

Dear Stakeholders:

The PUC has opened Docket No. UM 1746 to implement Section 3 of HB 2941, which requires the PUC to hold a proceeding, including public comment, to examine a range of community solar programs and attributes to allow individual customers to share in the costs and benefits of solar facilities. The Commission must recommend a community solar program design or a set of preferred attributes to the legislature by November 1, 2015.

This deadline demands a remarkably short timeframe to implement this process, leaving little time for dialogue between parties or a potentially inefficient process. Therefore, Staff has developed a proposal form for parties to submit their proposal for community solar program design in advance of the first workshop. Please see attached for:

- **Proposal Form** – Staff requests that interested parties submit, **by COB Friday, August 7**, their proposal for community solar program design by completing the attached form, which includes a list of questions based on the program design attributes and considerations in Section 3 of HB 2941.
  - Given the accelerated timeline for this docket, staff appreciates well-organized and concise responses in the proposal form. Please submit proposals via email to the OPUC Filing Center ([PUC.FilingCenter@state.or.us](mailto:PUC.FilingCenter@state.or.us)) with your name or affiliation and “UM 1746: Community Solar Program Design Proposal” in the subject line.
- **Agenda for Workshop 1** on **Tuesday, August 11, at 1:00 PM** in the PUC Main Hearing Room, 201 High St SE Suite 100, Salem, Oregon
- **PDF of HB 2941** (2015)

Given the deadline required by HB 2941, the PUC has put together the process and timeline below. Staff acknowledges that this process is more accelerated than stakeholders and Staff are accustomed to; the deadline to conduct the process and finalize a recommendation necessitates this accelerated approach.

- **Friday, August 7, COB: *Interested parties submit Proposals*** for community solar program design in advance of Workshop 1. Please submit proposals via email to the OPUC Filing Center ([PUC.FilingCenter@state.or.us](mailto:PUC.FilingCenter@state.or.us)) with your name or affiliation and “UM 1746 – Community Solar Program Design Proposal” in the subject line.
- **Tuesday, August 11, 1PM – 5PM: *Staff Workshop 1*** – Discuss program design proposals submitted by parties, provide clarifications about program design proposals, identify common attributes, and discuss pros/cons of proposals.
- **Friday, August 15: *Staff email*** to follow up on workshop 1 and provide direction for written public comment.
- **Tuesday, September 1, COB: *Written Public Comment*** due on program design proposals. Please submit comments via email to the OPUC Filing Center ([PUC.FilingCenter@state.or.us](mailto:PUC.FilingCenter@state.or.us)) with your name or affiliation and “UM 1746 – Community Solar Program Design comments” in the subject line.
- **Friday, September 11: *Staff email*** to provide materials for Workshop 2, including Staff draft recommendation for program design.
- **Wednesday, September 16: *Staff Workshop 2*** – discuss Staff draft recommendation for community solar program design (emailed to parties in advance on Friday, Sept 11).

- Friday, September 18, COB: **Written Public Comment** due on Staff draft recommendation for community solar program design. Please submit proposals via email to the OPUC Filing Center ([PUC.FilingCenter@state.or.us](mailto:PUC.FilingCenter@state.or.us)) with your name or affiliation and “UM 1746 – Community Solar Program Design Comments” in the subject line.
- Tuesday, October 6, 9:30AM: **Regular Public Meeting with Commissioners** – staff public meeting memo will provide Staff’s recommendation for Commission approval. Parties will have the opportunity to provide public comment at the meeting.
- Friday, October 30 – **Submit Community Solar program design recommendation to the Legislature**. Statutory deadline is Sunday, Nov 1, 2015.

Please let me know if you have questions. I look forward to seeing your proposal forms **by COB Friday, August 7th**.

