

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: December 13, 2022**

**REGULAR**  **CONSENT**  **EFFECTIVE DATE** December 14, 2022

**DATE:** December 5, 2022

**TO:** Public Utility Commission

**FROM:** Joe Abraham

**THROUGH:** Bryan Conway, JP Batmale, and Sarah Hall **SIGNED**

**SUBJECT:** OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1930)  
Certification of five projects in the Community Solar Program.

**STAFF RECOMMENDATION:**

Certify the following five projects in the Community Solar Program: Wocus Marsh Solar, Cherry Creek Solar, Whisky Creek Solar, Hay Creek Solar, and River Valley.

**DISCUSSION:**

Issue

Whether the Public Utility Commission of Oregon (Commission) should certify the following five projects in the Community Solar Program: Wocus Marsh Solar, Cherry Creek Solar, Whisky Creek Solar, Hay Creek Solar, and River Valley.

Applicable Rule or Law

Section 22 of Senate Bill 1547, effective March 8, 2016, and codified in ORS 757.386, directs the Commission to establish a community solar program (hereinafter referred to as "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.

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

### Analysis

#### *Background*

A Project Manager (PM) registered with CSP may submit applications for project Certification to the Program Administrator (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 five Certification applications from the following projects. After reviewing the applications and supporting documentation provided by the PMs, the PA has recommended that the Commission certify the projects in the Program. See the Certification Recommendation Forms, Attachments A-E.

#### *Recommended Projects*

| <b>Project Name</b> | <b>Name of Project Manager</b>    | <b>Utility Territory</b>  | <b>Project Size (kW-AC)</b> | <b>Attachment #</b> |
|---------------------|-----------------------------------|---------------------------|-----------------------------|---------------------|
| Wocus Marsh Solar   | Wocus Marsh PM, LLC               | Pacific Power             | 882                         | Attachment A        |
| Cherry Creek Solar  | Cherry Creek Project Manager, LLC | Pacific Power             | 359                         | Attachment B        |
| Whisky Creek Solar  | Whisky Creek PM, LLC              | Pacific Power             | 165                         | Attachment C        |
| Hay Creek Solar     | Hay Creek PM, LLC                 | Pacific Power             | 567                         | Attachment D        |
| River Valley        | Neighborhood Power                | Portland General Electric | 1,998                       | Attachment E        |

#### **Wocus Marsh**

Wocus Marsh Solar is an 882 kW-AC project located in Klamath Falls, Oregon, in Klamath County. The PM, Wocus Marsh PM, LLC, is controlled by TLS Capital, which currently manages 15 projects in the Program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several PMs to conduct customer management in the Program.

The project was pre-certified on April 20, 2021, and had an original Certification deadline of October 20, 2022. On June 8, 2022, the PA used authorities delegated by the Commission in Order No. 22-007 to extend the project's Certification deadline to April 20, 2023, due to broad industry supply chain disruption related to tariffs on imported solar panels that impacted project construction timelines.<sup>1</sup> The PA and Staff found the PM experienced reasonable challenges that justified granting the extensions. All necessary Certification paperwork was recently submitted to the PA. The PA completed its review on November 17, 2022, and recommends Certification in CSP.

### **Cherry Creek Solar**

Cherry Creek Solar is a 359 kW-AC project located in Sprague River, Oregon, in Klamath County. The PM, Cherry Creek Project Manager, LLC, is controlled by Green Key Solar, which currently manages five projects in the Program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several PMs to conduct customer management in the Program.

The project was pre-certified on July 27, 2021, and had an original Certification deadline of January 27, 2023. Due to its size, the project was allocated carve-out capacity in the Program. On June 8, 2022, the PA used authorities delegated by the Commission in Order No. 22-007 to extend the project's Certification deadline to July 27, 2023, due to broad industry supply chain disruption related to tariffs on imported solar panels that impacted project construction timelines. The PA and Staff found the PM experienced reasonable challenges that justified granting the extensions. All necessary Certification paperwork was recently submitted to the PA. The PA completed its review on November 17, 2022, and recommends Certification in CSP.

