

ORDER NO. 17 021

ENTERED JAN 24 2017

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1538

In the Matter of

PGPV, LLC, on behalf of ALBANY
REGIONAL MUSEUM,

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 January 24, 2017, 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:




Michael Dougherty
Chief Operating Officer

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.

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ITEM NO. CA13

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: January 24, 2017

REGULAR _____ CONSENT X EFFECTIVE DATE January 25, 2017

DATE: January 6, 2017

TO: Public Utility Commission

FROM: Paul Rossow^{PR}
JE

THROUGH: Jason Eisdorfer and John Crider
JC

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1538) Requests by PGPV, LLC for waiver of the
12-month solar photovoltaic system installation requirement pursuant to
OAR 860-084-0210(1).

STAFF RECOMMENDATION:

Staff recommends the Commission grant the request by PGPV, LLC (PGPV) to waive the 12-month deadline to install one 10 kW solar photovoltaic (SPV) systems, on behalf of its client Albany Regional Museum, under Pacific Power's (PacifiCorp) Oregon Solar Incentive Program by an additional four months, to April 30, 2017.

DISCUSSION:

Issue

Whether PGPV established good cause supporting its request for waiver of the OAR 860-084-0210(1) requirement that an SPV system be installed within 12 months of the capacity reservation start date.

Applicable Law

Each SPV project that receives a capacity reservation in PacifiCorp's Oregon Solar Incentive Program holds that reservation for a period of 12 months following the reservation start date, so long as a preliminary interconnection application is submitted and approved by, the utility within two months of the reservation start date; the deposit fees are paid; and the project is installed within 12 months of its reservation start date;

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or if needed, the project receives a waiver to extend the installation deadline.
See OAR 860-084-0210(1) and (2).¹

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

PGPV requests a waiver under OAR 860-084-0000(3) of the 12-month installation requirement for a 10 kW SPV project for its client the Albany Regional Museum.² PacifiCorp issued a capacity reservation to the Albany Regional Museum in May of 2015. However, a leak was discovered in the roof, which put the installation on hold while the roof was replaced. PGPV submitted the request for waiver within the 12-month period for installation.

PGPV now explains that the installation deadline was not met because the electrician that was originally hired to complete the SPV project had other obligations that arose during the time that PGPV planned to have the electrician complete the project. PGPV notes that the necessary permits and materials for the project have already been purchased and that it anticipates that all requirements for program participation will be met on or before April 30, 2017.

Staff conferred with Pacific Power regarding the status of the respective projects. Pacific Power confirmed with Staff that the project has met the requirements to date except for a copy of the electrical inspections. When Staff contacted PGPV about the solar project, PGPV stated that an extension of the deadline to April 30, 2017, will allow enough time to complete this project. Once Pacific Power receives the approved electrical inspection, Pacific Power will install the meters.

Conclusion

To determine whether PGPV established "good cause" to waive the installation requirement, Staff considered the reason for the delay and the current status of the solar project. Staff concludes that the delay was fully not in the control of PGPV and that PGPV has already taken steps to complete the project. Further, no potential

¹ 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." OAR 860-084-0210(2) provides that once a capacity reservation expires, the customer must re-apply for a reservation.

² The project number for the Pacific Power project is: 6039512.

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participants are impacted by the delay in installing this project because PacifiCorp's program has closed to new participants. If this reservation is terminated, the previously-reserved 10 kW will simply be unused capacity. Staff concludes that in light of all these circumstances, PGPV has established good cause for its requested waiver.

PROPOSED COMMISSION MOTION:

Grant PGPV, LLC's request to waive the 12-month installation requirement for this SPV system under Pacific Power's Solar Photovoltaic Pilot Program and extend the installation deadline to April 30, 2017.

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