

Chapter 860, Division 088

860-088-0005

Scope and Applicability of Community Solar Program Rules

(1) OAR 860-088-0005 through 860-088-0210 (the “Community Solar Program rules”) establish rules governing implementation of a community solar program under Section 22, Chapter 28, Oregon Laws 2016.

(2) Upon request or its own motion, the Commission may waive any of the Division 088 rules for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

Stat. Auth.: ORS 756.040, 756.060

Stats. Implemented: ORS 756.040

Hist.: NEW

860-088-0010

Definitions for Community Solar Program

For purposes of this Division:

(1) “Annual billing cycle” means a period of twelve months or less for which excess generation accrued during that period can be applied to a participants’ bill. Unless the electric company and the participant otherwise agree, the default annual billing cycle will begin on the first day of the April billing month and end at the end of the March billing month of each year. Should the electric company and participant reach an agreement for an alternate billing cycle, the electric company must inform the Commission and the program administrator in writing of the alternative billing period within 30 calendar days of the participant’s execution of a contract with the project manager.

(2) “Bill credit rate” means the rate per kilowatt-hour used to value project generation for the purpose of determining the bill credit of a proportional share of project generation.

(3) “Capacity Tier” means the amount of total program capacity of projects that may be certified in an electric company’s service territory.

(4) “Carry-over generation” means the kilowatt-hours of a participant’s proportional share of project generation in a billing period that is in excess of the customer’s usage during the billing period.

(5) “Co-location” means two or more projects that exhibit characteristics of a single development, such as common ownership structure, an umbrella sale arrangement, revenue-sharing arrangements, and common debt or equity financing.

(6) “Differential credit” is the value that accrues to the participant when the bill credit rate exceeds the retail rate. The differential credit is the difference between the retail rate multiplied by the participant’s payable generation and the bill credit rate multiplied by the payable generation.

(7) “Electric Company” has the meaning given that term in ORS 757.600.

(8) “Eligible customer” means a retail customer receiving electricity supply service from an electric company in the same contiguous service territory where the project is located.

(9) “Eligible energy” or “eligible generation” means the kilowatt-hours of project generation for which a participant may receive a bill credit in a billing period. In a monthly billing period,

this eligible energy is the portion of the participant's proportional share of the project generation that is equal to or less than the participant's actual usage during the period in which the generation occurred.

(10) "Excess energy" or "excess generation" means the portion of a participant's proportional share of project generation that exceeds the participant's actual usage in a billing period.

(11) "Final certification" has the meaning as described under OAR 860-088-0160.

(12) "Low-income community manager" means an entity awarded a contract by the Commission to facilitate project managers' compliance with the 10 percent capacity of the community solar project allocation to the qualifying low-income customer requirement.

(13) "Nameplate capacity" means the maximum rated output of a solar photovoltaic system, measured by the rated output of system inverter(s) at 50°C and adjusted for any transformer step up losses.

(14) "Owner" means a retail customer of an electric company who has an ownership interest in a community solar project, such as direct ownership of one or more solar panels or shared ownership of the infrastructure of the community solar project.

(15) "Participant" means either a subscriber or owner.

(16) "Pre-certification" has the meaning as described under OAR 860-088-0150.

(17) "Program administrator" means a third-party entity managed and directed by the Commission to implement administrative and management aspects of the community solar program.

(18) "Project" means a community solar project that is one or more solar photovoltaic energy systems that provide owners and subscribers the opportunity to share the costs and benefits associated with generation of electricity by the solar photovoltaic energy systems.

(19) "Project Manager" means the entity identified as having responsibility for managing the operation of a community solar project and, if applicable, for maintaining contact with the electric company that receives electricity from the community solar project. A project manager may be either an electric company or an independent third party.

(20) "Qualifying low-income customer" means a retail customer of an electric company whose annual income in the most recent year with available data prior to the customer's participation in a community solar project is 200 percent of the federal poverty level, as designated by the federal Department of Health and Human Services.

