

ORDER NO. 21-045

ENTERED Feb 12 2021

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1930

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Request to Approve Amendment for
Belvedere Solar, a Pre-certified Project in the
Community Solar Program.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on February 11, 2021, 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:



Nolan Moser
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.

ITEM NO. CA8

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 11, 2021**

REGULAR CONSENT EFFECTIVE DATE February 11, 2021

DATE: February 1, 2021

TO: Public Utility Commission

FROM: Kacia Brockman

THROUGH: Bryan Conway, JP Batmale, and Sarah Hall **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1930)
Requests an amendment to a pre-certified project in the Community Solar Program.

STAFF RECOMMENDATION:

Approve the recommended amendment to Belvedere Solar, a pre-certified project in the Community Solar Program (CSP or Program).

DISCUSSION:

Issue

Whether the Commission should accept the recommendation of the Program Administrator to amend a pre-certified CSP project, transferring the project from one Project Manager to another.

Applicable Rule or Law

ORS 757.386(2)(a) directs the Commission to establish a program that provides electricity customers the opportunity to share the costs and benefits of electricity generated by community solar energy systems.

On June 29, 2017, in Order No. 17-232, the Commission adopted formal rules for the CSP under OAR Division 88 of Chapter 860.

Docket No. UM 1930
 February 1, 2021
 Page 2

In accordance with OAR 860-880-0190, on December 17, 2019, in Order No. 19-438, the Commission adopted the CSP Program Implementation Manual (PIM) and the program policies and procedures therein. Section 4.7 of the PIM defines a project amendment process and requires Commission approval for major revisions to a project.

Analysis

Background

Sulus Solar, LLC (Sulus Solar) is the Project Manager for the Belvedere Solar project, a pre-certified 2.97 MW-AC project located outside the City of Mt. Angel in Marion County in Portland General Electric's (PGE) service area (Project). The Project received conditional pre-certification on April 27, 2020.¹

On August 6, 2020, SPI Solar, Inc. (SPI Solar) notified the Program Administrator that it had purchased the Project from Sulus Solar. The Program Administrator contacted Sulus Solar, who confirmed the change in ownership.²

SPI Solar is the parent company of Solar Town, LLC (Solar Town), a registered CSP Project Manager in good standing. Sulus Solar agreed to transfer project management responsibilities for the Project to SPI's subsidiary, Solar Town. Transferring a project to a new Project Manager is a major revision that triggers a project amendment that requires Commission approval.³

On January 14, 2021, Sulus Solar submitted a request to the Program Administrator to transfer the Project Manager role for the Belvedere Solar project to Solar Town.

Recommended Project Amendment

Project Name	Remove Previous Project Manager	Replace with New Project Manager	Utility Territory	Project Size (kW-AC)
Belvedere Solar	Sulus Solar, LLC	Solar Town, LLC	PGE	2,970

¹ Belvedere Solar was one of a group of projects that were pre-certified in the CSP with the condition that their pre-existing Power Purchase Agreements with PGE be terminated before any CSP participants are enrolled in the projects. See Order No. 20-142. The Belvedere Solar project has met the conditions of pre-certification.

² Change in project ownership is a minor project revision that does not trigger a project amendment. Oregon Community Solar Program Implementation Manual dated January 12, 2021, Section 4.7.2 – Minor Revisions.

³ Oregon Community Solar Program Implementation Manual dated January 12, 2021, Section 4.7.1 – Major Revisions.

Docket No. UM 1930
February 1, 2021
Page 3

Program Administrator's Review

The Program Administrator reviewed the Project Manager's transfer request, communicated with the parties involved in the Project, and reported its findings to Staff.

Sulus Solar confirmed that it has not yet signed any participant contracts for the Project. Consequently, the Program Administrator determined that no Program participants will be harmed by transferring the Project to a different Project Manager.

The Program Administrator confirmed that the transfer will not violate any PIM requirements or program rules, including project co-location and Project Manager capacity limits. If the Commission approves the Project transfer, Solar Town will manage four pre-certified projects totaling 9.315 MW-AC in PGE service area. This remains below the maximum capacity of 11.654 MW-AC in PGE service area allowed to any single Project Manager.

The Program Administrator does not expect Solar Town, the new Project Manager, to modify the Project's characteristics in a manner that would require additional project amendments. The Program Administrator expects that Solar Town may choose to adjust project partnerships, subscription pricing, and marketing plans – changes that would not require a project amendment.

The Program Administrator notes that it is common for large solar projects to change ownership and/or management during their lifecycle, and supports allowing Project Managers to pursue business solutions that may help bring CSP projects to commercial operation. The Program Administrator has no concerns with the requested Project transfer and recommends that the Commission approve the project amendment.

Conclusion

Staff has discussed this project amendment request with the Program Administrator and supports the Program's Administrator's conclusion that the project amendment should be granted.

PROPOSED COMMISSION MOTION:

Approve the recommended amendment to Belvedere Solar, a pre-certified project in the Community Solar Program.