, PGPV cannot move the capacity reservations to another location, because the capacity reservations belong to Platt Oak Dairy, not to PGPV.

The uncertainty about Platt Oak Dairy as a viable location was not described in PGPV's waiver requests, and is not PGPV's stated basis for a finding of good cause. In its waiver requests, PGPV states that the reason for the waiver is the time it took to procure an advanced dual axis tracker. PGPV concurrently submitted three other waiver requests for projects at different locations. The other locations appear viable, and PGPV states that it has successfully procured suitable trackers and can complete installation of systems with those trackers by July 15, 2014. The three extension requests at locations other than Platt Oak Dairy are the subject of a separate staff report on the consent agenda of the February 4, 2014 public meeting. Given that the Platt Oak Dairy is no longer a suitable location for these projects, I recommend denial of the waiver requests for these three projects.

Conclusion

I recommend that the Commission deny the waiver requests for the three Platt Oak Dairy projects, based on the uncertainty over those projects' location.

PROPOSED COMMISSION MOTION:

The three requests by PGPV LLC to waive the 12-month installation deadline pursuant to OAR 860-084-0210(1) be denied for the SPV projects at Platt Oak Dairy.

Reg 1-3-UM 1538 PGPV Platt Oak VIR Waiver.docx