

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
SPECIAL PUBLIC MEETING DATE: September 22, 2022**

**REGULAR**  X  **CONSENT**       **EFFECTIVE DATE**  September 23, 2022

**DATE:** August 23, 2022

**TO:** Public Utility Commission

**FROM:** Joe Abraham

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

**SUBJECT:** OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1930)  
Use of the agent subscription model in project eligibility for the Community Solar Program.

**STAFF RECOMMENDATION:**

Projects using the agent subscription model are not eligible to participate in the Community Solar Program (CSP or Program).

**DISCUSSION:**

Issue

Whether the Commission should consider projects using the agent subscription model to be eligible to participate in the Program.

Applicable Rule or Law

ORS 757.386(2)(a) directs the Commission to establish a program that provides electricity customers the opportunity to share the costs and benefits of electricity generated by community solar energy systems. Section (2)(b) directs the Commission to adopt rules prescribing what qualifies a community solar project to participate in the Program.

ORS 757.386(6) an electric company shall credit an owner's or subscriber's electric bill for the amount of electricity generated by a community solar project for the owner or subscriber.

ORS 757.386(9) requires that 10 percent of the total generating capacity of the Community Solar Program is allocated to low-income residential customers.

On June 29, 2017, in Order No. 17-232, the Commission adopted formal rules for the Community Solar Program under OAR Division 88 of Chapter 860.

In accordance with OAR 860-088-0190, on December 17, 2019, in Order No. 19-438, the Commission adopted the Community Solar Program Implementation Manual (PIM) and the program policies and procedures therein.

### Analysis

#### *Background*

ORS 757.386 (2)(a) requires the Commission to adopt rules prescribing conditions for project eligibility and certification of projects in the Community Solar Program.<sup>1</sup> As part of this authority the Commission is responsible for determining whether a project seeking pre-certification or Certification is eligible to participate in the CSP.

As pre-certified Tier 1 projects actively recruit and subscribe participants, Staff has learned that a few projects have begun utilizing additional “agent” agreements. The agent agreements were not included in any Tier 1 or Tier 2 project pre-certification applications, and are in addition to standard CSP contracts. The agent agreements grant a limited power of attorney to an agent, typically a Project Manager or Subscription Manager,<sup>2</sup> to do one or more of the following:

- Administer the participant’s electric utility account,
- Subscribe the participant to a CSP project, and
- Provide the participant with a consolidated bill, paid to the agent instead of the utility

Staff refers to the agent agreements, collectively, as the agent subscription model (Model). No provision of the applicable ORS or OARs explicitly prohibits or permits the

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<sup>1</sup> See OAR 860-088-0100 Consumer protection provisions, OAR 860-088-0130 obligations of project managers, and OAR 860-088-0170 bill crediting; Section 3 of the PIM lays out requirements for projects, including participant contract requirements; PIM Section 3.16 describes the process for a project to obtain a waiver of PIM provisions from the Commission or the PA.

<sup>2</sup> Project Managers are responsible for developing, owning and/or operating a CSP project. Project Managers may also designate a separate Subscription Manager that is primarily responsible for conducting customer outreach and acquisition on behalf of a Project Manager and its pre-certified project(s).

Model,<sup>3</sup> but the Program requires Commission approval for use of the Model, including the practice of alternative billing. Section 4.7.1 of the PIM requires Program approval for project pre-certification and major revisions, or “[o]ther significant changes that materially affect the project’s eligibility for Pre-certification, as determined by the CSP Program Administrator (PA) or Oregon Public Utility Commission.” Through either the pre-certification or project modification process, the agent subscription model is required to be approved before it can be used. Section 4.4.1.f of the PIM requires a written request and justification at project pre-certification if a Project Manager wishes to collect some or all participation payments directly (i.e., “off-bill”), including any partial or full up-front payments.

The CSP Program Administrator met with a Project Manager and Subscription Manager already using the Model in the Program on August 11, 2022. Following that meeting, the Program determined that use of the Model materially affected the project’s ability to participate in the CSP.<sup>4</sup> Staff notified the Project Manager and Subscription Manager on August 12, 2021, in an email of that determination. Per Section 4.7.1 of the PIM, Staff also requested the project file a major project amendment to request use of the Model in the Program.

While the Program has not received a request from a pre-certified project to use the Model, a decision on eligibility is necessary at this time in order for the Program to make changes necessary to support use of the Model in in the Program’s Tier 2 phase.<sup>5</sup> To date, the Commission has not addressed the eligibility of projects utilizing the Model.

