

ORDER NO. 15 119

ENTERED APR 14 2015

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

IMAGINE ENERGY, LLC, on behalf of
HARLOW HOTEL,

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 April 14, 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 Circuit Court for Marion County in compliance with ORS 183.484.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: April 14, 2015

REGULAR _____ CONSENT X EFFECTIVE DATE April 14, 2015

DATE: March 31, 2015

TO: Public Utility Commission

FROM: Cindy Dolezel *CSO*

THROUGH: *F* Jason Eisdorfer and *AA* Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
Docket No. UM 1538) Request by Imagine Energy, LLC, on behalf of its customer, Harlow Hotel, 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 Imagine Energy's request, made on behalf of its customer, Mr. Ganesh Sonpatki of the Harlow Param Hotel Group (Harlow Hotel), to extend the 12-month installation deadline from April 21, 2015, to October 21, 2015, for the completion of a 9.81 kW solar photovoltaic system in Portland General Electric's (PGE) Solar Incentive Program.

DISCUSSION:

Issue

Each project that receives a capacity reservation retains it for 12 months, beginning from its reservation award 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; and 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).

Jonathan Cohen, the project manager for Imagine Energy, LLC, requests a waiver under OAR 860-084-0000(3) on behalf of its customer Mr. Ganesh Sonpatki and the Harlow Hotel to extend the 12-month installation deadline by six months due to delays with the restoration of a historical building for which an application for placement on the national historic registry is pending. The financing and permitting process for this

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complex building took longer than expected; subsequently, the construction was delayed. The new construction schedule shows the roof will be ready for solar installation in the upcoming summer.

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 OAR 860-084-0000." 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

Imagine Energy is requesting an extension of six months to complete the installation of the solar photovoltaic systems on the Harlow Hotel due to delays in restoring and registering the hotel on the national historic registry.

Mr. Ganesh Sonpatki paid deposits on time and the interconnection application was submitted and approved by PGE within the two-month deadline. Permits are pending the final approval of an egress stair location, which will affect the solar system layout. The hotel is scheduled to open in the fall of 2015.

PGE staff said they see no issues with this project being installed before the requested deadline of October 21, 2015, if all future documentation is submitted in a timely manner.

In analyzing the "good cause" rule criterion, Staff notes that there has been demonstrated investment in equipment, permitting, and preparation, but the project was delayed by unforeseen issues due to restoration and the historic nature of the building, which affected the construction deadlines. It seems reasonable that the project will be completed by October 21, 2015.

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

PROPOSED COMMISSION MOTION:

The request by Imagine Energy, on behalf of its customer, Mr. Ganesh Sonpatki, to waive the 12-month installation requirement for the completion of a 9.81 kW solar photovoltaic system in Portland General Electric's Solar Incentive Program be granted, and the deadline be extended from April 21, 2015, to October 21, 2015.