

HARDY MYERS  
Attorney General



PETER D. SHEPHERD  
Deputy Attorney General

**DEPARTMENT OF JUSTICE**  
GENERAL COUNSEL DIVISION

November 18, 2008

Lisa D. Hardie  
Administrative Law Judge  
Public Utility Commission of Oregon  
550 Capitol Street NE - Suite 215  
Salem Oregon 97301

Re: UM 1394 – Issues List

Dear Judge Hardie:

In accordance with the schedule adopted in this docket, staff submits the enclosed Issues List supported by ICNU, PacifiCorp, PGE and staff. As of the time of this filing, staff was unable to obtain agreement from the other parties and staff assumes each such party will submit its own Issues List.

Sincerely,

Michael T. Weirich  
Assistant Attorney General  
Regulated Utility & Business Section

MTW:nal/#1160567  
Enclosures  
C w/enc: all parties

**Staff/ ICNU/ PGE/ PacifiCorp's Joint Issues List  
UM 1394**

1. Does the Commission have authority to require a public utility to provide QRE service to all generators over 360 kilowatts (kW)<sup>1</sup> upon request if:<sup>2</sup>
  - a. The generator is located in the public utility's Oregon service territory and is interconnected to the public utility's distribution or transmission system under a valid interconnection agreement?
  - b. The generator is located in Oregon and the public utility serves as its Balancing Authority, but the generator is not located in the public utility's allocated Oregon service territory?
  - c. The generator is located in the public utility's allocated service territory or control area, or both, but is not interconnected with the public utility?
2. To the extent the Commission has authority to require the public utilities to provide QRE service, should the service be provided through a Commission-approved rate schedule?
3. If QRE service is provided through a Commission-approved rate schedule, what types of terms and conditions should be specified:
  - a. In the rate schedule?
  - b. In the QRE contract between the public utility and the generator?
4. To the extent the Commission does not have authority to require the public utilities to provide QRE service, are the public utilities willing to voluntarily provide such service? If so, to whom and under what conditions?
5. Would the following public utility activities be discriminatory, or would public utilities otherwise be prohibited from:<sup>3</sup>
  - a. Acting as a QRE for owned or contracted facilities from which the utility is receiving renewable energy certificates (RECs), but not offering QRE service for other generators interconnected to the

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<sup>1</sup> Smaller generators may self-report to the Western Renewable Energy Generation Information System (WREGIS). See *WREGIS Interface Control Document - Qualified Reporting Entities* at 11-12, available at: <http://www.wregis.org/content/blogcategory/26/47/>.

<sup>2</sup> A modification of issue 4 on staff's initial issues list. See the staff report for the October 7, 2008, public meeting, regular agenda item no. 1.

<sup>3</sup> A modification of issue 2 on staff's initial issues list.

utility or for which the utility is the Balancing Authority (“Third Party Generators”)?

- b. Charging Third Party Generators for QRE service while including in retail rates the cost of providing such service for owned or contracted facilities from which the utility is receiving RECs?
  - c. Charging Third Party Generators a different rate for QRE service than the internal charge the utility incurs for owned or contracted facilities from which the utility is receiving RECs?
6. What are the requirements to be a QRE under the Western Renewable Energy Generation Information System?
  7. Can third parties compete effectively with public utilities to provide QRE service for generators over 360 kW?<sup>4</sup>
  8. What are the estimated costs for providing QRE service to Third Party Generators and what is the basis for these costs?<sup>5</sup>
  9. Should the public utilities charge generators the fully allocated cost or the incremental cost for QRE services?
  10. Would charges for either fully allocated or incremental costs of QRE service be prohibitively expensive for generators?<sup>6</sup>
  11. Does the Commission have the authority to order that QRE services provided to Third Party Generators be subsidized by ratepayers on a pilot program basis? If so, what are the bases and standards for such authority? Should QRE services to Third Party Generators be subsidized?<sup>7</sup>
  12. Should public utilities provide a service comprised of reporting generation data that the utility has to a third party upon the generator’s request, thus giving the generator the additional option of choosing an alternative QRE? If so, what are the costs of providing such a service, and what are:
    - a. The bases for those costs?
    - b. The liabilities of providing meter data to an alternative QRE?