### **Whisky Creek Solar**

Whisky Creek Solar is a 165 kW-AC project located in Beatty, Oregon, in Klamath County. The PM, Whisky Creek PM, LLC, is controlled by TLS Capital, which currently manages 15 projects in the Program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several PMs to conduct customer management in the Program.

The project was pre-certified on April 20, 2021, and had an original Certification deadline of October 20, 2022. Due to its size, the project was allocated carve-out capacity in the Program. On June 8, 2022, the PA used authorities delegated by the Commission in Order No. 22-007 to further extend the project's Certification deadline to

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<sup>1</sup> Program Administrator Project Recommendation posted to Docket No. UM 1930 on May 24, 2022, <https://edocs.puc.state.or.us/efdocs/HAH/um1930hah9711.pdf>.

April 20, 2023, due to broad industry supply chain disruption related to tariffs on imported solar panels that impacted project construction timelines. The PA and Staff found the PM experienced reasonable challenges that justified granting the extensions. All necessary Certification paperwork was recently submitted to the PA. The PA completed its review on November 17, 2022, and recommends Certification in CSP.

### **Hay Creek**

Hay Creek Solar is a 567 kW-AC project located in Weston, Oregon, in Umatilla County. The PM, Hay Creek PM, LLC, is controlled by TLS Capital, which currently manages 15 projects in the program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several PMs to conduct customer management in the Program.

The project was added to the CSP project waitlist on June 2, 2021. The project was pre-certified on April 15, 2022, and has a Certification deadline of October 15, 2023. The project was allocated remaining capacity in the Initial Capacity Tier because it was pre-certified after Commission Order No. 22-019.<sup>2</sup> The PA and Staff recommend Certification of this project in CSP. All necessary Certification paperwork was recently submitted to the PA. The PA completed its review on November 17, 2022, and recommends Certification.

### **River Valley**

River Valley is a 1,998 kW-AC project located in Woodburn, Oregon, in Clackamas County. The PM, Neighborhood Power, currently manages four projects in the program. Neighborhood Power also serves as the subscription manager for the projects it manages.

The project was added to the CSP waitlist on January 22, 2020. The project was pre-certified on April 21, 2022, and has a Certification deadline of October 21, 2023. The project was allocated remaining capacity in the Initial Capacity Tier because it was pre-certified after Commission Order No. 22-019. The PA and Staff recommend Certification of this project in CSP. All necessary Certification paperwork was recently submitted to the PA. The PA completed its review on November 17, 2022, and recommends Certification.

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<sup>2</sup> New Program rules for remaining capacity in the Initial Capacity Tier were approved on September 27, 2021, in Commission Order No. 21-317, and became effective on January 26, 2022, in Commission Order No. 22-019. All projects pre-certified after Order No. 22-019 are allocated remaining capacity in the Initial Capacity Tier.

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Conclusion

Staff has discussed the project applications with the PA and reviewed CSP requirements. Staff supports the PA's recommendation that the Commission approve the five projects for Certification in the Program.

**PROPOSED COMMISSION MOTION:**

Certify the following five projects in the Community Solar Program: Wocus Marsh Solar, Cherry Creek Solar, Whisky Creek Solar, Hay Creek Solar, and River Valley.



## 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.

### Project Information

**Project ID:** PP-2020-85

**Project Name:** Wocus Marsh Solar

**Project Manager:** Wocus Marsh PM, LLC

**Subscription Manager:** Oregon Shines

**Utility Service Area:** Pacific Power

**Project Site Address:** 42°16'16.70"N, 121°53'4.01"W

**Project Size (kW-AC):** 882

**Carveout-eligible:** No

**Date of Pre-Certification:** 04/20/2021

**Expected Commercial Operations Date:** 12/31/2022

### Project Description

Wocus Marsh Solar is a 882 kW-AC project located in Klamath Falls, Oregon, in Klamath County. The project manager entity is controlled by TLS Capital, which currently manages 15 projects in the program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several ORCSP project managers to conduct customer management in the community solar program.

### Review Summary

**Date Review Completed:** 11/17/2022

**Project Satisfies all Certification Requirements?:** Yes

**PA Recommendation:** Approve

### Review Notes

The project met all Certification requirements.

### Attachments Included

No attachments.



