

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: June 10, 2025**

REGULAR **CONSENT** **EFFECTIVE DATE** June 11, 2025

DATE: June 2, 2025

TO: Public Utility Commission

FROM: Kiran Ambreen Ayub

THROUGH: JP Batmale and Sarah Hall **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
(Docket No. UM 1930)
Requesting Certification of Waterford Solar project and temporary waivers
in the Community Solar Program.

STAFF RECOMMENDATION:

Grant a temporary waiver of OAR 860-088-0050(2)(c) and PIM section 5.4.1 requirements for a period of six months and certify Waterford Solar project in the Community Solar Program.

DISCUSSION:

Issue

Whether the Public Utility Commission of Oregon (Commission) should grant requested temporary waivers and certify the Waterford Solar project in the Community Solar Program.

Applicable Rule or Law

Section 22 of Senate Bill 1547, codified in ORS 757.386, directs the Commission to establish a Community Solar Program (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.

OAR 860-088-0080(2) requires at least 10 percent of the total generating capacity of the Community Solar Program to be allocated exclusively for use by Low-Income (LI) residential customers.

OAR 860-088-0005(2) permits the Commission to waive CSP rules for good cause shown.

Section 5.2 of the CSP Program Implementation Manual (PIM) outlines the information and documentation that projects must submit to the CSP Program Administrator (PA) as part of the Certification application.

The Commission may waive any PIM provision on a case-by-case basis as part of the Commission's decision.

Section 5.4.1 of the PIM requires projects to submit information related to its commercial operation to the CSP platform prior to the Program Administrator processing billing for the project.

Analysis

Background

A Project Manager (PM) registered with CSP may submit applications for project certification to the 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. Certification is an important stage gate for CSP projects. Receiving certification means that the project meets all Program requirements and can proceed to commercial operation.

The PA recently received a certification application from the following project. After reviewing the applications and supporting documentation provided by the PM, the PA has recommended that the Commission certify the project in the Program. See the Certification Recommendation Form in Attachment A.

Recommended Project

Project Name	Name of Project Manager	Utility Territory	Project Size (kW-AC)	Attachment #
Waterford Solar	Waterford Solar PM, LLC	Portland General Electric	2,565	Attachment A

Waterford Solar

Waterford Solar is a 2,565 kW-AC project located in Willamina, Oregon, in Polk County. Waterford Solar PM, LLC is controlled by Luminace. Outreach and customer management are conducted through Common Energy LLC.

Waterford Solar project was pre-certified on April 30, 2022. On August 26, 2023, the PA used its delegated authority granted by the Commission to recommend a nine-month extension to the project's Certification deadline from November 2, 2023 to August 31, 2024.¹ The PM cited interconnection and construction delays pushing back the commercial operation date.

On August 26, 2023, the PA again used its delegated authority to recommend a PM transfer from Solar Town, LLC to Waterford Solar PM, LLC, which is controlled by Luminace.

On February 8, 2025, the PA again used its delegated authority to recommend a ten-month extension to the project's certification deadline to June 31, 2025. While this was a retroactive recommendation, the PM requested the extension in advance of the August 31, 2024, certification deadline. The PM informed the PA that Portland General Electric (PGE) alerted them that additional time to conduct infrastructure upgrades would be required before Waterford would be allowed to fully energize. This is because a project before Waterford Solar in the interconnection queue had withdrawn, which delayed the timing of those upgrades. In 2024, PGE informed the PM that the Waterford Solar project would be permitted to energize 1,443 kW-AC now and could energize the remaining 1,122 kW-AC capacity after PGE completes all upgrades in 2026.

The PM sought Program guidance from the PA about whether the project could become certified and partially energize within the 1,443 kW-AC limit if all certification requirements were met. The PM notified the PA that it has completed subscribing 256.5 kW-AC of capacity with LI subscribers and 1,065 kW-AC of capacity with residential participants, ten percent and forty percent of the project's total capacity, respectively. The PA and Staff reviewed the PM's proposal for certification of partial energization and finds it is permissible.

The PM submitted the necessary certification paperwork to the PA on April 10, 2025, prior to the project's certification deadline of June 31, 2025. The PA completed its review on April 22, 2025, and has determined the project meets all certification requirements except for the LI subscription and commercial operation requirements.

¹ See Order No. 24-364 for the Commission's decision to grant the PA with delegated authority, which was first initially granted for twenty-four months on January 25, 2022, in Order No. 22-019, <https://apps.puc.state.or.us/orders/2024ords/24-364.pdf>.

However, the PA indicates the PM requested Low-Income Facilitator (LIF) support to meet the project's LI subscription requirement with adequate advance notice. The PM also provided adequate notice that it was prepared to receive LI participant referrals and complete LI enrollment.

