

ORDER NO. 15 075

ENTERED MAR 10 2015

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC on behalf of THE SHIRE
APARTMENTS and STARCREST MANOR
APARTMENTS,

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. CA8

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: March 10, 2015**

REGULAR _____ CONSENT X EFFECTIVE DATE March 10, 2015

DATE: March 3, 2015

TO: Public Utility Commission

FROM: *MLC*
Cindy Dolezel

THROUGH: *J* Jason Eisdorfer and *MLC* Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Request by PGPV, LLC, on behalf of its customers, The Shire Apartments and Starcrest Manor Apartments, 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 on behalf of its customers, to extend the 12-month installation deadline from April 15, 2015, to August 1, 2015, for the completion of 25 solar electricity systems (5.4 kW each) for The Shires and 50 solar electricity systems for Starcrest Manor (5.4 kw each) in Portland General Electric's (PGE) Solar Incentive Program. This recommendation is based on the delayed delivery of racking materials by Port of Portland's freight handling situation.

DISCUSSION:

Issue

Each project that receives a capacity reservation holds that reservation for 12 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, the project contractor from PGPV, LLC, requests a waiver under OAR 860-084-0000(3) on behalf of The Shires and Starcrest Manor Apartments to extend the 12-month installation deadline by three and a half months due to delayed delivery of racking materials by Port of Portland's freight handling situation.

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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

Mr. Greenberg is requesting an extension of three and a half months to complete solar photovoltaic installations on 25 units at The Shires Apartments and 50 units at Starcrest Manor. Both of these complexes have the same owner and are located in Portland, Oregon. The owner is putting these panels on buildings throughout each complex, will receive payment for their roof space from the solar contractor, and will acquire the system after the 15 year VIR allocation. Staff notes that the racking materials for this project were purchased and are already in transit by ship from Asia. The racking was supposed to arrive in Portland on March 1, 2015, but has been diverted to Longview, CA, due to the Port of Portland's freight handling issues.

Staff verified the status of both projects with numerous PGE staff. Several PGE staff commented that the initial interconnection applications were submitted on time, but it has taken extra time by PGE to evaluate these complicated projects. PGE staff said they see no issues with this project being installed before the requested deadline of August 1, 2015, if all necessary documentation is submitted in a timely manner.

The solar panels are purchased and awaiting delivery from a nearby warehouse and the racking is in transit from Asia by ship. Structural permits are paid for and approved and electrical permits applications are paid for, submitted, and awaiting approval from the City of Portland.

In analyzing the "good cause" rule criterion, Staff notes that the project's solar panels and racking equipment were purchased, interconnection applications were submitted and engagement with the utility is active to finalize this complex project, electrical and site development permits are in process, and it is expected that upon delivery of the racking materials, the project will be ready for installation. Three and a half months seems a reasonable extension and timeframe for completion of this project that was delayed primarily due to complications with shipping and receiving at the Port of Portland.

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

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PROPOSED COMMISSION MOTION:

The request for a waiver by PGPV, LLC to extend the 12-month installation requirement for the The Shires and Starcrest Manor Apartments projects from April 15, 2015, to August 1, 2015, be approved.

CA8-UM 1538 The Shires and Starcrest VIR waiver request