

ORDER NO. 20-081

ENTERED Mar 13 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1930

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON,

Community Solar Program Implementation.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its public meeting on March 10, 2020, the Public Utility Commission of Oregon adopted Staff's recommendation for Regular Agenda Item No. 4 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: March 10, 2020**

REGULAR X CONSENT _____ EFFECTIVE DATE March 10, 2020

DATE: March 2, 2020

TO: Public Utility Commission

FROM: Jill Goatcher

THROUGH: Michael Dougherty and JP Batmale **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1930)
Idaho Power Company Tariff Advice No. 20-01.
Oregon Community Solar Program Interconnection and Power Purchase Agreement.

STAFF RECOMMENDATION:

The Oregon Public Utility Commission (OPUC or Commission) should suspend Idaho Power Company's (Idaho Power) Advice No. 20-01 for 90 days for further investigation under ORS 757.215.

DISCUSSION:

Issue

Whether the Commission should suspend Idaho Power's tariff regarding Community Solar Program (CSP) project interconnection and contracting for further investigation.

Applicable Law

ORS 757.205 386(2)(a) directs the Commission to establish a program that provides electric customers with the opportunity to share the costs and benefits of solar generation. Under ORS 757.386(2)(a)(D) and OAR 860-088-0140, Idaho Power must enter into contracts for the procurement and purchase of energy from CSP projects. Under OAR 860-088-0120(4), an electric company must obtain Commission approval of any applicable tariffs required by the Community Solar Program rules.

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ORS 757.205(1) provides that [e]very public utility shall file with the Public Utility Commission, within a time to be fixed by the commission, schedules which shall be open to public inspection, showing all rates, tolls and charges which it has established and which are in force at the time for any service performed by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.”

Commission Order No. 20-038 directed Idaho Power “to file a tariff formalizing their CSP interconnection process and a proforma Interconnection Agreement for the February 25, 2020, Public Meeting.”

ORS 757.215 authorizes the Commission to suspend tariffs filed by utilities for further investigation. The filed tariffs are not effective during suspension.

Analysis

Background

On February 18, 2020, Idaho Power filed Advice No. 20-01 requesting authorization to implement a new schedule to formalize the CSP contracting and interconnection processes and pro forma interconnection agreements and power purchase agreements.¹ Idaho Power made its filing in response to Commission Order No. 20-038 directing the utilities to submit tariffs and pro forma contracts that would govern interconnection between CSP projects and under ORS 757.205, which requires the utilities to file tariffs regarding any jurisdictional service they provide. The jurisdictional service includes the utilities entering into contracts with CSP projects for the procurement and purchase of energy under the CSP.

On February 19, 2020, the Renewable Energy Coalition (REC) filed comments identifying several concerns the Coalition had with Idaho Power’s proposed tariff and contract language. On February 24, 2020, Oregon Solar Energy Industries Association, Coalition for Community Solar Access, Bonneville Environmental Foundation, Verde, Renewable NW, and Spark NW filed comments noting their support of REC’s February 19, 2020, comments.

Staff recognizes the importance of time with respect to review of Idaho Power’s filing. The CSP has begun accepting applications for CSP project pre-certification. It is important to finalize the CSP tariffs and contracts to allow projects to move toward certification. However, Staff believes it is necessary to allow time for stakeholders to engage on Idaho Power’s tariff and draft contracts and for Staff to conduct further investigation.

¹ See Idaho Power Company Advice No. 20-01 at P 1.

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Staff does not anticipate a lengthy process and plans to submit a recommendation to the Commission regarding Idaho Power's filing by April 2020. To ensure there is sufficient time to accommodate the investigation, however, Staff asks for a suspension of 90 days from the date of the Commission's order.

Idaho Power's filing is subject to ORS 757.205 and ORS 757.215, and will become effective before the next regularly scheduled public meeting unless it is suspended. Accordingly, Staff recommends that the Commission suspend Idaho Power's Advice No. 20-04 for a period of 90 days to allow time for investigation.

Conclusion

Staff believes that further investigation of Idaho Power's tariff and draft contracts is necessary, which requires suspension of Advice Filing s filing under ORS 757.215.

PROPOSED COMMISSION MOTION:

Suspend Idaho Power Company Advice No. 20-01 for 90 days for further investigation under ORS 757.215.