RESOLUTION NO. 2021-51

RESOLUTION ADOPTING REVISIONS TO THE LIGHT & POWER RATE SCHEDULE (NET METERING) AND REPEALING RESOLUTION NO. 2019-25

WHEREAS, the City Light & Power Department, provides electric service to customers within their service area; and

WHEREAS, the City Council approved a Light and Power net metering program through the Light and Power Rate Schedule in 2003 and amended the program through the Rate Schedule in 2011; and

WHEREAS, a net metering facility is an electric generation facility that uses solar, wind, fuel cell, or hydroelectric power to generate electricity and the net metering rate schedule credits the facility for the power they generate; and

WHEREAS, updates and revisions to the net metering rate schedule are requested to reflect Public Utility Commission rules and current net metering practices.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council adopts the revised Light & Power Electric Rate Schedule as marked in the attached Exhibit A.

Section 2. The revisions to the Light & Power Rate Schedule shall be effective for services rendered on or after September 1, 2021.

Section 3. Resolution 2019-25 is hereby repealed upon the effective implementation date of the foregoing Light & Power Rate Schedule.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of August, 2021.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of August, 2021.

Peter B. Truax, Mayor

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ELECTRIC SERVICE
DEFINITIONS AND DESCRIPTIONS

RESIDENTIAL SERVICE:

Service furnished to customers using energy for domestic purposes in single family dwellings, apartments where each dwelling unit is separately metered, mobile homes being utilized as a family dwelling, and farms.

Where a portion of the electric energy in a residential premise is used regularly for the conduct of a business or profession, electric service used in such portion must be metered separately and billed under a nonresidential schedule; otherwise, the entire premises will be classified as nonresidential.

Service through one meter to two dwelling units will be classified as residential where an existing dwelling unit is or has been divided into two dwelling units. However, in the case where service is supplied through one meter to two or more new dwelling units, or to three or more existing dwelling units, service will be classified as nonresidential.

Additional meters on residential premises will be classified as residential, provided energy is used for domestic purposes and each such meter is on a separate building or structure separated from the other meters by such distance that service through the same point of delivery is impractical. Should any portion of the energy used on an additional meter on a residential premises be used for the conduct of a business or profession, the service will be classified as nonresidential. Service through additional meters will be supplied only when additional facilities can be installed under the Department's line extension rules. All residential customers are billed according to the terms and rates as stated in Schedule 1.

SWIMMING POOL SERVICE:

Existing service furnished to residential swimming pools which is a separate service in addition to the service to the dwelling. This service is limited to providing electrical energy to equipment directly related to the operation and maintenance of domestic swimming pools and only to those having had the service previously installed. All Swimming Pool Service customers are billed according to the terms and rates as stated in Schedule 6.

GENERAL SERVICE:

Nonresidential service furnished to businesses and professions whose electrical energy requirements are limited to less than 50 KW demand for any month during the prior 12-month period. This service is further limited to exclude irrigation customers. General Service customers are billed according to the terms and rates as stated in Schedule 2.

LARGE COMMERCIAL AND INDUSTRIAL SERVICE:

Nonresidential service furnished to businesses and professions whose electrical energy requirements include three phase service and with a demand of over 50 KW for any month during the previous 12-month period. This service is further limited to exclude irrigation service, and any electrical service having a measured demand of 5,000 kW or greater. This service is also limited to exclude any electrical service exceeding 22,000,000 annual kWH consumption. Large Commercial and Industrial Service customers are billed according to the terms and rates as stated in Schedule 3.

IRRIGATION SERVICE:

Nonresidential service provided only for agricultural irrigation and drainage pumping. This service is totally limited to the described usage and, therefore, absolutely no portion of this electrical service may be used for any other function or process. Irrigation Service customers are billed according to the terms and rates as

stated in Schedule 8.

STREET LIGHTING SERVICE:

Service provided to City and publicly owned streets, highways, roadways, bikeways, walkways, parking lots, parks and traffic control lights. Street Lighting Service customers are billed according to the terms and rates of Schedule 4.

NONMETERED GENERAL SERVICE:

Nonresidential service provided to loads utilizing relatively small amounts of electrical energy and demand and, which remain constant from day to day. Typical loads are telephone booths, cable television in-line amplifiers, etc. This service is provided only at the option of the Light and Power Department. Monthly billing is a fixed amount computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department. Non-metered General Service customers are billed according to the terms and rates of Schedule 5.

OUTDOOR AREA LIGHTING SERVICE:

Outdoor rental light service is available and provided upon request to all Light and Power Department customers. The type and size of lighting fixtures, poles, and related equipment that can be provided is limited to the Department's normal inventory items. Outdoor Area Lighting Service customers are billed according to the terms and rates of Schedule 7.

CONTRACTED SERVICE:

Any special services not covered by the afore-written definitions (i.e., services at transmission voltages, services having a demand of 5000 KW or greater, and alternate service) are provided in accordance with a negotiated service contract.

ALTERNATE SERVICE:

Service provided to a customer from a second, electrically independent primary voltage circuit. This service is available to 3 phase large commercial and industrial customers only who have a higher than normal degree of need for service continuity. The design and arrangement of both the preferred and alternate services will be the option of the Light and Power Department. Customers receiving alternate service will be billed an additional amount on their normal monthly demand charge.

DISCONNECT/RECONNECT CHARGES AND METER TAMPERING:

The Reconnection Service fee shall apply during normal business hours, and the After-Hours Reconnection Service fee shall apply during the hours of 5:01 pm – 8:00 pm, Monday through Friday, for reconnection service resulting from failure to pay. An Electric Meter Tamper/Damage Fee shall be imposed where applicable. Referenced fees are published in the Forest Grove Fee Schedule as adopted by City Council.

SURGE SUPPRESSION SERVICE:

Utility-provided whole-house surge suppression service is available through a utility installed, meter mounted device. This service is available to residential customers and small commercial customers with single phase, self-contained meters only.

TIME OF USE SERVICE

All large commercial and industrial customers with demand metered service will be billed for energy usage on a time of use basis. Time of use service will be available to all general service customers at their option. This service will feature a separate kilowatt hour rate for heavy load hours and light load hours. Heavy load hours are from 6:00am to 10:00pm Monday through Saturday. Light load hours are all other times.

NET METERING

The City will enter into an agreement with customer-generators that own a net metering facility. A net metering facility is an electric generation facility that uses solar, wind, fuel cell, or hydroelectric power to generate electricity. The rated generating capacity of any residential customer-generator facility cannot exceed 25 kilowatts. The net metering facility must be located on the customer's property, must comply with all applicable safety provisions, and must be compatible with the City's distribution system. The primary intent of the net metering facility will be to offset part or all of the customer's own electric power requirements. The Customer will be required to enter into a net metering agreement with the City, and all customer-generation facilities must be inspected by the City prior to inter-connection. The energy charge for customers with an approved Net Metering facility will be determined by net kWh consumption (kWh delivered by City less kWh generated by customer). For the billing period ending in March of each year, any unused credits that have accumulated during the previous twelve months will be applied to FGL&P's low- income assistance program. Residential meter aggregation and Commercial Net Metering up to 199kW will be permitted.

