

1 **BEFORE THE PUBLIC UTILITY COMMISSION**  
2 **OF OREGON**

3 UM 1394

4 In the Matter of

5 THE PUBLIC UTILITY COMMISSION OF  
6 OREGON

7 Open an investigation into electric companies  
8 providing Qualified Reporting Entity services  
9 for certification of renewable energy certificates  
by the Western Renewable Energy  
10 Generation Information System

STAFF'S PARTIALLY STIPULATED  
MOTION TO AMEND SCHEDULE AND FOR  
LEAVE TO FILE A REVISED JOINT ISSUES  
LIST

Expedited Consideration Requested

11 Staff of the Public Utility Commission asks the Administrative Law Judge (ALJ) to: (1)  
12 modify the current schedule and (2) accept the enclosed Revised Joint Issues List. Staff requests  
13 the schedule be amended to extend the time for all parties to file their Opening Comments from  
14 December 8, 2008 to December 12, 2008. All other scheduled events would remain as set forth  
15 in the ALJ's Prehearing Conference Report & Ruling.

16 Staff files this Motion for extension of the schedule because staff has worked with the  
17 parties to reach consensus on one Joint Issues list that meets the needs of as many parties as  
18 possible, including Idaho Power which earlier filed its own Issues List. The parties have only  
19 been able to reach such consensus as of the date of this Motion. Staff would also like to extend  
20 the time for Opening Comments in order to allow time to receive responses to its data requests  
21 prior to the date Opening Comments are due.

22 Staff is authorized to represent that the following parties join in this motion and support  
23 the statement of issues contained in the Revised Joint Issues List: PGE, PacifiCorp, CUB, Idaho  
24 Power, and ODOE. As of the date of this Motion, no party has objected to either the Motion or  
25 the submission of the Revised Joint Issues List. It is possible there are more parties who desire  
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1 to join this Motion but have not yet been able to respond to staff's email of last week setting  
2 today as the deadline for such a response.

3 Staff requests the ALJ to give this Motion expedited consideration because the current  
4 schedule requires the parties to submit Opening Comments by December 8<sup>th</sup>.

5 DATED this 1<sup>st</sup> day of December 2008.

6 Respectfully submitted,

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8 HARDY MYERS  
9 Attorney General

10 s/Michael T. Weirich  
11 Michael T. Weirich, #82425  
12 Assistant Attorney General  
13 Of Attorneys for the Public Utility Commission  
14 of Oregon

**Revised Joint Issues List<sup>1</sup>**  
**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>2</sup> upon request if:<sup>3</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 to the public utility's distribution or transmission system?
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. Regardless of whether the Commission possesses the 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? If utilities voluntarily provide QRE service and associated costs are allowed in rates, what types of terms and conditions should be specified in the QRE contract between the public utility and the generator?

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<sup>1</sup> Staff is authorized that the following parties support this Revised Joint Issues List: PGE, PacifiCorp, Idaho Power, CUB and ODOE. As of the date this was filed (12/1/08 at approximately 3 pm), staff had not heard from any other party either opposing the statement of issues or desiring to join in with the statement.

<sup>2</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>3</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.

5. Would the following public utility activities be prohibited as discriminatory under relevant law or otherwise be prohibited by any other law:<sup>4</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 utility or for which the utility is the Balancing Authority (“Third Party Generators”).
  - b. Charging Third Party Generators for QRE service if the cost of providing such service for owned or contracted facilities from which the utility is receiving RECs is included in retail rates.
  - c. Charging Third Party Generators a different rate for QRE service than the internal cost the utility incurs for owned or contracted facilities from which the utility is receiving RECs.
  - d. Charging Third Party Generators an amount for QRE service in excess of an amount charged to 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>5</sup>
8. What are the estimated costs for providing QRE service to Third Party Generators and what is the basis for these costs?<sup>6</sup>
9. Assuming costs associated with QRE service are allowed in retail rates, 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>7</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

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<sup>4</sup> A modification of issue 2 on staff’s initial issues list.

<sup>5</sup> A modification of issue 3 on staff’s initial issues list.

<sup>6</sup> A modification of issue 5 on staff’s initial issues list.

<sup>7</sup> A modification of issue 6 on staff’s initial issues list.

subsidized?<sup>8</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?
  - 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>9</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 7 on staff's initial issues list.

<sup>9</sup> A modification of issue 1 on staff's initial issues list.

1 **CERTIFICATE OF SERVICE**

2 I certify that on December 1, 2008, I served the foregoing Staff's Motion to Amend  
3 Schedule and Leave to File Revised Joint Issues List, and Revised Joint Issues List, upon all  
4 parties of record in this proceeding by delivering a copy by electronic mail and by mailing a  
5 copy by postage prepaid first class mail or by hand delivery/shuttle mail to the parties accepting  
6 paper service.

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