Thanks—Ruchi

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OPUC UM 1746 - SECTION 3 OF HB 2941 – COMMUNITY SOLAR PROGRAM DESIGN DOCKET  
PROPOSAL FORM FOR WORKSHOP 1 – SUBMIT BY COB FRIDAY, AUGUST 7 TO PUC.FILINGCENTER@STATE.OR.US

- **Submitter:**
- **Brief definition for Community Solar in Oregon:**
- **Describe your Community Solar Program Design Proposal:** *Please incorporate all parties involved (including, at a minimum, utilities, subscribers, solar owner/developer), parties' roles/relationships, and how the program would operate among the parties (including, at a minimum, the flow of money, RECs, and energy between parties). How did you incorporate the statutory considerations in your design: (1) an individual ratepayer's access to a specific solar resource, (2) cost to subscribers, (3) cost to non-subscribers, (4) role of the utilities? How does your proposal balance resource value benefits, costs, and impacts to ratepayers?*

**Visual depiction of your Community Solar Program Design Proposal:** *Please illustrate the role of parties (including, at a minimum, utilities, subscribers, solar facility owner/developer) and the way in which various transactions between parties would operate (including, at a minimum, the flow of money, RECs, and energy between parties).*

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- **Questions related to Community Solar Attributes and Statutory Considerations:**
  1. **Ownership structure:** *Who will develop, own, and maintain the solar facility? Who will own the RECs and power? What is the utility's role in this ownership design?*
  2. **System characteristics:** *Does your proposal include constraints to system characteristics, such as size, location, interconnection level, etc., on the community solar facility?*
  3. **Eligibility criteria:** *What criteria to determine customer eligibility (e.g. customer class, location, size) are included and are there carve-outs for specific groups (e.g. low income, multi-family, renters)?*

**OPUC UM 1746 - SECTION 3 OF HB 2941 – COMMUNITY SOLAR PROGRAM DESIGN DOCKET**  
**PROPOSAL FORM FOR WORKSHOP 1 – SUBMIT BY COB FRIDAY, AUGUST 7 TO PUC.FILINGCENTER@STATE.OR.US**

4. **Length and terms of contracts:** *Describe each agreement between parties in your proposal, including the parties' commitments, term lengths, penalties (e.g. early termination), and agreement formation (e.g. RFP)?*
5. **Subscription price calculation:** *Is the subscription price based on a capacity product (kw) or an energy product (kwh) and how is the price determined? Provide a simplified example showing cost assumptions (e.g. capital, operational, and maintenance costs, program administration costs, costs related to data collection and modification to utility billing systems).*
6. **Bill credits calculation.** *How are bill credits determined and applied (e.g. retail rate, avoided resource cost rate, avoided power cost rate, future resource value of solar rate, etc.)? Provide a simplified example.*
7. **Minimizing Cost-Shifting:** *Break out the cost components that will be charged to subscribers. How does this allocation of cost components minimize costs to non-subscribers?*
8. **Risk assessment:** *Who bears the burden of risk in the following categories and how is this risk mitigated: (1) solar facility system performance, (2) subscription rate and fluctuations in under or over subscription, (3) Other risk categories?*

**UM 1746 - SECTION 3 OF HB 2941 – COMMUNITY SOLAR PROGRAM DESIGN DOCKET  
OPUC WORKSHOP 1 – TUESDAY, AUGUST 11, 2015**

**AGENDA**

1:00 – 1:15 PM	- Welcome, reminders, and introductions <ul style="list-style-type: none"> <li>• <u>Sign-in</u>: Please sign the sign-in sheet.</li> <li>• <u>Service List</u>: Email your name, affiliation, and contact information to <a href="mailto:PUC.hearings@state.or.us">PUC.hearings@state.or.us</a> with “UM 1746” in the subject line.</li> </ul>
1:15 – 1:30 PM	- Review docket process and timeline
1:30 – 3:00 PM	- Round-robin – Overview of proposals & Q/A to clarify proposals
3:00 – 3:15 PM	- Break
3:15 – 5:00 PM	- Discuss pros/cons of proposals - Identify common attributes in proposals

**Expected Timeline for Docket No. UM 1746**

- Friday, August 7, COB: ***Interested parties submit Proposals*** for community solar program design in advance of Workshop 1. Please submit proposals via email to the OPUC Filing Center ([PUC.FilingCenter@state.or.us](mailto:PUC.FilingCenter@state.or.us)) with your name or affiliation and “UM 1746 – Community Solar Program Design Proposal” in the subject line.
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# Enrolled House Bill 2941

Sponsored by Representative HOLVEY

CHAPTER .....

AN ACT

Relating to solar energy; creating new provisions; amending ORS 757.603; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 757.603 is amended to read:

757.603. (1)(a) Except as provided in this subsection, [*on and after March 1, 2002,*] an electric company shall provide all retail electricity consumers that are connected to the electric company's distribution system with a regulated, cost-of-service rate option.