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<sup>4</sup> A modification of issue 3 on staff’s initial issues list.

<sup>5</sup> A modification of issue 5 on staff’s initial issues list.

<sup>6</sup> A modification of issue 6 on staff’s initial issues list.

<sup>7</sup> A modification of issue 7 on staff’s initial issues list.

- c. The responsibilities of providing meter data to an alternative QRE?  
What if the generator wants corrections/adjustments?
13. Under what conditions might additional metering be needed to provide QRE service for generators, and who should bear the cost?
  14. Does the Federal Energy Regulatory Commission have jurisdiction over Qualified Reporting Entity (QRE) service provided by public utilities? Does the answer depend on the design of this service and which function of the utility provides the service?<sup>8</sup>
  15. What are the responsibilities and liabilities of the utility providing QRE services?

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<sup>8</sup> A modification of issue 1 on staff's initial issues list.

1 **CERTIFICATE OF SERVICE**

2 I certify that on November 18, 2008, I served the foregoing Staff/ ICNU /  
3 PGE/ PacifiCorp's Issues List upon all parties of record in this proceeding by delivering a copy  
4 by electronic mail and by mailing a copy by postage prepaid first class mail or by hand  
5 delivery/shuttle mail to the parties accepting paper service.

6 **W**  
7 PACIFIC POWER OREGON DOCKETS  
8 825 NE MULTNOMAH STREET, STE 2000  
9 PORTLAND OR 97232  
10 oregondockets@pacificorp.com

11 **W**  
12 SHAUNA PRATT  
13 1505 TYRELL LN  
14 BOISE ID 83706  
15 spratt@usgeothermal.com

16 **BONNEVILLE POWER ADMINISTRATION**

17 DEBRA MALIN  
18 ATTORNEY  
19 905 NE 11TH AVE  
20 PORTLAND OR 97208  
21 djmalin@bpa.gov

22 J COURTNEY OLIVE  
23 ATTORNEY  
24 905 NE 11TH AVE  
25 PORTLAND OR 97208  
26 jcolive@bpa.gov

17 **W**  
18 **CITIZEN'S UTILITY BOARD OF OREGON**

19 G. CATRIONA MCCrackEN  
20 LEGAL COUNSEL/STAFF ATTY  
21 610 SW BROADWAY - STE 308  
22 PORTLAND OR 97205  
23 catriona@oregoncub.org

24 **CITIZENS' UTILITY BOARD OF OREGON**

25 ROBERT JENKS  
26 610 SW BROADWAY STE 308  
PORTLAND OR 97205  
bob@oregoncub.org

23 **DAVISON VAN CLEVE PC**

24 MELINDA J DAVISON  
25 333 SW TAYLOR - STE 400  
26 PORTLAND OR 97204  
mail@dvclaw.com

**DEPARTMENT OF JUSTICE**

JESSE D. RATCLIFFE  
ASSISTANT ATTORNEY GENERAL  
NATURAL RESOURCES SECTION  
1162 COURT ST NE  
SALEM OR 97301-4096  
jesse.d.ratcliffe@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**  
**FALLS CREEK HP LIMITED PARTNERSHIP**

GARY MARCUS  
PO BOX 359  
EUGENE OR 97440  
garymarcus1@aol.com

DIANE MOORE  
PO BOX 359  
EUGENE OR 97440  
dmoore@frontier-technology.com

**W**  
**IBERDROLA RENEWABLES, INC**

KEVIN LYNCH  
1125 NW COUCH ST STE 700  
PORTLAND OR 97209  
kevin.lynch@iberdrolausa.com

TOAN-HAO NGUYEN  
1125 NW COUCH ST  
PORTLAND OR 97209  
toan.nguyen@iberdrolausa.com

CARRIE PLEMONS  
1125 NW COUCH ST  
PORTLAND OR 97209  
carrie.plemons@iberdrolausa.com

