

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1452

In the Matter of)	
)	
PUBLIC UTILITY COMMISSION)	
OF OREGON)	The Environmental Law
Investigation into Pilot Programs to)	Alliance Worldwide (ELAW)
demonstrate the use and effectiveness of)	Response to Motion Filed by RNP
Volumetric Incentive Rates for Solar)	and CUB
Photovoltaic Energy Systems.)	

The Environmental Law Alliance World (ELAW) opposes the motion by the Renewable Northwest Project (RNP) and the Citizen's Utility Board (CUB) requesting an order allowing another round of opening and closing comments on the issue of solar cost data. ELAW agrees with statements made in the Oregonians for Renewable Energy Policy's (OREP's) response to the motion.

ELAW wants to ensure Oregon's pilot solar feed-in tariff program is launched as soon as possible. Reopening the docket could lead to delay in implementing the program. RNP and CUB request opening the docket to allow them to submit cost data. However, all parties had an opportunity to submit cost data before closing comments were due on February 12. OREP, working with several other parties including ELAW, went to substantial effort to gather cost data and analyze it. OREP requested a workshop for the parties to discuss this data. Several parties presented cost data at that workshop. The Commission requested parties to address this cost data in closing arguments, which several parties did. Clearly, there has been ample opportunity to present and discuss cost data. Opening the record now to allow parties to present evidence that appears to have been available when the record was open, will require all the parties to invest more time and expense. Even if the moving parties want to present a month's worth of new data, it does not justify reopening the record. ELAW's own investigations demonstrate only a minor change in prices that does not warrant a change in rate, particularly given that prices will continue to fluctuate. If the docket is reopened, several parties are likely to offer their own cost data, which will lead (again) to long discussions about which data is most accurate and what inputs may have skewed certain data presented.

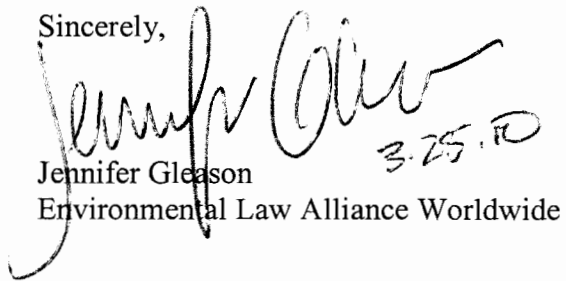
This is a pilot program. The program as recommended by Commission Staff includes periodic review of rates. The record needs to be closed on this issue at some point in time. If prices go up in the next 30 days, will there be another motion to reopen the docket?

RNP states in its motion that RNP "along with several other parties including Staff and CUB, is concerned that the installed-cost data used to develop Staff's proposed VIRs may not

reflect the current market trends in Oregon.” ELAW has not heard any concerns from Staff about the data used to develop a proposed VIR.

ELAW urges the Commission to deny the motion to reopen the docket, which would burden parties with the expense of re-arguing issues that have already been addressed. We urge the Commission to keep the docket closed and move forward to launch the program as quickly as possible.

Sincerely,

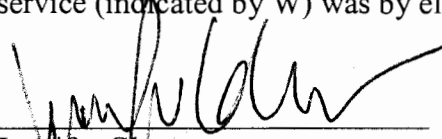


3.25.10

Jennifer Gleason
Environmental Law Alliance Worldwide

CERTIFICATE OF SERVICE

I certify that on March 25, 2010, a true and correct copy of the Environmental Law Alliance Worldwide's response to RNP and CUB's motion to reopen the docket in UM 1452 was served on the parties listed below. Service was by First Class U.S. mail to all parties unless they have waived paper service. Service to parties who waived paper service (indicated by W) was by electronic mail.



Jennifer Gleason

3.25.10

W RAYMOND P NEFF
465-1/2 RIVER RD
EUGENE OR 97404
rpneff@efn.org

W DANIEL WELDON
19790 SOUTH FERGUSON
TERRACE
OREGON CITY OR 97045
danweldon@bctonline.com

W CITIZENS' UTILITY BOARD OF OREGON
610 SW BROADWAY STE 308
PORTLAND OR 97205-3404

JEFF BISSONNETTE
jeff@oregoncub.org

GORDON FEIGNER
ENERGY ANALYST
gordon@oregoncub.org

ROBERT JENKS
bob@oregoncub.org

G. CATRIONA MCCrackEN
LEGAL COUNSEL/STAFF ATTY
catriona@oregoncub.org

W ECUMENICAL MINISTRIES OF OREGON
KATHLEEN NEWMAN
OREGON INTERFAITH POWER
& LIGHT
1553 NE GREENSWORD DR
HILLSBORO OR 97214
knewman@emoregon.org

W CABLE HUSTON BENEDICT HAAGENSEN & LLOYD, LLP
RAYMOND S KINDLEY
1001 SW FIFTH AVENUE, SUITE 2000
PORTLAND OR 97204-1136
rkindley@cablehuston.com

W MULTNOMAH COUNTY WARREN FISH
501 SE HAWTHORNE, STE 600
PORTLAND OR 97214
warren.fish@co.multnomah.or.us

W MULTNOMAH COUNTY COMMISSIONER
COMMISSIONER JEFF COGEN
501 SE HAWTHORNE, STE 600
PORTLAND OR 97214
district2@co.multnomah.or.us