(21) "Retail customer" means a customer who is a direct customer of the electric company and is the end user of electricity for specific purposes, such as heating, lighting, or operating equipment.

(22) "Service territory" means the geographic area within which an electric company provides electricity to retail customers.

(23) "Standard contract" means the form of contract approved by the Commission and offered by project managers to residential and small commercial customers.

(24) "Subscriber" means a retail customer of an electric company who enters into a lease for part of a community solar project. For the purposes of this program, a subscriber will be defined at the site address level.

(25) "Total program capacity" means the aggregate nameplate capacity of projects in the community solar program.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0020

Community Solar Program Administrator

(1) The Commission will use a competitive process to select a program administrator of the community solar program.

(2) The Commission will not certify a project until a program administrator is selected and its administrative processes are in place.

(3) The role of the program administrator will include the following activities:

(a) Register project managers on an ongoing basis;

(b) Facilitate the exchange of data and information between utilities and project managers;

(c) Facilitate the exchange of data and information between the Commission and project managers;

(d) Receive and review applications for project pre-certification and final certification for compliance with application criteria. If a project's pre-certification or final certification application meets the applicable application criteria, the program administrator must submit the completed application to the Commission for certification consideration;

(e) Verify participant eligibility;

(f) Establish and maintain a confidential project queue for each electric company;

(g) Act as a first point of contact for participant disputes and facilitate use of the Commission's dispute resolution process where appropriate;

(h) Facilitate coordination between parties regarding program implementation;

(i) Create and maintain a program implementation manual;

(A) The Commission shall allow opportunities for comment during the development of the program implementation manual.

(B) The Commission may revise the program implementation manual through order.

(C) The advisory group and the program administrator may recommend changes to the program implementation manual.

(j) Manage a Commission approved, program administrator budget, and report actual expenditures and carryover;

(k) Maintain an informational website for community solar program and project information;

(l) Manage data related to:

(A) Projects,

(B) Project managers,

(C) Project participants,

(D) Contracts between program managers and participants,

(E) Program performance, and

(F) Any other matters identified by the Commission;

(m) Aid the Commission in producing status and legislative reports;

(n) Assist the Commission in identifying and scoping administrative start-up costs that can be recovered in electric companies' rates;

(o) Obtain information from project managers to calculate monthly bill credit for each participant's share of project output;

(p) Calculate participants' monthly bill credits and convey bill credit information to electric companies and project managers.

(q) Receive from electric companies administrative fees deducted from participants' bill credits that are owed to project manager by participants and distribute collected fees to project managers.

(r) Implement best practices for data and information security, confidentiality, and privacy.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0030

Community Solar Low-Income Manager

(1) The Commission shall use a competitive process to select a low-income community manager.

(2) The low-income community manager shall report to and be compensated by the program administrator.

(3) The role of the low-income community manager will include the following activities:

(a) Maintain relationships with organizations that conduct work or have relationships with low-income communities or individuals;

(b) At the project manager's discretion, provide project managers with direct customer acquisition support, including but not limited to:

(A) Assigning low-income customers to projects; and

(B) Replacing low-income customers that terminate a contract with a project.

(c) Develop guidelines, protocols and materials for engaging low-income communities and customers;

(d) Implement best practices for data security and privacy; and

(e) Carry out any responsibility deemed appropriate by the Commission.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0040

Community Solar Program Funding

(1) Administrative start-up costs of the community solar program may be recovered through rates of electric companies.

(2) For purposes of subsection (1), administrative start-up costs of the community solar program include, but are not limited to costs associated with the program administrator and low-income community manager. All administrative start-up costs must be reviewed by the Commission.

(3) Ongoing costs of the community solar program, which include but are not limited to costs of the program administrator and low-income manager will be collected from program participants.

(a) The Commission will determine a methodology to calculate each project's proportional share of ongoing third-party administration and low-income management costs on a project-level basis.

(b) Funds received by the program administrator or low-income community manager for purposes of administration in excess of actual costs may be reserved for future administration costs.

