

September 17, 2020

**Re: *In the Matter of Public Utility Commission of Oregon General Capacity Investigation,*
Docket No. UM 2011 – Joint Utilities’ Comments on Issues List and Process**

In accordance with Staff’s September 11, 2020 email, Portland General Electric Company (PGE), PacifiCorp d/b/a Pacific Power (PacifiCorp), and Idaho Power Company (Idaho Power) (together, the Joint Utilities) submit these comments in response to Staff’s request that stakeholders identify potential subtopics for investigation in docket UM 2011.

The Joint Utilities have two fundamental concerns over the scope of this docket and the proposed process. First, because docket UM 2011 will address qualifying facility (QF) avoided cost pricing, this investigation will overlap with the broader investigation into avoided cost pricing that will occur in docket UM 2000. Second, because the issues that the Public Utility Commission of Oregon (Commission) will address in this case are complex, fact-intensive, and historically have been highly contentious, it should be a contested case.

The Joint Utilities raised these concerns in comments submitted on August 17, 2020, and these concerns were discussed at the August 20, 2020, workshop. Staff’s September 11, 2020, email explained that Staff “intends to focus very keenly, but not exclusively, on valuing capacity for purposes of PURPA implementation.” Although this explanation is less than clear, it appears that docket UM 2011 will remain primarily focused on QF avoided cost pricing. Therefore, the Joint Utilities’ reiterate their recommendation to consolidate this investigation with the broader investigation into QF avoided cost prices that will occur in docket UM 2000. Piecemeal examination of avoided cost prices in separate dockets is inefficient and creates the risk of inconsistent results. Further, the Joint Utilities have difficulty seeing how the topics and sub-topics presently under consideration will translate into actionable policy or methodologies for the applications that require accurate valuation, such as Integrated Resource Planning, QF avoided costs, the Resource Value of Solar, and energy efficiency avoided costs.

Staff's September 11, 2020 email did not specifically address the contested case question, but the Joint Utilities continue to recommend that docket UM 2011 be a contested case. The issues in this case are ill-suited for resolution through non-contested case processes and adopting an avoided cost methodology without the benefit of a robust evidentiary record would be a departure from long-standing Commission practice.

The Joint Utilities appreciate the opportunity to file these comments ahead of the prehearing conference.

Respectfully submitted,



Adam Lowney
McDowell Rackner Gibson PC
419 SW 11th Avenue, Suite 400
Portland, OR 97205
dockets@mrg-law.com

Erin Apperson
Portland General Electric Company

Carla Scarsella
PacifiCorp, dba Pacific Power

Donovan Walker
Idaho Power Company

Attorneys for Portland General Electric Company,
PacifiCorp, dba Pacific Power, and Idaho Power
Company