W JOHN BISHOP
1635 NW JOHNSON ST
PORTLAND OR 97209
jbishop@mbjlaw.com

W OREGON DEPARTMENT OF ENERGY
625 MARION ST NE
SALEM OR 97301-3737

ROBERT DEL MAR
ENERGY ANALYST
robert.delmar@state.or.us

VIJAY A SATYAL
SENIOR POLICY ANALYST
vijay.a.satyal@state.or.us

JENNY HOLMES
0245 SW BANCROFT, SUITE B
PORTLAND OR 97239
jholmes@emoregon.org

W ENERGY TRUST OF OREGON
851 SW SIXTH AVE - STE 1200
PORTLAND OR 97204

KACIA BROCKMAN
kacia@energytrust.org

JOHN VOLKMAN
john.volkman@energytrust.org

W IDAHO POWER COMPANY
JOHN GALE
rgale@idahopower.com

BARTON L KLINE
SENIOR ATTORNEY
bkline@idahopower.com

JEFF MALMEN
jmalmen@idahopower.com

LISA D NORDSTROM
ATTORNEY
lnordstrom@idahopower.com

GREGORY W SAID
DIRECTOR – REVENUE
REQUIREMENT
gsaid@idahopower.com

MARK STOKES
MANAGER, POWER SUPPLY &
PLANNING
mstokes@idahopower.com

MICHAEL YOUNGBLOOD
SENIOR PRICING ANALYST
myoungblood@idahopower.com

W OREGON AFL-CIO
DUKE SHEPARD
2110 STATE ST
SALEM OR 97301
duke@oraflcio.org

ANDREA F SIMMONS
andrea.f.simmons@state.or.us

DAVISON VAN CLEVE
333 SW TAYLOR ST., SUITE 400
PORTLAND OR 97204

MELINDA J. DAVISON
mail@dvclaw.com

IRION A. SANGER
ias@dvclaw.com

DEPARTMENT OF JUSTICE
1162 COURT ST NE
SALEM OR 97301-4096

STEPHANIE S ANDRUS, AAG
REGULATED UTILITY AND BUSINESS
SECTION
stephanie.andrus@state.or.us

W JANET L PREWITT
NATURAL RESOURCES SECTION
Janet.prewitt@doj.state.or.us

W ESLER STEPHENS & BUCKLEY
JOHN W STEPHENS
888 SW FIFTH AVE STE 700
PORTLAND OR 97204-2021
stephens@eslerstephens.com

W IDAHO POWER COMPANY
RANDY ALLPHIN
rallphin@idahopower.com

CHRISTA BEARRY
cbearry@idahopower.com

KARL BOKENKAMP
kbokenkamp@idahopower.com

W MCDOWELL & RACKNER PC
520 SW 6TH AVE STE 830
PORTLAND OR 97204

WENDY MCINDOO
OFFICE MANAGER
wendy@mcd-law.com

**W OREGON DISTRICT COUNCIL
OF LABOERS**

BEN NELSON
10245 SE HOLGATE BLVD
PORTLAND OR 97266
nrocnelson@qwest.net

MELODY GUY
melodyg@qwestoffice.net

PORTLAND GENERAL ELECTRIC CO.

J RICHARD GEORGE
121 SW SALMON ST 1WTC1301
PORTLAND OR 97204
richard.george@pgn.com

DOUG KUNS
121 SW SALMON STREET
1WTC0702
PORTLAND OR 97204
pge.opuc.filings@pgn.com

**PUBLIC UTILITY COMMISSION
OF OREGON**

THERESA GIBNEY
PO BOX 2148
SALEM OR 97308
theresa.gibney@state.or.us

W SUNEDISON

JOE HENRI
12500 BALTIMORE AVE
BELTSVILLE MD 20705
jhenri@sunedison.com

**W SUSTAINABLE SOLUTIONS
UNLIMITED LLC**

STEVEN MCGRATH
1339 SE 8TH AVE # B
PORTLAND OR 97214
steve@solutions21st.com

W TEDDY KEIZER

1615 SE 30TH AVE
PORTLAND OR 97214
teddy@gotedygo.com;
teddyla@aol.com

LISA F RACKNER
ATTORNEY
lisa@mcd-law.com

**W OREGONIANS FOR RENEWABLE
ENERGY PAYMENTS**

JUDY BARNES
1425 SE 37TH
PORTLAND OR 97214
jbarnes@hevanet.com

MARK PETE PENGILLY
PO BOX 10221
PORTLAND OR 97296
mpengilly@gmail.com

W PACIFICORP

RYAN FLYNN
825 NE MULTNOMAH, SUITE 1800
PORTLAND OR 97232
ryan.flynn@pacificorp.com

W RENEWABLE NORTHWEST PROJECT

917 SW OAK - STE 303
PORTLAND OR 97205

SUZANNE LETA LIOU
suzanne@rnp.org

W SOLAR ENERGY SOLUTIONS, INC.

ANDREW KOYAANISQATSI
PRESIDENT
3730 SE LAFAYETTE CT
PORTLAND OR 97202
andrew@solarenergyoregon.com

**W PACIFICORP, DBA PACIFIC
POWER**

PACIFIC POWER OREGON DOCKETS
825 NE MULTNOMAH STREET, STE
2000
PORTLAND OR 97232
oregondockets@pacificorp.com

**W SOUTHEAST UPLIFT
NEIGHBORHOOD
COALITION**

TIM O'NEIL
3534 SE MAIN ST
PORTLAND OR 97212
tim@southeastuplift.org