#### *Staff Process to Investigate Use of Model*

Staff’s recommendation represents the culmination of numerous months of work with stakeholders, from proponents of the Model, stakeholders, and utilities. Beginning in summer 2021, Staff conducted an investigation of the use of the Model by projects in the Program. Staff coordinated with Project Managers and utilities, reviewed information provided by entities seeking to use the Model in the Program including Common Energy

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<sup>3</sup> ORS 757.386(6) is the only constraint and indicates that CSP credits will be applied to a customer’s electric bill.

<sup>4</sup> Staff notes that in the project’s pre-certification applications, the projects did not indicate: use of additional agreements that would allow an agent other than the Project Manager to administer a participant’s electric utility account; subscribe the participant to a project; and provide the participant with a consolidated bill paid to the agent instead of the utility. The PA finds these conditions to materially affect the project’s pre-certification applications and requires a major amendment request prior to Certification.

<sup>5</sup> The timeline for Staff analysis, bringing a recommendation to the Commission, and implementing any necessary changes to the Program could cause project development delays if initiated after a project requests use of the Model. Also, to receive project financing, investors and lenders require minimum certainty of a project’s viability in the Program. Staff is aware of two entities who would use the Model in Tier 2 if permitted.

and Arcadia, and analyzed stakeholder comments. In March of 2022 Staff hosted a public workshop in which Common Energy, Arcadia, and Portland General Electric (PGE) presented on use of the Model in the Program. Slides from the workshop are included as Attachment C.

Following an analysis of Common Energy and Arcadia practices in April, Staff submitted data requests to which both companies responded. In May, the PA provided Staff with additional analysis and guidance on the impact of allowing projects using the Model to participate in the Program, including impacts of specific policies and practices used by Common Energy and Arcadia.

In June, Staff posted its draft recommendation to Docket No. UM 1930, which is included as Attachment A. Since this time, stakeholders submitted public comment that influenced Staff's final recommendation, allowing for additional analyses of risks to the Program and potential benefits of the Model. Stakeholder comments are detailed further in this memo.

#### *Relevance of CSP Design Principles*

Staff believes use of the agent subscription model by CSP projects is inconsistent with original Program design principles<sup>6</sup>, and more recently, Commission Order No. 21-317 adopting Staff's Tier 2 program policy decisions. Original Program design principles stated that, as an overarching purpose, the Program should establish an equitable opportunity for consumers that have not been able to access customer generation opportunities and incentives. This purpose reflected the legislative intent of SB 1547.<sup>7</sup> As a complement, the CSP must balance additional requirements of low-income accessibility; project availability to ensure minimum conditions of Project Manager value and certainty, and community-driven certainty; participation especially by residential participants; and ratepayer value. Staff notes that with regard to low-income accessibility, the CSP's original design principles established that "the net impact of participation cannot result in an increase in low-income participant bills both month-over-month and over the life of a CSP subscription."<sup>8</sup>

Subsequently, In Order No. 21-317 the Commission adopted Staff's Tier 2 proposal, reiterating the overarching purpose as establishing equitable opportunity for consumers that have not been able to access customer generation opportunities and incentives.

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<sup>6</sup> See Docket No. UM 1930, Staff Memo detailing the overarching purpose and guiding principles, memorialized in Commission Order No. 19-392, Nov. 8, 2019; and Staff Memo for Tier 2 policy recommendations memorialized in Commission Order No. 21-307, Sept. 22, 2021.

<sup>7</sup> S.B. 1547, 2016 Regular Session (OR 2017).

<https://olis.oregonlegislature.gov/liz/2016R1/Downloads/MeasureDocument/SB1547/Enrolled>.

<sup>8</sup> Staff Memo dated Oct. 4, 2019, memorialized in Commission Order No. 19-392 on November 8, 2019.

Commission Order No. 21-317 confirmed the original principles as applied to the release of the remainder of the initial capacity tier. In adopting Staff's Tier 2 recommendation, the Order reiterated the importance of Program participation by residential customers, particularly in underserved communities, while ensuring the financial viability of the general capacity projects, since they are the means by which the Program is delivered.

*Staff's Recommendation*

Staff finds that use of the agent subscription model by projects is duplicative of existing CSP infrastructure and more importantly presents unwarranted risks and costs across participants, the Program, and ratepayers, with minimal evidence of tangible benefits to these groups. Staff summarizes and discusses these below, asserting that use of the Model:

- I. Creates additional risks for participants;
- II. Creates additional risk and complexity for the Program;
- III. Creates specific, additional barriers for low-income participation; and
- IV. Would result in additional ratepayer costs.

