

ORDER NO. 23-052

ENTERED Feb 23 2023

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1631

In the Matter of

SUNBRIDGE SOLAR,

Request for Waiver of OAR 860-039-
0065(1)(c), Aggregation of Meters for Net
Metering Rules.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on February 21, 2023, 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.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 21, 2023**

REGULAR **CONSENT** **EFFECTIVE DATE** February 22, 2023

DATE: February 7, 2023

TO: Public Utility Commission

FROM: Ted Drennan

THROUGH: Bryan Conway, Caroline Moore, and Scott Gibbens **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1631)
Request for waiver of net metering aggregation requirement pursuant to
OAR 860-039-0065(1)(c).

STAFF RECOMMENDATION:

Staff recommends the Public Utility Commission of Oregon (Commission) approve the request by Applicants to waive the requirement that the designated meter for the customer's net metering facility and any additional meters be on the same primary feeder before the utility is required to allow the customer to aggregate them for the purpose of net metering.

DISCUSSION:

Issue

Whether the Commission should approve Applicant's request to waive the Oregon Administrative Rule (OAR) that requires a utility to allow a net metering customer to aggregate load served through different meters only if the meters to be added are served by the same primary feeder as the net metering customer's designated meter at the time of application.

Applicable Law

OAR 860-039-0065(1)(c) states that for the purpose of measuring electricity usage under the net metering program, a public utility must, upon request from a customer-generator, aggregate for billing purposes the meter that is physically attached

to the net metering facility ("designated meter") with one or more meters ("aggregated meter") in the manner set out in this rule. This rule is mandatory upon the public utility only when:

- (c) The designated meter and the aggregated meters are served by the same primary feeder at the time of application.

The evaluation criterion set forth in OAR 860-039-0005(2) for waiver of Division 039 rules is "good cause shown." The Commission has discretion to determine what constitutes "good cause."

Analysis

On January 11, 2023, Jordan Weisman, owner of Sunbridge Solar, filed a request for a waiver of OAR 860-039-0065(1)(c) for a meter. The following is a summary of the interaction between the Applicant and Portland General Electric (PGE or the Company).

On January 12, 2022, PGE received a completed net metering application for Mr. Weisman. The application indicated the customer would like to aggregate any excess generation from the net meter to an additional meter. The application inadvertently included the wrong meter number for the solar facility, 6413880000, as opposed to 5089450000. The meter listed in the original application was eligible for net metering, and so the request was approved.

In November of 2022 PGE was approached by Paul Burkhart with ASAP Logistics inquiring about the lack of kwh applied to account 4868150000. This led to the discovery of the underlying errors from the original application. At this point the request to aggregate was denied as account 5089450000 is served by PGE's Hemlock-Hemlock 13 kV feeder and account 4868150000 is served by the Rockwood-Industrial feeder. That is, the generating facility and the meter for aggregation are across the street.

It appears the customer followed the correct process for aggregating their meters, with the exception of identifying the wrong generation account. While the meters are on different feeders, they are still in the same area, two warehouse buildings directly across the street from one another.

In discussion with Staff, the Company stated they do not oppose the waiver request.

Conclusion

In reviewing the request, Staff believes the Applicants took the appropriate steps to secure a valid net metering aggregation agreement with the Company. The customer's main failing was misidentification of the account for the generator.

Given the circumstances underlying the request for waiver, Staff believes approval is appropriate. Several similar requests were approved by the Commission in Orders 17-487, 12-471, and 22-345. These included similar instances of customer confusion. It is clear that in this case the Applicants tried to take the appropriate steps to aggregate meters for net metering.

PROPOSED COMMISSION MOTION:

Approve the request by Applicants to waive the requirement that the designated meter and the aggregated meters be on the same primary feeder.

Sunbridge UM 1631