GREEN POWER SERVICE

Voluntary program to support green power resources. Green power may be purchased in 200 kWh units. This program is available to all electric customers of the City of Forest Grove.

ENERGY ANALYSIS SOFTWARE

Voluntary service offered to large commercial and industrial customers. The Energy Analysis Software is a web-based energy management/analysis service that provides customers with interval usage data depicted in charts and graphs for the purpose of comparing current and historic load data, identifying anomalies in usage, tracking savings from efficiency projects, and understanding usage.

CUSTOMER CHARGE

Customer Charge is defined as a flat fee charged per billing interval when the meter is read which may or may not coincide with a calendar month. The Customer Charge is assessed when a new billing interval begins or when occupancy changes and a different customer is established on the account.

SCHEDULE 1
RESIDENTIAL SERVICE

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to domestic use of all residential and farm customers.

Service under the residential rate shall apply only to electrical service in a single private dwelling and its appurtenances, for general farm service or for heating or pumping water in a private swimming pool, and not for resale to others.

Electricity consumed in that portion at a private dwelling regularly used for the conduct of a business will be separately metered and billed under the General Service Rate. If separate circuits are not provided by the customer, the entire premises shall be classified as non-residential and billed accordingly.

The residential rate shall not apply to service institutions such as clubs, fraternities, orphanages or homes, to recognized rooming or boarding houses, or to the spaces in an apartment or other residential building primarily devoted to use as an office or studio for professional or other gainful purposes or to general use by tenants.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

CHARGES PER BILLING INTERVAL:

Customer Charge:	$18.87
Energy Charge:	0-1000 kWh at 6.47 cents/kWh 1001+ kWh at 7.61 cents/kWh

SURGE SUPPRESSION SERVICE:

At the customer’s option, whole house surge suppression service is available at a monthly rate of $4.86.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City, as set out in Sections 51.01 through 51.03 of the Code and elsewhere.

SCHEDULE 2
GENERAL SERVICE
Page 1 of 1

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial, non-agricultural pumping and other non-residential electrical service. Not applicable to agricultural irrigation or pumping, or services with a demand of 50 KW or more for any month during the previous 12-month period..

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Single phase or three phase, sixty hertz alternating current at such voltage as the Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	$21.70 - Single-phase service $34.00- Three-phase service
Energy Charge:	7.15 cents/kWh

OPTIONAL TIME OF USE RATE:

Customer Charge:	$21.70 - Single-phase service $34.00- Three-phase service
Energy Charge:	
Heavy Load hours	7.53 cents/kWh
Light Load hours	6.70 cents/kWh

SURGE SUPPRESSION SERVICE:

For qualified customers, surge suppression service is available at a monthly rate of $4.86.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

NOTE: Customers opting for time of use service will be charged a one-time meter conversion fee of $107.75.

SCHEDULE 3
LARGE COMMERCIAL AND INDUSTRIAL SERVICE
Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial, industrial, non-agricultural pumping, and other non-residential electrical service with a minimum electrical demand of 50 KW for any month during the previous 12-month period. Not applicable to any electrical service exceeding 5,000 kW measured demand. Not applicable to any electrical service exceeding 22,000,000 annual kWH consumption. Not applicable to agricultural irrigation or pumping.

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Three Phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	$69.68
Energy Charge:	
Heavy Load hours	5.15 cents/kWh
Light Load hours	4.28 cents/kWh
Demand Charge:	$7.03/kW

DEMAND CHARGE:

Based on the highest 15 minute average demand recorded during the billing period measured in kilowatts (kW).

REACTIVE DEMAND:

In addition to the energy and demand charges, the customer shall pay $2.56 for each kilovolt ampere of reactive demand in excess of 40 percent of the kilowatt billing demand.

ENERGY ANALYSIS SOFTWARE:

Energy analysis software is available as an optional service at a monthly rate of $53.00 per meter. Customer is responsible for installation costs.

SCHEDULE 3
LARGE COMMERCIAL AND INDUSTRIAL SERVICE

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply to the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

ALTERNATE SERVICE:

Customers receiving alternate service under this rate schedule shall pay an additional $0.93 per kilowatt of demand per month.

SPECIAL CONDITIONS:

If the Department's transformers are used exclusively for service to the customer, the Department may, at its option, permit installation of metering equipment on the primary voltage side of the transformers. In this case, billing will be based on meter registration less a deduction of 2.0 percent to compensate for transformer losses. Metering equipment will be installed at customer expense and all distribution and service facilities on the load side of the meter, except for transformers, will be owned and maintained by the customer.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 4
STREET LIGHTING SERVICE
Page 1 of 1

AVAILABILITY:

Available within the corporate city limits of the City of Forest Grove.

APPLICABILITY:

Applicable for lighting of City owned streets, roadways, bikeways, walkways, parking lots, parks and traffic control lights.

CHARACTER OF SERVICE:

From dusk to dawn daily, controlled by photo-electric control or time switch.

CHARGES PER BILLING INTERVAL:

Energy Charge:	6.99 cents/kWh

ANNUAL INVESTMENT CHARGE:

The investment in property and equipment used as a basis for the investment charge shall consist of the installed cost of the property and equipment used solely for lighting purposes such as fixtures, brackets, mast-arms, conductors, poles, posts, standards, control equipment, switches, transformers, etc. computed on June 30 of each year. The annual investment charge shall be 10.5 percent of such investment.

LIGHT SYSTEM MAINTENANCE:

All maintenance expenses shall be borne by the City Light and Power Department.

METERING:

For billing purposes, the total energy consumed by the street lighting system shall be computed by application of a meter multiplier to the meter reading of a selected part of the system which is metered. The meter multiplier shall represent the ratio of the entire system load to the load being metered. Accuracy of the meter multiplier will be verified at least annually by the Light and Power Department and any changes reported to the City Management and Finance Department.

If more than one part of the street lighting system is metered, the meter multiplier shall be applied to only one selected meter and the other metered loads shall not be included in the multiplier calculation. In the event of multiple meters, the readings shall be consolidated for billing purposes.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City, as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 5
NONMETERED GENERAL SERVICE

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial service where both electric demand and energy usage are small and constant such as telephone booths, traffic signals, cable television, in-line amplifiers, etc. Under such circumstances, and at the Light and Power Department's option, service may be provided without metering. A monthly billing amount will be computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department and thereafter will be a fixed charge.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	$11.97
Energy Charge:	7.03 cents/kWh

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery point. Charges for a separate supply for the same customer at other points of consumption shall be computed on the same rate basis but may be consolidated on a common monthly bill.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 6
SWIMMING POOL SERVICE

AVAILABILITY:

Available only to those customers and for those loads presently served under this rate schedule.

