

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 641

In the Matter of Rulemaking to Review
and Amend Division 001 Procedural
Rules.

COMMENTS OF COMMUNITY
RENEWABLE ENERGY
ASSOCIATION

The Community Renewable Energy Association (“CREA”) respectfully submit to the Public Utility Commission of Oregon (“Commission” or “OPUC”) these Comments on the subjects identified for this rulemaking in Chief Administrative Law Judge (“ALJ”) Nolan Moser’s email dated February 24, 2021.¹

CREA is an intergovernmental association, organized under Oregon Revised Statutes Chapter 190, which consists of local governments seeking to promote locally-owned renewable energy projects for all forms of renewable generation recognized in Oregon’s Renewable Portfolio Standard. In addition to local governments, CREA’s membership includes irrigation districts, businesses, individuals and non-profit organizations who have interest in a viable community renewable energy sector for Oregon. In its efforts to establish a viable market in Oregon for community-scale renewable energy projects, CREA has intervened or otherwise actively participated in many Commission dockets regarding the mandatory purchase provisions of the Public Utility Regulatory Policies Act of 1978 (“PURPA”) and other renewable energy

¹ CREA was unable to complete and file its comments by the due date of March 9, 2021, established in ALJ Moser’s email, and therefore respectfully requests that these brief comments be considered one day late.

laws and policies. CREA appreciates the opportunity to comment on the proposal to make changes to the Commission's procedural rules.

CREA has reviewed the written comments of NewSun Energy LLC ("NewSun") filed on March 9, 2021, and supports the recommendations contained in therein. Specifically, CREA encourages the Commission seriously consider the following proposals:

1. Make data requests and responses public in general matters of utility regulation.
2. Articulate sideboards around what types of information is confidential.
3. Eliminate interrogatories and extend the deadline for non-utility parties to respond to requests for production of documents to 30 days.
4. Limit discovery of non-utility intervenors to only matters upon which the intervenor has testified.

CREA agrees with NewSun that these changes will reduce the expense of non-utility parties to participate in Commission proceedings and thereby lead to a more robust and inclusive record for the Commission's implementation of the laws it administers. Unlike the utilities, intervenor organizations like CREA and renewable energy companies like NewSun do not recover their costs of participating in Commission proceedings from ratepayers. To date, such organizations and companies have not received intervenor funding in Commission proceedings. CREA can confirm that the costs of participation in Commission proceedings are a real deterrent to more extensive and more effective participation. Additionally, because NewSun's proposals would encourage more active participation by individual renewable energy developers by reducing the expense and burden to do so, the proposals could reduce the need for organizations like CREA to address as many issues in as many proceedings.

For the reasons described above and in NewSun's comments, CREA encourages the Commission to seriously consider NewSun's proposed rule revisions.

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