(b) The Public Utility Commission by order may waive the requirement of paragraph (a) of this subsection for any retail electricity consumer other than residential electricity consumers and small commercial electricity consumers. [*A waiver under this paragraph may not take effect before July 1, 2003.*] Before ordering a waiver under this paragraph, the commission shall conduct such studies as the commission deems necessary and provide notice and opportunity for public comment and hearings. The commission may order a waiver under this paragraph if the commission finds, based on an evidentiary record developed through public comment and hearings, that a market exists in which retail electricity consumers subject to the waiver are able to:

- (A) Purchase supplies of electricity adequate to meet the needs of the retail electricity consumers;
- (B) Obtain multiple offers for electricity supplies within a reasonable period of time;
- (C) Obtain reliable supplies of electricity; and
- (D) Purchase electricity at prices that are not unduly volatile and that are just and reasonable.

(2) [*Not later than March 1, 2002,*] Each electric company shall provide each residential electricity consumer that is connected to its distribution system a portfolio of rate options. The portfolio shall include at least the following options:

- (a) A rate that reflects significant new renewable energy resources; [*and*]
- (b) A market-based rate[.]; **and**

**(c) If the commission finds, through public comment and hearing or through market research conducted by the electric company, that demand is sufficient to justify the rate, a rate option for electricity associated with a specific renewable energy resource, including solar photovoltaic energy.**

(3)(a) The commission shall regulate the cost-of-service rate option under subsection (1) of this section and the portfolio of rate options under subsection (2) of this section. The commission shall reasonably ensure that the costs and risks of serving each option are reflected in the rates for each option.

(b) The commission may prohibit or otherwise limit the use of a cost-of-service rate by retail electricity consumers who have been served through direct access, and may limit switching among portfolio options and the cost-of-service rate by residential electricity consumers.

**SECTION 2. (1) The Public Utility Commission shall evaluate programs identified by the commission that incentivize the development and use of solar photovoltaic energy systems and shall submit a report to the Legislative Assembly, that:**

(a) Recommends the most effective, efficient and equitable approach to incentivizing the development and use of solar photovoltaic energy systems in this state; and

(b) For each program, makes a recommendation on whether the program should be discontinued, modified or extended or should remain unchanged.

(2) In developing recommendations under subsection (1) of this section, the commission shall consider:

(a) The resource value of solar energy;

(b) How to minimize confusion and transaction costs for persons who participate in programs that incentivize the development and use of solar photovoltaic energy systems;

(c) The costs borne by persons who do not participate in programs that incentivize the development and use of solar photovoltaic energy systems;

(d) The commission's study of the effectiveness of programs that incentivize the development and use of solar photovoltaic energy systems prepared pursuant to section 4, chapter 244, Oregon Laws 2013;

(e) The costs and benefits of each program that incentivizes the development and use of solar photovoltaic energy systems; and

(f) Any other factors deemed relevant by the commission.

(3) The commission shall consult with the State Department of Energy in conducting the study and making the report required by subsection (1) of this section.

(4) The commission shall submit the report required by subsection (1) of this section, including any recommendations for legislation, to the interim committees of the Legislative Assembly related to energy on or before September 15, 2016.

**SECTION 3. (1) The Public Utility Commission shall hold a proceeding that includes opportunity for public comment, in a manner determined by the commission, for the purpose of examining a range of community solar programs and the attributes of different community solar program designs that allow individual customers to share in the costs and benefits of solar facilities. For purposes of this subsection, attributes of different community solar program designs include ownership structure, eligibility criteria, length and terms of contracts, subscription pricing and how bill credits are calculated.**

(2) As part of the proceeding held under subsection (1) of this section, the commission shall consider:

(a) Individual ratepayer access to a specific solar resource;

(b) Costs to community solar program subscribers and non-subscribers;

(c) The role of utilities; and

(d) Any other reasonable consideration related to community solar program designs.

(3) The commission shall recommend a community solar program design, or a set of preferred attributes of different community solar program designs, that best balances the resource value benefits, costs and impacts to ratepayers to the interim committees of the Legislative Assembly related to energy and business on or before November 1, 2015.

**SECTION 4. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.**

**Passed by House April 29, 2015**

**Repassed by House June 16, 2015**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate June 11, 2015**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2015

**Approved:**

.....M,....., 2015

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State