APPLICABILITY:

Applicable to residential customers for heating water for private swimming pools and for other electrical loads directly related to swimming pool operation.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

CHARGES PER BILLING INTERVAL:

Customer Charge:	$9.00
Energy Charge:	7.31 cents/kWh (for all kWhs)

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

SPECIAL CONDITIONS:

A customer being served under this rate schedule may continue to be served only so long as no increase in capacity is made in this service equipment. If such changes are needed by the customer, the entire service load will be reclassified as Residential Service, Schedule 1. The customer may, at his option and expense, combine this load with his existing Residential Service.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 7
OUTDOOR AREA LIGHTING SERVICE

AVAILABILITY:
Available in all territory served by the City Light and Power Department.

APPLICABILITY:
Applicable to outdoor area lighting.

CHARACTER OF SERVICE:
Outdoor area lighting from dusk to dawn daily, by means of Department-owned luminaries mounted on Department-owned poles, in accordance with Department specifications as to equipment, installation, maintenance and operations.

Maintenance by the Department includes lamp replacement on a scheduled basis. Individual lamps will be replaced on burnout as soon as reasonably possible after notification by the customer and subject to the Department's operating schedules and requirements. Current standard lamps will be used for replacement purposes.

CHARGES PER BILLING INTERVAL:

LAMP TYPE AND WATTAGE			
HPS	MH	FIXTURE STYLE	RATE PER MONTH
100	---	Security	9.13
100*	---	Post Top and Pole	15.36
100*	---	Post Top w/o Pole	9.39
100	---	Projection Flood	10.18
200	---	Projection Flood	15.04
250*	---	Projection Flood	15.36
400	400	Projection Flood	23.37
---	1000	Projection Flood	49.05
100	---	Cobra Head Type	8.33
200	---	Cobra Head Type	11.89
400	---	Cobra Head Type	18.31
LED 53	---	Parking Lot Cobra Head	1.51**

HPS - High Pressure Sodium MH - Metal Halide
* No new service offered.
** Energy Only, Future Availability TBD

SCHEDULE 7
OUTDOOR AREA LIGHTING SERVICE

All rates, except that for the post top light and pole, are based on mounting the light fixture on an existing pole. Special poles required for service hereunder will be billed according to the following schedule:

POLE TYPE	LENGTH	FIXTURE HEIGHT	RATE PER MONTH
Pressure Treated Wood	30'	25 ft.	$2.46
Pressure Treated Wood	45'	39 ft.	4.61
Galvanized Steel with Arm*	25'	26 ft.	4.56
Aluminum with Arm*	25'	26 ft.	4.56
Fiberglass with Arm	30'	25 ft.	5.30

INSTALLATION CHARGES:

Installation charges will be calculated and billed to the customer for lighting systems not mounted on existing power poles, for those systems employing underground electrical feed, and for temporary installations. Such charges will be paid upon completion of the lighting system installation.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

* No new service offered.

SCHEDULE 8
IRRIGATION SERVICE
Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable only to agricultural irrigation and drainage pumping electrical service.

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Single or three phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:

March 16-October 15	$20.10
October 16-March 15	none

Energy Charge: 5.98 cents/KWh

SEASONAL DEFINITION AND BILLING:

Irrigation season is defined as starting on March 16 and ending on October 15. All irrigation services will be available for use during this period. Use outside of this period must be specifically requested by the customer. Meters will be read on March 15 and again on October 16 and will be the basis for the seasonal energy billings. Customers will receive monthly service charge bills only during the irrigation season. No disconnect/reconnect charges will be assessed.

SCHEDULE 8
IRRIGATION SERVICE
Page 2 of 2

CONNECTION CHARGE:

Line Extension charges will be calculated and billed to the customer for all electrical services provided under the Irrigation Service Schedule. Connection charges must be paid upon completion of service installation. At the City Light and Power Department's option, all or part of the connection charge may be in the form of facilities provided by the customer for the Department's use. Such facilities must be inspected by the Department and must meet all applicable City, County, State, and National Electrical Codes.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 9
GREEN POWER SERVICE
Page 1 of 1

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to all customers who sign up for the voluntary program to help support the production of green power.

CHARACTER OF SERVICE:

Funds collected in this program will be used to purchase renewable energy resources, which will in turn use the funds to support the production of new green power sources throughout the region.

CHARGES PER BILLING INTERVAL:

Customer Charge: $4.00 /200kWh unit

SPECIAL CONDITIONS:

Customers may sign up voluntarily for the program. A minimum six-month commitment to the program is required.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

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FOREST GROVE OREGON

A place where families and businesses thrive.

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	9.
MEETING DATE:	08/09/2021
FINAL ACTION:	RESO 2021-51

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Keith Hormann, L&P Director*
Paul Downey, Assistant City Manager / Finance Director

MEETING DATE: *August 9, 2021*

SUBJECT TITLE: *Net Metering Resolution*

ACTION REQUESTED:		Ordinance		Order	X	Resolution		Motion		Informational

X all that apply

BACKGROUND: The City Council adopted a net metering rate schedule in 2003. Net metering facilities are defined by state law and include facilities that generate power, i.e., solar and wind. The schedule was updated and amended by City Council in 2011. In response to current practices and Public Utility Commission policy rules, staff is recommending the schedule be updated.

The Light & Power Department currently has 32 residential customers under the net metering rate schedule. Of these 32 customers, one is generating more power than they use on an annual basis. The current rate schedule does not account for this and the proposed changes are intended to address it. Although no current customers qualify, an option to aggregate meters for net metering facilities is also being proposed in the event this occurs in the future.

The proposed changes are based on language included in the Oregon Public Utility Commission Net Metering Administrative Rules 860-039-0060 and 860-039-0065 pertaining to over-generation, low-income energy assistance fund, and aggregate metering.

FISCAL IMPACT: Under current conditions, approximately $120/year.

STAFF RECOMMENDATION: Staff recommends City Council adopt the proposed revisions to the net metering rate schedule.

ATTACHMENT(s):

- Powerpoint
- Light and Power Net Metering Rate Schedule
- Oregon Public Utility Commission Administrative Rule, Chapter 860 Division 39 (Net Metering Rules)

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Public Utility Commission

Chapter 860

Division 39
NET METERING RULES

860-039-0005
Scope and Applicability of Net Metering Facility Rules

(1) OAR 860-039-0010 through 860-039-0080 (the "net met(1) 860-039-0010 through 860-039-0080 (the "net metering rules") establish rules governing net metering facilities interconnecting to a public utility as required under ORS 757.300. Net metering is available to a customer-generator only as provided in these rules. These rules do not apply to a public utility that meets the requirements of ORS 757.300(9).

