Oregon Community Solar Program

Program Implementation Manual

Revisions to v20191226

Revisions to the Program Implementation Manual

The PIM has been updated to reflect the following changes:

- Clarification to Project Manager Definition (Section 1.5)
- Annual Bill Credit Reconciliation Definition Update (Section 1.6)
- Bill Credit Rate Definition Update (Section 1.6)
- Alternative Payment of Program Fees (Sections 1.6, 3.11, 3.13, 4, 6.3.1, 6.3.4)
- Project Manager Marketing Disclaimer Language Update (Sections 2.6.3, 3.10)
- Clarification to Interconnection Pre-certification Requirements (Section 3.6)
- Participant Contract Requirement Updates (Section 3.13)
- Low-Income Requirement Updates (Section 3.15)
- Clarification to Pre-certification Application Deposit Refund Protocol (Section 4.1)
- Conditional Pre-certification Procedures (Section 4.5.3)
- Clarification to Bill Credit Timing (Section 6.3.5)
- Modification to Annual Bill Credit Reconciliation Policy (Section 6.3.6)
- Participant Cancelation Policy Update (Section 6.4)

Chapter 1

1 Program Overview

The Program overview provides a general description of the Oregon Community Solar Program—including its legislative origins, the program goals, program design, and definitions—found within the rules and the Program Implementation Manual.

1.1 Legislative Background

The Oregon Community Solar Program ("Program") gives Oregon customers of Portland General Electric ("PGE"), Pacific Power and Idaho Power the option to receive utility bill credits in exchange for subscribing to an approved community solar project.

The Program was established by the Oregon Legislature in 2016. Senate Bill 1547 (Clean Electricity and Coal Transition Plan) directed the Public Utility Commission of Oregon ("Commission") to establish a Community Solar Program. The Program is funded by Oregon customers of PGE, Pacific Power and Idaho Power and by participants in the Community Solar Program.

1.2 Program Goals

The goal of the Oregon Community Solar Program is to expand access to solar energy for customers who are not able to or do not want to invest in a rooftop system, including but not limited to renters, people who live in multifamily buildings, low-income customers and small businesses in rented or leased space. Customers can purchase energy from a community solar project—such as a large solar system on a business, school or church—and receive a credit on their monthly utility bill for the electricity from their portion of the project.

1.3 Program Implementation Manual

This Program Implementation Manual (PIM) contains program procedures and requirements for the Oregon Community Solar Program.

1.4 Program Design

The Oregon Community Solar Program is a capacity-limited program. Because space is limited, project participation is subject to capacity availability. A project does not reserve Program capacity until it has been reviewed, approved, and Pre-certified by the Oregon Public Utility Commission. Per OAR 860-088-0060(2) the Initial Program Capacity for each electric company is equal to 2.5 percent of the company's 2016 system peak.

Of the total Initial Program Capacity, a certain amount ("Interim Offering") is released upon Program launch. For PGE and Pacific Power, the Interim Offering is equal to 50 percent of Program Capacity. For Idaho Power, the Interim Offering is equal to 100 percent of Program Capacity.

In PGE and Pacific Power service territories, 25 percent of Interim Offering capacity is reserved for projects that are either sized at 360 kW-AC or less or that have a public or non-profit entity[1] as a Project Manager ("Designated Project Carve-Out", or "Carve-Out").[2]

The Initial Program Capacity, the current allocation under the Interim Offering and the availability of the Designated Project Carve-Out within the Interim Offering is shown, by utility, in Table 1.

Table 1. Program Capacity and allocations available at program launch

Utility	Initial Program Capacity (MW-AC)	Interim Offering	Initial Program Capacity (MW-AC)
Portland General Electric	93.15	46.57	11.645
Pacific Power	64.60	32.30	8.075
Idaho Power	3.28	3.28	-
Total	**161.03**	**82.15**	**19.72**

To apply for Pre-certification and receive a capacity reservation in the Program, a registered Project Manager must submit a complete application that is then accepted by the Program for review. Applications are reviewed in the order in which they are received.

If demand exceeds available capacity in the first 24 hours following the launch of the Program, a lottery will be used to determine the order in which Projects are received and reviewed for the Interim Offering of each utility territory. On all other occasions, applications will be received and reviewed on a first-come, first-served basis.

If a lottery is initiated after Program launch, Project Managers will receive an email notifying them that their Project(s) have been subject to a lottery and are under review by the Program Administrator. Project Managers will be notified of the results of the lottery after the Program Administrator validates and publicizes the lottery results.

If there is insufficient capacity to accommodate a Project within the Interim Offering, the Project will be added to a waitlist. If additional capacity is established beyond the Interim Offering or Projects accepted for Pre-certification are cancelled or withdrawn, the applications on the waitlist will be processed based on their order in the queue.

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[1] For the purposes of this program and Designated Project Carve-Out capacity, the term "non-profit" is viewed broadly to also include any mutual benefit corporation, public benefit corporation, religious corporation, municipal corporation or Native American tribe as defined by Oregon Law.

[2] The Designated Project Carve-Out is intended as a floor, not a ceiling, for the capacity that is available to qualifying projects in the Interim Offering.

Project Managers with Projects on the waitlist will be notified by email if additional capacity becomes available. Project Managers will be given two weeks to consider whether they would like to proceed and respond with a decision to remain in the queue or withdraw the project. If no response is received after two attempts to contact the Project Manager, the Project will be withdrawn from the queue. Projects that opt to remain in the queue will be reviewed for the newly available capacity based on their queue position. Additional capacity beyond the Interim Offering may be subject to different Bill Credit Rates or other requirements that impact the economics or other factors of Projects in the queue.

1.5 Project Manager Capacity Limits in the Interim Offering

To promote Project Manager diversity, market competition and more options for customers, the Program may limit how much capacity can be allocated to a single Project Manager. Project Manager entities under a single ownership structure will be considered a single Project Manager for the purposes of the Project Manager cap. This includes entities that are considered subsidiaries of, or majority owned by a single parent company.

For the Interim Offering, a single Project Manager may not reserve more than 25 percent of the capacity available in PGE or Pacific Power service territories, as shown in Table 2. The cap is not applied separately to the Designated Project Carve-Out. There is no Project Manager cap in Idaho Power territory for the Interim Offering.

The caps below are subject to adjustment if there are future capacity allocation modifications.

Table 2. Interim Offering Project Manager cap by utility

Utility	Project Manager Maximum Capacity (MW-AC)
Portland General Electric	11.645
Pacific Power	8.075
Idaho Power	N/A

1.6 Program Definitions

Annual Bill Credit Reconciliation: The time period that a Participant's allocated kilowatt-hour solar production and kWh electricity usage of the site is reconciled. For Program purposes, the annual billing cycle begins in ~~on the first day of the~~ April ~~billing month~~ and ends in ~~at the close of the~~ March of the following year ~~billing month~~.

Avoided Cost Rate: The incremental costs to an electric utility of electric energy or capacity or both which, but for the purchase from the qualifying facility or qualifying facilities, such utility would generate itself or purchase from another source.

Bill Credit Rate: The rate used to calculate a Participant's monthly bill credit. The Bill Credit is the amount in dollars that Participants receive from their electric utility for the electricity generated by their Subscription. Bill Credit Rates are set by the Oregon Public Utility

Commission. Each year within the Interim Offering, the Commission will adopt new Bill Credit Rates based on the updated residential retail rates filed by the utilities by January 1st of each year. The Bill Credit Rates will be posted to Oregon Community Solar website and in OPUC docket UM 1930. The Bill Credit Rate in effect at the time of Pre-Certification will apply to a project for a term no less than the term of the project's Community Solar Power Purchase Agreement.

Capacity-Based On-Bill Payment Model: An on-bill Subscription Fee based on the size of the subscription in kilowatt capacity.

Clearinghouse: The central location on the Oregon Community Solar website where prospective Participants can compare community solar projects and begin the process of requesting information from different Project Managers.

Code of Conduct: The Code of Conduct governs the interactions and transactions between Project Managers, and all partners, representatives, employees, contractors, service providers, and agents thereof, and customers of electric utilities in Oregon. The Code of Conduct is designed to ensure Project Managers are conducting business in a professional and ethical manner, and that customers receive high quality service and meaningful opportunities to participate in solar development.

Community Solar Program Platform: The official Oregon Community Solar website, www.oregoncsp.org, where Project Managers submit projects for approval and data is exchanged between the Project Manager, Participants, utilities and the Program Administrator.

Community Solar Project (Project): One or more solar photovoltaic energy systems that provide owners and subscribers the opportunity to share the costs and benefits associated with the generation of electricity by the solar photovoltaic energy systems. A community solar project has been approved (pre-certified or certified) and is available to Participants. Projects may consist of a single solar electric system or have multiple systems at different locations within the same utility territory.

Complaint: A retail customer or Participant's written or verbal statement of dissatisfaction with a Project or Project Manager. Complaints may be made directly to the Project Manager, or escalated to the Program Administrator, Low-income Facilitator, or Oregon Public Utility Commission.

Designated Project Carve-Out: In PGE and Pacific Power service territories, a minimum of 25 percent of Interim Offering capacity is reserved for projects that are either sized at 360 kW-AC or less or that have a public or non-profit entity as a Project Manager.

Energy Usage: A participant's total kilowatt-hour energy consumption as reflected on the participant's electricity bill.

Interim Offering: 50 percent of the Initial Program Capacity Tier allocated to Portland General Electric and Pacific Power and 100 percent of the capacity allocated to Idaho Power released upon program launch.

Initial Program Capacity: For each electric company the Initial Program Capacity Tier is equal to 2.5 percent of the electric company's 2016 system peak.

Low-Income Customer: A retail residential customer of an electric company whose annual income is defined as less than or equal to 80 percent of the Oregon State Median Family (or Household) Income, as defined by the US Census American Community Survey.

Low-Income Facilitator: The entity responsible for serving as a liaison among low-income residential customers and affiliated organizations and Project Managers to help meet any low-income capacity requirements.

Low-Income Recruitment: The process that begins with marketing and customer education and results in an interested customer providing their contact information and consent to be contacted for follow-up by the Project Manager and verification by the Low-income Facilitator.

Ministerial Permits: Permits issued by local planning staff based on clear and objective standards and requirements applicable to a specific development proposal or factual situation.

Monthly Bill Credit: The dollar value that Participants receive on their electricity bill for the electricity generated by their portion of a community solar project in the prior month. The monthly bill credit is calculated by multiplying the bill credit rate by the Participant's share of total project generation in the month.

Nameplate Capacity: The maximum rated output of a solar photovoltaic energy system, measured by the rated output of system inverter(s) at 50 degrees Celsius and adjusted for any transformer step-up losses.

Non-Ministerial Permits: Permits in which one or more officials or agencies consider various factors and exercise some discretion in deciding whether to issue or deny permits. Permits typically come with conditions. Public notice or hearings are usually required. Examples include conditional use permits, variances and special orders.

Non-Profit: Any mutual benefit corporation, public benefit corporation, religious corporation, municipal corporation as defined by Oregon Law, or federally recognized Indian Tribe.

Participant: A retail customer of an electric company, defined at the site address level, who enters into a contractual agreement of 10 or more years for part of a project that results in bill credits being applied to that customer's electricity bill. A Participant may be either a subscriber or owner of a Community Solar Project.

Production-Based On-Bill Payment Model: An on-bill Subscription Fee based on the monthly kilowatt-hour generation from the subscription.

Program Administrator: Energy Solutions is a third-party directed by the Commission to administer the Oregon Community Solar Program. Collectively, the Oregon Community Solar Program Administrator team refers to Energy Solutions, Energy Trust of Oregon, and Community Energy Project.

Program Fees: Programs fees include both the Program Administrator fee and the utility fee to administer various aspects of the Oregon Community Solar Program. Program fees ~~are added~~

~~to a Participant's monthly bill~~ are expressed in $/kW-AC per month. Low-income customer~~s~~ subscriptions are exempt from Program Fees.

Project Certification: A project that has been approved by the Program Administrator as having been fully developed and constructed, having passed all inspections required by the local and state authorities, and having enrolled enough Participants to meet program requirements.

Project Pre-Certification: A project that has been approved by the Program Administrator and the Commission to have met all pre-certification requirements. Pre-certified projects may proceed with developing the project and executing contracts with Participants.

Project Manager: The entity identified as having responsibility for managing the operation of a community solar project and, if applicable, for maintaining contact with the electric company that procures electricity from the community solar project. A project manager may be an electric company or an independent third party.

Renewable Energy Certificates (RECs): A Renewable Energy Certificate or REC represents the property rights to the environmental, social and other non-power attributes of renewable energy generation. RECs are the accepted legal instrument through which renewable energy generation and use claims are substantiated in state renewable energy markets.

Retail Customer: A customer who is a direct customer of the electric company and is the end user of electricity for specific purposes, such as heating, lighting, or operating equipment.

Service Territory: The geographic area within which an electric company provides electricity to retail customers.

Single Development: Projects that have a common ownership structure, an umbrella sale arrangement or revenue-sharing arrangement.

Site: The address associated with a meter, or a collection of meters that are co-located on a property, under a shared customer account. For a typical residential customer, this will be the physical address, including unit number, of the home. For a typical commercial customer, this will be the physical address of one of the business' locations, and included all meters serving that site that are associated with the customer's account. A customer is defined at the site level.

Subscription: A customer's subscription or ownership of a portion of a project. When customers subscribe to a project, they are subscribing to a portion of the project's capacity in kilowatts (kW-AC).

Subscription Agreement: A contractual agreement between a Participant and a registered Project Manager to enroll in a Community Solar Project.

Subscription Discount: The difference between the bill credit and the total cost of participating (expressed in $/kWh and inclusive of fees), divided by the Bill Credit Rate.

Subscription Fee: The subscription fee is a charge by the Project Manager that may be listed on a Participant's utility bill, or may be off-bill, and reflects monthly cost to subscribe to the

project. On-bill subscription models may be either capacity-based ($/kW) or production based ($/kWh).

Unsubscribed Project Capacity: Any project generation that is not sold to or subscribed by participants. Upon request, an electric company must enter into a 20-year power purchase agreement with a pre-certified project to purchase the project's unsold and unsubscribed generation on an "as available" basis subject to the requirements of the Public Utility Regulatory Policy Act (PURPA) and ORS 758.505, et. seq.;

Western Renewable Energy Generation Information System (WREGIS): An independent, renewable energy tracking system for the region covered by Western Electricity Coordinating Council (WECC). Projects that are greater than 360 kW-AC in aggregate size and small projects without a waiver must be registered in WREGIS.

For more information and resources for Project Managers, Participants, and other stakeholders, visit www.oregoncsp.org.

Program Administrator Contact Information:
administrator@oregoncsp.org or call 1-800-481-0510

2 Project Managers

Project Managers play a central role in the Oregon Community Solar Program by connecting utility customers with opportunities to share directly in the costs and benefits of solar development in Oregon. Project Managers' core responsibilities include serving as the primary point of contact for the Project, applying for Community Solar Project Pre-certification and Certification, enrolling customers to participate in a Project, managing the ongoing experience of their Project Participants, maintaining the reliable performance of their Project(s), and providing high-quality ongoing customer service.

"Project Manager" means the entity identified as having responsibility for managing the operation of a Community Solar Project and for maintaining contact with the electric company that procures electricity from the Community Solar Project. A Project Manager may be: (A) An electric company; or (B) An independent third party (Oregon Laws 2016, Chapter 28, section 22(1)(d)).

Project Managers are required to read and understand the entire Program Implementation Manual and follow the applicable requirements as a condition of their participation with the Program. This chapter contains Project Manager eligibility requirements, the registration process, the Project Manager Code of Conduct and the ongoing requirements to remain in good standing with the Program.

2.1 Project Managers

2.1.1 Who Can be a Project Manager?

Entities that meet the requirements below may register with the Program as a Project Manager. Solar developers, municipalities, public agencies, homeowners' associations, community organizations, commercial businesses, tribes, utilities and/or other entities may all consider registering as Project Managers. The Project Manager has specific and ongoing responsibilities to the project Participants and the Program, so an entity that is new to solar development, sales or customer service may be better served by partnering with a registered Project Manager to fill this role.

2.1.2 The Role of the Project Manager

Every Community Solar Project certified by the Program must have an assigned Project Manager. The Project Manager may be one of several businesses or organizations that jointly develop, own and/or operate a Community Solar Project. Other parties may include a project developer, construction contractors, Participant acquisition or management agents, a system owner or financial partner, community outreach partners and/or operations and maintenance

firms. To identify which project stakeholder would be most appropriate as the Project Manager, consider the role and duties outlined below.

- The Project Manager should be the entity that enters into agreements with Participants.

- The Project Manager should be the entity that enters into an agreement with the utility for the delivery of power and to collect on-bill charges for subscriptions ("Community Solar Power Purchase Agreement").

- The Project Manager is ultimately responsible for the operation of the Community Solar Project and entering into agreements to uphold the Program requirements, such as the conditions of Project Manager registration, but is not required to be the legal owner of the physical solar installation.

- The Project Manager will be responsible for submitting projects for Pre-certification and Certification as Community Solar Projects and providing all required project application materials and supporting documents.

- The Project Manager acts as the point of contact for the Program, utility and Participants. The Project Manager is also responsible for ensuring subscription and billing information for all Participants is accurate and up-to-date.

- The Project Manager is responsible for educating customers about the Program and its risks and benefits, providing required disclosures and delivering ongoing customer service (per the Code of Conduct).

