

**OREGON PUBLIC UTILITY COMMISSION
INTEROFFICE CORRESPONDENCE**

DATE: July 2, 2021

TO: File through JP Batmale and Sarah Hall

FROM: Kacia Brockman

SUBJECT: PORTLAND GENERAL ELECTRIC:
(Docket No. UM 1930)
Community Solar Program Purchase Agreement.

I have reviewed this filing and recommend that an acknowledgement letter be sent. With this filing, Portland General Electric Company (PGE or Company) revises its Community Solar Program (CSP or Program) Purchase Agreement in compliance with Order No. 21-192.

Issue

Whether the submitted CSP Purchase Agreement complies with Order No. 21-192 and should be allowed to become effective on and after July 2, 2021.

Applicable Rule or Law

ORS 757.205(1) provides that “[e]very public utility shall file with the Public Utility Commission, within a time to be fixed by the commission, schedules which shall be open to public inspection, showing all rates, tolls and charges which it has established and which are in force at the time for any service performed by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.”

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 a community solar energy system.

OAR 860-088-0140, utilities must enter into contracts for the procurement and purchase of energy from CSP projects.

OAR 860-088-0120(4) requires electric companies to obtain Commission approval of any applicable tariffs required by the CSP rules

Pursuant to Commission Order No. 21-192, PGE was directed to re-file their CSP Purchase Agreement to incorporate the modifications recommended by Staff and develop a provision in the contract that allows modification of the 120-day maximum for a utility to purchase the Start-up Test Energy from community solar projects that are not yet certified, upon approval of the Commission.

Analysis

At Staff's request, PGE filed a provisional draft of its CSP PPA on June 18, 2021, in compliance with Order No. 21-192, with the final version to be filed by July 2, 2021, to allow additional time for Staff review. In the final version filed on July 2, 2021, PGE incorporated Staff's suggested modifications by revising the time limit for which a project may deliver Start-up Test Energy prior to commercial operation to 120 days for projects not yet certified, with no time limit for certified projects (other than program milestones associated with certified projects). Similarly, the Company included language permitting the Commission to extend the 120-day time limit on a case-by-case basis. PGE included these changes in Section 3.2 which reads:

3.2 Delivery and Purchase of Net Output and Start-Up Test Energy.

Subject to Section 3.1 above and unless otherwise provided in this Agreement, commencing on the Commercial Operation Date, Project Manager will transmit to PGE all Net Output and PGE will accept all Net Output delivered to the Point of Delivery. To the extent permitted under applicable laws, regulations (including without limitation the Community Solar Program rules) and other requirements applicable to Seller's Community Solar Program Project, PGE will accept Net Output, including Start-up Test Energy, delivered to the Point of Delivery as early as ninety (90) days prior to the Scheduled Commercial Operation Date, as long as the Facility has been interconnected to PGE's system and any required transmission service for the Facility has commenced. If Project Manager desires to begin transmitting Net Output, including Start-up Test Energy, to PGE at a date earlier than ninety (90) days prior to the Scheduled Commercial Operation Date, PGE will only be obligated to purchase such Net Output, including Start-Up Test Energy, if PGE is able to modify its network resource designation for the Facility such that the output could be delivered using network transmission service as described in Section 3.1 above at no additional cost or other economic impact to PGE. **In no event shall PGE's obligation to purchase Start-up Test Energy from a Community Solar Program Project that is not at such time a Certified Project exceed a maximum period of one hundred twenty (120) days unless otherwise determined by the Commission in a written order.**

Staff finds that this language is consistent with Staff's recommendations and the Commission's direction in Order No. 21-192.

Conclusion

PGE's compliance filing of July 2, 2021, complies with applicable laws and the requirements in Commission Order No. 21-192. The filed CSP Purchase Agreement should be allowed to become effective, and an acknowledgement letter should be sent.