

March 23, 2018

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
201 High Street, SE, Suite 100
Salem, OR 97301-3398

Attn: Filing Center

RE: UM 1729 and LC 67—PacifiCorp’s Comments on Staff’s Report on the timeline for the filing of post-IRP acknowledgement, avoided-cost data for qualifying facilities, under OAR 860-029-0080.

PacifiCorp d/b/a Pacific Power provides these comments on the report filed by the staff of the Public Utilities Commission of Oregon (Commission) March 20, 2018. Staff is seeking clarification on whether the filing of the avoided-cost data and prices required by OAR 860-029-0080(3) should occur 30 days from the Integrated Resource Plan (IRP) acknowledgement order or from the public meeting deliberating IRP acknowledgement.

PacifiCorp understands the need for clarity and welcomes the opportunity to explain the timing of PacifiCorp’s past avoided-cost update filings and its reliance on the Commission’s procedures and orders in past cases. In these comments PacifiCorp provides additional background on its past avoided-cost update filings and explains why it is reasonable to have the Commission’s IRP acknowledgment order to reference when updating avoided-cost data and prices.

I. DISCUSSION

A. The Commission has explicitly tied the appropriate filing date for avoided-cost data and pricing to the date of the IRP acknowledgment order, not the date of the public deliberation meeting.

In PacifiCorp’s 2011 IRP cycle, the Commission provided some prescient guidance on the appropriate filing date for avoided-cost data and prices. The Commission considered PacifiCorp’s 2011 IRP during its December 6, 2011 public meeting.¹ Although the Commission had not yet issued a written order regarding PacifiCorp’s 2011 IRP, PacifiCorp filed an advice letter that revised avoided-cost data and prices March 2, 2012, to meet the two-year deadline under ORS 758.525.² In an order approving PacifiCorp’s advice filing, the Commission waived the two-year filing requirement and deemed PacifiCorp’s advice filing to have been filed

¹ *In the Matter of PacifiCorp’s 2011 Integrated Resource Plan*, Docket No. LC-52, Order No. 12-082 at 2 (Mar. 9, 2012).

² *In the Matter of Pacific Power’s Request to Revise Standard Rates in Schedule 37 for avoided-cost purchases from Qualifying Facilities of 10,000 kW or less*, Docket No. UM 1591, Order No. 12-106 at 1 (Mar. 27, 2012).

March 12, 2012, to ensure that it occurred the day *after* the issuance of the written acknowledgement order for the 2011 IRP:

Second, we treated Pacific Power’s Advice No. 12-005 as the required filing of standard rates for QF purchases following Commission acknowledgement of an integrated resource plan (IRP) under OAR 860-029-0080(3), and deemed the filing to have been made on March 12, 2012—the day following the issuance of our Order No. 12-082 that acknowledged, with conditions and exceptions, Pacific Power’s 2011 IRP.³

In the 2013 IRP cycle, the company again filed its avoided-cost update before the IRP acknowledgment order was issued to meet the two-year deadline in ORS 758.525.⁴ As staff accurately points out, PacifiCorp filed the avoided-cost data and prices within 30 days of the Commission’s written acknowledgement order in the 2015 IRP.⁵ No party objected to the timing of the filing, and the Commission did not comment on the timing of the filing.

By filing the avoided-cost data and prices after the written acknowledgement order, PacifiCorp is acting in accordance with Commission orders and procedures.

B. The written Commission IRP acknowledgment order is helpful and potentially necessary in developing updated avoided-cost data and prices.

Having a detailed acknowledgement order before filing avoided-cost pricing is reasonable because of the certainty it provides. Staff acknowledges this by pointing out a hypothetical where “the Commission partially acknowledges an IRP and it is impossible to discern from the Commission’s decision how to determine the date of resource deficiency.”⁶ Even if the risk of this is low as Staff asserts, the risk is zero if the filing of avoided-cost data and prices were tied the date of the acknowledgement order. The most reasonable reading of the rule would suggest that the filing occur after the issuance of an acknowledgement order to ensure that the utility has all necessary information to develop accurate avoided-cost pricing.

II. CONCLUSION

If the Commission decides that avoided-cost data and pricing should be filed after the public deliberation, rather than after the date of the written acknowledgement order, PacifiCorp respectfully requests 30 days from the date of that decision to file its avoided cost update. PacifiCorp appreciates the opportunity to provide these comments and will attend the March 27, 2018 public meeting.

³ *Id.*

⁴ *In the Matter of the Public Utility Commission of Oregon, Staff Investigation into Qualifying Facility Contracting and Pricing*, Order No. 14-295, Appendix A at 1 (Aug. 19, 2014).

⁵ *See* Staff Report at 2 (March 22, 2018).

⁶ *Id.*

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Please direct any questions on this filing to me at (503) 813-6583.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Natasha Siores". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Natasha Siores
Manager, Regulatory Affairs