- The Project Manager may partner, collaborate and subcontract with other entities to recruit and enroll Participants, and to develop, maintain and operate a project. However, the Project Manager is accountable for compliance with all Program requirements, even when the work is performed by other entities.

2.1.3 Project Manager Limits

There is no limit on the number of Project Managers that can be registered in the Program. Project Managers may manage or be affiliated with multiple Community Solar Projects, subject to limits and requirements described in Chapter 1: Program Overview. Chapter 4: Project Pre-certification.

2.2 Registration Process and Requirements

Project Managers must register with the Program and agree to the Code of Conduct before they may submit projects for Pre-certification. Project Pre-certification is required before Project Managers may a) enter into agreements with customers for subscriptions or ownership interests in projects, b) begin construction of the solar generating system(s) of a Community Solar Project, or c) make certain marketing claims described later in this section.

Prior to registering, an entity should confirm that it is the appropriate party to fulfill the role of Project Manager as described above and is prepared to take on the full responsibilities of that

role. If, after reading the Program Implementation Manual, a party is still unclear about which entity should register as a Project Manager, they should contact the Program Administrator at administrator@oregoncsp.org or 1-800-481-0510 for additional guidance.

The prospective Project Manager should then take the following steps to register.

PROJECT MANAGER REGISTRATION STEPS

1. Read all sections of this Program Implementation Manual.
2. Watch the Project Manager training videos available at www.oregoncsp.org under Project Manager Resources.
3. Review the Required information and documentation, below.
4. Gather registration information and materials, including the documentation listed in the Checklist of required documents for registration box, below.
5. Submit all required information and supporting materials through the Community Solar Program Platform at www.oregoncsp.org/p/RegistrationProcedure.

2.2.1 Required Information and Documentation

Prospective Project Managers will be asked to supply the following information about their business and business plans as part of their registration. Starred (*) items are required. Other information is optional but will help the Program Administrator successfully implement the Program.

REQUIRED INFORMATION AND DOCUMENTATION

1. **Detailed business information*:**
   - Legal business name used for tax filing.
   - Assumed business name (DBA), if applicable.
   - Business entity type: e.g., LLC, corporation, public, nonprofit.
   - Business mailing address and phone number.
   - Local office address and phone number, if different.
   - Name, phone and email of primary point of contact.
   - Preferred address, phone number and email for listing on the Program website.
   - Number of full-time employees.
   - Minority, Women and Emerging Small Business (M/W/ESB) or Service Disabled Veteran (SDV) Certifications, if applicable.
   - Website, if available.
   - If Project Manager is a special purpose LLC that is substantially owned and managed by one or more other business entities, provide the Legal Business Names of those entities.
2. **Information about planned projects and markets of focus:**
   - Size range(s).
   - Geographic region.

- Utilities.
- Low-income plan (does the Project Manager plan to recruit its own low-income Participants, work with the Low-income Facilitator for recruitment or a combination of both?).
- Other interests/focuses.

3. **Business name of known/anticipated contractors, affiliates or partnerships, including:**
    - Construction contractor, design/engineering contractor, customer acquisition agent(s), Participant management contractor, operation and maintenance (O&M) provider, financing partners, community outreach partners.
    - Other known or anticipated contractors, affiliates or partnerships.

4. **Proof of adequate levels of insurance*:**
    - Certificate showing a minimum of $1,000,000 of occurrence-based general liability insurance, listing Cohen Ventures, Inc. dba Energy Solutions as an additional insured, and adding Energy Trust of Oregon as a certificate holder.
    - A form for requesting this certificate from your insurer is available at www.oregoncsp.org/p/RegistrationProcedure.

5. **Participation in mandatory Program training***
    - When completing the Project Manager registration, Project Managers will attest that they have viewed the required training videos, available at www.oregoncsp.org/p/RegistrationProcedure.

6. **Project Manager Agreement***
    - Acknowledgement of the conditions of registration. The Project Manager agrees to adhere to all Program requirements, including Code of Conduct, Project and Participant requirements and ongoing reporting obligations.

CHECKLIST OF REQUIRED DOCUMENTS FOR REGISTRATION:

☐ Completed IRS W-9 form
☐ Certificate(s) of insurance listing Cohen Ventures, Inc. dba Energy Solutions as additional insured and Energy Trust of Oregon as a certificate holder

2.2.2 Optional Interconnection Information

As part of the registration process, Project Managers may choose to indicate the specific utility distribution feeders to which they are interested in interconnecting. This information will be collected and tracked by the Program Administrator. If more than one Project Managers indicate interest in the same distribution feeder, the Program Administrator will notify the relevant Project Managers so that they may discuss opportunities for interconnection cost-sharing.

The Program Administrator offers this as a service to improve the interconnection process for Project Managers. This information is optional and is only used by the Program Administrator to

provide these notifications. If Project Managers do not wish to coordinate with other entities interested in the same distribution feeder, they should leave this section blank.

2.2.3 Registration Review Process

The Program Administrator will review the information submitted with the registration. During the review process, the Program Administrator may follow up with the prospective Project Manager on any application deficiencies, concerns or needed clarifications. If the prospective Project Manager does not respond to follow-up requests within 10 business days, the prospective Project Manager may be found ineligible.

The Program Administrator will make a final determination of eligibility and notify the prospective Project Manager within five business days of a complete registration submission. Once registered, Project Managers will be listed on the Program website and may submit projects for Pre-certification after Program launch.

A prospective Project Manager that is determined to be ineligible by the Program Administrator may dispute the decision. Disputes that are unable to be resolved by the Program Administrator will be escalated, and final determination will lie with the Oregon Public Utility Commission and the Commission's Consumer Services division.

2.2.4 Website listing

Once a Project Manager has been registered, they will be listed on the Program website. The following information may be included in the Project Manager's listing to make it easier for customers and other interested parties to find and contact them:

- Assumed business name (DBA), if applicable, or legal business name.
- Business entity type (e.g., LLC, corporation, public, nonprofit).
- Preferred contact information including address, phone number and email.
- Minority, Women and Emerging Small Business (M/W/ESB) or Service Disabled Veteran (SDV) Certifications.
- Website.
- Geographic region of focus.
- Utility territories where the Project Manager intends to operate.

To make changes to the information listed on the website, Project Managers must update their account information in the Community Solar Program Platform. Instructions on using the Platform, including on updating Project Manager account information, can be found on the Project Manager Resources page of the program website, www.oregoncsp.org.

Information that cannot be updated by the Project Manager through the Community Solar Program Platform include: Project Manager's legal business name, assumed business name (DBA), business type, insurance details and details regarding Projects that have been Pre-certified and Certified. To request changes to these Project Manager details, the Project Manager should contact the Program Administrator by emailing administrator@oregoncsp.org or following the Project revision instructions described in Chapter 4: Project Pre-certification.

2.3 Maintaining Project Manager Registration

Once registered, it is the Project Manager's responsibility to understand and comply with all guidelines in the Program Implementation Manual, including:

- The Project Manager Code of Conduct, including Project Manager obligations to protect and secure customer information
- Program complaint and dispute resolution process.
- Program marketing disclaimers, disclosure checklist and branding guidelines.
- Project requirements.
- Participant eligibility and enrollment requirements (including low-income Participant enrollment).
- Ongoing billing and subscription management requirements.
- Annual Reporting on Complaints and Renewable Energy Certificates (RECs) associated with Projects registered with the Western Renewable Energy Generation Information System (WREGIS).
- All other requirements included in the Program Implementation Manual.

The Project Manager must also comply with requirements outlined in:

- Training and other supplemental materials published by the Program (the Program may periodically require participation in refresher training as needed).
- Direct communications and Program updates from the Program Administrator, Low-income Facilitator, or Oregon Public Utility Commission staff.
- Orders issued by the Oregon Public Utility Commission.

Project Managers will be notified when requirements are added or materially changed.

2.3.1 Project Manager Financial Health, Mergers, and Asset Transfers

The Program will enable new business models that have not previously been tested in the Oregon solar market. The failure or transfer of ownership of a Project or Project Manager could affect numerous customers. If a Project Manager has concerns about the financial health of its business, they are strongly encouraged to notify the Program Administrator to discuss potential implications.

If a Project Manager is considering a merger or sale of its business or a Project, they should contact the Program as early as possible. A Project Manager must notify the Program Administrator at least six weeks prior to the sale or transfer of its business or any Pre-certified or Certified Project to allow sufficient time for the Program to support a smooth transition. In a case where ownership of the underlying solar asset is transferred but the Project Manager entity stays the same, the Project Manager must inform the Program Administrator of the change but advance notice is not required.

If a Project Manager organization undergoes a merger or other process that causes a change in the underlying ownership of the organization, the Project Manager must notify the Program Administrator via email at administrator@oregoncsp.org and update the business information

through the Community Solar Program Platform. If the change in ownership affects the Project Manager's legal business name, assumed business name (DBA), business type or insurance details, the Program Administrator will make the changes in the Community Solar Program Platform. Instructions on updating Project Manager business information and other account information can be found on the Project Manager Resources page of the program website, www.oregoncsp.org.

Transferring a Pre-certified or Certified Project from one Project Manager to another organization, however, requires a Project Amendment. Amendments are considered and granted by the Oregon Public Utility Commission on a case-by-case basis. The process for requesting an amendment is described in Chapter 4: Project Pre-certification. If such a transfer is approved by the Commission, the Program Administrator will work with the Project Managers, to whatever extent possible, to facilitate an orderly transition and minimize negative outcomes for Participants.

2.4 Complaints and Dispute Resolution

Any complaints pertaining to a Project or Project Manager that are received by the Program Administrator, Low-income Facilitator, Oregon Public Utility Commission or utilities will be referred initially to the applicable Project Manager for resolution. The Project Manager must investigate each complaint and provide a written response to the complainant. If the Project Manager is unable to resolve the complaint, it should be escalated to the Program Administrator per the dispute escalation procedure outlined below.

2.4.1 Escalating Disputes

If a Project Manager is unable to resolve an issue with a customer, it must escalate the complaint to the Program Administrator and inform the customer that it is doing so.

To escalate a complaint, call 1-800-481-0510 or email info@oregoncsp.org. The following information should be provided when contacting the Program Administrator:

- Business name of the Project Manager.
- Name, phone number and email address of the Project Manager representative that has been managing the complaint.
- Customer's name, phone number and/or email address.
- How the customer prefers to be contacted for follow-up (phone, mail or email).
- If the customer is a Participant in a Project, the name and site address of the Project.
- Details of the complaint, including:
    a. The date and details of the customer's original complaint.
    b. The Project Manager's response to the complaint, including dates.
    c. The names of any additional representatives or Project Manager agents that the customer has interacted with that pertain to the complaint.
    d. Explanation of why the Project Manager has been unable to resolve the complaint.

The Program Administrator will work with the customer and Project Manager to resolve the complaint. If the Program Administrator is unable to reach a resolution with the customer and Project Manager, the Program Administrator will notify and collaborate with the Oregon Public Utility Commission Consumer Service Division to further investigate and resolve the complaint according to OPUC customer complaint procedures.

After the complaint has been resolved, the Program Administrator will provide a written response to the customer and the Project Manager that outlines: the initial concern, steps taken to resolve the complaint, resolution and any relevant outcomes resulting from the complaint (e.g. process improvements, training or disciplinary action).

2.4.2 Annual Reporting on Complaints

Once a year, Project Managers must compile and submit to the Program Administrator a report of the complaints received by the Project Manager over the past 12 months. This report must include a description of each complaint, the parties to the complaint and the resolution of the complaint. If a Project Manager has not received any complaints over the prior year, they must submit a report stating so.

The Program Administrator will notify Project Managers of the report's due date at least four weeks in advance. The notification will include a reporting template with instructions on how to format and submit the report. This template is also available at www.oregoncsp.org under Project Manager Resources.

Project Managers will provide annual complaint reporting at the end of June, to be in line with the annual project reporting on RECs (discussed in Chapter 3: Requirements).

2.5 Restrictions on Marketing Projects Prior to Pre-certification

Project Managers and their outreach and marketing contractors, affiliates and partners ("Project Manager agents") are a critical component of customer education about the Program. For many customers, a Project Manager may be their first and only source of information about the Program. Project Managers are encouraged to build awareness of the Program and help educate customers through marketing and outreach. To prevent customer confusion and misunderstanding, Project Managers and their agents must adhere to the following requirements for marketing projects that are not Pre-certified:

- If a Project Manager includes in its marketing information about a specific, planned project that has not yet been Pre-certified, that information must be accompanied by a clear disclosure that the project is proposed and may not be developed or approved by the Oregon Public Utility Commission, and that the Project Manager cannot enter into a Subscription Agreement with the customer until the project is Pre-certified. For printed or digital marketing materials, this disclosure must be in writing, and during discussions or presentations it should be provided verbally.
- Characterizing a project that has not been Pre-certified as a Pre-certified project, either expressly, by implication or through omission, is prohibited and may result in disciplinary

action. Examples of such behavior include failing to label the project as proposed, or by referring to it as Certified, approved, authorized or committed.

- All marketing and advertising must include Program-approved marketing disclaimers and comply with all other requirements of the Code of Conduct.

Entities that are not registered Project Managers or directly affiliated with a registered Project Manager should not conduct outreach, marketing or advertising about specific projects. If an organization wants to promote a proposed or Pre-certified project, they should engage with the Project Manager and be added to the Project Manager's account as a community outreach partner or other type of contractor, affiliate or partner.

These restrictions are not intended to limit general outreach and marketing by Project Managers and their agents, but rather, to protect customers and ensure that they understand the distinctions in timing and risk between a Community Solar Project that has been Pre-certified and a proposed project.

2.6 Project Manager Code of Conduct

The Code of Conduct governs the interactions and transactions between Project Managers and all partners, representatives, employees, contractors, service providers and agents thereof ("Project Managers and their agents"), and customers of electric utilities in Oregon ("customers"). The Code of Conduct is designed to ensure Project Managers are conducting business in a professional and ethical manner, and that customers receive both high quality service and meaningful opportunities to participate in solar development. Project Managers must abide by this Code of Conduct ("Code"). Consequences for violations of the Code are addressed in the *Disciplinary Probation and Termination* section, below.

The Federal Trade Commission (FTC) offers a wealth of information to help businesses and their employees understand their rights and responsibilities under state and federal consumer protection laws through its Business Center. Project Managers that are unfamiliar with any of the laws or restrictions mentioned in the Code should refer to the FTC's guidance on these topics.

2.6.1 Obligation to comply with the law

a. Project Managers shall always act in full compliance with all applicable federal, state and municipal laws and regulations.

2.6.2 Obligation to ensure compliance

a. Project Managers shall take all reasonable steps to ensure affiliates, partners, contractors, service providers and all other representatives of its Oregon Community Solar Projects or role as a Project Manager in Oregon ("Project Managers and their agents") follow the rules of the Oregon Community Solar Program in all facets of managing a Project.

b. Project Managers shall ensure that their staff and any representatives they appoint to act on their behalf within the Oregon Community Solar Program adhere to the same standards required of the Project Manager as set out in this Code.

c. If a Project Manager uses contractors, service providers or agents to perform activities covered by the Code, then the Project Manager is responsible for ensuring their compliance to the Code.

d. Any acts or omissions by any representative acting on behalf of the Project Manager or any contractor, service providers or agents used by the Project Manager to perform activities covered by the Code shall be deemed to be the acts or omissions of the Project Manager.

e. Project Managers shall provide a copy of the Code to all employees and representatives who have contact with customers and involvement with the Oregon Community Solar Program as part of their job or responsibilities.

2.6.3 Advertising, marketing and sales activities

a. Project Managers and their agents shall comply with all applicable federal, state and municipal laws regarding restrictions on marketing, advertising and contacting customers.

b. Project Managers and their agents shall include the following Program-approved marketing disclaimer on all sales, advertising and marketing materials: ~~"Participation in the Oregon Community Solar Program allows customers to offset their energy usage with electricity generated from a Certified Community Solar Project."~~ "This organization is operating under the Oregon Community Solar Program. The Oregon Community Solar Program is a state-enabled initiative overseen by the Oregon Public Utility Commission and implemented by Energy Solutions, The Energy Trust of Oregon, ~~and~~ Community Energy Project, and [Portland General Electric / Pacific Power / Idaho Power].[3] The Program provides resources and certification for its Project Managers (PMs) but does not promote any individual PM or PM affiliated organization. For more information about the program, call 1-800-481-0510 or email info@oregoncsp.org"

c. Consent must be obtained from a customer prior to accessing any utility customer information on their behalf.

d. Individuals shall not market door-to-door on behalf of Project Managers unless the Project Manager or its agent has obtained a local permit or license for door-to-door solicitations, if necessary, and the individuals have been properly trained in local, state and federal laws governing marketing activities.

e. Project Managers and their agents are not allowed to use marketing tactics that are unfair, false, misleading or deceptive, whether by affirmative statement, implication or omission. This includes claims about products or services, pricing, quality or performance.

