

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: September 21, 2021**

REGULAR ____ **CONSENT** X **EFFECTIVE DATE** _____ **N/A**

DATE: September 13, 2021

TO: Public Utility Commission

FROM: Joe Abraham

THROUGH: Bryan Conway, JP Batmale, and Sarah Hall **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1930)
Requests Certification of project with waiver in the Community Solar Program.

STAFF RECOMMENDATION:

Grant the recommended waiver and certify the recommended project in the Community Solar Program.

DISCUSSION:

Issue

Whether the Commission should grant the recommended waiver and certify the Oregon Shakespeare Festival Community Solar Project in the Community Solar Program.

Applicable Rule or Law

Section 22 of Senate Bill 1547, effective March 8, 2016, and codified in ORS 757.386, directs the Commission to establish a community solar program (hereinafter referred to as "Program", or "CSP").

On June 29, 2017, the Commission adopted formal rules for the Program under OAR Division 88 of Chapter 860. OAR 860-088-0050 details the requirements for project certification.

Section 3.16 of the CSP Program Implementation Manual (PIM) allows the PA to recommend a waiver of PIM provisions on a case-by-case basis and as part of the Commission's decision on Certification. Any recommended waiver is subject to approval by the Oregon Public Utility Commission at the time of pre-certification or certification.

Section 5.2 of the CSP PIM outlines the information and documentation that must be submitted to the PA as part of the Certification application.

Analysis

Background

A Project Manager (PM) registered with CSP may submit applications for project certification to the Program Administrator (PA). As required by OAR 860-088-0050(3), the PA reviews applications for compliance with Program requirements and recommends projects for Certification by the Commission.

The PA recently received an application for the following project. After reviewing the application and supporting documentation provided by the PM, the PA has recommended that the Commission grant the requested waiver and certify the project in the Program. See the Certification Recommendation Form, Attachment A.

Recommended Project

Project Name	Name of Project Manager	Utility Territory	Project Size (kW-AC)	Attachment #
Oregon Shakespeare Festival Community Solar Project	Oregon Clean Power Cooperative	Pacific Power	129.6	Attachment A

The Oregon Shakespeare Festival Community Solar Project is a 129.6 kW-AC rooftop solar project managed by Oregon Clean Power Cooperative in partnership with Solarize Rogue. The project is located in the City of Talent, Jackson County, in the Pacific Power service area. The project has been fully enrolled by nineteen households in Southern Oregon, including three low-income households. The project is jointly owned by participants who are not low-income. This is the first carve-out project, the first participant-owned project, and the first Pacific Power project to request Certification in the Oregon Community Solar Program.

The project has submitted a Project Waiver Request (Attachment B) to allow Certification prior to completing construction, and to provide construction drawings in

lieu of as-built plans. The project will provide as-built plans to the PA within six months of commencing operations. This request is intended to allow the project to become immediately operational upon construction, without waiting for Commission approval at a subsequent public meeting. The project is currently under construction and anticipates being complete by mid-September 2021, with commissioning occurring in late September or early October 2021.

The PA supports granting this Certification with waiver, noting that, as a small rooftop project, construction is expected to occur quickly. Additionally, permitting Certification for projects prior to completing construction benefits both participants and projects by avoiding delay. Staff has drafted proposed PIM modifications that would allow the PA to recommend project Certification when construction drawings are provided.

Conclusion

Staff has discussed the project application with the PA and reviewed CSP requirements. Staff supports the PA's recommendation that the Commission approve the project with waiver for certification in the Program.

PROPOSED COMMISSION MOTION:

Grant the recommended waiver and certify the Oregon Shakespeare Festival Community Solar Project in the Community Solar Program.



Community Solar Certification Recommendation

Public Meeting Date: 9/21/21

Project Overview

Project ID: PP-2020-78
 Project Name: Oregon Shakespeare Festival Community Solar Project
 Project Manager: Oregon Clean Power Cooperative
 Site Address: 408 Talent Ave. Talent OR 97540
 Utility Territory: Pacific_Power
 Project Size (kW-AC): 129.6
 Applicable Designations :

Low Income	No
Workforce Diversity	No
Brownfield	No
Dual-Use Ag	No

Development Entity Type: Nonprofit
 Projected COD: 10/15/2021
 Project Description: Roof mounted community solar project located at the Oregon Shakespeare Festival production building in Talent.