In December 2024, the Commission certified four projects with temporary waivers of the LI subscription requirement.² The waivers were necessary because the LIF had been experiencing a high number of projects simultaneously requesting its assistance, preventing the LIF from providing the four projects with sufficient LI participant referrals. The LIF has been unable to provide sufficient LI participant leads for Waterford Solar to meet certification requirements at this time. The PA and LIF are confident that within six months of Certification, the project will have received all necessary LI referrals from the LIF and with subscription manager Common Energy LLC can meet the LI subscription requirement.

Due to the previously mentioned split in project energization by PGE, the PA requested a waiver of PIM Section 5.4.1 because the project will not achieve full commercial operation prior to providing credits to customers. Hence, the PA recommends a waiver of this requirement for six months, allowing the project to provide bill credits to customers prior to achieving full commercial operation. If the project is not able to achieve commercial operation within six months after certification, the project will need to request an additional temporary waiver of PIM section 5.4.1. At the time, Staff is hopeful PGE will have a confident timeline then for completing all necessary infrastructure upgrades, which will determine the duration of an additional waiver.

Given these circumstances, the PA recommends certifying Waterford Solar with two waivers: one for of the LI subscription and a second for the commercial operation requirements for a period of six months from certification. The temporary waivers would allow participants currently subscribed to the project to begin receiving benefits.

Conclusion

Staff has discussed the project application with the PA and reviewed CSP requirements. Staff supports the PA's recommendation that the Commission approve certification of Waterford Solar with temporary waivers of the LI subscription and commercial operation requirement.

² See Order No. 24-437 for the Commission's decision to Certify four projects with temporary waivers of the LI subscription requirement. [UM 1930 PM Order CA10 encrypted .pdf](#).

Docket No. UM 1930
June 2, 2025
Page 5

PROPOSED COMMISSION MOTION:

Grant temporary waivers of OAR 860-088-0050(2)(c) and PIM section 5.4.1 requirements for a period of six months and certify Waterford Solar project in the Community Solar Program.

CA5 – UM 1930

Project Certification Review and Recommendation

The Oregon Community Solar Program Administrator (PA) has reviewed the certification request of the project described below and recommends that the project be Certified with a waiver.

Project Information

Project ID: PGE-2020-18

Project Name: Waterford Solar

Project Manager: Waterford Solar PM, LLC

Subscription Manager: Common Energy LLC

Utility Service Area: PGE

Project Site Address: 9040 Fort Hill Road Willamina, OR 97396

Project Size (kW-AC): 2,565

Carveout-eligible: No

Date of Pre-Certification: 4/30/2022

Expected Commercial Operations Date: 5/20/2025

Project Description

Waterford Solar is a 2,565 kW-AC project located in Willamina, Oregon, in Polk County. Waterford Solar PM, LLC is controlled by Luminace. Outreach and customer management are conducted through Common Energy LLC.

Review Summary

Date Review Completed: 4/22/2025

Project Satisfies all Certification Requirements?: Yes, with waivers.

PA Recommendation: Approve with two Waivers, with the condition that the 10 percent low-income capacity requirement is met within 6 months of Certification. Second, that the project does not need to achieve commercial operation prior to providing bill credits to customers.

Review Notes

The Project has achieved all Certification requirements except for the low-income subscription requirement. The PM provided the Low-Income Facilitator (LIF) with adequate advance notice, including confirming the project was requesting LIF support for meeting the LI subscription requirement, and was prepared to receive LI participant referrals and complete LI enrollment.

However, the LIF has been working to complete the low-income requirement for the projects that were Certified with a waiver in December 2025 and address low-income participant turn-over for some projects that recently became operational. These priorities have prevented the LIF from providing sufficient LI participant leads to meet the LI capacity requirement for Certification at this time.

The LIF continues to work closely with the PM's SM, Common Energy LLC. The LIF is sufficiently confident the project can reasonably meet the LI subscription requirement within 6 months after Certification. The project is in good standing and the PA recommends certifying the project with a 6 month waiver of the LI requirement so that participants already subscribed to the project can begin

receiving benefits. If the project does not meet the 10% low-income requirement within 6 months after Certification, the PM may request an extension of the waiver before the 6-month period ends, and the PA will then consider recommending an additional extension to the waiver if warranted.

Additionally, in 2024, PGE alerted the project that additional time to conduct infrastructure upgrades would be required before Waterford would be allowed to fully energize. This is because a project before Waterford Solar in the interconnection queue had withdrawn, which delayed the timing of those upgrades. PGE informed the PM that the Waterford Solar project would be permitted to energize 1,443 kW-AC now and could energize the remaining 1,122 kW-AC capacity after PGE completes all upgrades in 2026. The PA has determined this scenario requires a waiver of PIM Section 5.4.1 because the project will not achieve commercial operation prior to providing credits to customers. The PA recommends a waiver of this requirement by allowing the project to provide bill credits to customers prior to achieving commercial operation.