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[3] Project Managers must identify one utility or a combination of utilities if marketing across multiple territories.

f. All claims (defined as statements about something, what it is or what it can do) must be supported by objective evidence.

g. Project Managers and their agents shall not refer to a community solar Subscription as "free" in oral or written marketing or sales discussions unless the customer will not pay anything – up-front and on a monthly basis – for their subscription or the energy it generates.

h. Prices quoted must be accurate and complete, covering all products or services offered or requested, with prices for optional or additional products or services clearly identified as such, with payment terms clearly stated, and with the period of availability of the quoted prices specified.

i. If Project Managers or their agents use a forecast of future utility prices of electricity to estimate savings or otherwise in marketing, outreach or advertising, then Project Managers or agents shall inform customers that utility rates may go up or down and actual savings are not guaranteed and may vary. If the forecasted utility prices are used in a written sales or marketing piece, this must be done in writing. Customers may contact their utility or the Oregon Public Utility Commission for further information regarding retail electric rates.

j. Comparisons between Project Managers' pricing, contract terms, products or services must not be misleading, and must include all relevant facts to fully understand the pricing, terms, products or services being compared.

k. If advertised or offered prices include initial pricing reductions, such as teaser rates or future increases, then all material terms of such initial reductions or future increases shall be disclosed when such prices are marketed or otherwise communicated to customers.

l. If the advertising or offers include financing and an offer of consumer credit, the advertising must contain clear and conspicuous disclosures about the terms and conditions of credit, as required by law.

m. Project Managers and their agents shall not make promises or guarantees about system performance, results or services to a customer that exceed the promises or guarantees that will be in the Participant contracts with that customer.

n. Project Managers and their agents shall comply with any and all federal, state and local laws regarding restrictions on contacting its customers, including but not limited to the national Do Not Call Registry, the CAN-SPAM Act, the Telemarketing Sales Rule, the Telephone Consumer Protection Act and any analogous state or local laws. This includes provisions related to:
   — Prohibitions against manually dialed calls to wireless numbers.
   — Call time restrictions.
   — Call curfews and banning calls to customers on statutory holidays or during a declared state of emergency.
   — Autodialing or texting wireless numbers without prior express written consent.
   — Limitations on the length of time callers may allow phones to ring.

- — If using automated or pre-recorded messages, ensuring compliant opt-out mechanisms are available, including a toll-free number to allow customers to easily opt out of future calls.
- — All applicable email requirements, including seeking permission to email customers, properly identifying the email advertisements and including conspicuous opt-out options.

o. Project Managers and their agents must respect the wishes of customers who do not want to be contacted by maintaining accurate and current "do-not-contact" lists of such customers and by requiring its contractors, service providers and agents to maintain, use and keep up-to-date such lists.
- — Project Managers and their agents must add customers to their "do-not-contact" list if requested by the Program Administrator.
- — Companies with "do-not-contact" lists must have reasonable protocols to ensure that employees, agents and contractors do not initiate contact with customers on their "do-not-contact" lists.
- — Project Managers and their agents may contact customers previously listed on a "do-not-contact" list who later initiate contact with the Project Manager, its agents or contractors, but are subject to all applicable local, state and federal limitations on the breadth of such contact.

2.6.4 Fair, honest and courteous treatment of customers

a. When interacting with a customer, Project Managers and their agents shall:
- — Conduct themselves with courtesy, honesty, integrity, objectivity and fairness.
- — Give their name and contact information to the customer and, if they are an agent of a Project Manager, the name and contact information of the Project Manager.
- — Provide the means for a customer to verify the registered status of the Project Manager, which may include the web address of the Program website or the contact information for the Program Administrator or the Oregon Public Utility Commission.
- — Provide timely, immediate and truthful responses to customer inquiries.
- — If interacting with a customer in person, at a place other than the Project Manager's place of business, provide identification that the customer can use to verify the representative's identity and that meets the spirit of transparency and integrity in this Code.
- — Clearly explain the Oregon Community Solar Program to the customer and give honest and fair professional comment.
- — Not exert undue pressure on a customer.
- — Allow a customer sufficient opportunity to read and understand all documents provided.
- — If documents are provided in a language that is not understandable to a customer, the Project Manager must provide time and opportunity for the customer to seek translation support from a trusted third party.

— Not make any offer or provide any promotional material to a customer that is inconsistent with the contract being offered to or entered into with the customer.
— Not represent any sponsorship, approval, status, Certification, qualification, affiliation or connection that Project Manager does not have.
— Not make any representation or statement or give any answer that is false or is likely to mislead a customer.
— Not discriminate based race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation or military status.

b. Project Managers and their agents shall not harass, threaten or badger customers.

c. Project Managers and their agents shall not use high-pressure sales techniques.

d. Project Managers and their agents shall seek openness and transparency and shall not seek to take advantage of a customer's lack of knowledge. If a Project Manager or its agent becomes aware that a customer misunderstands an issue that is important to a customer's decision to participate in the Oregon Community Solar Program, then the Project Manager or its agent must correct that misunderstanding.

e. Project Managers and their agents shall not misrepresent the reason for their contact with a customer.

f. Project Managers and their agents shall not omit material information when interacting with customers if the omission makes any statement or other communication with a customer misleading.

g. Project Managers and their agents shall inform Participants about their ownership of the Renewable Energy Certificates (RECs) associated with their subscription and the non-transferability of those RECs.

h. Project Managers and their agents shall inform customers of the complaint process and shall immediately notify the Program Administrator if a customer makes a complaint that the Project Manager is unable to resolve promptly.

i. Project Managers and their agents shall provide a copy of this Code to customers upon request.

j. Project Managers are responsible for ensuring that its contractors, subcontractors and any other agents who interact with customers on the Project Manager's behalf comply with the requirement to identify themselves as acting on behalf of the Project Manager.

2.6.5 Protection and security of customer information

a. Project Managers and their agents must protect customer information and maintain customer confidentiality by: (a) taking all reasonable steps to prevent unintentional disclosure of customer information to third parties; and (b) not intentionally providing customer information to any third party without express customer consent. Customer information includes, without limitation, any information obtained from a customer that refers specifically to the customer by name, address or other personally identifiable characteristics, electricity account and meter number(s), utility rate schedule, electricity use and electricity billing information.

b. Project Managers must provide at least two methods for customers to opt out of sharing their information with other companies, such as email and a phone number, or email and a physical mailing address.

c. Project Managers must follow best commercial practices with respect to protecting consumer privacy and ensuring the security of all customer information, which includes establishing and maintaining reasonable safeguards against the destruction, loss, alteration of or unauthorized access to customer information in their possession. Project Managers must also implement and maintain appropriate administrative, technical (including encryption and virus/spyware scanning) and physical safeguards, procedures and practices to: (i) comply with all applicable legal and regulatory requirements and standards; (ii) ensure the security, confidentiality and integrity of all customer information transmitted electronically to or stored by Project Managers, however stored, retained, maintained, saved or held; (iii) protect against any anticipated threats or hazards to the security, confidentiality or integrity of such information; and (iv) protect against unauthorized use, destruction, modification or disclosure of such information. Project Managers must maintain written security plans complying with the foregoing and shall provide the Program Administrator with copies of such plans upon request.

d. Project Managers must notify the Program Administrator via email at info@oregoncsp.org within 24 hours if they become aware of any potential or actual unauthorized disclosure, access to, acquisition of or other loss or use of any customer information. This notice must include, at a minimum: (i) a description of the breach or loss, including the date it occurred; (ii) the number of individuals or accounts affected; (iii) the information accessed, acquired, lost and/or misused; (iv) whether the breach or loss was computerized in nature or a paper loss; (v) whether such information was encrypted or unencrypted, (vi) whether encryption keys or passwords may have been compromised; and (vii) a description of the steps taken to investigate the incident and prevent the recurrence of further security breaches or losses of the same type.

e. In the event of any potential or actual unauthorized disclosure or use of any Customer Information, Project Managers must cooperate with the Program Administrator, Oregon Public Utility Commission and any applicable regulatory authorities to: (i) further assess the risk that unauthorized use or disclosure of customer information has occurred, the nature and scope of any such incident and review all pertinent records; (ii) take other remedial measures as may be reasonably necessary or appropriate to mitigate the risk arising out of unauthorized use or disclosure of the customer information; and (iii) provide notices to customers if the Program Administrator or Oregon Public Utility Commission determines that such notices should be provided.

2.6.6 Customer contracts

a. Project Managers shall include in all Subscription contracts certain provisions, statements and information intended to protect consumers, in the form and manner required by the Oregon Community Solar Program. The specific provisions can be found in the Requirements chapter of the Program Implementation Manual.

b. Contracts between Project Managers and residential Participants must use a standard, Program-approved contract template.

c. The Oregon Community Solar Program contract disclosure checklist shall be presented to every customer prior to signing a participation contract.

d. Written contract terms and verbal representations made by Project Managers and their agents shall not conflict with each other.

e. Project Managers and their agents shall consider a customer's capacity to understand the terms, ramifications and risks of a contract before entering into such contract.

f. Contracts and marketing materials intended to aid a customer's decision to enter into a contract shall be provided in a language that is understandable to the customer. If such a contract cannot be provided, customers can request services to seek translation from the Program Administration team.

g. Project Manager shall keep up-to-date records of Participant contract and Subscription information to facilitate correct billing and crediting for generation on utility bills.

h. Project Managers may impose additional Project eligibility requirements on Participants, provided those requirements do not discriminate based on race, color, religion, sex, sexual orientation, national origin, marital status, disability, familial status, source of income or any other protected status.

i. Participants must be given the right to cancel their contract and receive a full refund on any deposits or payments if the request is made within three business days of signing the contract.

2.7 Disciplinary Probation

If the Program Administrator determines that a Project Manager is failing to comply with the Code of Conduct, other Program requirements or identifies other performance issues, then the Project Manager will be placed on disciplinary probation. The Project Manager will be notified and given instructions on expectations for correcting compliance problems that led to its disciplinary probation status.

Project Managers will be given seven days from the date on the notification to acknowledge a disciplinary probation letter. Failure to respond may result in the revocation of a Project Manager's registration. The duration of disciplinary probationary periods will vary depending on the nature of the issues that resulted in probationary status. The written notification of disciplinary probation status and/or the performance improvement plan will define the length of the probationary period.

If it is discovered that a Project Manager has engaged in misleading or deceptive marketing practices or violated any other federal, state or local laws regarding truth in advertising, consumer protection, contracts, contractor licensing or building and electrical codes, the Oregon Public Utility Commission may refer these instances of misconduct to the Oregon Department of Justice Consumer Protection division, consumer protection groups or other state and local authorities.

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REASONS FOR DISCIPLINARY PROBATION

Actions that may result in disciplinary probation include, but are not limited to:

- Code of Conduct violations;
- Failure to follow Program requirements.
- Failure to participate in required trainings.
- Failure to submit an annual complaints report.
- Failure to report annually on the retirement and sale of RECs associated with any projects registered with WREGIS.
- Failure to resolve any reasonable Participant complaint.
- Failure to use Program marketing disclaimers or clearly disclose in marketing materials that projects that have not been Pre-certified are proposed and may not be developed.
- Failure to provide Participants with the Program's disclosure checklist.
- Failure to keep required Participant subscription information up-to-date after Project Certification.
- Making inaccurate or misleading statements about the Program and its requirements to customers and stakeholders.

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2.7.1 Penalties of Disciplinary Probation

If a Project Manager's response is not timely or sufficient, the Program Administrator may require development of, and adherence to, a written and signed performance improvement plan with specific deliverables and timelines.

The Program Administrator may also refer a Project Manager to the Oregon Public Utility Commission for additional penalties of disciplinary probation which may include:

- Indication of probationary status on the Program website (attached both to the Project Manager listing and to that of any associated projects if applicable).
- Suspension of the Project Manager from any customer referrals from the Program website.
- Direct notification to Participants of probationary status.
- Withholding of Subscription Fees collected on-bill
- Forfeiture of some or all of Pre-certification application fees.

2.7.2 Resolving Disciplinary Probation

If a Project Manager fails to remediate the issues that led to disciplinary probation, then its Project Manager registration may be revoked.

At the Program Administrator's discretion, the Project Manager may be directed to adopt a performance improvement plan with the goal of resolving the Project Manager's disciplinary probation status. The Project Manager will be responsible for drafting the plan, which must include specific deliverables and timelines, with input from the Program Administrator. If the

Program Administrator is satisfied that the plan addresses the original failure, the plan will be signed and adopted. If the Project Manager fails to meet the agreed-to deliverables or timeline, its Project Manager registration may be revoked and its status changed to ineligible.

After attempts have been made to resolve any deficiencies of conduct and performance, Project Managers may dispute penalties. Disputes will be escalated to the Oregon Public Utility Commission and final determination will lie with the Oregon Public Utility Commission and the Commission's Consumer Services division.

2.8 Termination

In addition to any other termination provisions set forth in the Program Implementation Manual and in the Project Manager conditions of registration, certain actions may result in the immediate termination of a Project Manager's registration. The Oregon Public Utility Commission will make the final determination on Project Manager termination and the Project Manager will be notified of the decision in writing.

2.8.1 Reasons for termination

Actions resulting in immediate termination may include, but are not limited to:

- Violation of federal, state or local law.
- Failure to resolve any action resulting in disciplinary probation within 30 days.
- Repeated Program violations.
- Misrepresentation of project, system or Participant characteristics, or information at more than one site.
- Misrepresentation of a Project in order to tamper with the Project queue.

2.8.2 Effect of termination

Effective upon notice of termination, all project applications submitted by the terminated Project Manager and waiting in the queue will be removed, and all application fees and deposits will be forfeited. The terminated Project Manager will be removed from the Program's database of Project Managers on the website. Projects that have received Pre-certification or Certification must be canceled or transferred to a new Project Manager, provided the projects comply with Program requirements. The Program will work with the terminated Project Manager, Oregon Public Utility Commission and other parties to find an outcome that minimizes harm to impacted Participants and the Program.

3 Requirements

This chapter outlines solar project specifications that are required of all Oregon Community Solar Program projects.

Note on Subscriptions and Ownership Interests: Project Managers may offer customers ownership interest or subscriptions (also known as leases) in Pre-certified and Certified projects. To simplify Program communications, the Community Solar Program frequently refers to both participation arrangements generally as "Subscriptions."

3.1 Sizing

a. **A Community Solar Project must have a nameplate capacity of no less than 25 kW-AC and no larger than 3 MW-AC.**

Nameplate capacity means the maximum rated output of a solar photovoltaic energy system, measured by the rated output of the system inverter(s) at 50 degrees Celsius and adjusted for any transformer step-up losses.

Project Managers may choose to aggregate multiple solar electric systems and treat them as a single Project as long as the aggregated systems are interconnected with the same utility and the aggregated capacity is no more than 3 MW-AC.

Projects are classified by size, and these size categories may be subject to different requirements or processes:

- Small projects are those with an aggregate size less than or equal to 360 kW-AC.
- Large projects are those with an aggregate size greater than 360 kW-AC and up to 3 MW-AC.

3.2 Siting

a. **To qualify for the Community Solar Program, a Project must be located within the Oregon Service Territory and directly interconnected to Pacific Power, Portland General Electric, or Idaho Power.**

If a Project is installed on a building or property hosting an existing solar electric installation, the Community Solar Project must be electrically separate from the existing system up to the Point of Interconnection, including separate production metering.

Community Solar Projects must directly interconnect to the utility distribution grid, even if the system is located on, or adjacent to, a building or other load (i.e. projects may not be installed "behind the meter" of a utility customer).

b. **Multiple Community Solar Projects that exhibit the characteristics of a Single Development and are located within the same five-mile radius may not total more than 3 MW-AC, unless the projects are all sited within a single municipality or urban area.**

Projects that have common ownership structure, an umbrella sale arrangement or revenue-sharing arrangements are considered to have the characteristics of a Single Development, and are subject to co-location restrictions. Projects are not considered to have the characteristics of a single development solely because the same entity provides tax equity financing, or because the same bank or financial institution provides debt.

Co-location of Projects with the characteristics of a single development is not permitted within a five-mile radius unless:

- The total capacity is 3 MW-AC or less, or
- The projects are all sited within a single municipality or urban area, as defined below.

> The Program defines an urban area using the United States Census Bureau's definition of an Urbanized Area, which includes territories that encompass 50,000 or more people. The Program recognizes eight Urbanized Areas within Oregon as defined by the 2010 Census. These are:
>
> - **Albany**, including the cities of: Albany, Jefferson, Millersburg and Tangent.
> - **Bend**, including the cities and communities of: Bend, Deschutes River Woods, Tetherow and Tumalo.
> - **Corvallis**, including the cities of: Corvallis and Philomath.
> - **Eugene**, including the cities of: Coburg, Eugene and Springfield.
> - **Grants Pass**, including the cities and communities of: Foots Creek, Fruitdale, Gold Hill, Grants Pass, Merlin, New Hope, Redwood and Rogue River.
> - **Medford**, including the cities and communities of: Ashland, Central Point, Eagle Point, Jacksonville, Medford, Phoenix City, Talent and White City.
> - **Portland**, including the cities and communities of: Aloha, Beavercreek, Beaverton, Bethany, Bull Mountain, Butteville, Cedar Hills, Cedar Mill, Cornelius, Damascus, Durham, Fairview, Forest Grove, Garden Home-Whitford, Gladstone, Gresham, Happy Valley, Hillsboro, Jennings Lodge, Johnson City, King City, Lake Oswego, Maywood Park, Metzger, Milwaukie, Oak Grove, Oak Hills, Oatfield, Oregon City, Portland, Raleigh Hills, Rivergrove, Rockcreek, Sherwood, Stafford, Tigard, Troutdale, Tualatin, West Haven-Sylvan, West Linn, West Slope, Wilsonville and Wood Village.

- **Salem**, including the cities and communities of: Brooks, Eola, Four Corners, Hayesville, Keizer, Labish Village, Salem and Turner.

