

ORDER NO. 16 243

ENTERED JUL 05 2016

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC, on behalf of KASEY KAUER,

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 July 5, 2016, 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:



  
**Kristi Collins**  
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: July 5, 2016**

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE July 5, 2016

DATE: June 24, 2016

TO: Public Utility Commission

FROM: Cindy Dolezel *BSD*

THROUGH: Jason Eisdorfer and Michael Dougherty *✓*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. UM 1538) Request by PGPV, LLC, on behalf of Kasey Kauer, for a waiver of the two-month solar photovoltaic system interconnection application requirement set forth in OAR 860-084-0210(1).

**STAFF RECOMMENDATION:**

Staff recommends that the request by PGPV, LLC (PGPV), on behalf of its customer Kasey Kauer, to waive the two-month installation requirement for a solar photovoltaic system in Portland General Electric Company's (PGE) Solar Incentive Program be granted, so that the deadline is extended from March 13, 2016, until July 13, 2016, and that the capacity reservation for this project be reinstated.

**DISCUSSION:**

Issue

Whether PGPV established good cause supporting its request for a waiver of the two-month capacity reservation pursuant to OAR 860-084-0210(1) for its SPV system.

Applicable Law

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) and (2).

Docket No. UM 1538 (Solar VIR Waiver)  
June 24, 2016  
Page 2

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." OAR 860-084-0210(2) provides that once a capacity reservation expires, the customer must re-apply for a reservation. 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."

Discussion and Analysis

PGPV requests a waiver of the two-month interconnection application deadline for this system on behalf of its customer Kasey Kauer. PGPV states that the deadline was not met due to an acknowledged oversight by the contractor and asks to have the project's capacity reservation reinstated.

PGPV applied for a capacity reservation for project A7U0T8 for a 6.8 kW Direct Current (DC) SPV system and received a capacity award for this system from PGE on January 13, 2016.

PGPV contacted PGE to check on the status of the interconnection application and at this time realized that they had mistakenly forgotten to submit the interconnection application within the two-month submission window (i.e. by March 13, 2016). PGPV did pay all respective fees for this project.

Staff has conferred with PGE regarding the status of this project. PGE confirmed that the project has met all the requirements to date, including deposits, and fees. Equipment is purchased and ready for installation. Permits will be submitted pending the approval of this waiver. Staff feels comfortable with the status of the project and the actions taken so far demonstrate efforts to successfully install the system. The final system installation deadline is January 13, 2017. Staff and PGPV believe there is ample time to complete the project in advance of that deadline.

In analyzing for "good cause," Staff's primary considerations were PGPV's honesty in addressing the oversight, the demonstrated actions toward completion of the project, and history of successfully completed SPV projects.

Conclusion

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

Docket No. UM 1538 (Solar VIR Waiver)  
June 24, 2016  
Page 3

**PROPOSED COMMISSION MOTION:**

Grant the request by PGPV, on behalf of Kasey Kauer, to waive the two-month installation requirement for a solar photovoltaic system in PGE's Solar Incentive Program, so that the deadline is extended from March 13, 2016, until July 13, 2016, and that the capacity reservation for the project be reinstated.

CA13-UM 1538 Kasey Kauer VIR Interconnection 2 month waiver request