1 **W**  
2 **IDAHO POWER COMPANY**

3 RANDY ALLPHIN  
4 PO BOX 70  
5 BOISE ID 83707-0070  
6 rallphin@idahopower.com

7 CHRISTA BEARRY  
8 PO BOX 70  
9 BOISE ID 83707-0070  
10 cbearry@idahopower.com

11 BARTON L KLINE  
12 SENIOR ATTORNEY  
13 PO BOX 70  
14 BOISE ID 83707-0070  
15 bkline@idahopower.com

16 MIKE YOUNGBLOOD  
17 myoungblood@idahopower.com

18 **MCDOWELL & RACKNER PC**  
19 ADAM LONEY  
20 520 SW SIXTH AVE, SUITE 820  
21 PORTLAND OR 97204  
22 adam@mcd-law.com

23 WENDY MCINDOO  
24 OFFICE MANAGER  
25 520 SW 6TH AVE STE 830  
26 PORTLAND OR 97204  
wendy@mcd-law.com

27 LISA F RACKNER  
28 ATTORNEY  
29 520 SW SIXTH AVENUE STE 830  
30 PORTLAND OR 97204  
31 lisa@mcd-law.com

32 **OREGON DEPARTMENT OF ENERGY**  
33 KIP PHEIL  
34 625 MARION ST NE - STE 1  
35 SALEM OR 97301-3737  
36 kip.pheil@state.or.us

37 VIJAY A SATYAL  
38 SENIOR POLICY ANALYST  
39 625 MARION ST NE  
40 SALEM OR 97301  
41 vijay.a.satyal@state.or.us

42 **W**  
43 **PACIFIC POWER & LIGHT**  
44 JEREMY WEINSTEIN  
45 ATTORNEY  
46 1512 BONANZA ST  
47 WALNUT CREEK CA 94596  
48 jeremy.weinstein@pacificcorp.com

49 **W**  
50 **PACIFIC POWER & LIGHT**  
51 JORDAN WHITE  
52 825 NW MULTNOMAH STE 1800  
53 PORTLAND OR 97232  
54 jordan.white@pacificcorp.com

55 **PORTLAND GENERAL ELECTRIC**  
56 RANDALL DAHLGREN  
57 RATES & REGULATORY AFFAIRS  
58 121 SW SALMON ST 1WTC 0702  
59 PORTLAND OR 97204  
60 pge.opuc.filings@pgn.com

61 **PORTLAND GENERAL ELECTRIC COMPANY**  
62 J RICHARD GEORGE  
63 ASST GENERAL COUNSEL  
64 121 SW SALMON ST 1WTC1301  
65 PORTLAND OR 97204  
66 richard.george@pgn.com

67 **PUBLIC UTILITY COMMISSION OF OREGON**  
68 LISA C SCHWARTZ  
69 SENIOR ANALYST  
70 PO BOX 2148  
71 SALEM OR 97308-2148  
72 lisa.c.schwartz@state.or.us

73 **W**  
74 **RENEWABLE NORTHWEST PROJECT**  
75 ANN ENGLISH GRAVATT  
76 SR POLICY ASSOCIATE  
77 917 SW OAK - STE 303  
78 PORTLAND OR 97205  
79 ann@rnp.org

80 KATIE KALINOWSKI  
81 RESEARCH & POLICY ANALYST  
82 917 SW OAK ST STE 303  
83 PORTLAND OR 97205  
84 katie@rnp.org

85 **RFI CONSULTING INC**  
86 RANDALL J FALKENBERG  
87 PMB 362  
88 8343 ROSWELL RD  
89 SANDY SPRINGS GA 30350  
90 consultrfi@aol.com

91 **W**  
92 **RICHARDSON & O'LEARY PLLC**  
93 PETER J RICHARDSON  
94 PO BOX 7218  
95 BOISE ID 83707  
96 peter@richardsonandoleary.com

1 **W**  
2 **U S OPERATORS INC**  
3 KEVIN KITZ  
4 1505 TYRELL LN  
5 BOISE ID 83706  
6 kkitz@usgeothermal.com



Neoma Lane  
Legal Secretary  
Department of Justice  
Regulated Utility & Business Section