Requirements Checklist (OAR 860-088-0050 and PIM Chapter 5)

Participant requirements:

≥ 5 different participants	Yes
≥ 50% project capacity subscribed/owned	Yes
≥ 10% capacity subscribed/owned by low-income participants	Yes
≤ 40% capacity subscribed/owned by single participant	Yes
< 50% capacity subscribed/owned by large commercial/industrial/irrigation	Yes
All participants verified as eligible	Yes

Project requirements:

Project has not changed materially since pre-certification	Yes
Conditions imposed at pre-certification have been met	Yes
Executed utility PPA submitted	Yes
As-built plan set submitted	No
Final project cost information submitted	Yes
Status of utility interconnection upgrades and inspection submitted	Yes
Commercial Operation Date expected within 6 months	Yes

PA Recommendation

Recommendation: With_Reservations
 Recommendation Date: 8/18/2021

Project has requested a waiver to be Certified prior to completing construction and has provided construction drawings. Project would provide as-built plans within six months of beginning operations.



General Waiver Request Form

The Oregon Community Solar Program allows for Project Managers to submit a waiver to the Program Administrator for select Program Implementation Manual (PIM) project requirements on a case-by-case basis. The Program Administrator may recommend a waiver of any PIM provision as part of the pre-certification, certification, or major project amendment process, subject to final approval by the Oregon Public Utility Commission.

To request a waiver to the low-income subscription discount requirement, please fill out the Low-Income Discount Waiver Request Form at www.oregoncsp.org. This form is applicable for all other waiver requests. .

The process for requesting a waiver is as follows:

- 1. The Project Manager will fill out this waiver request form and submit to the Program Administrator on the Community Solar Program Platform at www.oregoncsp.org.** Waiver requests may be submitted as part of the project pre-certification or certification submittal process. It is recommended that Project Managers submit their waiver requests early in the process in order to better inform their project planning.
- 2. The Program Administrator will review the waiver request and provide a recommendation to the Oregon Public Utility Commission.** As part of this review, the Program Administrator may schedule a meeting with the Project Manager to discuss their project plans. Waiver requests will not be granted automatically but will be considered based on their merits on a case-by-case basis. The final decision to grant a waiver is made by the Commission at the time that a project is pre-certified or certified, and the recommendation provided by the Program Administrator is not binding.
- 3. The Oregon Public Utility Commission will make a final determination on whether to grant the waiver request at the time of pre-certification or certification.** As part of approving a waiver, the Commission may place additional conditions on a project that must be met

Oregon Community Solar Program Waiver Request

Project Manager Entity Name: Oregon Clean Power Coop

Point of Contact Name: Dan Orzech

Point of Contact Phone Number: 610-650-7755

Point of Contact Email: dan@oregoncleanpower.coop

Please provide the specific PIM language you are requesting relief from below:

PIM Chapter: Chapter 5

PIM Section: Information Required in the Certification Application

Description:

Per the OCS Portal (not the PIM):

Check the box to confirm that you meet the following certification requirements:

- This project has been fully constructed.

Please provide a brief narrative that describes:

- a) The reason that you are requesting a waiver, and
- b) How this waiver would benefit the Program and/or Program Participants.

You may submit this narrative as a separate document if preferred. You may also attach documentation to this waiver request if relevant and necessary.

The construction phase of this project has begun, albeit three months behind schedule due to interconnection discussions with PAC that prevented construction from getting started. We kindly request that we are granted Certification prior to the project being fully constructed in order to minimize further delays to the project. Completion is scheduled for October, 2021. We understand that we must:

1. Notify the OCS PA upon completion of construction, and
2. Submit the "as built" plans in the OCS portal within 6 months of commissioning.