Project Managers can use TIGERweb, a free web-based mapping application developed the U.S. Census Bureau, to determine whether a specific site is within an Urbanized Area.

c. **To qualify for the program's Designated Project Carve-Out as a small project (360 kW-AC), a project may not be co-located on the same site with any other small projects that exhibit the characteristics of a single development, unless their aggregate nameplate capacity is less than 360 kW-AC.**

If multiple small projects share a common ownership structure, an umbrella sale arrangement or revenue-sharing arrangements, they must be located on different sites to qualify for the Designated Project Carve-Out with the Interim Offering.

3.3 Installation Requirements

a. **Existing solar electric projects are not eligible for the Oregon Community Solar Program.**

Projects must be new. Construction on the generation equipment may not begin prior to Pre-certification.

3.4 Decommissioning

a. **Project Manager must include the cost of responsibly decommissioning the project at the end of its useful life in the project's financial planning.**

As part of the terms and conditions of applying for Pre-certification, Project Managers must indicate the expected useful life of the project and attest that they have included the cost of responsibly decommissioning the project at the end of its useful life in the project's financial planning.

3.5 Permits

a. **If a non-ministerial permit or land use decision is required, the Project must have approval to proceed from the authorities having jurisdiction prior to Pre-certification.** Before applying for Pre-certification, Project Managers must determine which federal, state and local permits and approvals are required for their Project, and the appropriate agency or offices with jurisdiction over those permits.

Ministerial permits are issued by local planning staff based on clear and objective standards and requirements applicable to a specific development proposal or factual situation. Examples include electrical permits or building permits for a use that is

permitted by code, or a determination that a proposed structure meets setback or height requirements. Ministerial decisions do not require a public notice or hearing.

Non-ministerial permits are those in which one or more officials or agencies consider various factors and exercise some discretion in deciding whether to issue or deny permits. Permits typically come with conditions. Public notice or hearings are usually required. Examples include conditional use permits, variances and special orders.

If one or more non-ministerial permits or land use decisions are required (e.g. conditional use permits), the Project Manager must secure approval to proceed with development before applying for Pre-certification. Documentation of this approval from appropriate agency or office is required as part of the Pre-certification application.

If only ministerial permits or land use decisions are required (e.g. building and electrical permits), the Project Manager must obtain them at the proper point during development, as required by law.

Project Managers should be aware that Projects sited on high-value farmland that is zoned "**Exclusive Farm Use**" in the Willamette Valley and elsewhere in Oregon may be subject to strict development limitations.

3.6 Interconnection

a. **Projects must satisfy certain interconnection criteria prior to applying for project Pre-certification.**

Community Solar Projects may apply for interconnection through a dedicated community solar interconnection queue made available by each utility. These dedicated utility queues provide a streamlined interconnection process for projects based on their capacity and local distribution system characteristics. Community Solar Projects are eligible for participation regardless of whether they were processed through a utility's standard interconnection queue or through a utility's dedicated community solar interconnection queue.

Projects must complete certain activities prior to applying for Pre-certification, which include:

- Applying for interconnection.
- Completing the utility scoping meeting.
- Completing a System Impact Study in the utility interconnection process study, such as a System Impact Study or passing a Fast Track screening process.

Projects less than or equal to 360 kW-AC or that are managed by a public or non-profit Project Manager are exempted from completing a utility interconnection study and must only provide documentation that they have paid the required deposit for these studies.

Project Managers should contact the interconnection specialists at the applicable utility for information on the interconnection process and applying for interconnection. A list of appropriate utility contacts is available at www.oregoncsp.org under Project Manager Resources.

There may be delivery points on the utilities' systems that are constrained. Project Managers should engage with the correct utility as early as possible so that the utility can study whether interconnection at the proposed project site will be feasible.

b. **A solar project that is in the interconnection queue and that is larger than 3 MW-AC may not be subdivided to create Community Solar Project(s) and one or more other solar qualifying facilities.**

A project that is reduced in size to comply with project size limits must still comply with all utility interconnection procedures, and subject to those procedures may need to reapply for interconnection.

c. **Projects must not have an existing Qualifying Facility (QF) Power Purchase Agreement (PPA) with a utility upon Pre-certification.**
Projects that wish to participate in the Oregon Community Solar Program must not have an existing QF PPA in place. A new Community Solar PPA is required for unsubscribed power payments. For more information on unsubscribed power payments, see Chapter 6: Project Participation and Billing.

3.7 Contractors, Partners and Affiliates

a. **Project Managers must disclose other entities that are known or expected to be involved in developing and operating the project, including, but not limited to:**
- Project Owner(s).
- Construction contractor.
- Designer/engineering contractor.
- Operations and Maintenance (O&M) provider.
- Customer acquisition agent(s), if applicable.
- Participant management contractor, if applicable.
- Financial partner(s), if applicable.
- Community outreach partner(s), if applicable.
- Other(s), if applicable.

A single entity, including the Project Manager, may fill multiple roles. Not all roles may apply to all Projects. Contractors, partners, and affiliates may be revised after a Project is Pre-certified prior to Project Certification period.

3.8 Registration of Renewable Energy Certificates (RECs)

A REC represents the property rights to the environmental, social and other non-power attributes of renewable energy generation. RECs are the accepted legal instrument through which renewable energy generation and use claims are substantiated in state renewable energy markets.

All claims to environmental, economic and social benefits associated with megawatt hours of electricity associated with Subscriptions, including any renewable energy certificates, must remain with the Participants. They are not transferrable.

a. **Large projects that are greater than 360 kW-AC in aggregate size must register with Western Renewable Energy Generation Information System (WREGIS).**

   In addition, the Project Manager must:

   - Maintain sub-accounts associated with the RECs owned by Participants and retire those RECs annually on behalf of Participants.
   - Report annually to the Commission on:
     – RECs retired on behalf of Participants.
     – The sale of any RECs generated by the project and sold as of a result of a contract for the unsold or unsubscribed portion of project generation.

   The report must include adequate information for the Commission to verify that any RECs owned by Participants were not sold.

   Registration in WREGIS cannot occur until after a project is operational. Information about WREGIS registration and REC retirement and reporting requirements are described in Chapter 5: Project Certification.

b. **Small projects less than or equal to 360 kW-AC in aggregate size may request a waiver from the requirement to register with WREGIS when they apply for Pre-certification.**

   A waiver may be requested as part of the Pre-certification application process. If a waiver is granted, the Project Manager must:

   - Disclose in its contracts with Participants that the project will not create and retire RECs on their behalf.
   - In its application for Pre-certification, attest that all renewable energy attributes associated with megawatt hours of subscribed electricity are being claimed solely by Project Participants.

3.9 Number and Type of Participants

a. **Each Project must have certain levels of participation by different types of Participants.**

At Certification, the Program Administrator will verify that 50 percent of the Project's capacity is subscribed and that the following Participant requirements have been met:

- Five or more Participants.
- No single Participant owns or leases over 40 percent of the capacity of the Project.
- No more than 50 percent of the Project's capacity is owned or leased by large commercial, industrial or irrigation Participants.
- A minimum of 10 percent of the capacity of the Project is owned or leased by low-income residential Participants, as described in the Low-income Requirements.

Customer type is designated by rate schedule, as discussed in Eligible Customer Types under Participant Eligibility Requirements.

All customer capacity allocations will be structured in kW-AC regardless of whether the Subscription Fee offered by a Project Manager would charge a customer on a $/kW-AC basis, $/kWh basis, or through some other collection method. Project capacity requirements will be verified based on the aggregate subscription size of customers belonging to each Participant category, relative to the AC capacity of the Project.

3.10 Customer Acquisition and Marketing

a. **All marketing and advertising activity must comply with the Code of Conduct, Program marketing requirements and contain the Program-approved marketing disclaimer.**

PROGRAM-APPROVED MARKETING DISCLAIMER:

~~Participation in the Oregon Community Solar Program allows customers to offset their energy usage with electricity generated from a Certified Community Solar Project.~~

This organization is operating under the Oregon Community Solar Program. The Oregon Community Solar Program is a state-enabled initiative overseen by the Oregon Public Utility Commission and implemented by Energy Solutions, The Energy Trust of Oregon, ~~and~~ Community Energy Project, and [Portland General Electric / Pacific Power / Idaho Power].[4] The Program provides resources and certification for its Project Managers (PMs) but does not promote any individual PM or PM affiliated organization. For more information about the program, call 1-800-481-0510 or email info@oregoncsp.org

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b. **Project Managers must submit a customer acquisition and marketing plan at Pre-certification that describes how they will market to and acquire customers.**

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[4] Project Managers must identify one utility or a combination of utilities if marketing across multiple territories.

The customer acquisition and marketing plan must describe who will be involved in customer acquisition, and what types of marketing channels, tactics and materials they will use with different types or groups of customers. Guidance on developing an acquisition and marketing plan is available on the program website, www.oregoncsp.org, under Project Manager Resources.

Project Managers are not required to submit examples or copies of marketing materials as part of Pre-certification or Certification, but the Program Administrator may request marketing materials at any time to verify compliance with Program marketing requirements.

c. **Project Managers must submit a Low-income Recruitment Plan at Pre-certification that describes how they will meet the low-income capacity requirement.**

The content of this plan depends on how low-income customers will be recruited for the Project and is described in the *Low-income Participant Requirements* section. Guidance on developing a Low-income Recruitment Plan is available on the program website,

www.oregoncsp.org, under Project Manager Resources.

3.11 Subscriptions and Ownership Shares

a. **Subscriptions must fit within an approved Capacity-based on-bill payment model or a Production-based on-bill payment model.**

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Capacity-based on-bill payment model

$Size_{kW}$ x $Price_{kW}$ x (1+ Annual Rate Increase) = Monthly Subscription Payment

$Size_{kW}$ = Size of the subscription in kW-AC
$Price_{kW}$ = \$/kW-AC to be charged to the Participant each month
Annual Rate Increase = Percent by which the rate increases each year (optional)

Production-based on-bill payment model

$Production_{kWh}$ x $Price_{kWh}$ x (1+ Annual Rate Increase) = Monthly Subscription Payment

$Production_{kWh}$ = monthly kWh generation from subscription (variable)
$Price_{kWh}$ = \$/kWh to be charged to the Participant each month
Annual Rate Increase = Percent by which the rate increases each year (optional)

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The Oregon Public Utility Commission does not establish community solar Subscription prices. Project Managers may structure their Subscriptions to fit the needs of the Project and its Participants, as long as the terms of the Subscription meet Program requirements.

Project Managers must assess and collect payments through Participants' monthly utility bills using one of the approved on-bill payment models. This minimizes administrative burden and costs for the utilities and Program Administrator.

The approved models are designed to accommodate the most common types of subscriptions seen in other states. For example, a Project Manager wishing to charge a flat monthly fee could do so by dividing that fee by a Participant's kW-AC subscription and entering that fee on a $/kW basis. A percentage discount could be accommodated by setting a Participant's $/kWh subscription at the appropriate discount percentage from the bill credit rate. The Project Manager may collect on-bill payment either for the entire term of a Participant's contract or for a specific number of monthly payments.

b. **Payment of Program Fees**

Program Fees reflect the administrative effort of the Program Administrator and utility that is required to administer the Oregon Community Solar Program. Program Fees may be updated annually and are based on the size of each subscription ($/kW-AC per month). Low-income subscriptions are exempt from Program Fees.

Program Fees may be reflected on the Participant's utility bill or, if requested by the Project Manager and the relevant utility is able to accommodate this, may be paid directly by the Project Manager for the amount of non-low-income capacity subscribed for the Project on a monthly basis. Project Managers that elect to pay Program Fees on behalf of their Participants for a given Project will receive an Oregon Community Solar Program Fee charge on the utility bill for the Project's retail account. Payment of Program Fees by the Project Manager are applied at the Project level. That is, it applies to all Participants subscribed to a Project throughout each Participant's contract term and may not be changed at a later date. Payment of Program Fees by the Project Manager must receive prior approval by the Program Administrator and may not be available in all utility territories.

c. **Alternative On-Bill Models**

If a Project Manager wishes to collect some or all participation payments directly (i.e. "off-bill"), including any partial or full up-front payments, a written justification and request must be submitted as part of the Pre-certification application process on the Program platform. The Program Administrator will review and approve the request as part of the Pre-certification review process.

If a Project Manager wishes to use an alternative on-bill model, a written justification and request must be submitted as part of the application for Pre-certification. Creating a new or customized on-bill payment model can require significant and costly enhancements to the Community Solar Program Platform and utility billing system, and the Project Manager may be required to cover the cost of the upgrades. Approval of alternative on-bill payment models will be granted at the discretion of the Program Administrator and impacted utilities, in consultation with the Oregon Public Utility Commission.

3.12 Special Project Designations

SPECIAL PROJECT DESIGNATIONS

To encourage and support Projects that provide additional community benefits, the Program grants special designations that can be used by the Project Manager in marketing materials and other outreach. Special designations are also indicated on a Project's listing on the Program website.

a. **Projects that deliver 50 percent or more of the generating capacity of the Project to Low-Income Participants, or that provide a subscription discount of at least 50 percent to all participating Low-Income Participants, may request a special "low-income project" designation.**

If applying on the basis of program capacity, a Project demonstrates that it meets the designation requirement through the information provided in the Pre-certification application about planned capacity allocations to different Participant types and the Low-income Plan. Compliance is verified based on the Project's participation levels at the time of Certification.

If applying on the basis of Subscription discounts, a Project demonstrates that it meets the designation requirement through the information provided in the Pre-certification application about available Subscription products. Compliance is verified based on the Subscription pricing products submitted by the Project Manager during Pre-certification.

b. **Projects where the Project Manager or two or more contractors or partners involved in developing, operating or marketing the Project are certified as a Minority Business Enterprise (MBE), a Women Business Enterprise (WBE) or a Service-Disabled Veteran (SDV) business may request a special "workforce diversity" designation.**

A Project demonstrates that it meets the designation requirement through the information provided in the Pre-certification application about partners and contractors involved in developing, operating and marketing the Project.

c. **Projects built on a site where development is complicated by real or perceived environmental contamination, including old landfills, former military, rail and heavy industrial facilities and designated brownfields, may request a special "brownfield reuse" designation.**

A Project demonstrates that it meets the designation requirement by providing documentation of its brownfield status at the time of Pre-certification.

d. **Projects that include farm use on the Project site and obtain approval for a dual-use development plan by the Authority Having Jurisdiction may request a special "dual agricultural use" designation.**

A Project demonstrates that it meets the designation requirements by including documentation of its dual-use development status in the non-ministerial permit documentation provided at the time of Pre-certification.

3.13 Participant Contract requirements

1. Mandatory contract provisions

All contracts between Project Managers and Participants must contain certain provisions. Project Managers must use the Program's standard contract template for all contracts with residential Participants.

To help protect and inform Participants and Project Managers, the Program requires that all participation contracts contain certain provisions.

In their contracts with Participants, Project Managers must include provisions listed below. They must be written in plain language and in a manner that is understandable to the Participant. In some cases, the provision requires the inclusion or explanation of certain terms of participation. In others, the provision requires that a standard is met or exceeded. These requirements are described in italicized text. In a few cases, the provision requires that specific language be used. The text of the specific language is italicized and contained in quotations.

Where specific language is required, the language may not be modified except to substitute pronouns, such as "you"/"your"/"yours" and "we"/"their"/"our"/"ours" for references to Participant(s) and Project Managers, to make the contract easier for Participants to read and understand.

   a. **Incorporation of Disclosure Checklist**
   - The agreement between the Participant and the Project Manager must incorporate all terms included in the Disclosure Checklist. The contract must clearly state that the Disclosure Checklist is part of the contract.
   b. **A description of the costs, risks and benefits of participation**
   - Provide an estimate of the generation of the Project and the Participant's Subscription, and include a disclosure that generation is subject to variability
   - Provide a description of a bill credit: "The Bill Credit is the amount in dollars that Participants receive from their electric utility for the electricity generated by their Subscription. The Bill Credit Rate is the value used to calculate a Participant's Bill Credit. Bill Credit Rates are set by the Oregon Public Utility Commission."
   - Describe the Bill Credit Rate assigned to the project and how the Participant's total monthly and annual Bill Credit amount will be determined.
   - Describe all one-time and ongoing fees, including but not limited to any actual and applicable Program Fees, early termination fees, subscription transfer fees and late payment fees. Note that such fees will be collected off-bill.
   - If any participation payments are collected up-front or off-bill, describe the method and timing of this payment collection by the Project Manager.
   - Describe how the Project Manager handles late or unpaid Subscription Fees and collections, and the consequences of late or unpaid fees.
   - Include a schedule that shows, at minimum, for each year of the term of the agreement: the Subscription Fee that will be charged; the Bill Credit Rate

($/kWh); the maximum Program Fee ($/kW-AC) (if applicable); the expected annual production of the Subscription (kWh); and a calculation of the expected yearly net benefit or cost. If there are up-front payments, a Year 0 should be included to denote this. An example of this schedule can be seen in the Contract template.