## 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.

### Project Information

**Project ID:** PP-2021-116

**Project Name:** Cherry Creek Solar

**Project Manager:** Cherry Creek Project Manager, LLC

**Subscription Manager:** Oregon Shines

**Utility Service Area:** Pacific Power

**Project Site Address:** 42°27'9.22"N, 121°29'15.30"W

**Project Size (kW-AC):** 359

**Carveout-eligible:** Yes (<360 kW)

**Date of Pre-Certification:** 07/27/2021

**Expected Commercial Operations Date:** 12/31/2022

### Project Description

Cherry Creek Solar is a 359 kW-AC project located in Sprague River, Oregon, in Klamath County. The project manager entity is controlled by Green Key Solar, which currently manages 5 projects in the program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several ORCSP project managers to conduct customer management in the community solar program.

### Review Summary

**Date Review Completed:** 11/17/2022

**Project Satisfies all Certification Requirements?:** Yes

**PA Recommendation:** Approve

### Review Notes

The project met all Certification requirements.

### Attachments Included

No attachments.



## 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.

### Project Information

**Project ID:** PP-2021-92

**Project Name:** Whisky Creek Solar

**Project Manager:** Whisky Creek PM, LLC

**Subscription Manager:** Oregon Shines

**Utility Service Area:** Pacific Power

**Project Site Address:** 42°26'26.9"N, 121°16'23.8"W

**Project Size (kW-AC):** 165

**Carveout-eligible:** Yes (<360 kW)

**Date of Pre-Certification:** 04/20/2021

**Expected Commercial Operations Date:** 12/31/2022

### Project Description

Whisky Creek Solar is a 165 kW-AC project located in Beatty, Oregon, in Klamath County. The project manager entity is controlled by TLS Capital, which currently manages 15 projects in the program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several ORCSP project managers to conduct customer management in the community solar program.

### Review Summary

**Date Review Completed:** 11/17/2022

**Project Satisfies all Certification Requirements?:** Yes

**PA Recommendation:** Approve

### Review Notes

The project met all Certification requirements.

### Attachments Included

No attachments.





## 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.

### Project Information

**Project ID:** PP-2021-110

**Project Name:** Hay Creek Solar

**Project Manager:** Hay Creek PM, LLC

**Subscription Manager:** Oregon Shines

**Utility Service Area:** Pacific Power

**Project Site Address:** 45°48'36.39"N 118°25'2.98"W

**Project Size (kW-AC):** 567

**Carveout-eligible:** No

**Date of Pre-Certification:** 04/15/2022

**Expected Commercial Operations Date:** 12/31/2022

### Project Description

Hay Creek Solar is a 567 kW-AC project located in Weston, Oregon, in Umatilla County. The project manager entity is controlled by TLS Capital, which currently manages 15 projects in the program. Outreach and customer management for the project has been conducted through Oregon Shines, an entity formed by several ORCSP project managers to conduct customer management in the community solar program. This is a Tier 2 project in the program.

### Review Summary

**Date Review Completed:** 11/17/2022

**Project Satisfies all Certification Requirements?:** Yes

**PA Recommendation:** Approve

### Review Notes

The project met all Certification requirements for the Second Offering in the Program.

### Attachments Included

No attachments.



## 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.

### Project Information

**Project ID:** PGE-2020-1

**Project Name:** River Valley

**Project Manager:** Neighborhood Power

**Subscription Manager:** Neighborhood Power

**Utility Service Area:** PGE

**Project Site Address:** 14585 Wilco Hwy NE, Woodburn, OR 97071

**Project Size (kW-AC):** 1998

**Carveout-eligible:** No

**Date of Pre-Certification:** 04/21/2022

**Expected Commercial Operations Date:** 01/01/2023

### Project Description

River Valley is a 1,998 kW-AC project located in Woodburn, Oregon, in Clackamas County. The project manager entity is Neighborhood Power, which currently manages 4 projects in the program. Neighborhood Power also serves as the subscription manager for the projects it manages. This is a Tier 2 project in the Oregon Community Solar Program.

### Review Summary

**Date Review Completed:** 11/17/2022

**Project Satisfies all Certification Requirements?:** Yes

**PA Recommendation:** Approve

### Review Notes

The project met all Certification requirements for the Second Offering in the Program.

### Attachments Included

No attachments.