

July 30, 2024



Resource Adequacy Rules Waiver Process Announcement

This announcement describes Oregon Public Utility Commission Staff's (Staff) intention to recommend the Oregon Public Utility Commission (Commission) grant a limited waiver of the Commission's resource adequacy (RA) rules. The Commission will host a Special Public Meeting on August 29, 2024, and provide opportunities for stakeholder engagement.

Background

At the April 16, 2024 regular public meeting, the Commission adopted rules to establish a set of RA informational filing requirements and a state-level RA program with a first compliance filing due in Spring 2025.¹ The first compliance filing due date, which would cover the period of July 2025 – June 2027, is designed to overlap with the first binding period of the Western Resource Adequacy Program (WRAP) of Summer 2026.

On April 22, 2024, the Western Power Pool (WPP) announced that WRAP participants elected to not move to a binding program in Summer 2026. Instead, the participants intend to propose a revised WRAP transition plan to move to a binding program in the Summer of 2027. The announcement by the WPP raises important questions about the tradeoffs and fairness of maintaining the first binding compliance filing for the state program, April 1, 2025, given that the first binding WRAP compliance period would cover a period no earlier than Summer 2027 and the first state compliance period was chosen to align with the WRAP.

Proposed Waiver Process

Staff believes that the most productive response to diverging binding programs is to focus the Commission's efforts in 2025 on testing the state's compliance reporting requirements and gaining a better understanding of gaps and risks for resource adequacy across participants. Therefore, Staff plans to recommend the Commission waive OAR 860-095-0040(10) and OAR 860-095-0040(11). In effect, this means that participants in the state RA program would still be required to file their first compliance filing, but participants would not be subject to compliance determinations and associated penalties or remedial actions. Further, Staff plans to monitor the non-binding forward showings made by committed WRAP participants in Spring 2025.

Staff intends to bring this recommendation to a Special Public Meeting **on August 29, 2024**, and encourages stakeholders to attend and participate in this meeting. The Commission will publish an agenda and participation details for the Special Public Meeting in the coming weeks. Staff also plans to publish a memo for its proposed waiver by **August 12, 2024**.

If you have questions on the process or content of this announcement, please contact:

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¹ See Order No. 24-133.