



Date: 20 June 2008

To: Filing Center
Public Utility Commission of Oregon
550 Capitol Street NE, #215
Salem, Oregon 97308-2148

Puc.filingcenter@state.or.us

Subject: Petition to Intervene
PUC Docket No: DR-40

Commissioners:

In the matter of Honeywell International, Inc. and Honeywell Global Finance LLC, and PacifiCorp (dba Pacific Power), assigned PUC Docket number DR-40, please find enclosed our original Petition to Intervene. BacGen Solar Group waives paper service in this matter.

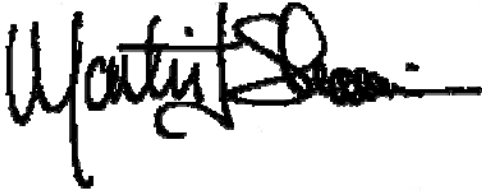
We respectfully request intervener status as this PUC inquiry has substantially halted work on all of our current projects directly affecting over a dozen non-profit entities, and has significantly impacted both existing and pending financing agreements pertinent to same.

It is clearly evident that the ruling outcome has the potential to irreparably damage the viability of the third-party ownership project finance model in the State of Oregon, one which we and our non-profit clients deem absolutely critical for the advancement of renewables in our State. The simple intimation of uncertainty caused by PUC Docket DR-40, has undercut industry momentum, directly impacted clean technology job retention and employment growth, and has damaged all industry related professional services and trades, including the prospects of recruiting significant new employers looking to establish facilities in Oregon.

Our engineering firm, relying on legislation and its strongly stated underlying intent, has made very significant investments to answer the needs of our clients, primarily municipalities, districts and education entities. We have watched these public entities and their elected and appointed officials bring the challenging topics of climate concerns, carbon and renewable energy to the forefront of public discussion, citing necessary modifications to the habits of each and every member of their respective communities. All of their investments in these projects along with their progressive visions for their communities or student populations, have now been effectively "disenfranchised" due to the underlying threat of this PUC Docket. This is NOT what the citizens of our state and their elected policymakers ever hoped for or intended.

We sincerely appreciate your consideration in this matter.

Thank you,

A handwritten signature in black ink, appearing to read "Martin Shain". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Martin Shain, President
BacGen Solar Group
BacGen Technologies
martin@BacGen.com



**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

Docket No. DR-40

In the Matter of HONEYWELL INTERNATIONAL, INC., and HONEYWELL GLOBAL FINANCE, LLC, and PACIFICORP, dba PACIFIC POWER))))))	PETITION TO INTERVENE
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NAME OF PETITIONER:	BacGen Solar Group
ADDRESS:	One World Trade Center, 121 SW Salmon St., 11th Floor, Portland, Oregon 97204
PHONE NUMBER:	503-471-1472 (office); 503-200-1538 (mobile)
FAX NUMBER:	1-888-845-8892
E-MAIL ADDRESS:	martin@BacGenSolar.com

NAME OF COUNSEL FOR PETITIONER:	None for this petition.
COUNSEL'S ADDRESS:	
COUNSEL'S PHONE NUMBER:	
COUNSEL'S FAX NUMBER:	
COUNSEL'S E-MAIL ADDRESS:	

<p>IF THE PETITIONER IS AN ORGANIZATION, THE NUMBER OF MEMBERS IN AND THE PURPOSES OF THE ORGANIZATION:</p> <p>BacGen Solar Group is an Oregon based solar engineering and integration firm, with two principals and less than ten employees in Oregon.</p> <p>BacGen Solar and its sister company, BacGen Technologies, have been active in pioneering energy efficiency and renewable energy in Oregon for the last decade. Focused on smaller communities, frequently ignored by engineering firms with access to state of the art technologies, and working with the Northwest Energy Efficiency Alliance, USDOE/BPA, and the Energy Trust of Oregon, BacGen has served over 1,000 municipal and district clients in the northwest and California.</p>

NATURE AND EXTENT OF THE PETITIONER'S INTEREST IN THE PROCEEDING:

BacGen Solar is a fully integrated engineering and construction firm, capable of solar project engineering, project finance, project construction and commissioning, training and long-term maintenance services.

BacGen Solar was established at the behest of many of its municipal and district clients searching for cost-effective renewable energy services from a trusted engineering partner. BacGen made significant investments in staff, equipment, field engineering studies on behalf of its non-profit clients, legal, and finance work in developing dozens of non-profit projects, at least 11 of which, were expected to be placed in service during 2008. The size of these facilities range from 50 kWp DC to 450 kWp DC. With the filing of the PacifiCorp:Honeywell PUC petition, EVERY one of BacGen's projects were necessarily halted pending final outcome. Both BacGen and its non-profit clients stand to suffer economic losses, in BacGen's case, the financial impact will be extremely significant.

THE ISSUES THE PETITIONER INTENDS TO RAISE AT THE PROCEEDING:

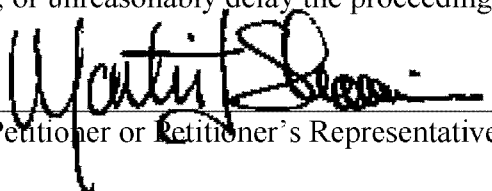
Since 1998, BacGen has been deeply involved with engineering and implementing energy efficiency for municipal and district infrastructure, primarily wastewater and fresh water facilities. BacGen Solar was established at the behest of clients searching for cost-effective renewable energy services from a trusted engineering partner. With the ratification of Oregon's Net Metering Law (ORS 757.300), Oregon PUC's Net Metering Rules (OAR 860.039) and with newly mandated renewable energy incentive legislation supporting, solar energy projects for Oregon non-profit entities became a cost efficient potential. DIRECTLY pertinent to, and in reliance upon Oregon's legislated focus on developing its solar renewable resource and industry, BacGen made very significant investments to answer its municipal and education client desire to incorporate climate sensitive small and community-scale, renewable energy into their climate plans and will suffer substantial financial losses. There have been years of net metering dialogue, and the timing of the subject petition is irresponsible, paralyzing to an entire new Oregon industry and wholly in conflict with legislative intent

ANY SPECIAL KNOWLEDGE OR EXPERTISE OF THE PETITIONER THAT WOULD ASSIST THE COMMISSION IN RESOLVING THE ISSUES IN THE PROCEEDING:

For over a decade in the northwest and California, BacGen has been cost effectively engineering and implementing energy projects for financially constrained municipal and district clients. Over this period, greater than 1,000 clients have been served and BacGen is considered an authority on the subject of energy use resources and optimization in community infrastructure by federal, state and local government agencies.

Through its work, BacGen has developed a unique understanding of municipal and district energy focus and process, as well as the underlying project finance challenges and solutions pertinent to implementing energy projects specific to serving these communities. BacGen understands the intricacies of broad support and momentum in public government and education decision making, and the outcome of Docket DR-40 represents a critical tipping point for Oregon's communities and schools in making renewable implementations financially accessible. BacGen is fully prepared to assist in any manner possible.

Based on the information provided above in accordance with the Commission's rules of procedure, I request to participate in this proceeding as an intervenor. I or the organization that I represent will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding. OAR 860-012-0001.



Petitioner or Petitioner's Representative

June 20, 2008
Date