

From: David White <David.White@pgn.com>

Date: November 24, 2019 at 10:22:12 AM PST

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Subject: RE: AR 629 DISPUTE RESOLUTION FOR PURPA CONTRACTS - Follow-up From November 13 Workshop; Next Steps, product requests, key dates and tentative schedule

Judge Moser,

Thank you for the opportunity to share perspectives during the November 13 workshop and for circulating the tentative schedule. I've outlined below some proposed changes to the schedule. I offer these proposed changes to give stakeholders time to review proposals and to provide consolidated, carefully considered comments and redlines before the workshops. In addition, the proposed dates factor in reduced time to work on these issues over the holidays and spring break. With these proposed changes, the informal schedule is extended by 6 weeks. Thank you again for communicating a tentative schedule and for considering these suggestions.

Original Date	Proposed Revised Date	Event
12/10/2019	No Change	DOJ Memo circulated to stakeholders
12/11/2019	No Change	Stakeholder work-products requested (Mandatory proposal, FERC example)
12/18/2019	No Change	Tentative date for process review discussion with DOJ
12/23/2019	No Change	Straw proposal circulated to stakeholders
1/8/2020	1/15/2020	Comments on Straw proposal requested
1/16/2020	1/23/2020	Second workshop
1/23/2020	2/7/2020	Draft rules circulated
1/31/2020	2/28/2020	Redlines to draft rules requested
2/6/2020	3/06/2020	Third and final workshop
2/13/2020	3/20/2020	Final informal draft rules circulated
2/25/2020	4/07/2020	Rules put before Commission at public meeting to open formal phase

David

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Sent: Thursday, November 14, 2019 10:56 AM

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Good Morning,

Thank you all for the valuable discussion during yesterday's workshop. We agreed on the following next steps:

1. I will produce a schedule for the development of a straw-proposal outline for the rules. (below) I've gone beyond this a bit, and developed a very tentative schedule for the remainder of the informal rulemaking. This schedule is flexible, please be aware I am tentatively scheduling meetings December 18th, January 16th, and February 6th. Please let me know if any of these dates do not work for you.
2. Stakeholders should consider examples of effective ADR processes from other jurisdictions as we move forward.
3. At the meeting, I did not have any specific requests from stakeholders for products, and promised to reflect on it. After review I have two requests:
 - a. I would like the PGE team, or if the utilities determine it more appropriate to have another utility take the lead, that utility – to provide a more detailed proposal regarding mandatory ADR preliminary to a compliant. The goal of this request is to determine if there is a path to a mandatory ADR requirement that all or most stakeholders may become comfortable with. As you recall from the workshop, the main objections to the mandatory ADR requirement centered on cost and time; also there were questions about the rigidity of the process. A more detailed

proposal will help us determine whether or not some of these concerns may be addressed.

- b. I would like the QF Trade Associations to provide some background material on the FERC process they mentioned in comments, which may be an approach to addressing specific questions prior to the finalization of a standard or non-standard contract when there are disagreements about the meaning of terms, or there are challenges with negotiated terms. The goal here is to allow all stakeholders to become better familiar with this example.
4. I have started working with DOJ on the development of a memo reviewing our current suite of processes, how they currently work, and how they could work as processes to resolve different types of regular questions. DOJ will circulate this memo in the future, and we are planning a meeting with stakeholders to review.

Below is a very tentative schedule proposal. I expect to update this schedule with you by the end to the month.

Date	Event
12/10/2019	DOJ Memo circulated to stakeholders
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1/8/2020	Comments on Straw proposal requested
1/16/2020	Second workshop
1/23/2020	Draft rules circulated
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2/6/2020	Third and final workshop
2/13/2020	Final informal draft rules circulated
2/25/2020	Rules put before Commission at public meeting to open formal phase

I hope and expect the formal phase of the rulemaking to take approximately 90 days. Accordingly, our goal for the adoption of final rules in this docket would be late May, 2020.

Thank you all – please let me know if you have any questions.

NM

Nolan Moser | Chief Administrative Law Judge

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