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Portland, OR 97208
(458) 205-5870
Ryan.Meyer@pacificnorthwestsolar.net

June 3, 2015

Public Utility Commission
Attn: Filing Center
PO Box 1088
Salem, OR 97308-1088

Re: *In the Matter of IDAHO POWER COMPANY, Application to Lower Standard Contract Eligibility Cap and to Reduce the Standard Contract Term, for Approval of Solar Integration Charge, and for Change in Resource Sufficiency Determination. Docket No. UM 1725*

Dear Filing Center:

Please find enclosed an Amendment to the Opposition and Response of Pacific Northwest Solar, LLC to Idaho Power Company's Motion for Temporary Stay.

Please do not hesitate to the undersigned with any questions or concerns.

Sincerely,

/s/Ryan N. Meyer

Ryan N. Meyer
Managing Member, VP of Operations, and
Representative of Pacific Northwest Solar, LLC

Enclosure

1 Ryan N. Meyer
2 Managing Member, VP of Operations
3 and authorized Representative of
4 Intervenor Pacific Northwest Solar, LLC
5 (458) 205-5870
6 ryan.meyer@pacificnorthwestsolar.net
7 8221 King Road
8 Loomis, CA 95650

9
10 **BEFORE THE PUBLIC UTILITY COMMISSION**

11 **OF OREGON**

12
13 In the Matter of
14 IDAHO POWER COMPANY
15
16 Motion for Temporary Stay of Its Obligation to
17 Enter Into New Power Purchase Agreements
18 With Qualifying Facilities

Docket No. UM 1725

**PACIFIC NORTHWEST SOLAR, LLC'S
AMENDMENT TO ITS OPPOSITION TO
IDAHO POWER COMPANY'S MOTION
FOR TEMPORARY STAY OF ITS
OBLIGATION TO ENTER INTO NEW
POWER PURCHASE AGREEMENTS
WITH QUALIFYING FACILITIES**

19 Intervenor Pacific Northwest Solar, LLC ("PNW") hereby offers the following amendment
20 to its Opposition in response to Idaho Power Company's ("Idaho Power") "Motion for a
21 Temporary Stay of Its Obligations to Enter Into New Power Purchase Agreements with Qualifying
22 Facilities" (the "Motion").

23 PNW recognizes that Staff's response set a recommended cut-off date for determining
24 Schedule 85 ESA requests as of April 24, 2014 (the day Idaho Power filed its Motion). PNW
25 concedes that the rationale used by Staff mirrors that embodied within PNW's Opposition already
26 filed, but requires some clarification given the unique circumstances applicable to PNW's
27 Schedule 85 ESA requests and the timing thereof. PNW asks that the Oregon Public Utility
28 Commission ("Commission") accept this minor clarification in evaluating the Motion.

1 **A. THE CUT-OFF DATE FOR PROCESSING SCHEDULE 85 ESA**
2 **REQUESTS, IF NOT THE DAY OF THE ORDER, SHOULD BE**
3 **INCLUSIVE OF APRIL 27, 2015**

4 As the Staff pointed out, developers like PNW had settled expectations that their pending
5 Schedule 85 ESA requests would be processed under the current state of that tariff, while future
6 projects may be processed under a different set of rules. Staff indicated that an appropriate date
7 would be April 24, 2015, the day the Motion to Stay was filed. However, that date does not
8 accurately or adequately protect PNW’s settled expectations.

9 A short summary of the development history of PNW’s subject projects is helpful to
10 understanding the injustice that would result in drawing the line at April 24, 2015. Starting in
11 March and continuing through early April 2015, PNW undertook Small Generator Interconnection
12 Agreement (“SGIA”) applications with Idaho Power – paying the requisite fee for the feasibility
13 study for each of its nine (9) projects, well before Idaho Power filed the instant request for relief.
14 This alone was sufficient to apprise Idaho Power of the fact that PNW had a settled expectation
15 that its projects would be treated under the current state of the Schedule 85 tariff.

16 Apart from the SGIA process, PNW submitted a single Schedule 85 ESA request to
17 Michael Darrington of Idaho Power on April 16, 2015, stating (*see* Exhibit A hereto):

18 While our SGIAs are under way with Jeremiah for several projects, I wanted to get started on the ESA. I've
19 attached the first ESA for our Arcadia Solar, LLC project and wanted to see if you could accept it via email or if
20 you would prefer me to send in a hard copy. Additionally, I wanted to make sure all looked in order to you before
I finalize and send the others (8 additional projects).