(2) Upon request or its own motion, the Commission may waive any of the division 039 rule for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

(a) A public utility and net metering applicant may mutually agree to reasonable extensions to the required times for notices and submissions of information set forth in these rules for the purpose of allowing efficient and complete review of a net metering application.

(b) If a public utility unilaterally seeks waiver of the timelines set forth in these rules, the Commission must consider the number of pending applications for interconnection review and the type of applications, including review level and facility size.

(3) As used in OAR 860-039-0010 through 860-039-0080:

(a) "ANSI C12.1 standards" means the standards prescribed by the 2001 edition of the American National Standards Institute, Committee C12.1 (ANSI C12.1), entitled "American National Standard for Electric Meters - Code for Electricity Metering," approved by the C12.1 Accredited Standard Committee on July 9, 2001.

(b) "Applicant" means a person who has filed an application to interconnect a net metering facility to an electric distribution system.

(c) "Area network" means a type of electric distribution system served by multiple transformers interconnected in an electrical network circuit in order to provide high reliability of service. This term has the same meaning as the term "secondary grid network" as defined in IEEE standard 1547 Section 4.1.4 (published July 2003).

(d) “Contiguous” means a single area of land that is considered to be contiguous even if there is an intervening public or railroad right of way, provided that rights of way land on which municipal infrastructure facilities exist (such as street lighting, sewerage transmission, and roadway controls) are not considered contiguous.

(e) "Customer-generator" means the person who is the user of a net metering facility and who has applied for and been accepted to receive electricity service at a premises from the serving public utility.

(f) "Electric distribution system" means that portion of an electric system which delivers electricity from transformation points on the transmission system to points of connection at a customer's premises.

(g) "Equipment package" means a group of components connecting an electric generator with an electric distribution system, and includes all interface equipment including switchgear, inverters, or other interface devices. An equipment package may include an integrated generator or electric production source.

(h) "Fault current" means electrical current that flows through a circuit and is produced by an electrical fault, such as to ground, double-phase to ground, three-phase to ground, phase-to-phase, and three-phase.

(i) "Generation capacity" means the nameplate capacity of the power generating device(s). Generation capacity does not include the effects caused by inefficiencies of power conversion or plant parasitic loads.

(j) "Good utility practice" means a practice, method, policy, or action engaged in or accepted by a significant portion of the electric industry in a region, which a reasonable utility official would expect, in light of the facts reasonably discernable at the time, to accomplish the desired result reliably, safely and expeditiously.

(k) "IEEE standards" means the standards published in the 2003 edition of the Institute of Electrical and Electronics Engineers (IEEE) Standard 1547, entitled "Interconnecting Distributed Resources with Electric Power Systems," approved by the IEEE SA Standards Board on June 12, 2003, and in the 2005 edition of the IEEE Standard 1547.1, entitled "IEEE Standard Conformance Test Procedures for Equipment Interconnecting Distributed Resources with Electric Power Systems," approved by the IEEE SA Standards Board on June 9, 2005.

(L) "Impact study" means an engineering analysis of the probable impact of a net metering facility on the safety and reliability of the public utility's electric distribution system.

(m) "Interconnection agreement" means an agreement between a customer-generator and a public utility, which governs the connection of the net metering facility to the electric distribution system, as well as the ongoing operation of the net metering facility after it is connected to the system. An interconnection agreement will follow the standard form agreement developed by the public utility and filed with the Commission.

(n) "Interconnection facilities study" means a study conducted by a utility for the customer-generator that determines the additional or upgraded distribution system facilities, the cost of those facilities, and the time schedule required to interconnect the net metering facility to the utility's distribution system.

(o) "Net metering facility" means a net metering facility as defined in ORS 757.300(1)(d).

(p) "Non-residential customer" means a retail electricity consumer that is not a residential customer, except "non-residential customer" does not include a customer who would be a residential customer but for the residency provisions of subsection (s) of this rule.

(q) "Point of common coupling" means the point beyond the customer-generator's meter where the customer-generator facility connects with the electric distribution system.

(r) "Public utility" has the meaning set forth in ORS 757.005 and is limited to a public utility that provides electric service.

(s) "Residential customer" means a retail electricity consumer that resides at a dwelling primarily used for residential purposes. "Residential customer" does not include retail electricity customers in a dwelling

typically used for residency periods of less than 30 days, including hotels, motels, camps, lodges, and clubs. "Dwelling" includes, but is not limited to, single-family dwellings, separately-metered apartments, adult foster homes, manufactured dwellings, and floating homes.

(t) "Spot network" means a type of electric distribution system that uses two or more inter-tied transformers protected by network protectors to supply an electrical network circuit. A spot network may be used to supply power to a single customer or a small group of customers.

(u) "Written notice" means a required notice sent by the utility via electronic mail if the customer-generator has provided an electronic mail address. If the customer-generator has not provided an electronic mail address, or has requested in writing to be notified by United States mail, or if the utility elects to provide notice by United States mail, then written notices from the utility shall be sent via First Class United States mail. The utility shall be deemed to have fulfilled its duty to respond under these rules on the day it sends the customer-generator notice via electronic mail or deposits such notice in First Class mail. The customer-generator shall be responsible for informing the utility of any changes to its notification address.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 5-2018, minor correction filed 09/13/2018, effective 09/13/2018
PUC 1-2012, f. & cert. ef. 2-22-12
PUC 6-2011, f. & cert. ef. 9-14-11
PUC 5-2011, f. & cert. ef. 9-7-11
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0010
Net Metering Kilowatt Limit

(1) For residential customer-generators of a public utility, these rules apply to net metering facilities that have a generating capacity of 25 kilowatts or less.

(2) For non-residential customer-generators of a public utility, these rules apply to net metering facilities that have a generating capacity of two megawatts or less.

(3) Nothing in these rules is intended to limit the number of net metering facilities per customer-generator so long as the net metering facilities in aggregate on the customer-generator's contiguous property do not exceed the applicable kilowatt or megawatt limit.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 5-2011, f. & cert. ef. 9-7-11
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0015
Installation, Operation, Maintenance, and Testing of Net Metering Facilities

(1) Except for customer-generators established as net metering customers prior to the effective date of this rule, a customer-generator of a public utility must install, operate and maintain a net metering facility in compliance with the IEEE standards.

(2) Except for customer-generators established as net metering customers prior to the effective date of this rule, a customer-generator of a public utility must install and maintain a manual disconnect switch that

will disconnect the net metering facility from the public utility's system. The disconnect switch must be a lockable, load-break switch that plainly indicates whether it is in the open or closed position. The disconnect switch must be readily accessible to the public utility at all times and located within 10 feet of the public utility's meter.