(c) If the program administrator or low-income manager receives inadequate funds for continued operation, the program administrator or community manager shall consult with the Commission.

(d) The Commission may elect to suspend new project pre-certification until the funding shortfall is resolved.

(e) For the purposes of this section, when the electric company is the project manager, the cost of generation that can be recovered from all ratepayers cannot exceed the portion of generation attributable to ten percent of the nameplate capacity of the project.

(4) Each electric utility's prudently incurred start-up costs associated with implementing the community solar program are recoverable in rates of the electric utilities. The start-up costs in this subsection are distinct from administrative start-up costs described in subsections (1) and (2).

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0050

Community Solar Advisory Group

(1) An advisory group will be created for the purposes of assisting Staff's evaluation of the community solar program.

(2) The Commission may designate organizations to participate in this group.

(a) At least one member must be from the low-income community.

(b) At least one member must be from a community of color.

(c) At least one member must be from a rural community.

(3) The advisory group shall, at minimum:

(a) Provide assessments of community solar market engagement and potential;

(b) Provide analysis at Staff program evaluations;

(c) Report on participant, developer or program manager statuses;

(d) Provide recommendations to Staff for Commission consideration; and

(e) Perform any tasks deemed appropriate by the Commission.

(4) The advisory group must meet a minimum of every six months with Commission Staff.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0060

Program Level

(1) Community solar projects must be located within the service territory of an electric company.

(2) The Commission will establish a program capacity tier for each electric company.

(a) The initial program capacity tier for each electric company is equal to 2.5 percent of the electric company's 2016 system peak.

(b) The Commission may adjust an electric company's program capacity tier through order or rule.

(c) The program capacity tier cannot be increased by the Commission until the five percent capacity described under OAR 860-088-170(s) is successfully energized and verified by the Commission that the corresponding projects are serving qualifying participants.

(3) Once a project is pre-certified, the nameplate capacity of the project will be counted towards the program capacity tier of the electric company in whose service territory the project is located.

(4) The nameplate capacity of a pre-certified project will be removed from an electric company's program capacity tier if the Project Manager notifies the program administrator or Commission that the project will not be completed and brought on-line.

(5) The Commission will not pre-certify a project if the addition of the project's nameplate capacity to the total nameplate capacity in an electric company's service territory will cause the total nameplate capacity to exceed the electric company's program capacity tier.

(6) The percentage of any project that a single participant can subscribe to or own is limited to 40 percent. The Commission may adjust this limit through rule or order.

(7) Fifty percent of the nameplate capacity of every project must be reserved by project managers for subscription or ownership by residential and small commercial customers. The Commission may adjust this requirement through rule or order.

(8) The Commission can create and eliminate non-financial incentivization opportunities including mechanisms to reduce soft costs of community solar project development.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0070

Program Evaluations

(1) Commission Staff will conduct program evaluations on at least an annual basis.

(2) As part of its program evaluation, Staff will, at a minimum, consider program and project limits, program processes, data reporting and management, consumer protection, and administrator responsibilities.

(3) The Commission shall determine the form of these program evaluations through order.

(4) The advisory group must participate in the program evaluation process.

(5) Commission Staff must deliver results of a program evaluation to the Commission.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0080

Eligible Customers

(1) To be eligible to participate in the community solar program as a subscriber or owner of a project, an entity must:

(a) Be a retail electricity customer of an electric company and take retail electricity service from that electric company in the same contiguous service territory where the project for which a subscription or ownership interest is sought is located; and

(b) Not be a participant or be affiliated with a participant of any other community solar program project that is located in the same electric company's service territory in Oregon.

(2) A retail customer's ownership interest in, or subscription to, a project cannot exceed the retail customer's average annual consumption of electricity in the service territory where the project is located.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0090

Bill Credit Rate

(1) The Commission will determine at least one bill credit rate for each electric company based on the resource value of a solar resource located within that electric company's service territory.

(2) The Commission may determine more than one bill credit rate for an electric company if more than one rate is warranted to account for variability in the value of an element or elements included in the resource value of solar.

