

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Investigation of the Costs and Benefits of
PacifiCorp's Net Metering Program

DOCKET NO. 14-035-114
ORDER GRANTING WAIVER

ISSUED: November 30, 2017

BACKGROUND

On September 29, 2017, the Public Service Commission of Utah (PSC) issued an Order Approving Settlement Stipulation (Settlement) in this docket.¹ Customer response to the Settlement has been significant. According to PacifiCorp, it received 4,820 interconnection applications between November 1 through 14, 2017. This is many times the normal rate. A number of administrative rules apply to each of the 4,820 applications, as identified in R746-312-8 and R746-312-9 (collectively, Interconnection Rules). Among other things, these rules establish timeframes within which PacifiCorp, doing business as Rocky Mountain Power (PacifiCorp), must complete various aspects of the interconnection application process.²

On November 28, 2017, PacifiCorp filed a Motion for Emergency Waiver of Levels 1 and 2 Interconnection Review Processing Timeframes (Motion).³ PacifiCorp's Motion requests "an expedited order temporarily relieving the Company of the obligation to comply with certain timeframes required by [Utah Admin. Code] R746-312-8 through R746-312-9 to process Levels 1 and 2 Interconnection Review applications . . . received between November 1 through 14, 2017

¹ See <https://pscdocs.utah.gov/electric/14docs/14035114/29703614035114oass9-29-2017.pdf>.

² Neither our Order nor the Settlement addressed the issue of Level 1 or Level 2 Interconnection Review deadlines as set forth in Utah Admin. Code R746-312-8 (Level 1 Interconnection Review) and R746-312-9 (Level 2 Interconnection Review).

³ See <https://pscdocs.utah.gov/electric/14docs/14035114/298131RMPMotEmerWaivLv1,211-28-2017.pdf>.

[Applications].” In particular, PacifiCorp requests the timelines be temporarily adjusted as follows:

Rule	Regulatory Timeline	Proposed Temporary Timeline
Level 1:		
R746-312-8(2)(c) ⁴	PacifiCorp within 10 business days after receipt of an interconnection request must evaluate the request for completeness and notify the requester as to whether the application is complete.	20 business days
R746-312-8(2)(d)	PacifiCorp has 15 business days from the date on which it deems an application complete to determine whether the proposed generation system can be safely and reliably interconnected, and to notify the requester of that determination.	30 business days
R746-312-8(2)(g)	PacifiCorp must issue a denial within 25 days after receipt of the application or the application is deemed approved.	50 business days
LEVEL 2:		
R746-312-9(2)(c) ⁵	PacifiCorp within 10 business days after receipt of an interconnection request must evaluate the request for completeness and notify the requester as to whether the application is complete.	20 business days
R746-312-9(2)(d)	PacifiCorp has 15 business days from the date on which it deems an application complete to determine whether the proposed generation system can be safely and reliably interconnected, and to notify the requester of that determination.	30 business days

PacifiCorp argues that a temporary waiver should be granted because the substantial increase in Applications between November 1 and November 14 hinders PacifiCorp’s ability to satisfy the processing timeframes imposed by the Interconnection Rules because it lacks the

⁴ PacifiCorp is not proposing a temporary change related to R746-312-8(2)(c)(ii).

⁵ PacifiCorp is not proposing a temporary change related to R746-312-9(2)(c)(ii).

resources to meet the timeframes. PacifiCorp adds even with reassigning employees to help with processing the Applications and developing more streamlined processes, these resources and efficiencies cannot adequately accommodate the short-term influx of new Applications in a timely manner. Moreover, because the Interconnection Rules deem an interconnection application to be approved if it is not denied within 25 days, the requested waiver is necessary to preserve PacifiCorp's ability to assure that interconnections do not jeopardize the safety or reliability of its system. Accordingly, PacifiCorp seeks an immediate temporary waiver of the specified timeframes and proposes the new "Temporary Timeline[s]" noted in the foregoing table.

FINDINGS AND CONCLUSIONS

We agree that public safety and system reliability could be put at risk if interconnection applications are deemed approved without review due to PacifiCorp's inability to conduct all necessary determinations and analyses under the rule-mandated timeframes.

Given the foregoing, we find that temporarily waiving the timeframes specified in PacifiCorp's Motion for the applications received between November 1 through 14, 2017 is in the public interest. We further find that the proposed Temporary Timelines are reasonable.

ORDER

Based on the representations in the Motion, the PSC approves PacifiCorp's request for waiver of the timeframes noted in the table above, and approves the Proposed Temporary Timelines.

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PacifiCorp shall, no later than January 26, 2018, file in this docket a report on the status of its processing of the affected applications.

Despite this waiver, we expect PacifiCorp to use its best efforts to process interconnection applications. The PSC's complaint procedure is available to any interconnection applicant who believes individual facts warrant further PSC action with respect to a specific interconnection. Further, any party who objects to the emergency relief we have granted may file a request for agency review or rehearing.

DATED at Salt Lake City, Utah, November 30, 2017.

/s/ Melanie A. Reif
Presiding Officer

Approved and confirmed November 30, 2017 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#298155

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on November 30, 2017, a true and correct copy of the foregoing was delivered upon the following as indicated below:

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