(a) For customer services of 600 volts or less, a public utility may not require a disconnect switch for a net metering facility that is inverter-based with a maximum rating as shown below.

(A) Service type: 240 Volts, Single-phase, 3 Wire — Maximum size 7.2 kW.

(B) Service type: 120/208 Volts, 3-Phase, 4 Wire — Maximum size 10.5 kW.

(C) Service type: 120/240 Volts, 3-Phase 4 Wire — Maximum size 12.5 kW.

(D) Service type: 277/480, 3-Phase, 4 Wire — Maximum size 25.0 kW.

(E) For other service types, the net metering facility must not impact the customer-generator's service conductors by more than 30 amperes.

(b) The disconnect switch may be located more than 10 feet from the public utility meter if permanent instructions are posted at the meter indicating the precise location of the disconnect switch. The public utility must approve the location of the disconnect switch prior to the installation of the net metering facility.

(3) The customer-generator's electric service may be disconnected by the public utility entirely if the net metering facility must be physically disconnected for any reason.

[ED. NOTE: Tables referenced are available from the agency.]

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 4-2008, f. & cert. ef. 10-9-08
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0020
Net Metering Facility Requirements

(1) To qualify for the Level 1 and the Level 2 interconnection review procedures set forth below, a net metering facility must be certified as complying with the following standards, as applicable:

(a) IEEE standards; and

(b) UL 1741 Inverters, Converters, and Controllers for Use in Independent Power Systems (January 2001).

(2) An equipment package will be considered certified for interconnected operation if it has been submitted by a manufacturer to a nationally recognized testing and certification laboratory, and has been tested and listed by the laboratory for continuous interactive operation with an electric distribution system in compliance with the applicable codes and standards listed in section (1) of this rule.

(3) If the equipment package has been tested and listed in accordance with this section as an integrated package, which includes a generator or other electric source, the equipment package will be deemed certified, and the public utility will not require further design review, testing or additional equipment.

(4) If the equipment package includes only the interface components (switchgear, inverters, or other interface devices), an interconnection applicant must show that the generator or other electric source being utilized with the equipment package is compatible with the equipment package and consistent with the testing and listing specified for the package. If the generator or electric source being utilized with the equipment package is consistent with the testing and listing performed by the nationally recognized testing and certification laboratory, the equipment package will be deemed certified, and the public utility will not require further design review, testing or additional equipment.

(5) A net metering facility must be equipped with metering equipment that can measure the flow of electricity in both directions, comply with ANSI C12.1 standards and OAR 860-023-0015. The public utility will install the required metering equipment at the utility's expense.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0025
Application for Net Metering Interconnection

(1) An application for interconnection review will be submitted on a standard form, available from the public utility and posted on the public utility's website. The application form will require the following types of information:

(a) The name of the applicant and the public utility involved;

(b) The type and specifications of the net metering facility;

(c) The level of interconnection review sought; e.g., Level 1, Level 2 or Level 3;

(d) The contractor who will install the net metering facility;

(e) Equipment certifications;

(f) The anticipated date the net metering facility will be operational; and

(g) Other information that the utility deems is necessary to determine compliance with these net metering rules.

(2) Within three business days after receiving an application for Level 1 or Level 2 interconnection review, the public utility will provide written or electronic mail notice to the applicant that it received the application and whether the application is complete. If the application is incomplete, the written notice will include a list of all of the information needed to complete the application.

(3) An applicant will retain its original queue position for an interconnection request if the applicant resubmits its application at a higher level of review within 30 business days of a utility's denial of the application at a lower level of review.

(4) Each public utility will designate an employee or office from which an applicant can obtain basic application forms and information through an informal process. On request, the public utility must provide all relevant forms, documents, and technical requirements for submittal of a complete application for interconnection review under these net metering rules, as well as specific information necessary to contact the public utility representatives assigned to review the application.

(5) On request, the public utility must meet with an applicant who qualifies for Level 2 or Level 3 interconnection review to assist them in preparing the application.

(6) A public utility will not be responsible for the cost of determining the rating of equipment owned by a customer-generator or of equipment owned by other local customers.

(7) At the time of application, an applicant may choose to simultaneously submit an executed public utility's standard form interconnection agreement.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0030
Level 1 Net Metering Interconnection Review

(1) A net metering facility meeting the following criteria is eligible for Level 1 interconnection review:

(a) The facility is inverter-based; and

(b) The facility has a capacity of 25 kilowatts or less.

(2) The public utility must approve interconnection under the Level 1 interconnection review procedure if:

(a) The aggregate generation capacity on the distribution circuit to which the net metering facility will interconnect, including the capacity of the net metering facility, will not contribute more than 10 percent to the distribution circuit's maximum fault current at the point on the high voltage (primary) level that is nearest the proposed point of common coupling.

(b) A net metering facility's point of common coupling will not be on a transmission line, a spot network, or an area network.

(c) If a net metering facility is to be connected to a radial distribution circuit, the aggregate generation capacity connected to the circuit, including that of the net metering facility, will not exceed 10 percent (15 percent for solar electric generation) of the circuit's total annual peak load, as most recently measured at the substation.

(d) If a net metering facility is to be connected to a single-phase shared secondary, the aggregate generation capacity connected to the shared secondary, including the net metering facility, will not exceed 20 kilovolt-amps.

(e) If a single-phase net metering facility is to be connected to a transformer center tap neutral of a 240 volt service, the addition of the net metering facility will not create a current imbalance between the two sides of the 240 volt service of more than 20 percent of nameplate rating of the service transformer.

(3) Within 10 business days after the public utility notifies a Level 1 applicant that the application is complete, the public utility must notify the applicant that:

(a) The net metering facility meets all applicable criteria and the interconnection will be approved upon installation of any required meter upgrade, completion of any required inspection of the facility, and execution of an interconnection agreement; or

(b) The net metering facility has failed to meet one or more of the applicable criteria and the interconnection application is denied.

(4) If a public utility does not notify a Level 1 applicant in writing or by electronic mail whether the interconnection is approved or denied within 20 business days after the receipt of an application, the interconnection will be deemed approved. Interconnections approved under this section remain subject to section 7 below.

(5) Within three business days after sending the notice to an applicant that the proposed interconnection meets the Level 1 requirements, a public utility must notify the applicant whether:

(a) An inspection of the net metering facility for compliance with the net metering rules is required prior to the operation of the facility; and

(b) An interconnection agreement is required for the net metering facilities. If required, the public utility must also execute and send to the applicant a Level 1 interconnection agreement, unless the applicant has already submitted such an agreement with its application for interconnection.