- Disclose that if the Subscription produces excess generation over the course of an annual billing cycle, the excess generation will be donated to the low-income programs of the Participant's electric utility. If a Participant has already been credited with excess generation over the course of the year, the value of that excess generation will be recovered with an additional charge on the Participant's bill at the end of the annual billing cycle. If necessary, the PA will distribute the additional charge across multiple months for low-income customers to ensure fees will not exceed the value of the bill credit.

c. **Length of contract**
- Must be at least ten years.
- Must explain the Participant's options at the end of the contract term.
- If a customer contract is not extended, any remaining bill credit balance on their account at the time of the contract term will remain attached to their account and be credited towards subsequent monthly bill or donated at the end of an annual billing cycle as normal.

d. **Contract portability if a Participant relocates**
- Participants must be allowed to retain their Subscription if they relocate within their utility service territory.
- Clear terms and instructions for relocation must be provided, including how adjustments may be made to the Subscription in the event that the Participant's new site uses less electricity annually than the Subscription generates.
- Project Managers may not charge a fee if a Participant relocates and there is no change to the size of their Subscription. Fees associated with changing the size of a Subscription (whether due to relocation or otherwise) are addressed below.

e. **Contract transferability to another Participant**
- Project Manager must allow Participants to transfer their Subscription to another eligible customer of their choosing (subject to Program Administrator verification), provided the customer meets all conditions of the Subscription. Clear instructions for requesting a transfer must be provided.
- The fee for transferring a Subscription to another eligible customer must be disclosed, and the Project Manager's off-bill method of collecting this fee must be described.
- A contract transfer fee for residential Participants may not exceed 20 percent of the gross estimated annual Bill Credit value of the Subscription, if the transferee is eligible to assume the Subscription with no modifications, and the Participant provides at least three weeks' notice to their Project Manager.

- Low-income Participants may not transfer their Subscription to another customer unless the transfer is being made to a member of the same household who has assumed responsibility for the utility account at the site. Transferring the Subscription under this circumstance must be allowed at no cost.

f. **Early termination**
- Clear instructions for terminating a Subscription before the end of the contract term must be provided.
- The fee for terminating the Subscription prior to the end of the term must be disclosed, and the Project Manager's off-bill method of collecting this fee must be described. The Participant's ability to recoup any up-front payments must also be disclosed.
- Early termination fees for residential Participants may not exceed 50 percent of the of the gross estimated annual bill credit value of the Subscription, if reasonable notice is provided. The Project Manager must describe what constitutes reasonable notice.
- Early termination fees for low-income Participants are prohibited.
- Any fees and Subscription cost recovery options in the event of termination of the contract due to Force Majeure on the part of the Project Manager or Participant must also be disclosed.
- Participants or Project Managers may terminate the contract if the other party breaches a material obligation under the contract and fails to cure the breach within 30 days of being notified by the non-breaching party.
- If a Participant has a bill credit balance on their account at the time of early termination, it will be forfeited and donated to the utility's low-income programs.

g. **Utility disconnection and non-payment**
- In the event of any non-payment, unpaid on-bill subscription charges will be recovered on the next monthly bill. The Project Manager may provide instructions for procedures for the off-bill collection of any unpaid off-bill charges, as well as the off-bill collection of any penalties for non-payment of on-bill subscription charges. Penalties may not be charged to low-income Participants.
- Clear instructions for procedures in the case of utility disconnection at a customer account must be disclosed, including any penalties.
- If the Project Manager intends to collect the final month of Subscription charges for Participants that have ended their utility service, the Project Manager must disclose their off-bill method for doing so (as the Participant's final bill may not include these charges).
- In the case of temporary disconnection, any bill credits and on-bill Subscription charges that a customer accrues during the disconnected period will appear on the next bill, following reconnection.
- Non-payment due to disconnection may be considered a breach of obligation and the Project Manager may follow the approach outlined above for Early Termination (notifying the Participant and terminating after 30 days if the breach

has not been cured). In the event that a Project Manager learns that a customer's utility account has been closed by the customer, rather than disconnected due to non-payment of the utility bill, the Project Manager may terminate the agreement immediately and does not need to provide 30 days' notice.

- ~~Low-income customers may not be charged~~ ~~late fees or~~ ~~a penalty for utility disconnection or related contract termination.~~ Project Managers may not charge low-income customers subscription payment late fees or a penalty for utility disconnection or related contract termination.

h. **Changing the size of a Subscription**

- Explain the circumstances under which a Participant may change the size of their Subscription and the process for doing so. Disclose any associated fees and the Project Manager's off-bill method of collecting this fee.
- Project Managers may not impose a fee for reducing the size of a low-income Participant's Subscription if the low-income Participant relocates and their new site uses less electricity annually than the Subscription generates, or if the low-income Participant reduces their subscription to avoid oversubscription

i. **Explanation of the concept of renewable energy credits**

- *"Renewable energy reduces greenhouse gas emissions by displacing emitting generation on the electricity grid. A Renewable Energy Certificate (REC) represents the rights to these greenhouse gas emission reduction attributes, plus all other non-power benefits associated with the generation of renewable energy.*

  Only the owner of a REC can claim the environmental attributes of the associated megawatt-hours of renewable energy. A party must own and retire the RECs to make claims about using renewable electricity.

  The Participant owns the RECs and the environmental, economic and social benefits associated with megawatt hours of electricity generated by their Subscription. The Participant may not sell or transfer these RECs, except as part of the transfer or reassignment of their Subscription to another customer."

- If the project is less than or equal to 360 kW and is granted a waiver from the requirement to register with WREGIS, then the Project Manager must also include the following language in the contract:

  "The Western Renewable Energy Generation Information System (WREGIS) is the independent, renewable energy tracking system for this region. This project has received a waiver from the requirement to register with WREGIS. As a result, this project will not certify or retire renewable energy certificates on behalf of the Participant."

j. **Data privacy and security**

- Explanation of how the Project Manager will ensure the security of private Participant information, in accordance with its obligations as a registered Project Manager, as described in the Code of Conduct.

k. Responsibilities of the Program Administrator, electric company and Oregon Public Utility Commission

- **Program Administrator:**

  "The Oregon Community Solar Program Administrator, a company called Energy Solutions, and its subcontractors are responsible for implementation and management of the day-to-day operation of the Community Solar Program, including reviewing projects, calculating bill credits and coordinating monthly bill crediting with utilities, facilitating the billing and collection of Subscription payments through the utility bill, monitoring Project Managers' compliance with Program requirements and the Code of Conduct and supporting the resolution of complaints related to the Community Solar Program."

- **Utility:**

  "With consent from the Participant, the Participant's utility is responsible for providing customer electricity account information for the purpose of verifying their Subscription eligibility, applying bill credits owed to Participants, collecting and remitting Subscription payments owed by Participants to the Program Administrator (for distribution to the Project Manager) and collecting fees to fund Program Administration."

- **Oregon Public Utility Commission:**

  "The Oregon Public Utility Commission is responsible for overseeing and reporting on the performance of the Community Solar Program, Pre-certifying and Certifying projects, resolving escalated complaints, conducting periodic audit and evaluation of the Program and anything else determined by the Commission."

l. Notifications regarding project status and performance

- If a Project is not operational at the time the Participant enters into the contract, the Project Manager must: a) provide the estimated Commercial Operation date; b) indicate the frequency and method by which they will notify the Participant about the status of the Project; and c) explain the Participant's options if the Commercial Operation date is delayed by more than a year, including remedies and refunds that would apply under this circumstance. The Project Manager must also clearly disclose that the Participant will not receive bill credits until after the Project is operational.
- If the estimated Commercial Operation date changes, the Project Manager must notify the Participant of the revised date as part of the recurring updates.
- Project Managers must provide Participants with a status update about the Project a minimum of every three months until the Project become operational. Status updates must be provided in the form agreed upon by the Participant and Project Manager (phone, email, mail or text).

- Project Manager must notify the Participant in advance if the Project will be offline for a planned outage for more than three days and include an estimated date by which the Project will resume operation. If there is an unplanned outage of more than three days, the Project Manager must notify the Participant promptly and include an estimated date by which the Project will resume operation. Notice must be provided in the form agreed upon by the Participant and Project Manager (phone, email, mail or text).
- Project Managers must commit to take all commercially reasonable steps necessary to construct, interconnect, maintain and repair the Project and associated equipment to ensure the Project produces electricity substantially as intended for the term of the agreement.
- Project Managers must assume all responsibility, liability and costs for the ongoing operations, maintenance or repair of the Project. No extra fees for repair or maintenance may be passed on to the Participant.
- If the Project is terminated for any reason before or after achieving commercial operation, the Project Manager must notify the Participant by mail within two weeks of the decision to terminate. The notice must describe the Participant's options, rights and remedies under this contract, including the refundability of any upfront payments.
- Disclose and describe any guarantees of performance.

m. **The Participant's right to file a complaint with the Program using dispute resolution process**
- *"If you have questions, require information or wish to make a complaint, contact [PROJECT MANAGER BUSINESS NAME] by calling [PROJECT MANAGER CUSTOMER SERVICE PHONE], emailing [PROJECT MANAGER CUSTOMER SERVICE EMAIL], writing to [PROJECT MANAGER CUSTOMER SERVICE MAILING ADDRESS] or following the instructions at [PROJECT MANAGER WEBSITE].*

    "If you have inquiries or complaints that the Project Manager is unable to resolve, you should contact the Program Administrator by calling 1-800-481-0510 (calls answered Monday through Friday, 8:00 a.m. to 5:00 p.m.) or emailing info@oregoncsp.org."

- The Project Manager's dispute resolution process must be clearly described. If a contract requires mandatory arbitration, it must be clearly disclosed. Mandatory arbitration may only be used for disputes related to terms in a Participant's contract that are not governed by Program rules. All disputes regarding Program rules must be addressed through the Program's dispute resolution process.
- The Project Manager's dispute resolution process and any other provisions of the Contract may not:

- Require Participants to bring disputes or claims in an inconvenient venue or with time limits more restrictive than the relevant statute of limitations.
- Waive the Participants' redress rights under Oregon or federal law.
- Give up the Participants' ability to seek punitive damages.
- Require Participants to pay fees and costs beyond what Oregon state and federal courts would require

n. **Additional mandatory provisions**

- *"Participants are advised that the Project Manager may assign, sell or otherwise transfer this Contract to another entity, and that other entity will be bound by the terms of the agreement as if it were the Project Manager. If this Contract is assigned, sold or transferred, the Project Manager will notify Participants in advance of the change."*

- **Three-day right to cancel:** Participants must be given the right to cancel the contract and receive a full refund on any deposits or payments if the request is made within three business days (Monday through Friday, excluding federal holidays) of signing the contract.

- **Consent to access and use Participant energy information:** "The Participant authorizes its utility to provide the Project Manager and Program Administrator the utility usage and billing information for the electric account(s) specified by the Participant, for the term of the Contract. This information may include the Participant's electricity account and meter number(s), utility rate schedule(s), electricity use and billing information. This information will be used by the Program Administrator and Project Manager to verify the Participant's eligibility for the Community Solar Program and perform monthly billing and crediting for the Subscription."

- **Participant information release:** "The Participant agrees that the Program Administrator may report information in aggregate about you and your Subscription to the Oregon Public Utility Commission, the Oregon legislature or other state agencies as necessary to meet the Program Administrator responsibilities. The Program Administrator and Project Manager will treat all other Participant information gathered as confidential."

- **Project Manager's right to impose additional requirements on Participants:** Contracts may impose additional requirements on Participants, provided those requirements do not discriminate based on race, color, religion, sex, sexual orientation, national origin, marital status, disability, familial status or source of income.

2. Standard Contract Template

a. **Contracts between Project Managers and residential Participants must use a standard contract template.**

To further protect residential Participants and help ensure that it is easy for them to understand and compare community solar options, contracts between Project Managers

and all residential Participants must follow a standard contract template that has been approved by the Oregon Public Utility Commission. There are two versions of this standard contract template: one specific to low-income Participants and a standard version.

Blank copies of the standard contract template and low-income contract template can be found on the program website, www.oregoncsp.org, under Project Manager Resources. These standard contract templates contain standardized terms and conditions but still allow Project Managers to customize many key Subscription terms, including the Subscription price, Subscription model, up-front payment options and discounts, length of the term, additional Participant eligibility requirements and certain fees.

All mandatory contract provisions described in the previous section are incorporated into this standard contract. The standard contract template also includes the Disclosure Checklist as the first pages of the contract, eliminating the need for Project Managers to create and provide one separately.

Project Managers may opt to use this contract template for non-residential Participants.

b. **Project Managers must provide a Program Disclosure Checklist to every Participant before executing a contract.**

A blank copy of the Program Disclosure Checklist template can be found on the program website, www.oregoncsp.org, under Project Manager Resources. For ease of use and to reduce administrative time for the Project Manager, after adding a Participant to a Project in the Community Solar Program Platform, the Project Manager can download or print a filled-out copy of the disclosure form for a given Participant.

Any modifications of the Disclosure Checklist beyond those described in the instructions accompanying the template are prohibited.

3.14 Participant Eligibility Requirements

Oregon customers of PGE, Pacific Power and Idaho Power are eligible to participate in the Program. To participate, customers must meet the requirements described in this section, enroll in a Project that has been Pre-certified by the Oregon Public Utility Commission and sign a Subscription Agreement with the registered Project Manager of the Project. Customers who enroll with a project and sign a Subscription agreement are considered Participants.

Before enrolling a customer in a Project, the Project Manager must work with the customer to obtain the utility information needed to confirm the customer's eligibility and size their Subscription appropriately. The Program Administrator will verify Participant eligibility as they are enrolled and added to a Project in the Community Solar Program Platform by the Project Manager. The Program Administrator also verifies any new Participants added to a Project after Certification.

If, at any time it is determined that a Participant or their Subscription is not in compliance with these requirements, the Program Administrator will notify the Project Manager of the deficiency. The Project Manager must then work with the Participant to make any changes necessary to resolve the issue.

1. **Determination of eligibility**

   The Program Administrator will verify the eligibility of each Participant and their Subscription size.

   Project Managers must take reasonable steps to screen customers for eligibility and size their Subscription appropriately. However, final determination and verification of eligibility is performed by the Program Administrator when a Participant is added to a Project in the Community Solar Program Platform.

2. **Customer definition**

   A customer is defined at the site level. A site is the address associated with a meter or a collection of meters that are co-located on a property under a shared customer account.

   For a typical residential customer, this will be the physical address, including unit number, of the home. For a typical commercial customer, this will be the physical address of one of the business's locations and will include all meters serving that site that are associated with the customer's account.

3. **If a customer has multiple sites, and the sites substantially share management or ownership, those sites are considered customer affiliates.**

   Customer affiliates include:

   - Different locations of the same business.
   - Different franchise locations with the same ownership.
   - Different locations of a division or bureau of a government entity.
   - Different buildings of a college or university that are affiliated with the same campus.
   - Different schools that share a school district.

   The following are not considered customer affiliates:

   - Franchises that do not share ownership.
   - Different divisions or bureaus of a government entity.
   - Different campuses of a college or university.
   - Different chapters of an organization or non-profit.

4. **Participant utility**

   The customer, as defined by their site, must be a retail customer of the utility to which the Project is interconnected.

5. Subscription caps

a. **A customer may not subscribe to or own a portion of capacity that is expected to generate more than 100 percent of the customer's annual electricity usage.** Project Managers must work with customers to obtain the annual electric usage information necessary to size a Subscription appropriately. This should be done before the Project Manager enters into a participation contract with the customer. At Certification and when new Participants are added to a project Post-Certification, the Program Administrator will verify that Participants comply with this requirement.

The method used by the Program Administrator to determine a customer's cap will vary based on how long the customer has resided at their premise.

- **For customers that have been located at their current premise for at least six months:**
  — Utility billing history will be used to calculate or, where a partial year's data is available, estimate the customer's annual electricity use.
  — In some cases, Participant billing history may not be available to the Program Administrator, for example if a utility customer has opted out of data sharing with their utility. In these cases, either the Project Manager must provide documentation of a Participant's past energy consumption, or the Program Administrator will verify Participant consumption according to the secondary process below.
- **For new construction or customers that have been located at their current premise for less than six months, or for whom billing history is otherwise not available:**
  — When adding a customer to a Project, the Project Manager must provide the following information about the customer's premise:
    o County.
    o Size (in square feet).
    o Heating fuel (electric or non-electric).
    o Building type (single family, multi family or non-residential).
  — This information will be used to determine the average annual electricity consumption for a building with similar characteristics. This value will be used by the Program Administrator as the customer's cap. A table of these values and a list of heating zones, by county, is available on the program website, www.oregoncsp.org, under Project Manager Resources.
  — As an alternative, the customer may provide their Project Manager with an Oregon Department of Energy-approved energy model for the premise. The Project Manager must upload a copy of this model when adding the Participant to the Project. A list of approved energy models can be obtained from Oregon Department of Energy's website.

b. **A customer may not subscribe to more than 40 percent of the capacity of a single Project.**

c. **A customer and its affiliates may be subject to capacity subscription limits within a Program Tier.** For the Interim Offering, a customer may not subscribe to more than 2 MW-AC of capacity across all participating utilities. A customer and its affiliates may subscribe to no more than 4 MW-AC of capacity, in aggregate, across all participating utilities.

6. Eligible customer types

Customers are classified as residential, small commercial and large commercial/industrial/irrigation customers based on their rate schedule. A list of eligible customer rate schedules and their accompanying customer type classifications is available on the program website, www.oregoncsp.org, under Project Manager Resources.

Direct access customers, lighting/traffic signals, cost of service opt-out customers, and customers who are receiving volumetric incentive rates (VIR) under the Solar Photovoltaic Volumetric Incentive Program are not eligible to participate as Participants.

3.15 Low-income Requirements

1. Low-income definition

- **Low-income is defined as less than or equal to 80 percent of the Oregon State Median Family (or Household) Income.** Income levels that fall within this range are updated annually. Current threshold values are available on the program website, www.oregoncsp.org, under Low-Income ~~Project Manager~~ Resources.
- **Income verification will be conducted by the Low-income Facilitator.** Income verification occurs once when the customer is enrolled in the program. Income information is confirmed again when the customer is assigned to a Project. As part of the income verification process, the Low-income Facilitator will also collect demographic information and obtain permission to access utility data on behalf of the customer.