*I. Additional Risks for Participants*

Projects using the Model would create additional risks for participants, which Staff finds inconsistent with the objectives of promoting residential and low-income participation, and the consumer protection provisions enshrined in the Program. Participants subscribed to projects using the Model would receive a bill from a Subscription Manager or Project Manager instead of the utility. As result, those participants would not be guaranteed the same level of service or protection that the Commission requires utilities to provide.<sup>9</sup> Oregon's investor-owned utilities are required to facilitate the CSP as laid out in ORS 757.386, OAR 860-088-0120, and Section 6 of the PIM. Among other things, these requirements include an obligation for the utility to provide CSP bill credits on participants' monthly utility bills and participate in the transfer of information and funds between the Utility, participants, and the Program.

Use of the Model would also result in reduced participant access to utility bill and utility communications. Utilities regularly send their customers important messages, ranging from seasonal reminders or information about cost-saving programs to critical messages about outages and emergencies. Because the Model allows an agent to administer a participant's utility account, the customer may lose some or all access to

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<sup>9</sup> See Jan. 5, 2022, comments by stakeholders in Docket No. UM 1930, expressing concern for impact of consolidated billing on customer/utility relationship and communications.

their utility account. The participant may also receive utility notices only if a Project Manager or Subscription Manager chooses to pass them on.

Similarly, a participant may bear the responsibility of reestablishing utility contact if CSP participation ends. As part of administering a participant's utility account, a Project Manager or Subscription Manager may change a participant's utility account credentials. In the event a participant cancels their contract, the participant may have to reestablish access to their utility account. This additional process increases the risk that the participant may not receive utility bills or other communications from their utility in a timely manner.

Staff acknowledges that the Model may be the primary means by which Community Solar participants in other states receive a consolidated bill with accurate accounting of bill credit information. However, Oregon's Community Solar Program already offers participants a consolidated bill and has developed a robust system for tracking and accounting for bill credits, which appear on a participant's consolidated bill. As a result, Staff finds these benefits of the Model to be duplicative and adding little value to the Program.

## *II. Additional Risk and Complexity for the Program*

Projects using the Model introduce additional risk and complexity for the Program itself. Section 3.13 of the PIM indicates Project Managers and Subscription Managers must use the Program's standard contract template for all contracts with residential participants. The PIM also requires all contracts contain certain provisions. However, the PIM currently does not prohibit additional contracts. Through its analysis of the Model, Staff has identified risks to participants and the Program if the PIM requirement to use the residential contract template is not exclusive. Specifically, additional contracts can, as Staff has found with the Model, include terms that reduce participant protections, which the Commission has identified as a program design principle and that are protected with standardized contracts.<sup>10</sup> For example Staff found that additional contracts in the Model allowed an agent to enroll the participant in programs unrelated to CSP, and to share participant utility account data with third parties unrelated to CSP.

Allowing additional contracts can also reduce the Commission's ability to effectively regulate CSP projects and project billing practices. For example, Staff found that additional contracts in the Model require participants to make full, automatic payments, which the Program does not require of utility customers to participate. Staff also found that additional contracts in the Model allow an agent to unenroll a participant in equal-

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<sup>10</sup> Order No. 19-392, Appendix A, pp. 94-95. <https://apps.puc.state.or.us/orders/2019ords/19-392.pdf>.

pay programs, which are allowed in the Program and are important for utility customers requiring steady, predictable utility bills. Staff finds these and other risks to be significant and expects to recommend limiting the use of additional contracts in a future update to the PIM.

Projects using the Model also introduce additional complexity for the transfer of critical Program data. CSP information systems support the movement of Program data and funds among participants, utilities, the PA, and PMs. These information systems were developed with a tremendous amount of stakeholder input and at substantial ratepayer cost. They allow the utilities to provide participants with a consolidated bill, allow the Program to accurately account for participant bill credits, and ensure the PA and PMs receive funds per the Program design. This already complex system becomes unnecessarily more complex when participants make payments to the Model agent instead of the utility, which could require alterations to the existing data exchange process.