(6) On receipt of any required executed interconnection agreement from the applicant and satisfactory completion of any required inspection, the public utility will approve the interconnection, conditioned on compliance with all applicable building codes.

(7) A customer-generator will notify the public utility of the anticipated start date for operation of the net metering facility at least five business days prior to starting operation, either through the submittal of the interconnection agreement or in a separate notice. If the public utility requires an inspection of the net metering facility, the applicant will not begin operating the facility until satisfactory completion of the inspection.

(8) If an application for Level 1 interconnection review is denied because it does not meet one or more of the applicable requirements in this section, an applicant may resubmit the application under the Level 2 or Level 3 interconnection review procedure, as appropriate.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0035
Level 2 Net Metering Interconnection Review

(1) A public utility must apply the following Level 2 interconnection review procedure for an application to interconnect a net metering facility that meets the following criteria:

(a) The facility has a capacity of two megawatts or less; and

(b) The facility does not qualify for or failed to meet applicable Level 1 interconnection review procedures.

(2) The public utility must approve interconnection under the Level 2 interconnection review procedure if:

(a) The aggregate generation capacity on the distribution circuit to which the net metering facility will interconnect, including the capacity of the net metering facility, will not cause any distribution protective equipment (including, but not limited to, substation breakers, fuse cutouts, and line reclosers), or customer equipment on the electric distribution system, to exceed 90 percent of the short circuit interrupting capability of the equipment. In addition, a net metering facility will not be connected to a circuit that already exceeds 90 percent of the short circuit interrupting capability, prior to interconnection of the facility.

(b) If there are posted transient stability limits to generating units located in the general electrical vicinity of the proposed point of common coupling, including, but not limited to within three or four transmission voltage level busses, the aggregate generation capacity, including the net metering facility, connected to the distribution low voltage side of the substation transformer feeding the distribution circuit containing the point of common coupling will not exceed 10 megawatts.

(c) The aggregate generation capacity connected to the distribution circuit, including the net metering facility, will not contribute more than 10 percent to the distribution circuit's maximum fault current at the point on the high voltage (primary) level nearest the proposed point of common coupling.

(d) If a net metering facility is to be connected to a radial distribution circuit, the aggregate generation capacity connected to the electric distribution system by non-public utility sources, including the net metering facility, will not exceed 10 percent (or 15 percent for solar electric generation) of the total circuit annual peak load. For the purposes of this subsection, annual peak load will be based on measurements taken over the 12 months previous to the submittal of the application, measured for the circuit at the substation nearest to the net metering facility.

(e) If a net metering facility is to be connected to three-phase, three wire primary public utility distribution lines, a three-phase or single-phase generator will be connected phase-to-phase.

(f) If a net metering facility is to be connected to three-phase, four wire primary public utility distribution lines, a three-phase or single-phase generator will be connected line-to-neutral and will be effectively grounded.

(g) If a net metering facility is to be connected to a single-phase shared secondary, the aggregate generation capacity on the shared secondary, including the net metering facility, will not exceed 20 kilovolt-amps.

(h) If a net metering facility is single-phase and is to be connected to a transformer center tap neutral of a 240 volt service, the addition of the net metering facility will not create a current imbalance between the two sides of the 240 volt service that is greater than 20 percent of the nameplate rating of the service transformer.

(i) A net metering facility's point of common coupling will not be on a transmission line.

(j) If a net metering facility's proposed point of common coupling is on a spot or area network, the interconnection will meet the following additional requirements:

(A) For a net metering facility that will be connected to a spot network circuit, the aggregate generation capacity connected to that spot network from the net metering facilities, and any generating facilities, will not exceed five percent of the spot network's maximum load;

(B) For a net metering facility that utilizes inverter-based protective functions, which will be connected to an area network, the net metering facility, combined with any other generating facilities on the load side of network protective devices, will not exceed 10 percent of the minimum annual load on the network, or 500 kilowatts, whichever is less. For the purposes of this paragraph, the percent of minimum load for solar electric generation net metering facility will be calculated based on the minimum load occurring during an off-peak daylight period; and

(C) For a net metering facility that will be connected to a spot or an area network that does not utilize inverter-based protective functions, or for an inverter-based net metering facility that does not meet the requirements of paragraphs (A) or (B) of this subsection, the net metering facility will utilize low forward power relays or other protection devices that ensure no export of power from the net metering facility, including inadvertent export (under fault conditions) that could adversely affect protective devices on the network.

(3) Within 15 business days after notifying a Level 2 applicant that the application is complete, the public utility must perform an initial review of the proposed interconnection to determine whether the interconnection meets the applicable criteria. During this initial review, the public utility may, at its own expense, conduct any studies or tests it deems necessary to evaluate the proposed interconnection and provide notice to the applicant of one of the following determinations:

(a) The net metering facility meets the applicable requirements and that interconnection will be approved following any required inspection of the facility and fully executed interconnection agreement. Within three business days after this notice, the public utility will provide the applicant with an executable interconnection agreement;

(b) The net metering facility failed to meet one or more of the applicable requirements, but the public utility determined that the net metering facility may be interconnected consistent with safety, reliability, and power quality. In this case, the public utility will notify the applicant that the interconnection will be approved following any required inspection of the facility and fully executed interconnection agreement. Within five business days after this notice, the public utility will provide the applicant with an executable interconnection agreement;

(c) The net metering facility failed to meet one or more of the applicable requirements, but additional review may enable the public utility to determine that the net metering facility may be interconnected consistent with safety, reliability, and power quality. In such a case, the public utility will offer to perform additional review to determine whether minor modifications to the electric distribution system would enable the interconnection to be made consistent with safety, reliability and power quality. The public utility will provide to the applicant a nonbinding, good faith estimate of the costs of such additional review, or such minor modifications, or both. The public utility will undertake the additional review or modifications only after the applicant consents to pay for the review or modifications, or both; or

(d) The net metering facility failed to meet one or more of the applicable requirements, and that additional review would not enable the public utility to determine that the net metering facility could be interconnected consistent with safety, reliability, and power quality. In such a case, the public utility will notify the applicant that the interconnection application has been denied, and will provide an explanation of the reason(s) for the denial, including a list of additional information, or modifications to the net metering facility, or both, which would be required in order to obtain an approval under Level 2 interconnection procedures.

(4) An applicant that receives an interconnection agreement under subsection (3)(a) or (3)(b) of this rule must:

(a) Execute the agreement and return it to the public utility at least 10 business days prior to starting operation of the net metering facility (unless the public utility does not so require); and

(b) Indicate to the public utility the anticipated start date for operation of the net metering facility.

