

ORDER NO. 14 351

ENTERED OCT 14 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

MALHEUR COUNTY FAIR BOARD,

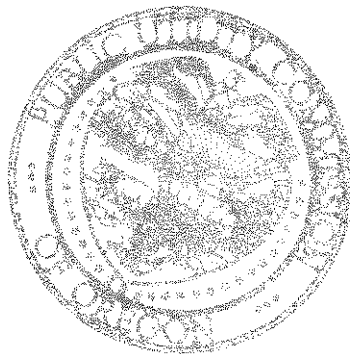
Request for Waiver of the 12-Month Solar
Photovoltaic System Installment Requirement
per OAR 860-084-0210(1).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on October 14, 2014, 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.

ITEM NO. CA6

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: October 14, 2014**

REGULAR _____ CONSENT X EFFECTIVE DATE October 14, 2014

DATE: October 6, 2014

TO: Public Utility Commission

FROM: John Crider *JC*

THROUGH: *JM, AK* Jason Eisdorfer and Aster Adams *AA*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by Malheur County Fair Board for a waiver of the 12-month solar photovoltaic system installation requirement pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

The Commission grant the request by Malheur County Fair Board (Fair Board) to extend the 12-month deadline to install three solar photovoltaic systems (SPV) under Idaho Power's solar incentive program by an additional 60 days, to December 18, 2014.

DISCUSSION:

Issue

The Fair Board requests an additional waiver of the 12-month deadline for installation of three SPV systems at the Malheur County Fairgrounds, with a total capacity of 26 kilowatts. The installation is divided into three separate projects because the SPV systems will be connected to three separate meters. The projects were enrolled in the program in April 2013, with an installation deadline of April 18, 2014. The Fair Board was previously granted an extension of six months, to October 18, 2014.

Rule

The applicable rule is OAR 860-084-0210(1), which states that a capacity reservation expires if the system has not been installed within 12 months of the reservation start date, unless a waiver is granted under OAR 860-084-0000(3). The evaluation criteria set forth in OAR 860-084-0000(3) for waiver of Division 84 rules is "good cause" shown. The Commission has discretion to determine what constitutes "good cause."

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Analysis

The Fair Board expects to have the solar modules, inverter equipment and monitoring equipment completely installed by the end of September, 2014, well before the current deadline of October 18, 2014. The only work that will not be completed by the installation deadline is the installation of the Idaho Power meters. The Energy Sales agreement between Malheur County and Idaho Power was executed on August 19, 2014. However, Idaho Power has indicated that appropriate meters needed to be ordered from a vendor and delivery would take six weeks. Idaho Power also indicated that there would be additional time necessary for the meter technicians to test and install the meters.

Because of this delay in meter installation, the Fair Board is concerned that the solar systems will not be operational until after the October 18 deadline. Since Idaho Power cannot guarantee that the work on the meters will be completed on time, the Fair Board has requested an additional extension to the current deadline in order to alleviate any risk of losing their substantial investment in these projects.

Conclusion and Recommendation

The Fair Board has demonstrated a good faith effort on their part to meet the Commission's deadline of October 18, 2014. All of the necessary work on customer's part will be completed by that date. The remaining portion of the work will most likely be completed in a timely fashion once the meters have been delivered to Idaho Power. Therefore, I recommend granting the new deadline of December 18, 2014.

PROPOSED COMMISSION MOTION:

The request by Malheur County Fair Board to waive the 12-month installation requirement for three SPV systems under Idaho Power's solar incentive program be granted, and the deadline extended to December 18, 2014.

Ca6-UM 1538 Malheur County VIR second waiver request