(3) Notwithstanding subsection (1), the Commission may determine a bill credit rate for an electric company that is not based on the resource value of a solar facility in the electric company's service territory for good cause shown.

(4) The bill credit rate in effect at the time a project receives pre-certification will be used to determine the bill credit for owners and subscribers for the duration of the project's bill credit term.

(5) The Commission will review each electric company's bill credit rate or rates every other year and may change the rate or rates after review.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0095

Calculation of Bill Credit

(1) The monthly bill credit will be calculated by first multiplying the participant's eligible generation for the monthly billing period by the bill credit rate in effect at the time the project was pre-certified.

(2) The bill credit determined in subsection (1) will be adjusted to account for:

(a) Eligible carry-over generation, which is the portion of the participant's accrued carry-over generation that when added to participant's eligible generation does not exceed the participant's usage for the monthly billing period.

(b) Accrued differential credit, which is value that accrues to the participant when the bill credit rate exceeds the volumetric retail rate.

(3) Notwithstanding subsections (1) and (2)(a), the monthly bill credit provided to a participant cannot exceed the participant's total volumetric charges for the billing period. The portion of a participant's differential credit that exceeds the participant's total monthly volumetric charges may be accrued and used to adjust the participant's monthly bill credit in a future billing period or periods.

(4) A participant's excess generation at the end of the annual billing cycle must be donated to the low-income programs of the electric company serving the participant.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0100

Obligations of Electric Companies

(1) Electric companies must interconnect with a final certified project within their service territory that satisfy all the requirements for interconnection. Requests to interconnect and the interconnection process are subject to the Commission rules in Chapter 860, Division 82.

(2) An electric company interconnected with a final certified project and receiving energy from the project must credit project participants with bill credits calculated on a monthly billing period.

(3) An electric company crediting participants under subsection (2) will deduct from the total monthly credit any subscription or ownership fees owed by the participant to the project manager as well as any administrative fees imposed on the participant to fund the program administrator and low-income community manager. The electric company must remit all amounts deducted from the bill credits to the program administrator on a monthly basis.

(4) The program administrator must distribute subscription and ownership fee payments, including fees for administrative costs incurred by the project managers, to the respective project managers.

(5) Notwithstanding subsection (4), the electric company need not remit to the program administrator amounts collected for fees owed to the project manager when the electric company is the project manager.

(6) Owners and subscribers will continue to be assessed utility company rates and charges at standard applicable tariffs or according to any subsequently approved community solar program tariffs. Any taxes and fees will be assessed prior to the application of the monthly billing credit.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0110

Third-party Administration of Bill Credits

(1) The program administrator will provide each participant's bill credit amount to the electric company on a monthly basis.

(2) The program administrator shall distribute subscription and ownership fee payments, including fees for administrative costs incurred by the project managers, to the respective project manager, and shall pay the low-income manager.

(3) For purposes of subsection (2), the program administrator shall maintain monthly reports of distributions to the Commission in order to allow determination of program payment integrity.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0120

Power Purchase Agreement

(1) Upon request of a project manager, electric companies must enter into a 20-year power purchase agreement with a project to purchase qualified unsubscribed and unsold generation of the project.

(2) Any power purchase agreement between an electric company and project under subsection (1) will be subject to the requirements of the Public Utility Regulatory Policy Act (PURPA) and ORS 758.505, et seq. The conditions and pricing for the qualified unsubscribed or unsold generation will be those for generation sold on an "as available" basis.

(3) Unsubscribed and unsold generation that is qualified and eligible for sale under subsections (1) and (2) is any unsold or unsubscribed generation of a project after at least 50 percent of the nameplate capacity of the project is subscribed or sold. The project generation that can be sold under a power purchase agreement under subsections (1) and (2) cannot exceed the portion of generation attributable to ten percent of the nameplate capacity of the project.

(4) The value of unsubscribed and unsold generation that exceeds ten percent of the nameplate capacity of the project shall be donated to the project's respective utility for purposes of funding projects that satisfy OAR 860-088-170(2).