21 Thereafter and in response to PNW’s request for confirmation that the first Schedule 85
22 ESA request appeared satisfactory, on April 21, 2015, Idaho Power indicated that (*see* Exhibit B
23 hereto):

24 Idaho Power has received your Schedule 85 request for your proposed Arcadia solar project. Your request is
25 being reviewed and we will let you know once that is complete.

26 Nothing was said about a pending Motion to Stay that would be filed in three days, nor any
27 reference to UM 1610/UM 1725, nor was there any other indication from Idaho Power that would
28 disrupt the settled expectations of PNW relative to all nine (9) of its projects then underway.

1 As confirmation of this very point, on the morning of April 24, 2015 (without being made
2 aware of and without any knowledge of the Motion having been filed or otherwise disclosed to the
3 public),¹ PNW again reiterated that it had eight (8) additional Schedule 85 ESA requests ready to
4 go, but wanted to confirm that the submission earlier was sufficient (*see* Exhibit C hereto):

5 *I wanted to check in on this one to see if the submittal looked ok - I have another 8 to submit but didn't want to
6 submit those until I knew the one I already submitted looked good.*

7 The requests were ready to go (having been complete for more than a week and simply awaiting
8 Idaho Power's feedback), and thus there was a settled expectation of PNW that all nine (9) of its
9 Schedule 85 ESA requests would be processed under the current tariff.

10 Idaho Power responded to PNW on April 27, 2015 indicating that it would not provide a
11 draft ESA for the first project due to this Motion to Stay having been filed (an issue that is the
12 subject of a separate Complaint – *see* Docket No. UM 1731). PNW then submitted all remaining,
13 already-completed Schedule 85 ESA requests to Idaho Power on April 27, 2015.

14 In light of the above, it is clear that PNW had settled expectations that its nine (9) projects
15 would be timely processed under the Schedule 85 timeline and under the tariff terms then in place.
16 Accordingly, if the Motion to Stay is granted and/or if Staff's position is adopted relative to the
17 same, then PNW would ask that the Commission set the date for processing Schedule 85 ESA
18 requests to be inclusive of April 27, 2015 thereby honoring PNW's settled expectations.

19
20 Respectfully submitted on June 3, 2015,

21 */s/Ryan N. Meyer*

22 Ryan N. Meyer
23 Authorized Representative of Intervenor Pacific
24 Northwest Solar, LLC
25
26
27

28 ¹ Indeed, PNW was unaware of either UM 1610 or UM 1725 until receiving Idaho Power's
correspondence on April 27, 2015.

Exhibit A



Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>

ESA application - Arcadia

Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>
To: "Darrington, Michael" <MDarrington@idahopower.com>

Thu, Apr 16, 2015 at 12:23 PM

Hi Michael -

While our SGIA's are under way with Jeremiah for several projects, I wanted to get started on the ESA. I've attached the first ESA for our Arcadia Solar, LLC project and wanted to see if you could accept it via email or if you would prefer me to send in a hard copy. Additionally, I wanted to make sure all looked in order to you before I finalize and send the others (8 additional projects).

I appreciate your time and consideration.

Best regards,

Ryan

—

Ryan N. Meyer
Managing Member
Pacific Northwest Solar, LLC
[\(458\) 205-5870](tel:(458)205-5870)

 **ESA application_Arcadia.pdf**
905K

Exhibit B

Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>

ESA application - Arcadia

Darrington, Michael <MDarrington@idahopower.com>
To: Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>

Tue, Apr 21, 2015 at 10:39 AM

Hi Ryan,

Idaho Power has received your Schedule 85 request for your proposed Arcadia solar project. Your request is being reviewed and we will let you know once that is complete.

Thanks,

--

Michael Darrington

SR ENERGY CONTRACTS COORDINATOR

Idaho Power | Power Supply

Work 208-388-5946

Email mdarrington@idahopower.com

From: Ryan Meyer [<mailto:ryan.meyer@pacificnorthwestsolar.net>]
Sent: Tuesday, April 21, 2015 9:11 AM
To: Darrington, Michael
Subject: Re: ESA application - Arcadia

Hi Michael -

[Quoted text hidden]



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Exhibit C



Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>

ESA application - Arcadia

Ryan Meyer <ryan.meyer@pacificnorthwestsolar.net>
To: "Darrington, Michael" <MDarrington@idahopower.com>

Fri, Apr 24, 2015 at 9:11 AM

Thanks again Michael -

I wanted to check in on this one to see if the submittal looked ok - I have another 8 to submit but didn't want to submit those until I knew the one I already submitted looked good.

Thanks!

Ryan

Sent from my iPhone

On Apr 21, 2015, at 10:39 AM, Darrington, Michael <MDarrington@idahopower.com> wrote:

[Quoted text hidden]