Projects using the Model also introduce additional complexity for the PA and potential confusion for participants. If the Program includes projects that use the Model as well as projects that do not, the PA would be administratively burdened to communicate to participants the differences between the two. Staff also expects this would make it more likely for participants to become confused about the Program. This directly conflicts with prior Stakeholder comments arguing that a simpler subscription process would make it easier for both low-income and residential customers to participate.<sup>11</sup>

As mentioned previously, while the Model creates a benefit to community solar programs in other states where the billing and communications are less coordinated, the Oregon Program already provides participants with a consolidated bill and accurate accounting of bill credits. Staff finds that projects using the Model in the Program would introduce unnecessary complexity and risks with little to no additional benefits. Staff envisions the Model adversely impact the Commission's effective oversight, complicate the PA's administrative and information system responsibilities, and confuse participants with minimal if any upside to the CSP or ratepayers.

### III. Specific, Additional Barriers for Low-Income Participation

The Program's Low-Income Facilitator (LIF) has analyzed the Model for its impact on the Program's efforts to subscribe low-income customers, which is included as Attachment B. In addition to the LIF identifying new barriers to low-income participation, summarized below, Staff also finds some practices included in the Model to be

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<sup>11</sup> See June 21, 2021, comments by stakeholders in Docket No. UM 1930.  
<https://edocs.puc.state.or.us/efdocs/HAC/um1930hac13423.pdf>.

inconsistent with the overarching objective of the Program to establish an equitable opportunity for consumers that have not been able to access solar generation opportunities and incentives.<sup>12</sup>

The LIF identified four related practices in the Model that represent significant barriers to low-income participation. First, projects using the Model require participants to have an email address, and sign up and receive notifications about their subscriptions online. Staff finds this creates income and age-related barriers associated with the digital divide that would likely disadvantage some potential participants. Second, participants would be required to enroll in automatic payments. This poses a known barrier to low-income customers since it requires registering a credit card or bank account electronically.<sup>13</sup> Third, as noted, participants would be required to pay monthly bills in full. If participants cannot, they will have their contracts terminated and will be unenrolled from the Program. Requiring participants who cannot pay their utility bills in full every month by unenrolling them from the program hurts vulnerable low-income participants and would increase the administrative costs related to outreach and turnover. Further, considerable time was spent in designing the CSP payment structure to ensure this wouldn't happen. Finally, the Model authorizes the agent to unenroll participants from equal pay programs. Equal payment plans provide steady, predictable bills for utility customers, and unenrolling participants could lead to an inability to pay in full and could result in participants' contracts being terminated.

As a result, the Model conflicts with the Program decision-making principles, including equitable access, low-income accessibility, and residential participation. The Model also conflicts with the Program design, and Commission decisions to ensure and protect low-income participation in the Program.<sup>14</sup> The Program requires at least ten percent of each project's capacity be subscribed by low-income participants. Low-income participants also receive a higher bill credit rate than other participants, and as a result are guaranteed an elevated level of savings. The Program does not require electronic registration or access to email. The Program and utilities have ensured low-income participants can make full or partial payments electronically or by other means, without falling into arrears with Project Managers. Similarly, participants can concurrently enroll in equal-pay programs and enjoy all the other consumer protections that the Commission has required of the participating utilities' billing practices. Finally, Oregon's CSP includes the Low-Income Facilitator that can assist any project *at no additional*

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<sup>12</sup> Staff Memo dated Oct. 4, 2019, memorialized in Commission Order No. 19-392 on November 8, 2019.

<sup>13</sup> See Federal Reserve Bank of Cleveland, "Unbanked in America: A Review of Literature" May 26, 2022, and National Research Center on Hispanic Children and Families, "The majority of low-income Hispanic and Black households have little-to-no bank access" June 11, 2020.

<sup>14</sup> See Order No. 19-392 for Commission decision on several central low-income program design elements. <https://apps.puc.state.or.us/orders/2019ords/19-392.pdf>.

cost in identifying and enrolling low-income customers as participants in *any* CSP project. For these reasons, Staff recommends not allowing Programs using the model to be eligible in the Program.

#### IV. Additional Ratepayer Costs

Allowing projects using the Model to participate in the Program will add costs to CSP administration and compromise investments made to date. While Common Energy and Arcadia have separately expressed a willingness to modify some aspects of the Model, Staff finds that Model billing and payment procedures do not conform with CSP information systems and may impact Program administration and implementation. The PA has provided a conservative estimate of \$200,000 in additional ratepayer funds required to further develop the information systems to accommodate use of the Model and minimize impact to CSP information systems. This estimate does not reflect the PA also needing to consult with the utilities about necessary changes to the CSP data exchange, which may result in changes to the utility billing system, leading to additional costs. Staff expect the utilities' assessment of additional costs may also be delayed due to utility billing system improvements already underway and scheduled for the next several months.