(5) The public utility may require a public utility inspection of a net metering facility for compliance with these net metering rules prior to operation, and may require and arrange for witness of commissioning tests as set forth in IEEE standards. The public utility must schedule any inspections or tests under this section promptly and within a reasonable time after submittal of the application. The applicant may not begin operating the net metering facility until after the inspection and testing is completed.

(6) Approval of interconnected operation of any Level 2 net metering facility must be conditioned on all of the following occurring:

(a) Approval of the interconnection by the electrical code official with jurisdiction over the interconnection;

(b) Successful completion of any public utility inspection or witnessing, or both, of commissioning tests requested by the public utility; and

(c) Passing of the planned start date provided by the applicant.

(7) If an application for Level 2 interconnection review is denied because it does not meet one or more of the requirements in this section, the applicant may resubmit the application under the Level 3 interconnection review procedure.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0040
Level 3 Net Metering Interconnection Review

(1) The public utility must apply the Level 3 review procedure for an application to interconnect a net metering facility that meets the following criteria:

(a) The facility has a capacity of two megawatts or less; and

(b) The facility does not qualify or failed to meet Level 2 interconnection review procedures.

(2) Following receipt of a Level 3 application and within three business days of a request from the applicant, the public utility must provide pertinent information to the applicant, such as the available fault current at the proposed interconnection location, the existing peak loading on the lines in the general vicinity of the net metering facility, and the configuration of the distribution lines at the proposed point of common coupling.

(3) Within seven business days after receiving a complete application for Level 3 interconnection review, the public utility must provide an impact study agreement to the applicant, which will include a non-binding, good faith cost estimate for an impact study to be performed by the public utility. The impact study will be conducted in accordance with good utility practice and must:

(a) Detail the impacts to the electric distribution system that would result if the net metering facility were interconnected without modifications to either the net metering facility or to the electric distribution system;

(b) Identify any modifications to the public utility's electric distribution system that would be necessary to accommodate the proposed interconnection; and

(c) Focus on power flows and utility protective devices, including control requirements; and

(d) Include the following elements, as applicable:

(A) A load flow study;

(B) A short-circuit study;

(C) A circuit protection and coordination study;

(D) The impact on the operation of the electric distribution system;

(E) A stability study, along with the conditions that would justify including this element in the impact study;

(F) A voltage collapse study, along with the conditions that would justify including this element in the impact study; and

(G) Additional elements, if approved in writing by Commission staff prior to the impact study.

(4) After the applicant executes the impact study agreement and pays the public utility the amount of the good faith estimate, the public utility will complete the impact study and will notify the applicant within 30 calendar days of one of the following results:

(a) Only minor modifications to the public utility's electric distribution system are necessary to accommodate interconnection. In such a case, the public utility will send the applicant an interconnection agreement that details the scope of the necessary modifications and a non-binding, good faith estimate of their cost; or

(b) Substantial modifications to the public utility's electric distribution system are necessary to accommodate the proposed interconnection. In such a case, the public utility must provide a non-binding, good faith estimate of the cost of the modifications, which must be accurate to within plus or minus 25 percent. In addition, the public utility must offer to conduct, at the applicant’s expense, an interconnection facilities study that must identify the types and cost of equipment needed to safely interconnect the applicant's net metering facility.

(5) If the proposed interconnection may affect electric transmission or delivery systems other than those controlled by the public utility, operators of those other systems may require additional studies to determine the potential impact of the interconnection on those systems. If such additional studies are required, the public utility will coordinate the studies but will not be responsible for their timing. The applicant will be responsible for the costs of any such additional studies required by another affected system. Such studies will be conducted only after the applicant has provided written authorization.

(6) If an applicant requests a facilities study under subsection (4)(b), the public utility must provide an interconnection facilities study agreement. The interconnection facilities study agreement must describe the work to be undertaken in the interconnection facilities study and must include a non-binding, good faith estimate of the cost to the applicant for completion of the study. Upon the execution by the applicant of the interconnection facilities study agreement, the public utility will conduct an interconnection facilities study to identify the facilities necessary to safely interconnect the net metering facility with the public utility's electric distribution system, and to propose a non-binding, good faith estimate of the cost of those facilities and the time required to build and install those facilities.

(7) Upon completion of an interconnection facilities study, the public utility must provide the applicant with the results of the study and an executable interconnection agreement. The agreement must list the conditions and facilities necessary for the net metering facility to safely interconnect with the public utility's electric distribution system, and must include a non-binding, good faith estimate of the cost of those facilities and the estimated time required to build and install those facilities.

(8) If the applicant wishes to interconnect, it must execute the interconnection agreement and return it to the public utility at least 10 business days prior to starting operation of the net metering facility (unless the public utility does not so require), pay a deposit of not more than 50 percent of the estimated cost of the facilities identified in the interconnection facilities study, complete installation of the net metering facility, and agree to pay the public utility the actual installed cost of the facilities needed to interconnect as identified in the interconnection facilities study.

(9) Within 15 business days after notice from the applicant that the net metering facility has been installed, the public utility will inspect the net metering facility and will arrange to witness any commissioning tests required under IEEE standards. The public utility and the applicant will select a date by mutual agreement for the public utility to witness commissioning tests.

(10) If the net metering facility satisfactorily passes required commissioning tests, if any, the public utility must notify the applicant in writing, within three business days after the tests, of one of the following:

(a) The interconnection is approved and the net metering facility may begin operation; or

(b) The interconnection facilities study identified necessary construction that has not been completed, the date upon which the construction will be completed and the date when the net metering facility may begin operation.

(11) If the commissioning tests are not satisfactory, the applicant will repair or replace the unsatisfactory equipment and reschedule a commissioning test.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0045
Net Metering Interconnection Fees and Costs

(1) A public utility may not charge an application, or other fee, to an applicant that requests Level 1 interconnection review. However, if an application for Level 1 interconnection review is denied because it does not meet the requirements for Level 1 interconnection review, and the applicant resubmits the application under another review procedure, the public utility may impose a fee for the resubmitted application, consistent with this section.

(2) For a Level 2 interconnection review, the public utility may charge fees of up to $50.00 plus $1.00 per kilowatt of the net metering facility's capacity, plus the reasonable cost of any required minor modifications to the electric distribution system or additional review. Costs for such minor modifications or additional review will be based on the public utility’s non-binding, good faith estimates and the ultimate actual installed costs. Costs for engineering work done as part of any additional review will not exceed $100.00 per hour. A public utility may adjust the $100.00 hourly rate once in January of each year to account for inflation and deflation as measured by the Consumer Price Index.