2. Low-income capacity requirements

A minimum percentage of the capacity of each Project must be Subscribed by low-income residential customers. For the Interim Offering, at least 10 percent of the generating capacity of each project must be subscribed by low-income residential customers at the time of Certification and throughout the commercial operation of the Project.

3. Low-income customer recruitment

LOW-INCOME CUSTOMER RECRUITMENT

Recruitment is the process that begins with marketing and customer education and results in an interested customer providing their contact information and consent to be contacted for follow-up by the Project Manager and verification by the Low-income Facilitator. The contact

information gathered as part of recruitment must include, at a minimum, their name, physical address, phone number and, if available, email.

- **The Low-income Facilitator will recruit low-income Participants on behalf of a Project, if requested by the Project Manager.**

  There is no cost or additional fee if the Project Manager opts to have the Low-income Facilitator perform recruitment. The Low-income Facilitator offers this support to all Project Managers to help overcome barriers to low-income participation in the Program and to improve the experience and ensure the protection of low-income Participants.

  If a Project Manager wishes to allocate more than 10 percent of capacity in a Project to low-income customers, the Low-Income Facilitator may only provide limited recruitment efforts for low-income Participants beyond the required 10 percent capacity requirement. However, the Facilitator will collaborate with and support the Project Manager when possible, depending on the Facilitator's available time and resources. Project Managers should make their plans and needs clear in their Low-income Recruitment Plan.

  The Project Manager can request recruitment services from the Low-income Facilitator when they apply for Pre-certification. The Low-income Facilitator will schedule a call with the Project Manager during Pre-certification to discuss the Project and review verification and enrollment procedures.

- **Project Managers that will recruit their own low-income Participants must submit a Low-income Recruitment Plan at Pre-certification that includes information about their low-income recruitment strategy.** The Low-income Recruitment Plan must describe how many low-income Participants are needed; the size, configuration and net monthly cost or savings of the Subscriptions; how, where and when low-income marketing will be conducted; who will be conducting the low-income marketing; and a primary point of contact for low-income Participant recruitment. Guidance on developing a Low-income Recruitment Plan is available on the program website, www.oregoncsp.org, under Project Manager Resources.

  As part of the Pre-certification application review process, the Low-income Facilitator will schedule a call with the Project Manager to discuss the plan and review recruitment, verification and enrollment procedures.

- **Project Managers recruiting their own low-income customers must work with the Low-income Facilitator to recruit and enroll these Participants in a timely manner.** A Project will not be certified until all the low-income Participants recruited by the Project Manager have been verified by the Low-income Facilitator. Therefore, it is suggested that the Project Manager complete its low-income recruitment at least one month before requesting Certification, providing the Low-income Facilitator sufficient time to verify customer eligibility without causing a delay in Certification.

4. Low-income Subscription requirements

- **For low-income Participants, the monthly cost to participate, inclusive of fees, may not exceed the value of the bill credits.**

  Project Managers must take typical monthly variations in solar production into consideration when structuring the price of their low-income subscriptions. All low-income subscriptions must be a production-based on-bill payment model in order to retain the minimum subscription discount on a monthly basis. ~~If Project Managers wish to offer a flat Subscription Fee, it must be structured or priced to prevent the monthly savings from dropping below $0 in any given month.~~

- **Low-income Subscription Fees must be priced to provide a subscription discount of at least 20 percent compared to the customer's Bill Credit Rate.**

  The subscription discount is calculated as the difference between the bill credit and the total cost of participating (expressed in $/kWh and inclusive of fees), divided by the Bill Credit Rate.

  For example, if the Bill Credit Rate is $0.11/kWh and the customer's Subscription Fee is $0.07/kWh (and assuming that the Low-Income customer does not pay Program Fees), the subscription discount is 36 percent: ($0.11-$0.07)/$0.11=.36

  This requirement is a floor, not a ceiling, on the level of savings provided to low-income customers. Providing a net savings of 50 percent is considered best practice and is strongly encouraged. The Low-income Facilitator may, at its discretion, prioritize projects that offer greater discount when allocating low-income customers to available projects.

- **Late fees are not permitted to be levied on low-income Participants.**
  Projects Managers may not charge low-income Participants late fees for Subscription payments that are past due.

- **Project Managers may request a waiver from the requirement that low-income Participants receive 20 percent Subscription discount, on the basis that this would allow them to allocate a greater amount of capacity to low-income customers.**

  In certain cases, a Project Manager may wish to provide a larger share of Project capacity to Participants than is required by the Program. In these cases, the requirement that low-income Participants receive a 20 percent Subscription discount may present a financial barrier. In these cases, the Project Manager may submit a waiver request to the Program Administrator to be exempted from the 20 percent savings requirement.

  A waiver request must detail:

  — The reason why the Project Manager requests a waiver from the requirement for a 20 percent subscription discount for low-income customers.

- The percentage of the project capacity the Project Manager intends to allocate to low-income customers.
- The level of Subscription savings that the Project Manager proposes to provide to low-income customers (in no case may a Project Manager propose pricing that would increase low-income customers' monthly bills).
- A discussion of how the Project Manager will be able to recruit enough low-income customers to achieve a high level of low-income participation without the incentive of a higher subscription discount.
- A justification for how this proposal provides benefits to low-income customers that equal or exceed the standard approach.

> A waiver request form is available on the program website, www.oregoncsp.org, under Project Manager Resources. Requests for a waiver should be submitted to the Program Administrator on the Community Solar Program Platform.

Waiver requests may be made as part of or at any time prior to Project Pre-certification application. The Low-income Facilitator and Program Administrator will review the request and consider if the increased allocation of capacity to Low-income Participants provides enough additional benefit to justify reducing the savings requirement. The Low-income Facilitator's and Program Administrator's recommendation on whether to grant the waiver will be provided to the Oregon Public Utility Commission at the time of Project Pre-Certification as part of the Program Administrator's Project Summary. If a Project Manager submits a waiver request prior to Pre-Certification application, the Low-Income Facilitator will inform the Project Manager of whether it would recommend granting the waiver based on the merits of the request, but the final decision would be made by the Commission as part of Project Pre-Certification.

3.16 Waiver Process

The Program Administrator may recommend a waiver of any PIM provision on a case-by-case basis as part of the Commission's decision on Pre-certification, Certification, major project amendment, or other decision reserved to the Commission. Any recommended waiver would be subject to approval by the Oregon Public Utility Commission at the time of Project Pre-Certification or Certification.

4 Project Pre-certification

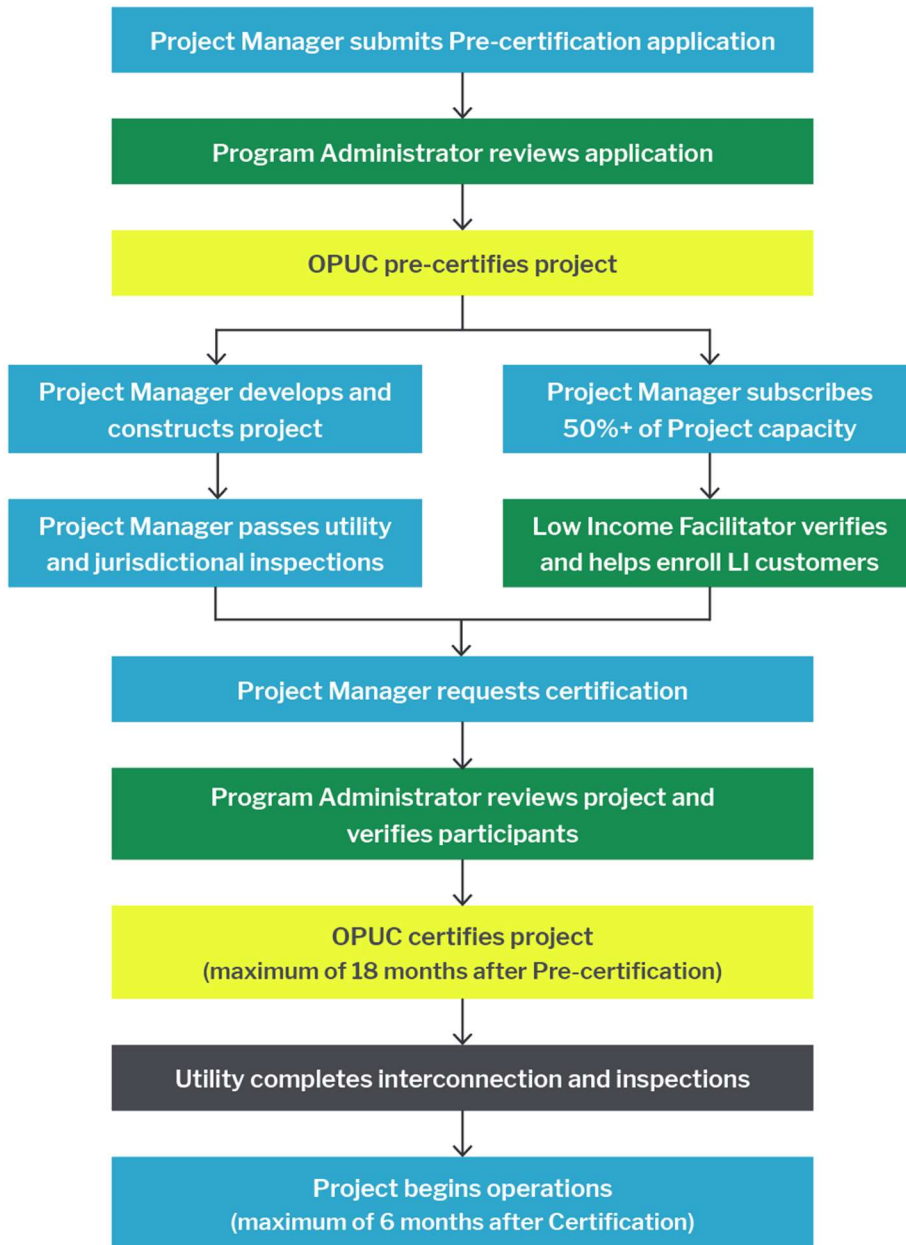Applications for Project Pre-certification must be submitted by a registered Project Manager. Project Managers are expected to understand the application submission procedures, the required application paperwork and the review and approval process for a Project to become Pre-certified and Certified.

The basic steps of the Project Pre-certification and Certification process are shown in Figure 1.

Figure 1. The basic steps for Pre-certification and Certification.

```
┌─────────────────────────────────────────────────────┐
│  Project Manager submits Pre-certification application │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│       Program Administrator reviews application        │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│              OPUC pre-certifies project                │
└─────────────────────────────────────────────────────┘
              ↓                           ↓
┌──────────────────────────┐  ┌──────────────────────────┐
│  Project Manager develops │  │  Project Manager subscribes│
│   and constructs project  │  │   50%+ of Project capacity │
└──────────────────────────┘  └──────────────────────────┘
              ↓                           ↓
┌──────────────────────────┐  ┌──────────────────────────┐
│ Project Manager passes    │  │ Low Income Facilitator    │
│ utility and jurisdictional│  │ verifies and helps enroll │
│       inspections         │  │       LI customers        │
└──────────────────────────┘  └──────────────────────────┘
              ↓                           ↓
┌─────────────────────────────────────────────────────┐
│        Project Manager requests certification          │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│     Program Administrator reviews project and          │
│             verifies participants                      │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│              OPUC certifies project                    │
│    (maximum of 18 months after Pre-certification)      │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│    Utility completes interconnection and inspections   │
└─────────────────────────────────────────────────────┘
                          ↓
┌─────────────────────────────────────────────────────┐
│            Project begins operations                   │
│     (maximum of 6 months after Certification)          │
└─────────────────────────────────────────────────────┘
```

Project Managers and Participants are required to pay certain fees to participate in the Program. These fees include:

- Pre-certification application deposit or fees paid by the Project Manager to the Program Administrator at Pre-certification.
- Program Fees paid by the Participant on a Participant's monthly bill, or by the Project Manager.

The collection method for Program Fees paid by Participants on their monthly bill is addressed in Chapter 6: Project Participation and Billing.

A table of current Program Fees is available on the program website, www.oregoncsp.org, under Project Manager Resources.

4.1 Pre-certification Application Deposit

When their application for Pre-certification is accepted by the Program for review, Project Managers shall submit an application deposit. The deposit varies with the size of the project. The ability to receive a deposit refund is dependent on how far the Project progresses through the Pre-certification and Certification processes.

- 100 percent of the deposit shall be refunded to the Project Manager if the project is cancelled or withdrawn before becoming pre-certified if a lottery is conducted to allocate program capacity, a Project is not granted capacity in the lottery, and the Project Manager chooses to withdraw the application rather than be added to a waitlist.
- 50 percent of the deposit shall be refunded to the Project Manager if the Project is cancelled after pre-certification and before certification.
- 0 percent of the deposit shall be refunded to the Project Manager if the project is certified.

4.2 Pre-certification Application Steps

- Review Chapter 3: Requirements and confirm the Project meets all the requirements for Pre-certification.
- Review videos and resources on utilizing the Community Solar Program Platform to submit and manage Projects.
- Gather the Pre-certification information and materials listed in Information and Documentation Required in the Pre-certification Application, below.
- Submit the required Pre-certification application information and supporting materials through the Community Solar Program Platform.
- Pay the application deposit fee.

4.3 Project Information Posted Publicly on the Program Website

Information about current capacity tiers and the application queue is posted publicly on the Program website at oregoncsp.org. The Program also maintains a central clearinghouse of Pre-certified projects on the website. The clearinghouse makes it easier for customers to find, compare and connect with projects.

When a Project Manager submits an application for Pre-certification, they agree to allow the Program to post certain Project-level information on the website.

Project Managers must indicate at least one Subscription pricing product that is available for Residential customers to be shared on the Project Clearinghouse. Subscription products will be

provided in a standard template with information on Subscription price, escalators, term, and fees and penalties.

Information that may be posted publicly on the Program website is marked with an asterisk (*) in the *Information and Documentation Required in the Pre-certification Application* section below.

SUBSCRIPTIONS AND OWNERSHIP INTERESTS

Project Managers may offer customers ownership interest or Subscriptions (also known as leases) in Pre-certified projects. To simplify Program communications, the Community Solar Program frequently refers to both of these participation arrangements, generally, as "Subscriptions."

4.4 Information and Documentation Required in the Pre-certification Application

The following section outlines what information and documentation must be submitted through the Community Solar Program Platform as part of the Pre-certification application. Where documentation is required, it is specifically noted. The Program Administrator and Low-income Facilitator use this information to verify that a Project meets the Program Requirements. The Oregon Public Utility Commission refers to it in making its determination on Pre-certification.

Information that may be posted publicly on the Program website is marked with an asterisk (*).

1. **Primary project roles and contact information.**
   a. **Project Manager business name and website.***
      - Project Manager contact information for the primary point of contact for each Project (confirmed from registration listing).
   b. **Project Owner contact information, if different from Project Manager.**
   c. **Basic project and site information.**
      - Total Project capacity (AC).*
      - Site location(s)/address and utility.*
      - For each solar installation within a project:
         — Installation type (ground mount, rooftop or building integrated).
         — Tilt and orientation.
         — Shading factor.
         — Equipment information about the number and type of modules, number and type of inverters, number, type and capacity of batteries (if applicable), type of trackers (if applicable).
      - Draft plan set that includes an electrical schematic and physical layout diagram (upload documents).
   d. **Business name and contact information for contractors, affiliates or partners.**

- Project Manager must provide information about other businesses involved in developing, operating and marketing the Project. If some or all of these roles are fulfilled by the Project Manager or do not apply, the Project Manager may indicate such in the application.
- Indicating if any of the businesses are a Minority Business Enterprise (MBE), a Women Business Enterprise (WBE) or a Service-Disabled Veteran (SDV) business is optional for projects seeking the "workforce diversity" special designation.
  — Project Owner(s).
  — Construction contractor.
  — Design/engineering contractor.
  — Operation and maintenance (O&M) provider.
  — Customer acquisition agent(s), if applicable.
  — Participant management contractor, if applicable.
  — Financial partners, if applicable.
  — Community outreach partners, if applicable.
  — Other (describe), if applicable.

e. **Subscription information. (Information on at least one Subscription available for Residential customers must be provided publicly on the Project Clearinghouse.)**

Information about each of the products that will be offered to Participants, including:

- Participant type (e.g. low-income, residential, small commercial, large commercial/industrial/irrigator, other).*
- Subscription type (ownership versus lease).*
- The term of the Participation contract.*
- The amount and conditions of any penalties or fees (e.g. early termination fees, late payment fees, transfer fees).*
- The price and structure of the Subscription.*
- If and how the price changes over time.*
- The number of payments to be collected on-bill.*
- If the Project Manager wants to collect some or all of the Subscription payment directly (i.e. "off-bill"), they must provide an additional written request and justification, to be reviewed and approved by the Program Administrator.*
- If the Project Manager wants to collect on-bill Subscription payments using an alternative to the approved on-bill payment models, they must provide an additional written request and justification, to be reviewed and approved by the utilities and the Program Administrator.*

f. **Estimated project cost information, broken out by category.**
- Equipment costs.
- Engineering, procurement and construction costs (excluding equipment).
- Development costs.
- Customer acquisition costs.
- Participant management costs, annualized.