Staff finds additional costs associated with the Model conflict with the Program decision-making principle of minimizing ratepayer impact,<sup>15</sup> especially when adding little to no additional benefits to the Program overall. Additional costs associated with the Model are also inconsistent with Commissioner concern articulated in Order No. 21-317 regarding the balance between cost and value of the Program.

If projects using the Model were deemed eligible to participate in the Program, the PA may lose access to data that would otherwise prove useful for Program evaluation and assessment. The potential loss of data has not been fully analyzed by the PA. As a result, Staff finds the increased administrative costs and risks associated with allowing projects using the Model in the Program to not be fully understood but likely significant.

#### *Stakeholder Feedback*

##### Model Definition and Additionality in Oregon

Staff appreciates stakeholders closely reviewing its draft recommendation and providing thoughtful comments. Arcadia, Common Energy, Oregon Shines, and OSSIA requested that Staff clarify the definition of the Model. Staff clarified in this recommendation that the Model grants a limited power of attorney to an agent with the ability to do one or more of the following:

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<sup>15</sup> See Order No. 19-392, Appendix A, pg. 20. <https://apps.puc.state.or.us/orders/2019ords/19-392.pdf>.

- Administer the participant's electric utility account
- Subscribe the participant to a CSP project
- Provide the participant with a consolidated bill, paid to the agent instead of the utility

Staff also clarifies that the Model may also include additional practices, which are detailed in Attachment A.

Arcadia and Common Energy have articulated the primary benefits of the Model include providing participants with a consolidated bill and accurate accounting of bill credit information. While Staff agrees that these are critical elements of a successful community solar program, both of these benefits are already built into the Program. PGE, PacifiCorp (PAC), and Idaho Power (IPC) worked closely with Staff and the PA to develop and provide CSP participants with Program information on their monthly utility bills, including the credits and fees associated with the participant's CSP subscription. Similarly, the PA has developed a robust system for tracking and accounting bill credits that appear on a participants' consolidated bill. Citing two years and significant investment to develop a consolidated bill for the Program, PGE maintains the use of an alternative consolidated bill in the Model does not bring value to the Community Solar Program.<sup>16</sup>

Citizens' Utility Board (CUB) submitted comments stating its recommendation to disallow use of the agent subscription model in project eligibility in the Program.<sup>17</sup> CUB cited concerns about the Model's impact on residential, especially low-income, customers—in particular requirements for full payment and auto-pay, and potential unenrollment in equal-pay programs. CUB is also concerned about “delivery of important program communications such as low-income discount programs, additional demand response programs such as peak time rebates, arrearage management programs, public power safety shutoff notices and medical certificate programs...CUB is concerned about complicating customer and utility communication pathways.” Finally, CUB stated its concerns regarding ratepayer costs and “does not see a ratepayer benefit to have a third-party agent subscription model, and does not recommend spending additional funds to pursue the agent subscription model for the community solar program.”

### *Proposal for Hybrid Model*

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<sup>16</sup> See January 5, 2022, comments by PGE in Docket No. UM 1930.  
<https://edocs.puc.state.or.us/efdocs/HAC/um1930hac13555.pdf>.

<sup>17</sup> See July 1, 2022, comments by Citizen Utilities Board in Docket No. UM 1930.  
<https://edocs.puc.state.or.us/efdocs/HAC/um1930hac125132.pdf>.

OSSIA and Common Energy proposed use of the Model in which low-income participants would receive a consolidated bill from the utility, not the agent.<sup>18,19</sup> Staff understands the proposal would result in the following changes for low-income customers only:

- Receipt of a consolidated bill from participant's utility, not the agent;
- Exemption from the requirement to make automatic payments;
- Exemption from the requirement to make full payments; and
- Exemption from being unenrolled in equal payment programs.

Staff appreciates the proposal, as it may mitigate several barriers to low-income participation identified in Staff's recommendation. However, Staff finds the proposal does not clearly address several other risks and barriers to low-income participation, including:

- Reducing participants' access to utility communications;
- Requiring participants to regain control of their utility account if CSP participation ends;
- Requiring participants to have and use an email address; and
- Requiring participants to sign up and receive subscription notifications online.