(3) For a Level 3 interconnection review, the public utility may charge fees of up to $100.00 plus $2.00 per kilowatt of the net metering facility's capacity, as well as charges for actual time spent on any required impact or facilities studies. Costs for engineering work done as part of an impact study or interconnection facilities study will not exceed $100.00 per hour. A public utility may adjust the $100.00 hourly rate once in January of each year to account for inflation and deflation as measured by the Consumer Price Index. If the public utility must install facilities in order to accommodate the interconnection of the net metering facility, the cost of such facilities will be the responsibility of the applicant.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0050
Requirements After Approval of a Net Metering Interconnection

(1) A public utility may not require an applicant whose facility meets the criteria for interconnection approval under the Level 1 or Level 2 interconnection review procedure to perform or pay for additional tests, except if agreed to by the applicant.

(2) A public utility may not charge any fee or other charge for connecting to the public utility's distribution system or for operation of a net metering facility for the purposes of net metering, except for the fees provided for under these net metering rules.

(3) Once a net metering interconnection has been approved under these net metering rules, the public utility may not require a customer-generator to test or perform maintenance on its facility except for the following:

(a) An annual test in which the net metering facility is disconnected from the public utility's equipment to ensure that the inverter stops delivering power to the grid;

(b) Any manufacturer-recommended testing or maintenance;

(c) Any post-installation testing necessary to ensure compliance with IEEE standards or to ensure safety; and

(d) The customer-generator replaces a major equipment component that is different from the originally installed model.

(4) When an approved net metering facility undergoes maintenance or testing in accordance with the requirements of these net metering rules, the customer-generator must retain written records for seven years documenting the maintenance and the results of testing.

(5) A public utility has the right to inspect a customer-generator's facility after interconnection approval is granted, at reasonable hours and with reasonable prior notice to the customer-generator. If the public utility discovers that the net metering facility is not in compliance with the requirements of these net metering rules, the public utility may require the customer-generator to disconnect the net metering facility until compliance is achieved.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0055
Net Metering Billing

(1) Each monthly billing period, the public utility will charge the customer-generator the minimum monthly charge and all applicable charges for the net electricity that the public utility supplied. Subject to sections (2) and (3) of this rule, if in a monthly billing period a customer-generator supplies to the public utility more electricity than the public utility supplies the customer-generator, the public utility will apply the excess kilowatt-hours as a cumulative credit to the customer-generator's next monthly bill. The credit for the excess kilowatt-hours will be applied at the full retail rate for each rate component on the bill that uses kilowatt-hours as the billing determinant.

(2) Unless the public utility and the customer-generator otherwise agree, the annual billing cycle will end at the end of the March billing month of each year. Should the public utility and a customer-generator reach an agreement for a billing cycle ending other than at the end of the March billing month, the public utility must inform the Commission in writing of the alternative billing period within 30 calendar days of the agreement's execution.

(3) The alternative billing period must be for a period of twelve months or less.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0060
Excess Energy from Net Metering Facilities

(1) Any unused kilowatt-hour credit accumulated by a customer-generator of a public utility at the conclusion of the annual billing cycle will be transferred, in a manner approved by the Commission, to customers enrolled in the public utility's low-income assistance programs. The public utility will value any unused kilowatt-hour credit at the applicable average annual avoided cost tariff rate.

(2) The customer-generator may not elect to receive a credit or payment for any unused credit accumulated at the conclusion of the annual billing cycle.

(3) The public utility will report in writing to the Commission by July 1 each year the unused kilowatt-hour credits and the dollar amount transferred to the low-income assistance program in the previous billing year.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0065
Aggregation of Meters for Net Metering

(1) For the purpose of measuring electricity usage under the net metering program, a public utility must, upon request from a customer-generator, aggregate for billing purposes the meter that is physically attached to the net metering facility ("designated meter") with one or more meters ("aggregated meter") in the manner set out in this rule. This rule is mandatory upon the public utility only when:

(a) The aggregated meters are located on the customer-generator's premises or property that is contiguous to such premises;

(b) The electricity recorded by the designated meter and any aggregated meters is for the customer-generator's requirements, and;

(c) The designated meter and the aggregated meters are served by the same primary feeder at the time of application.

(2) When a customer-generator aggregates one or more meters that are subject to a different rate schedule than the designated meter, the facilities capacity limit in OAR 860-039-0010 is determined by the rate applicable to the designated meter.

(3) A customer-generator must give at least 60 days notice to the utility to request that additional meters be included in meter aggregation. The specific meters must be identified at the time of such request. In the event that more than one additional meter is identified, the customer-generator must designate the rank order for the aggregated meters to which net metering credits are to be applied, and must rank aggregated meters subject to the same rate schedule as the designated meter above any other meters. At least 60 days in advance of the beginning of the next annual billing period, a customer-generator may amend the rank order of the aggregated meters, subject to the requirements of this rule.

(4) The aggregation of meters will apply only to charges that use kilowatt-hours as the billing determinant. All other charges applicable to each meter account will be billed to the customer-generator.

(5) The utility will first apply the kWh credit to the charges for the designated meter and then to the charges for the aggregated meters in the rank order specified by the customer-generator. If in a monthly billing period the net metering facility supplies more electricity to the public utility than the energy usage recorded by the customer-generator's designated and aggregated meters, the utility will apply credits to the next monthly bill for the excess kilowatt-hours first to the designated meter, then to aggregated meters in the rank order specified by the customer-generator. Public utilities subject to ORS 757.300(2) through (8) must specify in tariffs how the kWh credits will be applied when rate schedules have non-uniform kWh charges.

(6) With the Commission's prior approval, a public utility may charge the customer-generator requesting to aggregate meters a reasonable fee to cover the administrative costs of this provision pursuant to a tariff approved by the Commission.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 5-2011, f. & cert. ef. 9-7-11
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0070
Public Utility Maps, Records and Reports

(1) Each public utility must maintain current maps and records of customer-generator net metering facilities showing size, location, generator type, and date of installation.

(2) By April 1 of each year, the public utility will submit to the Commission an annual report with the following summary information for the previous year:

(a) The total number of net metering facilities by resource type; and

(b) The total estimated rated generating capacity of net metering facilities by resource type.

(3) Upon request, each public utility must file with the Commission maps, records, and reports to identify, locate and summarize net metering facilities. All maps, records, and reports which the Commission may require the public utility to file must be in a form satisfactory to the Commission.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0075
Public Utility Not to Limit Net Metering Systems

A public utility will not limit the cumulative generating capacity of net metering systems in any manner except as expressly ordered by the Commission under ORS 757.300(6).

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07

860-039-0080
Net Metering Insurance

A public utility will not require a customer-generator whose net metering facility is in compliance with the standards in paragraphs (a) and (b) of ORS 757.300(4) and the safety standards contained in these rules to purchase additional liability insurance or to name the utility as an additional insured on the customer-generator’s liability insurance policy.

Statutory/Other Authority: ORS 183, 756 & 757
Statutes/Other Implemented: ORS 756.040 & 757.300
History:
PUC 8-2007, f. & cert. ef. 7-27-07