- Operation and maintenance (O&M), annualized.
- Other (describe).

g. **Allocations to different Participant types.**

Estimation of the capacity that will be allocated to, and quantity of, each type of Participant (low-income*, residential, small commercial, large commercial/industrial/other).

h. **Customer acquisition and marketing plans.**

- Customer acquisition and marketing plan.
- Low-income Recruitment Plan.

i. **Permits.**

- Identify and provide the status of all required permits and approvals including: electrical; structural; zoning/land use; water rights; FAA/airport; environmental impact; cultural/historic impact; city council/board approvals; and any others (describe).
- If required, provide proof of non-ministerial/discretionary-type permits or land use approval (upload documentation).

j. **Interconnection.**

- Indicate interconnection queue type (Community Solar queue or standard interconnection queue), status, queue number and date of estimated/executed Interconnection Agreement.
- If the Project has a completed a utility interconnection study with a passing result, and this status is reflected in the public interconnection tracking system (OASIS), no documentation is required.
  — If a project has completed a utility interconnection study but the status is not available on OASIS, the Project Manager must provide documentation of the completed study.
- If a Project less than or equal to 360 kW-AC or with a public or non-profit Project Manager has not completed a utility interconnection study with a passing result, the following documentation is required:
  — Proof of the submission of an application for interconnection, completion of a utility scoping meeting and payment of the deposit for a utility interconnection study (upload confirmation emails or other documentation).

k. **Development timeline.**

Estimated dates for the following key development milestones. The milestones are listed in no particular order. The Program recognizes that these dates will be subject to change. Project Managers should use the best information available to them to estimate dates.

- Target date by which 50 percent of Project's capacity is Subscribed.
- If Project Manager is recruiting low-income Participants: recruitment of low-income customers complete. (Note that a Project cannot be certified until the Low-income Facilitator has verified eligibility for all low-income participations. For this reason, it is

recommended that Project Managers complete the recruitment of low-income Participants two months prior to the anticipated date of Project certification to avoid delay in the case of a large volume of low-income Participant accounts requiring verification.)

- Interconnection facility study complete, if applicable.
- Contract executed with construction contractor.
- Construction-ready plan set complete.
- Ministerial permits (e.g. building/electrical) secured.
- Interconnection agreement executed.
- Community Solar Power Purchase Agreement executed with utility.
- Certification requested.
- Commercial operation date.*
- Other milestones (describe).

l. **End-of-useful life management plan.**
- Estimation of the useful life of the Project/system(s).
- Attestation that Project Manager has included the cost of responsibly decommissioning the Project at the end of its useful life in its financial plan.

m. **Renewable Energy Certificate (REC) waiver request.**
For projects <360 kW-AC, indicate if the Project Manager requests a waiver from the requirement to register in the Western Renewable Energy Generation Information System (WREGIS).

n. **Special Project designation information.***
Indication of any special project designations the Project is requesting. Special designations that are currently available include:
- Low-income.
- Workforce diversity.
- Brownfield reuse (upload documentation of brownfield or perceived contaminated site status).
- Dual agricultural use (upload documentation if permit documentation does not already show dual use approval).

CHECKLIST OF REQUIRED DOCUMENTS FOR PRE-CERTIFICATION

☐ Draft plan set that includes electrical schematic and physical layout diagram.
☐ Proof of interconnection status.
☐ Copies of non-ministerial permits or land use approval (if applicable).
☐ Documentation of special brownfield reuse or dual agricultural use designation (if applicable).

4.5 Application Review and Pre-certification Process

4.5.1 Preliminary Screening

First, the Program Administrator will confirm the application deposit has been paid and will screen applications for completeness and duplications. A duplicate application is one that substantially shares key Project attributes with another submitted application. Applications will then be accepted and issued a number based on the order in which they were received.

If the Program experiences an initial rush of applications upon Program launch, complete and unique applications will be reviewed in accordance with the lottery procedure described in capacity limits and queue management.

Submitting multiple applications for the same Project or attempting to disguise a Project application to make it appear unique is considered queue tampering. Tampering is strictly prohibited and will be aggressively enforced by the Program Administrator and the Oregon Public Utility Commission. If an investigation by the Program Administrator finds that one or more Project Manager(s) submitted Project applications that were substantively the same in an attempt to influence the queue, the Project Manager(s) will be referred to the Oregon Public Utility Commission for immediate termination of their registration. The Projects in question will be removed from the queue and become ineligible for the current tier, and all application fees and deposits will be forfeited. More information on the effects of Project Manager termination can be found in Chapter 2: Project Manager Registration.

Preliminary screening timeframe (approximate): 2 business days

4.5.2 Project Review

The Program Administrator will review the application and documentation for compliance with all other Pre-certification requirements outlined in the Program Implementation Manual. Application review will be conducted in collaboration with the Low-income Facilitator, who will schedule a call with the Project Manager during the review timeframe to discuss the Project Manager's Low-income Recruitment Plan.

Project review timeframe (approximate): 10 business days, with exceptions*
*Review may take longer if the application is incomplete, includes incorrect information or if there are concerns with eligibility or the system design. Delays in Project review could also be caused by a large volume of Project applications in a short timeframe, such as following the release of the initial tier or an additional tier of Program capacity for Pre-certification. In the event that a large volume of Project applications causes a delay in Pre-certification, the Program Administrator will provide Project Managers with a revised estimate for Pre-Certification timeframes.

4.5.3 Agency Review and Approval

After the Project review is complete, the Program Administrator will submit a Project summary to the Oregon Public Utility Commission, along with a recommendation regarding Pre-certification.

If the Project review does not uncover any deficiencies, the Program Administrator will recommend to the Commission that the Project be Pre-certified. At the next available public meeting, the Commission, at its sole discretion, will consider the Project for Pre-certification.

If a Project review uncovers deficiencies, the Program Administrator will advise the Project Manager of these deficiencies and provide them an opportunity to provide additional information (discussed below). If additional information is submitted by the Project Manager but does not resolve the deficiencies, or if there are other outstanding concerns, the Program Administrator will advise the Oregon Public Utility Commission of deficiencies in its Project Summary. At the next available public meeting, the Commission, at its sole discretion, will consider the Project for Pre-certification. If requested by the Commission, the Project Manager may provide comment on the Project summary at the public meeting where the Project is considered.

The Program Administrator at its discretion may also recommend that a Project be granted conditional Pre-certification, whereby the Program Administrator will recommend specific criteria to be met by the Project Manager as a condition of Pre-certification and the time frame for doing so. Assuming the Commission grants the conditional Pre-certification, the Project Manager must submit documentation of compliance with the conditions of Pre-certification to the Program Administrator in the time provided or seek an extension with the Commission.

When a Project demonstrates compliance with the Pre-certification condition to the Program Administrator's satisfaction, the Project may act as any other Pre-certified Project building toward final Project certification. If the Project is unable to meet the conditional criteria for pre-certification the Program Administrator will recommend the Project be rejected by the Commission and OPUC Staff will present this recommendation as a regular agenda item at a public meeting.

Applications for Pre-certification and will be considered by the Commission at its regular public meetings. These meetings occur every two weeks, and Projects must be added to the meeting agenda two weeks prior to date of the next meeting.

Following action by the Commission, the Project Manager will be notified whether its Project has been Pre-certified. If approved, the Project Manager will receive a Pre-certification notice authorizing the Project Manager to proceed with developing the Project and executing contracts with Participants.

The Pre-certification notice includes confirmation of the AC capacity of the Project, the Bill Credit Rate(s) applicable to Participants, any special designations granted to the Project, any applicable waivers, the deadline by which the Project Manager must apply for Certification, and information about how to update Project information and request major revisions during the 18-month Pre-certification period.

Agency approval timeframe (approximate): 10–20 business days, (inclusive of the public meeting)

4.5.4 Corrections During Pre-certification Review

If the Program Administrator determines that an application is deficient or requires changes to meet Program requirements, the Project Manager will be notified and asked to submit additional information. The Project Manager will be given 15 business days to submit the requested information. If after two attempts and three weeks this does not occur, the Project will be rejected and lose its place in the application queue.

Corrections timeframe: Project Managers must respond to requests for corrections within 15 business days

4.6 Progress Updates

Community solar is a new model for Oregon, and the Program recognizes that Projects may face many challenges during development, even after Pre-certification has been achieved. During the 18-month Pre-certification period, Projects must provide the Program with regular updates and may be required to take certain actions. This is required to help the Program better understand the development challenges for community solar projects, support projects facing barriers and ensure that projects that are not progressing are removed to make space for viable and active projects.

Frequency: Every six months following Pre-certification, until the Project Manager applies for Certification.

Deliverables:

- Updated dates for key Project development milestones.
- Narrative progress report describing the status of Project development, construction, customer acquisition and enrollment, low-income recruitment (if applicable), delays, changes and challenges.

4.6.1 Submitting Progress Updates

A reminder will be sent to the Project Manager one month before the deadline for each six-month progress report. Project Managers will upload the progress report and update the dates for key milestones in the Project timeline through the Community Solar Program Platform. The Program Administrator will review the materials and notify the Project Manager of any further action required. If the Program Administrator finds that a deliverable does not meet Program requirements, the Project Manager will be asked to make corrections and resubmit the information.

4.6.2 Failure to Provide Progress Updates

The Program Administrator will send two reminders via email if a Project Manager fails to submit its progress deliverables on time. If a Project Manager does not respond to these repeated communication attempts by the Program Administrator, fails to submit the deliverables without providing reasonable justification or otherwise shows signs that it is unlikely to achieve

Certification in the required timeframe, the Program Administrator may place the Project Manager on disciplinary probation. The Program Administrator may also refer a Project Manager to the Oregon Public Utility Commission for additional penalties, as described in Chapter 2: Project Manager Registration.

If the issues are severe or sustained, or the Project Manager fails to take actions to remediate the issues that led to probation, the Program Administrator may recommend that the Oregon Public Utility Commission terminate the Project Manager's registration or consider revoking the Project's Pre-certification to make capacity available to the next eligible project(s) in the Program application queue. Project Manager termination and removal of Pre-certification is done at the sole discretion of the Commission. Termination and removal are actions of last resort and will be considered by the Commission on a case-by-case basis.

4.7 Project Amendments

Project Managers are required to keep project information correct and up-to-date in the Community Solar Program Platform.

Certain significant revisions, including requests to extend a Project's Certification deadline, are considered amendments to a Project's Pre-certification and must be considered and approved by the Oregon Public Utility Commission. Pre-certification amendments do not trigger a new application fee and will not change a Project's queue position, and otherwise follow the same review and approval process described above for new applications.

4.7.1 Major Revisions Requiring Amendments

The following significant revisions must be approved by the Oregon Public Utility Commission via a Pre-certification amendment:

- Transfer of Project to a new Project Manager.
- Request to use an on-bill Subscription Fee collection model that is not pre-approved by the Program.
- A reduction of ≥200 kW in the AC nameplate capacity of the project, as measured at output of the inverter(s).
- Request of a waiver from registering RECs in WREGIS.
- Other significant changes that materially affect the project's eligibility for Pre-certification, as determined by the Program Administrator or Oregon Public Utility Commission.
- Requesting an extension of the Certification deadline.

The following project revisions are not allowed and will **not** be considered for an amendment:

- An increase in the AC nameplate capacity of the Project, as measured at output of the inverter(s).
- A change to the Project site, except for removal of a site from an aggregated project.

4.7.2 Minor Revisions

Certain minor revisions will not trigger an amendment process. The Program Administrator will review the changes and notify the Project Manager if a revision is not permissible or requires a correction. These include:

- Updates to Project Manager business or contact information.
- Changes in Project ownership that do not involve the transfer of the Project to a different Project Manager.
- Changes and updates to Project partners or contractors.
- Changes to Subscription pricing or products.
- Updates to permit statuses.
- A reduction of <200 kW in the AC nameplate capacity of the project, as measured at output of the inverter(s).
- Changes to allocations to each Participant type that are consistent with the Program requirements.
- Changes to marketing plans or materials that are consistent with Program requirements and the Project Manager Code of Conduct.
- Changes to the Low-income Recruitment Plan that are consistent with Program requirements.
- A change to equipment or the DC nameplate capacity of the project that is consistent with program installation requirements if the AC nameplate remains unchanged.
- For a Project spread across multiple aggregated sites, changes to the equipment or nameplate capacities of segments or removal of a site where the total capacity of the project does not change (e.g., this would allow a project that consists of three 100-kW systems at sites A, B and C to change to two 150-kW projects at sites A and B but would not allow the addition of a site D).

4.7.3 Making Revisions

Project Managers may make revisions through the Community Solar Program Platform at any time. If the change is a major revision, the Community Solar Program Platform will prompt the Project Manager to provide additional documentation, and the request will go through the Amendment review and approval process, described below.

For minor revisions, the Program Administrator will review the changes to confirm they do not violate any Program requirements. If the Program Administrator identifies a problem with a proposed revision, the Project Manager will be notified and asked to make corrections.

4.7.4 Amendment review and approval

Major revisions require the submission of a written request. This request is submitted through the Community Solar Program Platform and accompanies the details of the proposed revision.

The written request for major revisions should detail the Project's progress, the reasons for the requested change and, in the case of extension requests, a realistic timeline for the completion of Certification requirements and the achievement of commercial operation.

The Program Administrator will review the request and recommend a potential course of action to the Oregon Public Utility Commission, taking into consideration Project Manager compliance with Program rules and the Code of Conduct, progress updates, Project Participant enrollment levels and mix and circumstances that may have delayed Project development or enrollment.

The Program Administrator will submit a summary of the requested revisions to the Commission, along with a recommendation on the amendment. At the next available public meeting, the Commission, at its sole discretion, will consider amending the Project's Pre-certification.

Requests for amendments will be considered by the Commission at its regular public meetings. These meetings occur every two weeks, and Projects must be added to the meeting agenda two weeks prior to date of the next meeting.

Following action by the Commission, the Project Manager will be notified whether its amendment request was approved. If approved, the Project Manager will receive a Revised Pre-certification notice with the updated Project information.

Program review timeframe (approximate): 5 business days
Agency approval timeframe (approximate): 10–20 business days, inclusive of the public meeting

4.8 Project Cancellation

Projects may be cancelled or fail to achieve commercial operation for many reasons. In some cases, a Project's Pre-certification may be revoked as an outcome of a Project Manager's registration being terminated. In other cases, a Project Manager may determine or become aware that a Project cannot progress further through the development process and will not achieve commercial operation within the timeframes allowed by the Program (24 months from the time of Pre-certification, with extensions provided for reasonable cause). In this circumstance, the Project Manager must notify the Program Administrator within one week of becoming aware that a Project is or will be cancelled.

In the case of voluntary or involuntary project cancellation, the Program Administrator will work with the Project Manager, Oregon Public Utility Commission and other parties to support the cancellation of the Project and find outcomes that minimize harm to impacted Participants and the Program. The capacity that was assigned to the cancelled Project will be added to the capacity tier that is open at the time of the cancellation. That capacity will be subject to whatever Bill Credit Rate applies to that tier.

5 Project Certification

Projects must be Pre-certified before they are Certified. Applications for Project Certification may be submitted by the registered Project Manager once a Project is fully developed and constructed, has passed all inspections required by the local and state authorities having jurisdiction and has enrolled sufficient Participants to meet program requirements.

5.1 Certification Application Steps

1. Go to the Community Solar Program Platform at www.oregoncsp.org and make sure the following information reflects the Project as-built: basic project details, partner/contractor contact information and Subscription information. If a major revision is needed, as described in *Chapter 4: Project Pre-Certification*, obtain an amendment before applying for Certification.
2. Review *Chapter 3: Requirements* and confirm the Project meets all requirements for Certification.
3. Gather the Certification information listed in *Information Required in the Certification Application*, below.
4. Submit the required Certification information through the Community Solar Program Platform, at www.oregoncsp.org.

5.2 Information Required in the Certification Application

The following section outlines what information and documentation must be submitted through the Community Solar Program Platform as part of the Certification application. The Program Administrator and Low-income Facilitator use this information to verify that a Project meets the Program requirements as well as any specific requirements placed on a Project by the Commission during Pre-certification. The Oregon Public Utility Commission also refers to it in making its final Certification decision.

a. **Utility agreement information.** An executed utility Community Solar Power Purchase Agreement.
b. **Final, as-built plan set for the Project.** Final plan set that reflects the Project as-built and includes an electrical schematic and physical layout diagram (upload documents).
c. **Final Project cost information, broken out by category.**
   - Equipment costs.
   - Engineering, procurement and construction costs (excluding equipment).
   - Development costs.
   - Customer acquisition costs (estimated).
   - Participant management costs, annualized (estimated).

- Operation and Maintenance (O&M), annualized (estimated).
- Other (describe).

d. **Interconnection information.** Status of utility interconnection upgrades and inspection, including the estimated date of commercial operation (date must be within six months).

5.3 Verification and Certification Process

5.3.1 Participant Verification

After signing a contract with a Participant, the Project Manager will enter information regarding the Participant, their Subscription and their utility information to the Community Solar Program Platform at www.oregoncsp.org. Project Managers may also be required to collect and report Participant demographic information (which is optional for the Participant to provide) as part of this process.

The Program Administrator and Low-income Facilitator will usually verify Participant eligibility as they are added by the Project Manager to the Project in the Community Solar Program Platform. For this reason, Project Managers are encouraged to add Participants in the Community Solar Program Platform after Pre-certification and as soon as they have signed a participation contract or, in the case of low-income customers, as soon as they have been recruited and have coordinated an income verification appointment with the LIF.

