

ITEM NO. CA10

PUBLIC UTILITY COMMISSION OF OREGON
AHD REPORT
PUBLIC MEETING DATE: October 14, 2014

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: September 30, 2014

TO: Public Utility Commission

FROM: Diane Davis

THROUGH: Michael Grant and Aster Adams

SUBJECT: OREGON PUBLIC UTILITY COMMISSION ADMINISTRATIVE HEARINGS DIVISION: (Docket No. AR 582) Adopt permanent rule changes to OAR 860-084-0150, 860-084-0190 and 860-084-0220, Solar Pilot Programs.

AHD RECOMMENDATION:

Adopt the rule modifications as proposed.

DISCUSSION:

This rulemaking implements House Bill 2893, which was enacted during the 2013 regular legislative session and codified as Chapter 244, Oregon Laws 2013. The changes add 2.5 MW to the total capacity available statewide (bringing the total to 27.5 MW), extend the enrollment termination date from March 31, 2015 to March 31, 2016, and allow the Commission to adopt and adjust, without rulemaking, the percentage goal for capacity deployed by residential and small commercial qualifying systems.

PROPOSED COMMISSION MOTION:

Adopt the modifications to OAR 860-084-0150, 860-084-0190, and 860-084-0220 as set forth in Appendix A of the attached draft order.

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 582

In the Matter of Updates to OAR 860-084-0150, 860-084-0190, and 860-084-0220.

ORDER

DISPOSITION: MODIFICATIONS TO RULES ADOPTED

I. INTRODUCTION

In this order, we adopt changes to rules relating to the Solar Pilot Programs to implement the legislated changes set out in Chapter 244, Oregon Laws 2013.

This rulemaking implements House Bill 2893, which was enacted during the 2013 regular legislative session and codified as Chapter 244, Oregon Laws 2013. The changes add 2.5 MW to the total capacity available statewide (bringing the total to 27.5 MW), extend the enrollment termination date from March 31, 2015 to March 31, 2016, and allow us to adopt and adjust, without rulemaking, the percentage goal for capacity deployed by residential and small commercial qualifying systems.

II. PROCEDURAL HISTORY

On August 15, 2014, we filed a Notice of Proposed Rulemaking and Statement of Need and Fiscal Impact for this rulemaking with the Secretary of State. On that same day, we provided notice to all interested persons on the service lists established under OAR 860-001-0030(1)(b) and to legislators specified in ORS 183.335(1)(d). Notice of the rulemaking was published in the September 2014 *Oregon Bulletin*. The notice established a comment due date of September 25, 2014. No written comments or requests for hearing were received.

III. ORDER

IT IS ORDERED that:

1. The modifications to OAR 860-084-0150, 860-084-0190, and 860-084-0220, as shown in Appendix A, are adopted.

2. The rule changes become effective upon filing with the Secretary of State.

Made, entered, and effective _____.

Susan K. Ackerman
Chair

John Savage
Commissioner

Stephen M. Bloom
Commissioner

A person may petition the Public Utility Commission of Oregon for the amendment or repeal of a rule under ORS 183.390. A person may petition the Oregon Court of Appeals to determine the validity of a rule under ORS 183.400.

860-084-0150

Solar Photovoltaic Pilot Capacity Limit

New capacity reservations will not be accepted after March 31, 201~~5~~6, or after the cumulative capacity of contracted systems in pilot programs reaches ~~25~~27.5 megawatts of nameplate capacity, whichever is earlier.

Stat Auth: ORS 757.360 - 757.380, Ch. 244, OL 2013

Stats. Implemented: ORS 757.360 - 757.380, Ch. 244, OL 2013

Hist.: PUC 2-2010, f. & cert. ef. 6-1-10; PUC 7-2011, f. & cert. ef. 9-30-11

860-084-0190

Distributing Capacity by System Size

(1) Three size classes of qualifying systems are established and defined by a range of nameplate capacity. The Commission may modify these capacity ranges.

(a) A small-scale system has a nameplate capacity of less than or equal to 10 kilowatts;

(b) A medium-scale system has a nameplate capacity greater than 10 kilowatts and less than or equal to 100 kilowatts; and

(c) A large-scale system has a nameplate capacity greater than 100 kilowatts and less than or equal to 500 kilowatts.

~~(2) Small-scale and medium-scale systems must be targeted to attain a goal of 75 percent of the capacity deployed under the solar photovoltaic pilot program.~~

~~(2)~~3 An electric company must distribute certain percentages of its pilot capacity allocation to small-scale, medium-scale, and large-scale capacity systems as directed by Commission order.

~~(3)~~4 An electric company with less than one megawatt of total allocation must allocate 100 percent of its solar photovoltaic capacity limit to small-scale systems.

Stat Auth: ORS 757.360 - 757.380

Stats. Implemented: ORS 757.360 - 757.380

Hist.: PUC 2-2010, f. & cert. ef. 6-1-10; PUC 6-2010, f. & cert. ef. 11-19-10; PUC 7-2011, f. & cert. ef. 9-30-11

860-084-0220

Capacity Availability

(1) Each electric company must announce the total capacity available for reservation before each enrollment period.

(2) Each electric company must announce when the capacity allocation is fully reserved.

(3) Unreserved capacity in any enrollment period must be added to the available capacity for the respective size systems in the next capacity reservation period.

~~(3) In January 2013, the remaining pilot capacity may be reallocated. This reallocation may redistribute the remaining pilot program capacity so that 75 percent of the energy~~

~~generated is from small-scale systems at the time the pilot program reaches 2527.5 megawatts of alternating current.~~

Stat Auth: ORS 757.360 - 757.380

Stats. Implemented: ORS 757.360 - 757.380

Hist.: PUC 2-2010, f. & cert. ef. 6-1-10; PUC 7-2011, f. & cert. ef. 9-30-11