Attachments Included

Waiver requesting an extension to the low-income enrollment and the Commercial Operation Date requirement is attached.



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: Waterford Solar PM, LLC

Point of Contact Name: Julia Peacock

Point of Contact Phone Number: 646-992-9321

Point of Contact Email: waterfordpm@luminace.com

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

PIM Chapter: 5

PIM Section: 5.4.1

Description:

Projects are required to complete interconnection and achieve commercial operation within six months of Certification

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.

Waterford Solar (1.3MWAC, partial energization)

Waterford Solar LLC is a 2.5MWAC/3.2MWDC project (the "Project") in PGE with 1.3MWAC fully constructed and awaiting Certification. We are requesting a COD waiver from the Oregon Public Utilities Commission ("OPUC") to allow for the project to achieve commercial operation outside the required six months post Certification.

The Project's original commercial operation date was slated for Q2 2024, which has been delayed to Q2 2026 due to utility equipment issues. In April of last year, PGE approved of the partial energization of ~1.3MWAC and the remaining ~1.2MWAC to be subsequently energized in Q2 2026. The Oregon Community Solar Program ("ORSCP") administrator approved the partial energization of the Project in September 2024. The 1.3MWAC portion of the Project will maintain the 40% (1026 kWAC) residential capacity of the total nameplate size and 10% (256kWAC) LMI capacity from the total nameplate size. The remaining 103 kWAC will maintain large commercial capacity.

The first portion (1.3MWAC) of Waterford is fully constructed and awaiting an LI waiver approval to certify the project and energize in June of 2025. Luminace has worked with our subscription manager to communicate to our remaining customers the estimated energization date.

We request OPUC's approval for a waiver that will allow the Project to energize and achieve commercial operation outside the required six months post Certification. The waiver will allow the project to partially energize in Q2 2025 and allow subscribers to access community solar.



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: Waterford Solar PM, LLC

Point of Contact Name: Julia Peacock

Point of Contact Phone Number: 646-992-9321

Point of Contact Email: waterfordpm@luminace.com

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

PIM Chapter: 3

PIM Section: 3.15.2

Description:

10% of low income customers will be verified at time of certification

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.

Waterford Solar (1.3MWAC, partial energization)

Waterford Solar LLC is a 2.5MWAC/3.2MWDC project (the "Project") in PGE with 1.3MWAC fully constructed and awaiting Certification. We are requesting an LMI waiver from the Oregon Public Utilities Commission ("OPUC") to allow for the project to achieve commercial operation.

The Project had an original commercial operation date of Q2 2024, which has been delayed to Q2 2026 due to utility equipment issues. In April of last year, PGE approved of the partial energization of ~1.3MWAC and the remaining ~1.2MWAC to be subsequently energized in Q2 2026. Oregon Community Solar Program ("ORSCP") administrator approved the partial energization of the Project in September 2024. The 1.3MWAC portion of the Project will maintain the 40% (1026 kWAC) residential capacity of the total nameplate size and 10% (256kWAC) LMI capacity from the total nameplate size. The remaining 103 kWAC will maintain large commercial capacity.

Our subscription manager [Common Energy] (the "Subscription Manager") has been working with the [Community Eligibility Commission] ("CEP") on LMI acquisition for over 6 months but did not receive its first lead until March 25, 2025. We understand the immense pressure on CEP, but this Project received PTO from PGE in Q3 2024. Without certification, we cannot achieve commercial operation or energize the Project. The latest timeline for full LMI acquisition provided by CEP and our subscription manager estimates an end of July completion date.

We will continue working with CEP and our Subscription Manager until LMI acquisition is completed, but we are seeking relief to ensure that the Project is not sitting idly pending energization for months, with active subscribers waiting to receive their energy discount. OPUC's relief will not only allow subscribers to start seeing the benefits of community solar but also relieve some of the strain in assessing CEP's timeline on several projects.

Lastly, many of the Project's existing community solar subscribers have been waiting up to a year to receive their energy discount. We would like to avoid losing any of these subscribers and provide them with the benefits of community solar as soon as possible. We have been working closely with Program Administration, CEP, the Subscription Manager, and PGE to bring this project online.

We request OPUC's approval for a waiver that will allow the Project to energize and achieve commercial operation in May 2025. The waiver not only will allow subscribers to access community solar savings but also will allow the Project to continue to enroll LMI customers in line with CEP's availability with less constraints.