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0130

Project Qualifications

(1) A project can consist of one or more solar photovoltaic systems. Multiple photovoltaic systems that are aggregated into one project must all be located within the same utility service territory.

(2) A project's nameplate capacity cannot exceed three megawatts. The Commission may change this size limit through rule or order. Co-location is not permitted within a five-mile radius unless the total nameplate capacity of all the projects combined is less than three megawatts. Projects will not be considered co-located solely because the same person or entity provided tax equity financing for the projects.

(3) To receive final certification, a project must have at least five unique participants.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0140

Project Manager

(1) All prospective project managers must register and be approved by the program administrator according to Commission criteria in advance of project pre-certification.

(2) The Commission will specify the requirements for project manager certification and may impose application fees.

(3) The Commission will specify the requirements for electric companies participating as project managers, including but not limited to:

(a) The filing of associated tariffs;

(b) Review of electric company expenditures for program administration and project development; and

(c) Review of electric company marketing for electric company projects.

(4) The program administrator will consider applications for project manager in the order completed applications are received, which may include submission of application fees.

(a) The program administrator must allow opportunities to remedy insufficient registration applications.

(b) All project managers will be required to sign a contract that details the required standard conduct for participation in the community solar program.

(5) Upon breach of project manager standard conduct contract:

(a) The program administrator must immediately notify the Commission.

(b) Commission Staff, program administrator, affected project manager and any other affected entities will have the opportunity to participate in meetings in an attempt to remedy the breach.

(c) If the project manager is unable to correct the breach of the project manager standard of conduct, the Commission may impose sanctions that could include, but are not limited to financial penalties.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0150

Project Pre-certification

(1) Registered project managers must submit project pre-certification application information to the program administrator for review.

(2) The program administrator must review project pre-certification applications in order of receipt to determine whether the project pre-certification applications meet the minimum criteria before submitting to the Commission for pre-certification. The program administrator must notify project managers of missing information and allow for remedy.

(3) Required pre-certification information will include, but is not limited to project location, project permitting, project overview, plan for project end of useful life, interconnection documentation, customer subscription plan and plan for meeting low-income participation requirement.

(a) The Commission shall identify all pre-certification and certification requirements, including application fees, in order.

(b) The Commission may create different pre-certification requirements for different categories of projects

(4) The Commission will review applications for project pre-certification and pre-certify a project if the project satisfies all pre-certification requirements.

(5) Upon receiving notice of project pre-certification from the Commission, project managers can begin executing contracts with potential participants.

(a) Projects may retain pre-certification for eighteen months.

(b) After eighteen months, projects must request an extension from the Commission or relinquish their place in the pre-certification queue.

(6) The program administrator must maintain confidential queues of pre-certified projects.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0160

Project Final Certification

(1) Once a project manager can demonstrate compliance with the low-income participation requirement and show that at least 50 percent of the nameplate capacity of a project is either owned or subscribed by participants, the Commission will conduct a final certification review and certify projects that satisfy all certification requirements.

(2) Project managers must submit project final certification application information to the program administrator.

(3) Upon receipt of a final certification application, the program administrator will verify the project's compliance to program rules and adherence to initial project proposal and forward complete certification applications to the Commission for review.

(4) The program administrator must maintain confidential queues of final certified projects.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0170

Low Income

(1) Every project must provide at least 5 percent of its total nameplate capacity to only qualifying residential low-income customers.

(2) Five percent of the total program capacity tier must be designated for projects or portions of projects that exclusively serve qualifying low-income customers or entities qualifying under subsection (3).

(3) Public or private entities that provide housing services to qualifying-low income residential customers may count towards the capacity requirements described in subsections (1) and (2).

(4) Project managers must submit comprehensive plans in project pre-certification applications that:

- (a) Describe a project manager's plan to satisfy the five percent requirement; and
- (b) Work with the Low-Income Community manager on outreach and education efforts.

(5) Project managers may propose alternative strategies in which five percent is allocated.

