

ORDER NO. 11 195
ENTERED JUN 16 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1394

In the Matter of

THE PUBLIC UTILITY COMMISSION
OF OREGON

Open an investigation into electric
companies providing Qualified Reporting
Entity Services for certification of renewable
energy certificates by the Western
Renewable Energy Generation Information
System.

ORDER

DISPOSITION: MOTION TO CLOSE DOCKET GRANTED; DOCKET
CLOSED WITH CONDITIONS

I. INTRODUCTION

In 2008, the Public Utility Commission of Oregon (Commission) opened an investigation into whether investor-owned utilities in Oregon should be required to provide Qualified Reporting Entity (QRE) service to third-party generators to certify renewable energy certificates (RECs). On April 22, 2011, Commission Staff filed a partially stipulated motion to close this docket with certain conditions.¹ In this order, we grant the motion and close this docket.

II. DISCUSSION

A. Background

The Western Renewable Energy Generation Information System (WREGIS) is tasked with certifying RECs in Oregon. As part of the certification process, WREGIS requires a QRE to upload generating data to WREGIS on a monthly basis. For various reasons, not all generators in Oregon have had access to QRE service, leaving some generators with

¹ A deadline for objections to the motion was established but no objections were filed.

no way to certify their RECs.² This docket was opened to explore whether investor-owned utilities in Oregon should be required to provide QRE service for such generators.

The issue list generated early in these proceedings included a number of complex legal issues over which the parties had strong and divergent views. On May 8, 2009, after a number of workshops, Staff and the utilities submitted an uncontested memorandum of understanding (MOU) to the Commission for approval.

Under the terms of the MOU, PacifiCorp, dba Pacific Power (Pacific Power), Portland General Electric Company (PGE), and Idaho Power Company (Idaho Power) (collectively, the “utilities”)³ agreed to provide QRE service voluntarily in their own service territories for two years under form service agreements.⁴ The parties agreed to convene a workshop at the end of the two-year period to determine how to proceed thereafter. On July 26, 2009, we adopted the MOU and abated the proceedings in this docket.⁵

On March 15, 2011, the parties convened the two-year review workshop. After the workshop, Commission Staff filed an unopposed motion to close this docket.

B. Motion to Close Docket

Staff reports that all parties to this docket were invited to attend the two-year review workshop. The attendees were PGE, Pacific Power, Idaho Power, the Renewable Energy Coalition, the Industrial Customers of Northwest Utilities, Exergy, Falls Creek Hydroelectric, the Oregon Department of Energy, and Staff (collectively, the “active parties”).

At the workshop, the utilities described their experiences offering QRE service during the preceding two years. The utilities served a small number of Oregon generators during the trial period: PGE served one generator, Pacific Power served five, and Idaho Power served one. The costs of providing the service were in line with the utilities’ expectations and did not add significantly to their workload at the current level of usage.

The utilities also reported that they explored providing QRE service outside their service territory for generators for which they act as the balancing authority. They concluded that each would continue to offer such QRE service for the foreseeable future. The active

² See Order No. 09-285 for more detail.

³ Parties to this docket include Pacific Power; PGE; Idaho Power; the Citizens’ Utility Board of Oregon; Bonneville Power Administration; the Industrial Customers of Northwest Utilities; Exergy Development Group of Idaho, LLC; Falls Creek HP Limited Partnership; Renewable Northwest Project; Oregon Department of Energy; US Geothermal, Inc.; Iberdrola Renewables, Inc.; and Community Renewable Energy Association.

⁴ Because the parties strongly disagree about whether we have jurisdiction to order the utilities to provide QRE service, we did not formally approve the form agreements under which utilities proposed to provide QRE service. We simply adopted the MOU and abated these proceeding to allow the utilities to proceed voluntarily under the terms of their own form agreements.

⁵ See Order No. 09-285.

parties acknowledged, however, that certain jurisdictional issues may need to be addressed in the future.

In a nutshell, the active parties agree that the utilities' provision of QRE service over the past two years on a voluntary basis went well. They agree to continue the status quo and to support closing this docket with two conditions. The conditions are as follows:

1. An investor-owned utility must notify the Commission, all parties to this proceeding, and all entities using QRE service of its intent to discontinue providing voluntary QRE service 90 days in advance of the proposed discontinuance; and
2. An investor-owned utility will provide data regarding QRE service, subject to protection of confidential information, if requested by the Commission.⁶

The active parties also agree to support an expedited schedule to resolve within 90 days of the utility's notice the issues of whether the Commission has the jurisdiction to require the utility to provide QRE service (a) in the utility's service territory and (b) in the utility's balancing authority area but outside the utility's service territory.

C. Conclusion

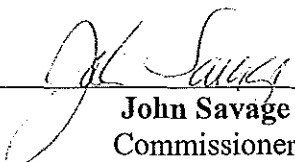
This docket was opened to investigate potential solutions to the problem of Oregon generators unable to certify their RECs. Because the active parties agree that the status quo is currently providing an adequate solution to the issue, we find it appropriate to grant the motion and to close the docket with the conditions requested.

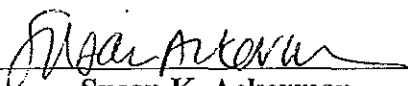
⁶ The parties agree that a utility's obligation to provide the Commission with data does not limit any parties' discovery rights in any proceeding in which QRE service is relevant.

III. ORDER

IT IS ORDERED that this docket is closed with the conditions described in this order.

Made, entered, and effective JUN 16 2011


John Savage
Commissioner


Susan K. Ackerman
Commissioner



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 Court of Appeals in compliance with ORS 183.480 through 183.484.