

ORDER NO. 18 299

ENTERED AUG 16 2018

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1955

In the Matter of

EDF ENERGY SERVICES, LLC,

2017 Renewable Portfolio Standard  
Compliance Report.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on August 14, 2018, 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:

A handwritten signature in blue ink, appearing to read "mell rt", is written over a horizontal line.

**Michael Grant**

Chief Administrative Law Judge

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. CA8

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: August 14, 2018**

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE August 15, 2018

DATE: July 25, 2018

TO: Public Utility Commission

FROM: Paul Rossow *PR*

THROUGH: *J* Jason Eisdorfer and *JB* JP Batmale

SUBJECT: EDF ENERGY SERVICES, LLC: (Docket No. UM 1955) 2017 Renewable Portfolio Standard Compliance Report.

**STAFF RECOMMENDATION:**

Staff recommends that, based upon EDF Energy Services, LLC.'s (EDF) 2017 Renewable Portfolio Standard (RPS) Compliance Report (Compliance Report) for 2017, the Commission: (1) find that EDF complied with the RPS for the 2017 compliance year.

**DISCUSSION:**

Issue

Whether EDF's Compliance Report for the year 2017, filed on May 31, 2018, demonstrates compliance with the applicable RPS.

Applicable Laws

Per ORS 469A.170(1), each electric utility and electric service supplier that is subject to the RPS must file an annual compliance report with the Commission. The Commission, on review of the report, shall determine whether the company or supplier has complied with the applicable RPS. In reviewing the reports, the Commission must consider the manner in which the company or supplier has complied and review the information required under ORS 469A.170(2)(a)-(g) and any other factors deemed reasonable by the Commission.

RPS compliance may be demonstrated through the retirement of RECs that are maintained through the Western Renewable Energy Generation Information System

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(WREGIS). RECs may be either bundled with energy or exchanged separate from the energy (unbundled). See ORS 469A.135. One REC is issued per megawatt-hour of renewable generation produced. See OAR 330-160-0015(16).

Under ORS 469A.065, the RPS for an electricity service supplier is the same as the RPS requirement applicable to the electric utilities that serve the territories in which the electricity service supplier sells electricity to retail consumers. When an electricity service supplier sells electricity in more than one service territory, the Commission may provide for an aggregate standard based on the amount of electricity the electric service supplier has sold in each territory.

OAR 860-083-0350(1)(b) requires that each electric company subject to the RPS in ORS 469A.052 and each electric service supplier subject to Oregon's RPS in ORS 469A.065 and providing service in the service territory of an electric company subject to ORS 469A.052 provide an annual report on or before June 1 of each year. OAR 860-083-0350(2) sets forth specific information that the electric company or supplier must address in its Compliance Report.

Once a company or supplier files a compliance report, Staff and interested persons may file written comments within 45 days of the filing. The company or supplier may respond within 30 days of any comments, per OAR 860-083-0340(4).

Per OAR 860-083-0340(4), on review of the Compliance report, the Commission will issue a decision determining whether the company or supplier complied with the applicable RPS and the Commission may address any of the issues noted in ORS 469A.170(2) such as whether the actions taken are contributing to the long-term development of generating capacity using renewable energy resources and the effect on rates for retail customers. If the company or supplier is not in compliance with the RPS, the Commission may require an alternative compliance payment, impose a penalty or both, unless the cost limit in ORS 469A.100 applies.

### Analysis

As an energy service supplier, EDF must meet the requirements of the RPS that apply to the electric utilities that serve the territories serviced by EDF. As of the date of its Compliance Report, EDF does not have any load in Oregon. Therefore, for the compliance year 2017, EDF has no RPS standard to meet.

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Conclusion

Staff finds that EDF's 2017 Report demonstrates that it complied with the applicable RPS by indicating it had no load in Oregon to date and therefore it has no RPS standard to meet. Staff appreciates that EDF did file to confirm that it has no load in Oregon.

**PROPOSED COMMISSION MOTION:**

- (1) Find that EDF has complied with Oregon's Renewable Portfolio Standard during the 2017 compliance year.

EDF 2017 RPS Compliance Report UM 1955