(a) These will be reviewed on a case-by-case basis by the Commission.

(b) Project benefits and risks must ultimately be linked with discrete low-income residential customers.

(6) Every two years, the advisory group, Low-Income Community Manager, program administrator and Staff must participate in a public workshop to produce recommendations regarding the percentage of low-income allocation.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016
Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016
Hist.: NEW

860-088-0180

Consumer Protection

(1) Project managers must provide the program administrator with proof of customer consent in order to access customer electricity bill account information for the purposes of appropriately sizing a subscription.

(2) The Commission shall require certain terms, conditions and additional standard disclosure requirements in all contracts between project managers and participants. Required disclosures include, but are not limited to terms and conditions regarding:

- (a) Contract portability and transferability;
- (b) Transparency of costs, risks and benefits;
- (c) Cancellation penalties;
- (d) Explanation of one-time and ongoing fees;
- (e) Process for unsubscribing;
- (f) Data privacy;

(g) Data security;

(h) Explanation of roles of program administrator, electric company, and Commission; and

(i) Notifications regarding project performance and status.

(3) The Commission may revise standard contract terms, conditions and additional disclosure requirements through order.

(4) Project managers must submit proposed forms and standard contracts for subscriptions and ownership interests to the program administrator as part of the project pre-certification.

(5) The Commission will develop and approve a disclosure check-list that must be provided to prospective project participants by the project manager.

(6) The Commission will develop marketing and message guidelines to be used by project managers.

(7) Project managers are the primary recipient of participant complaints.

(a) Escalation of complaints occurs with program administrator followed by the Commission.

(b) Project managers must compile a report of customer complaints and submit the report to the program administrator on an annual basis.

(c) The process participants may use to make complaints shall be made clear in the disclosure checklist.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0190

Data Reporting and Management

(1) The Commission will establish data reporting requirements through order.

(2) The advisory group and program administrator will make recommendations for future data reporting and management practices as part of program evaluations.

(3) The program administrator shall maintain best practices for privacy and security of program and participant data.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0200

RPS and RECs

(1) Megawatt hours of electricity that are delivered to participants by the electric company and offset by project generation under the community solar program will not be counted as electricity sold by the electric company for purposes of calculating the amount of electricity sold to retail electricity consumers for purposes of calculating the electric company's renewable portfolio standard under ORS 469A.052.

(2) All the environmental, economic, and social benefits associated with one megawatt hour of generation from a Community Solar Project shall remain in the ownership of an owner or subscriber of a Community Solar Project. This includes any renewable energy certificates that

may be created as the result of one megawatt hour of generation from a Community Solar Project.

(3) It is the responsibility of a project manager to register a Community Solar Project with the Western Renewable Energy Generation Information System if the project chooses to create renewable energy certificates. The project manager is responsible for maintaining sub-accounts associated with the renewable energy certificates owned by customers or subscribers.

(4) If the project chooses not to create renewable energy certificates, the claims associated with all the environmental, economic and social benefits remain that of the customer or subscriber.

(5) A project manager has the responsibility of reporting to the Commission annually, any renewable energy certificates generated by a Community Solar Project which may be sold as of a result of a contract for the unsubscribed portion of a Community Solar Project. In its reporting, the project manager should ensure there is adequate information for the Commission to determine that renewable energy certificates owned by Community Solar owners or subscribers were not sold.

(6) The project manager shall annually report to the Commission the retirement of renewable energy certificates on behalf of Community Solar subscribers.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW

860-088-0210

Integrated Resource Plan

(1) Utilities shall include energized projects in their supply mix when calculating generation assets.

(2) Utilities shall include forecasts of market potential for community solar projects when assessing load-resource balances.

(a) Utilities may include their own forecasts, but must also include the data provided by the advisory group.

(b) Historical forecasts and actual project development must be included in IRP analyses.

Stat. Auth.: Section 22, Chapter 28, Oregon Laws 2016

Stats. Implemented: Section 22, Chapter 28, Oregon Laws 2016

Hist.: NEW