

ORDER NO. 14 420

ENTERED DEC 03 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

STELCOR ENERGY on behalf of TUAN and
SARAH NGUYEN,

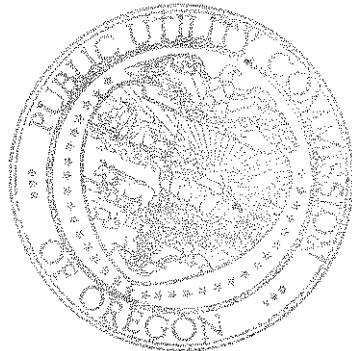
Request for Waiver of the 12-month Solar
Photovoltaic System Installation Requirement
under OAR 860-084-0210(1).

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on December 3, 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.

ORDER NO.

14 420

ITEM NO. CA6

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 3, 2014**

REGULAR _____ CONSENT X EFFECTIVE DATE December 3, 2014

DATE: November 20, 2014

TO: Public Utility Commission

FROM: Michael Breish MB

THROUGH: Jason Eisdorfer and Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by Stelcor Energy for a waiver of the requirement to file an interconnection application within two months for a solar photovoltaic system installation under the Solar Photovoltaic Pilot Program, pursuant to OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the request by Stelcor Energy (developer) to waive the Solar Photovoltaic (SPV) Solar Payment Option Program requirement to file an interconnection application within two months of the reservation start date, and authorize Portland General Electric (PGE) to review the interconnection application that will be submitted to PGE after the Commission grants the waiver request.

DISCUSSION:

Issue

Stelcor Energy requests a waiver of the SPV Solar Payment Option Program requirement to file a completed interconnection application within two months of the reservation start date. Stelcor Energy's project was accepted into the program in early April, 2014, but the developer failed to submit an interconnection agreement within the two-month window mandated by the program. The only waiver requested is for submittal of the interconnection application. There is no request to extend the one-year deadline to complete the project. The Commission received this request on October 30, 2014.

Docket No. UM 1538 (Solar VIR Waiver)
November 20, 2014
Page 2

Rule

The applicable rule is OAR 860-084-0210(1), which states that “a capacity reservation expires if a completed interconnection application is not filed within two months of the reservation start date...,” unless a waiver is granted under OAR 860-084-0000(3). OAR 860-084-0000(3) states “the Commission may waive any of the Division 084 rules for good cause shown.” The Commission has discretion to determine what constitutes “good cause.”

Analysis and Recommendation

Stelcor Energy failed to submit the interconnection agreement application on behalf of their customer due to a “clerical error.” Stelcor Energy explained that because they are a new company in Oregon, they were not familiar with the administrative aspect of the process; thus, didn’t know “how to properly handle this paperwork.”

Stelcor Energy had assumed that PGE would have contacted them or the customer if any part of the program’s process was incomplete or insufficient. The developer claims neither were contacted so it assumed that all requirements were met and proceeded to design the project. Stelcor Energy only learned about the missing interconnection agreement when the customer requested a building permit; PGE notified the customer, who notified Stelcor Energy, that the interconnection agreement had not been received.

Despite the failure to return the interconnection agreement in a timely fashion, there is no request to extend the one-year deadline to complete the project.

In analyzing for “good cause,” Staff’s primary considerations were Stelcor Energy’s ongoing development of the project as well as the successful permitting process, and Stelcor Energy’s candid account of the situation.

Based on this analysis, Staff recommends the waiver request be granted.

PROPOSED COMMISSION MOTION:

The request by Stelcor Energy to waive the Solar Photovoltaic Pilot Program requirement to file an interconnection application within two months of the reservation start date be granted.