

BEFORE THE
PUBLIC UTILITY COMMISSION OF OREGON

IN THE MATTER THE PUBLIC UTILITY)	DOCKET NO. UM 1610
COMMISSION OF OREGON)	PHASE II
)	
Investigation Into Qualifying Facility)	REPLY COMMENTS OF THE
Contracting and Pricing)	COMMUNITY RENEWABLE ENERGY
)	ASSOCIATION, RENEWABLE
)	ENERGY COALITION, AND
)	NORTHWEST AND INTERMOUNTAIN
)	POWER PRODUCERS COALITION

In response to Oregon Public Utility Commission’s (“OPUC” or “Commission”) Order No. 16-417, the Community Renewable Energy Association, Renewable Energy Coalition, and the Northwest and Intermountain Power Producers Coalition (jointly “Joint QF Parties”) respectfully submit these reply comments on the right for renewable pricing for qualifying facilities (“QF”) ineligible for PacifiCorp’s standard avoided cost prices. The Joint QF Parties generally support the arguments raised by the Commission Staff, the Oregon Department of Energy, Renewable Northwest, and Obsidian Renewables urging the Commission to direct PacifiCorp to offer QFs above the standard contract size threshold renewable rates. The fact that all these parties, which actively participated in this proceeding, do not believe that PacifiCorp even raised the issue of eliminating renewable rates should be sufficient justification alone to reject PacifiCorp’s compliance filing. Simply put, the Commission could not resolve an issue that was not presented to it, and thus did not change its policy that QFs ineligible for standard

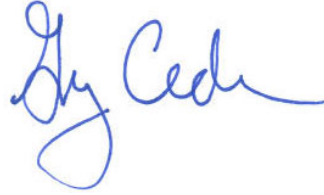
rates should be paid renewable prices if they are willing to sell renewable power. There is no order eliminating the renewable rate for PacifiCorp to comply with.

PacifiCorp raised no new substantive issues or arguments on the issue of the applicability of renewable rates that have not already been fully responded to by the other parties in this proceeding, but the Company strangely raised an entirely off topic issue: that there should be additional review of the market price floor and further lower avoided cost rates. Unlike the issue of renewable rates, this issue has been fully litigated twice and the Company has raised no compelling reason to litigate it a third time. In UM 1610, the QF parties lost most of their issues, and they should not have to refight one of the relatively few issues that the utilities at least partially lost. Despite a few instances in which PacifiCorp did not succeed in rolling back Oregon's Public Utility Regulatory Policies Act ("PURPA") policies, the overall cumulative impact of the Commission's recent orders on pricing, contracts, and other policies have halted—or at least dramatically slowed—QF development for PacifiCorp and are likely to cause some existing QFs to shut down their operations.¹ For practical purposes, PacifiCorp has largely won its war on PURPA in Oregon to date.

¹ See Re PacifiCorp, dba Pacific Power, Information Filing of QF Contracts, Docket No. RE 142. PacifiCorp entered into seven (five new and two existing) PURPA contracts in 2016, with less than 5 MWs of QF capacity signed after June 2016. In contrast, PacifiCorp entered into 27 PURPA contracts in 2015. Very few of the new QF contracts have been built.

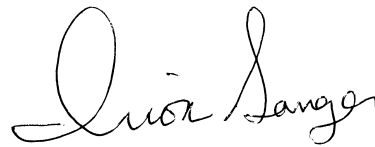
RESPECTFULLY SUBMITTED this 3rd day of November 2016.

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