

ORDER NO. 15 074

ENTERED MAR 10 2015

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC on behalf of SAFE HAVEN  
HUMANE SOCIETY,

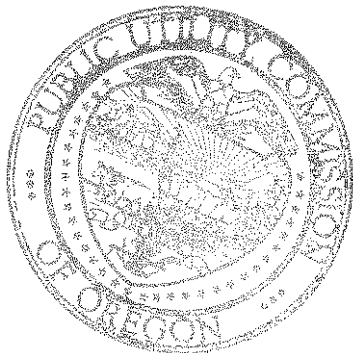
Request for Waiver of the 12-month Solar  
Photovoltaic System Installation Requirement  
under OAR 860-084-0210(1).

ORDER

**DISPOSITION: STAFF'S RECOMMENDATION ADOPTED**

At its public meeting on March 10, 2015, 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.

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ITEM NO. CA7

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT**

**PUBLIC MEETING DATE: March 10, 2015**

REGULAR \_\_\_\_\_ CONSENT  EFFECTIVE DATE March 10, 2015

DATE: February 24, 2015

TO: Public Utility Commission

FROM: Cindy Dolezel *MD*

THROUGH: *E* Jason Eisdorfer and *MA* Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1538) Request by PGPV, LLC, on behalf of its customer, Safe Haven Humane Society, for a waiver of the 12-month solar photovoltaic system installation requirement set forth in OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

Staff recommends the Commission approve PGPV, LLC's request made by Peter Greenberg on behalf of its customer, Safe Haven Humane Society, to extend the 12-month installation deadline from April 15, 2015, to July 1, 2015, for the completion of a 100 kW solar photovoltaic system (Project) in Pacific Power's Solar Incentive Program, due to necessary roof repairs that have delayed installation.

**DISCUSSION:**

Issue

Each project that receives a capacity reservation holds that reservation for twelve months from its reservation start date, so long as a preliminary interconnection application is submitted and approved by the utility within two months of the reservation award date; the deposit fees are paid; the project is installed within 12 months of its reservation start date; or if needed, the project receives a waiver to extend the installation deadline. See OAR 860-084-0210(1). Mr. Greenberg is requesting a waiver under OAR 860-084-0000(3) on behalf of Safe Haven Humane Society to extend the 12-month installation deadline by two and a half months due to the discovery of a leaky

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roof in their new building that necessitates drier weather for roof repairs to occur before the solar panels are installed.

#### Applicable Rules

OAR 860-084-0210(1) states that "a capacity reservation expires ... if the system has not been installed within twelve months of the reservation start date, unless a waiver is granted under OAR860-084-0000." The evaluation criterion set forth in OAR 860-084-0000(3) for waiver of Division 084 rules is "good cause shown." The Commission has discretion to determine what constitutes "good cause."

#### Analysis and Recommendation

This project received its capacity reservation on April 15, 2014, and it expires on April 15, 2015. Safe Haven Humane Society moved into their facility in July of 2014 and after moving in, a problem with the roof was identified. The installation area for the solar panels needed repairs in dry weather to ensure proper sealing of its rubber membrane. Mr. Greenberg is requesting an extension of two and a half months to conduct the repair work in May and complete the installation before July 1, 2015. Staff notes that the racking for this project was purchased and is in transit from Asia and it is unknown if the Port of Portland's shipping issues will affect the delivery date of these materials.

The project's pre-interconnection application was approved by Pacific Power within the two month requirement, permits were issued, and the solar panels were purchased and sit in storage awaiting delivery. Installation will commence after the roof repair is complete.

Staff contacted Wraga Dylan, Sales Manager of Central West, head quartered in San Jose , CA, (a publically traded company that manufactures and sells solar panels worldwide), and verified that the equipment was purchased and is in storage awaiting delivery to Safe Haven Humane Society.

Staff verified the project status with Pacific Power, who commented that the initial interconnection application was submitted and approved within the required two month timeframe and foresees no problems or delays with this project installation or the site design and installation.

Staff also contacted Chris Storm, the Executive Director of the Safe Haven Humane Society, and confirmed that the roof repairs are scheduled for completion in May 2015, pending drier weather.

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As historical background, Staff notes that eight previous waivers were awarded to this company on February 12, 2013, Order No. 13-043, and six of those solar projects were constructed. Two projects were not completed because one was halted by a school board decision to deny the project and one had a zoning issue that was not overcome.

In analyzing the "good cause" rule criterion, Staff notes that it is reasonable that the roof repair necessitates drier weather and that the panels and racking equipment were purchased, and upon delivery of the racking materials, the project is ready for installation. Two and a half months is a reasonable extension and timeframe for this project to complete this installation.

Based on this analysis, Staff recommends this waiver request be approved.

**PROPOSED COMMISSION MOTION:**

The request for a waiver by PGPV, LLC to extend the 12-month installation requirement for the Safe Haven Humane Society Project from April 15, 2015, to July 1, 2015, be approved.

CA X-UM 1538 Safe Haven VIR waiver request