Staff also finds the proposal does not address additional risks to the Program and additional Program complexity and costs, including:

- Reducing consumer protections and the Commission's ability to regulate CSP projects and project billing practices by allowing additional contracts and agent agreements;
- Adding complexity to the transfer of critical Program data;
- Administratively burdening the PA to also communicate to participants the differences between projects using the model and those which do not; and
- Adding costs to CSP administration and compromising investments made to date.

Staff finds OSSIA and Common Energy's proposal mitigates some risks and barriers for low-income participation. However, Staff also finds it does not address the remaining

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<sup>18</sup> See August 3, 2022, comments by OSSIA in Docket No. UM 1930.  
<https://edocs.puc.state.or.us/efdocs/HAC/um1930hac16528.pdf>.

<sup>19</sup> See August 5, 2022, comments by Common Energy in Docket No. UM 1930.  
<https://edocs.puc.state.or.us/efdocs/HAC/um1930hac165119.pdf>.

significant risks, barriers, costs, and additional program complexity associated with projects using the Model in the Program.

*Other Model Benefits*

Arcadia, Common Energy, Oregon Shines, and OSSIA also identified the following actions taken by a Project Manager or Subscription Manager on behalf of a participant as additional important benefits of the Model:

- Determination of the initial size of a participant's subscription;
- Adjustment of the size of a participant's subscription; and
- Transfer of a participant's subscription from one project to another.

Staff recognizes the importance of a simple participant onboarding process to efficiently and fully subscribe projects. One potential hurdle is determining an appropriate participant subscription size. When signed, standard CSP contracts allow the PA to securely access the participant's utility consumption data to verify a participant's eligibility and confirm the appropriateness of their subscription size. The PA can also securely provide these data to PMs or Subscription Managers to initially size a participant's subscription.

Staff additionally recognizes the importance of allowing a PM or Subscription Manager to adjust a participant's subscription as needed, particularly to avoid oversubscriptions.<sup>20</sup> Currently, the CSP provides PMs with regular insight into monthly consumption and generation of participants, and allows Project Managers to request changes to subscriptions size as needed. The PA processes any changes requested; those changes go into effect in the following billing month.

Finally, Staff recognizes the benefits to participants of allowing a Project Manager or Subscription Manager working with multiple projects to transfer a participant's subscription from one project to another. This would be beneficial when participants who are assigned to a project that is experiencing delays or long-term outages could be reassigned to another project. The Program can facilitate transferring participants from one project to another but only prior to a certified project beginning billing; because transferring participants after billing begins is disruptive to existing billing and data transfer processes.

Thus, Staff finds that allowing Project Managers and Subscription Managers to initially size and adjust a participant's subscription, and to transfer a participant's subscription

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<sup>20</sup> See Section 6.3.6 of the CSP Program Implementation Manual. If a participant's subscription has generated more kWh than their meter has recorded in a twelve-month period, the participant will be required to repay the difference to the utility.

from one project to another, provides valuable benefits to participants, projects and the Program. Staff also finds that the PA is able to support PMs and Subscription Managers performing these tasks with existing information systems and limited changes to existing processes.

However, Staff finds performing these actions without the use of the Model and additional agreements presents less risk to participants and the Program. As a result, Staff intends to work with the PA in 2022 to amend standard CSP contracts to allow Project Managers and Subscription Managers to initially size and adjust a participant's subscription, and to transfer a subscription from one project to another prior to billing.

### Conclusion

Staff's recommendation is based on a significant amount of analysis of the Model, the Program, Program rules, and Commission orders advancing equitable opportunity and low-income accessibility. Staff appreciates the time and resources stakeholders have contributed to Staff's analysis, draft recommendation, and this recommendation. Staff finds allowing projects to use the Model in the Program would add significant risks and barriers to participants, complexities to the Program, increased ratepayer costs, and is inconsistent with Program design principles. As a result, Staff recommends not allowing projects using the Model to participate in the Program. Staff and the PA intend to amend the standard CSP contract, without use of the Model or additional agreements, in order to implement stakeholder comments that will benefit participants, projects, and the Program.

### **PROPOSED COMMISSION MOTION:**

Projects using the agent subscription model are not eligible to participate in the Community Solar Program.

CSP UM1930

Attachment A. Staff draft recommendation (June 2022)

Attachment B. CEP analysis of Model's impact on LI customer participation (June 2022)

Attachment C. UM 1930 Agent Subscription Model Workshop Slides (March 2022)