After receiving a complete application for Certification, the Program Administrator and Low-income Facilitator will complete any outstanding Participant verification and confirm that:

a. All Participants meet the eligibility requirements, as described in the Participant Eligibility Requirements section of Chapter 3: Requirements.
b. The Project has the correct number and type of Participants, as described in the Number and Type of Participants section of Chapter 3: Requirements.
c. The Project has demonstrated Participant Subscription or ownership of at least 50 percent of the project nameplate capacity.

Participant verification timeframe (approximate): 5 business days, with exceptions*
*If the Project Manager waits until Certification to add Participants to the Project, the Project Manager and Low-income Facilitator may require additional time to verify Participant eligibility. If verification is expected to take longer than five business days, the Program Administrator will notify the Project Manager of the new timeframe via email.

5.3.2 Agency Review and Approval

After receiving a Certification request from a Project Manager, the Program Administrator will review the information provided and, if the Project and Participant levels meet all Program requirements, will submit a recommendation to the Oregon Public Utility Commission to Certify the Project. At the next available public meeting, the Commission, at its sole discretion, will consider and Certify the Project.

Applications for Project Certification will be considered by the Commission at its regular public meetings. These meetings occur every two weeks, and Projects must be added to the meeting agenda two weeks prior to date of the next meeting.

Following approval by the Commission, the Project Manager will receive a Certification Notice, at which point the Project Manager can proceed to commercial operation. The Program Administrator will also notify the appropriate utility that the Project has been Certified and is now eligible to begin generating bill credits and selling unsubscribed generation.

The Certification Notice includes the date of Certification, the six-month deadline for commercial operation and Renewable Energy Certificates (REC) registration and reporting requirements, if applicable.

Agency approval timeframe (approximate): 10–20 business days

5.3.3 Corrections During Certification Review

If Program Administrator finds a deficiency with the Certification application materials or subscribed Participants, the Program Administrator will notify the Project Manager of the required corrections. The Project Manager must make all the required corrections within 30 days of notification. If the corrections are not made within that timeframe, the Program Administrator may recommend to the Oregon Public Utility Commission that the project is not Certified.

5.4 Requirements After Certification

After Certification, the Project Manager has several ongoing obligations to maintain the Project in good standing. These include completing interconnection with six months, adding commercial operation information to the Project's record, registering and reporting on RECs, and maintaining compliance with Participant requirements.

5.4.1 Commercial Operation

Projects are required to complete interconnection and achieve commercial operation within six months of Certification. After the Project receives permission to operate from the utility, the Project Manager must add the following information to the Project record in the Community Solar Program Platform:

- Actual commercial operation date.
- Meter ID number for the solar facility.
- Utility account ID for the solar facility.

These pieces of information must be provided for the Program Administrator to begin receiving meter data from the Project and calculating bill credits for Participants.

If a Project is unable to complete interconnection with the six-month deadline or commercial operation, they must request an extension from the Oregon Public Utility Commission.

5.4.2 Requesting an Extension for the Commercial Operation Deadline

To request an extension for the commercial operation deadline, the Project Manager must submit a written request through the Community Solar Program Platform. The request should describe the reason for the delay, the efforts the Project Manager has made to complete interconnection (if not complete) and a realistic timeline to achieve commercial operation.

At the next available public meeting, the Commission, at its sole discretion, will consider extending the Project's interconnection deadline. Requests for commercial operation deadline extensions will be considered by the Commission at its regular public meetings. These meetings occur every two weeks, and Projects must be added to the meeting agenda two weeks prior to date of the next meeting.

Following action by the Commission, the Project Manager will be notified whether its extension was approved. If approved, the Project Manager will receive a Revised Certification Notice with the new commercial operation deadline.

Agency approval timeframe (approximate): 10–20 business days, inclusive of the public meeting

5.4.3 REC Registration and Reporting

Small projects that received a waiver from the requirement to register with the Western Renewable Energy Generation Information System (WREGIS) and report RECs are explicitly prohibited from registering in WREGIS and selling RECs in the future. Beyond this, projects with a waiver have no ongoing requirements regarding RECs and may disregard the remainder of this section.

As described in *Chapter 3: Requirements*, Projects that are greater than 360 kW-AC in aggregate size and small projects without a waiver must be registered in WREGIS and retire RECs on behalf of the Participants. The owner of a Project may choose to register as a WREGIS Account Holder and manage RECs directly, or designate a representative, such as the Project Manager, to act on its behalf.

To register and retire RECs, the Project owner or their representative or will need to:

- Become familiar with the WREGIS Operating Rules.
- Register as a WREGIS Account Holder.
- Register the Project as a Generating Unit in WREGIS.
- At least annually, deposit RECs from the Project account into a Retirement subaccount to cover subscribed energy. RECs from non-subscribed generation may stay with the Account Holder or be transferred to other entities in accordance with WREGIS operating rules. *For example, if a project generates 4,000 MWh in a year, and Participants are credited for 2,500 MWh (rounded up to the nearest MWh), at least 2,500 RECs must be deposited in the Retirement subaccount. The remaining 1,500 RECs may remain active and be held or transferred at the Account Holder's discretion.*

The Project owner or its representative will be responsible for all fees associated with registering RECs, including the annual Account Holder fee and a monthly fee to the utility to report on project generation as a Qualified Reporting Entity (QRE).

Once a year, at the end of June, Project Managers must compile and submit a report to the Program Administrator showing, as of the end of March, the total number of RECs retired on behalf of Participants and the total number of RECs generated and sold as a result of a contract for the unsubscribed portion of the Project's generation.

The Program Administrator will notify Project Managers of the report's due date at least four weeks in advance. The notification will include a reporting template with instructions on how to format and submit the report. To reduce the reporting burden, Project Managers will be able to submit their REC report at the same time and using the same template as the annual complaint report.

5.5 Managing Participants

Project Managers have an ongoing responsibility to manage and maintain information about Participants in the Community Solar Program Platform. As Project Managers continue to subscribe customers in a Project, or as Participants turn over and are replaced by new ones, the enrollment information in the Platform must be updated and Subscriptions adjusted to ensure the Project and Participants remains in compliance with Program requirements. Failure to do so could result in billing and crediting errors and probation.

If, at any time, the Program Administrator becomes aware that a Project or Participant is out of compliance, the Project Manager will be notified of the deficiency and required to make the corrections within 60 days. Failure to make the correction may result in probation. Deficiencies that could trigger notification include:

- A Project has fewer than five Participants.
- A Subscription exceeds the average annual electricity consumption of the Participant.
- A single customer is subscribed to more than 40 percent of a Project's capacity.
- More than 50 percent of the capacity of the Project is subscribed by large commercial/industrial/irrigation customers.

5.6 Project Amendments After Certification

Project Managers of Certified Projects must continue to keep Project information up to date in the Community Solar Program Platform. Certain changes that would require a Project amendment during the Pre-certification period may be relevant for Certified projects as well, such as the transfer of a Project to a New Project Manager. These changes would still require a Project amendment as described in Chapter 4: Project Pre-certification.

6 Project Participation and Billing

This chapter outlines information about the Program Clearinghouse, how and when bill credits are applied to utility bills, subscription payments, and cancellations.

6.1 Participating in a Community Solar Project

6.1.1 Clearinghouse and Participant Initiation

The Clearinghouse is a central location where prospective Participants can compare community solar projects and begin the process of requesting information from different Project Managers at www.oregoncsp.org/p/ProjectFinder.

Project Managers will be required to complete a standard template with pricing and site-specific information about their projects to be included in the Clearinghouse. The template is available on the program website, www.oregoncsp.org, under Project Manager Resources. Once a Participant has elected a Project Manager and project to join, the Project Manager will work with a Participant to sign them up on the program platform. The Project Manager may require a deposit to be paid off-bill to reserve the subscription on the project.

If you have signed up for a subscription before the project is energized, the participant's subscription will not be activated until the project has been certified and is operating. If a project begins operating mid-month, a Participant that is already signed up will receive a pro-rated bill credit for their first month.

If a participant signs a contract with a project that is already operational, regardless of when a Participant signs up for a community solar subscription, a participant's subscription cannot begin until at least the 1st day of the following month. If a Project Manager wants to request an off-bill subscription payment, they must submit a request outlined in *Chapter 3: Project Requirements*.

6.2 Data Exchanged Between Program Administrator and Utility

6.2.1 Before a Participant Signs Up for a Subscription:

When a Participant initially signs up for the program, their maximum subscription size will be based on either the last 12 months of their electricity consumption data or an estimate of the Participant's annual consumption. To size a subscription, the Project Manager may need certain information from the Participant in the form of utility bills, green button data, or information about their household size and consumption.

6.2.2 After a Participant Signs Up for a Subscription:

After a Participant has signed a contract with their Project Manager and has authorized the Project Manager and Program Administrator to access their utility usage and billing data, the Project Manager will input this information into the Program Administrator's program platform. The following information may be exchanged between the Program Administrator and the Participant's utility:

- Current rate/ tariffs
- Participant's Name (First and Last)
- Meter Number
- Account Number
- Participant's Address
- Last 12 months of in kilowatt hours (kWh) consumption by month (or as many months as available)

6.3 Participant Utility Bill

6.3.1 Bill Display

The data fields below are at a minimum included on a Participant's utility bill each billing cycle.

a. **Monthly Energy Production (kWh):** kWh and solar month production period associated with the Participant's share of energy production from the Project.

b. **Monthly Bill Credit:** The current Bill Credit Rate is posted on the www.oregoncsp.org website under Project Manager Resources. (Solar generation * Bill Credit Rate) = Bill Credit.

c. **Program Fees:**
- The Program Administrator is a 3rd party organization (other than the utility) that administers the Oregon Community Solar program. The Program Administrator fee is a charge on a Participant's utility bill that reflects the effort required to register Project Managers, review and monitor projects, provide Participant education and protection, and many other services to administer the Oregon Community Solar Program.
- The utility fee is a charge on a Participant's utility bill that reflects the effort required for the utility to coordinate and execute information exchange with the Program Administrator to fulfill bill crediting requirements.
- Program Fees (both utilities and Program Administrator fees) are updated on an annual basis and posted on the www.oregoncsp.org website under Project Manager Resources.
- If the Project Manager elects to pay the Program Fees on the Participant's behalf, the Program Fee will not be reflected on the Participant's monthly utility bill.

d. **Subscription Fee:**
- The subscription fee is a charge by the Project Manager that may be listed on a Participant's utility bill reflecting monthly cost to subscribe to the project.

- Off-bill subscriptions require Program Administrator approval, see *Chapter 3: Project Requirements* for more information.
- Information on the process and timing of Project Manager subscription fee payments is available on the program website under Project Manager Resources.

6.3.2 Bill Crediting Rules

A Participant's monthly total bill credit is calculated by multiplying the bill credit rate by the Participant's share of total project generation in that month. This will be a dollar value referred to as the **monthly bill credit**.

The value of the monthly bill credit will be applied to the Participant's total utility bill (in dollars), less any other on-bill repayment expenses, respecting the utility's established hierarchy. Information on the crediting hierarchy of each participating utility is available on the program website under Project Manager Resources.

If the value of the monthly bill credit, minus any other on-bill repayment expenses, is greater than the total amount due on the monthly utility bill, an excess credit may appear. This excess credit may not be cashed out but will carry forward to subsequent months. If this excess credit is not consumed by monthly energy usage and charges by the end of the annual period, then the value will be issued to low income programs.

6.3.3 Bill Credit Allowable Offsets

Bill credits are permitted to offset all **utility charges and on-bill subscription charges** for Participant electric bills. Bill credits cannot offset non-utility charges, which are collected on the utility bill, but are passed on to third parties such as loans.

If a retail customer has multiple sites under one utility account, the Bill Credit will be applied separately to each site designated under the Community Solar Project. If a single site hosts multiple meters, the bill credit may offset the sum of all electric meters on the site.

6.3.4 Off-Bill Subscription Collection

In certain cases, if approved by the Program Administrator, Program Managers will be able to collect subscription fees, one-time investments or other means of payment off the utility bill. In this case, bill credits will continue to appear on the utility bill, but only the Program Fees may ~~will~~ be collected on the utility bill. For more information, see *Chapter 3: Project Requirements*.

6.3.5 Bill Credit Timing

At the end of each calendar month, the solar production data from a project recorded in kWh will be transferred from the utility to the Program Administrator, not later than the second business day of each month. The total kWh production recorded from the project is then allocated proportionally by the Program Administrator based on each Participant's kW subscription size. The Program Administrator will calculate a bill credit and transfer the credit data back to the utility no later than the fifth ~~sixth~~ business day of each month to be applied to each Participant's utility bill. No changes are needed to a Participant's bill cycle to participate in the program.

By ~~On~~ the sixth business day ~~ninth calendar~~ day of each month ~~excluding Sundays or holidays~~, solar production for the previous month is posted to the Participant's account as a bill credit. Despite being posted to the Participant's account by ~~on~~ the sixth business day ~~ninth~~ of each month, the Participant will not always see the previous month's solar production on their bill because some Participants have different billing cycles. A billing cycle is determined by the day of the month that the meter reading takes place. If a manual meter reading exists, this could change by a few days (plus or minus) each month. If the Participant's billing ends:

- **After the sixth business day ~~ninth~~ of the month:** Participant will receive their bill credits from their subscription for the previous month.
- **Before and on the sixth business day ~~ninth~~ of the month:** Participant will receive their bill credits with a one-month lag.

6.3.6 Annual Bill Credit Reconciliation

It is expected that in some months the Participant's actual energy consumption may be less than their allocated share of solar production, and vice versa. The desired outcome is that subscriptions will be sized such that the actual kWh production does not exceed the actual kWh electricity consumption of the Participant's site over the course of a year. However, oversubscription may occur due to unforeseen factors such as weather and usage habits.

Every April a reconciliation will be performed. A comparison of the actual kWh credited from the subscription will be made against actual kWh electricity used at the site, prorated as necessary, based on when subscription starts.

The value of excess kWh credited, should there be any, will be donated at the as-available-avoided-cost rate for use in low income programs of the electric company serving the Participant. This reconciliation policy is intended to prevent Participants from over-sizing their subscription. If the subscription has generated more kWh than what is consumed annually, an adjustment shall be included on the Participant's utility bill indicating the amount due ~~(for donation),~~ where net balance is kWh overage*(Bill Credit Rate ~~- Subscription Fee~~). The Participant will not receive a separate bill for this reconciliation.

- **For non-low-income Participants**, the oversubscription balance will be owed in full at the end of the billing cycle and added to the Participants next month's utility bill.
- **For low-income Participants**, if the balance owed exceeds the difference between the bill credit and subscription fee of the next month's bill, the balance will continue to be debited each month until the full payment is recouped. This mechanism is intended to ensure fees never exceed the value of the bill credit for low-income Participants.

Example

If over the course of one year the subscription generates 9,000 kWh and the Participant only uses 8,800 kWh, the oversubscription balance is **200 kWh**.

> If the customer was credited at $0.10/kWh ~~and the subscription was $0.09/kWh~~, then the total cash balance owed would be ($0.10/kWh ~~– $0.09~~) * 200 kWh, which equals **$20.00**.

6.4 Subscription Transfers, Cancellations, and Completed Subscriptions

Participants must notify their Project Manager if they wish to cancel or transfer their subscription to another eligible customer. The Project Manager should flag in the platform of Participant transfers or cancellations as soon as possible and allow thirty (30) days for any cancellation or transfer to be processed. Based on the date of cancellation and the Participant's billing cycle, bill credits and subscription fees may take up to sixty (60) days to be removed from a Participant's next monthly utility bill. A Participant may not cash out from their community solar bill credit or their carryover credit bank.

Projects Managers may charge a fee to transfer or cancel a subscription (except to low-income participants) that would be collected separately from a Participant's utility bill. If a customer closes their subscription before their contract has expired, the customer's excess bill credits will be donated to the low-income program. If a Participant cancels their subscription mid-month and their capacity is not immediately transferred or replaced by a new Participant, the subscription ~~and PA~~ fees will be assumed until the end of that month and any over-generation will be donated to low-income programs.

Please refer to *Chapter 2: Project Managers* for subscription transfers and restrictions on Project Manager cancellation fees.

Subscriptions are complete when the final bill credits are posted to the Participant's account at the end of the agreement upon contract term (e.g. the last month of a contract) and the final true-up is complete.

6.5 Failure to Provide Payment

The Program Administrator's goal is to continue to maintain a robust and consistent group of Participants in the Oregon Community Solar Program.

The expectation of a Participant is that their bill is paid in full and on time. In the event a customer does not pay their community solar subscription fee, Project Managers may terminate the contract if the other party breaches a material obligation under the contract and fails to cure the breach within 30 days of being notified by the non-breaching party. If the Participant does not pay their bill in full, the PA may also suspend their bill credit until the Participant has paid the amount outstanding.

Conditions around non-payment are covered in *Chapter 3: Project Requirements*. An early terminated Participant is responsible for any off-bill penalties from their Project Manager, based on the terms in the Participant's contract and the balance of their subscription and program

fees. The Participant may be required to reimburse the utility any bill credits and/or community solar administrative fees that have been issued.

6.6 Unsubscribed Project Capacity

Project Managers are compensated by utilities for unsubscribed power generated by the project at the as-available avoided cost rate. The Program Administrator will adhere to the following procedures to reimburse Project Managers for unsubscribed project capacity:

1. **Utility shares project generation data with Program Administrator.** The utility will share hourly meter generation data by day & hour for every project for the previous month.
2. **Program Administrator makes determination of unsubscribed power.** The Program Administrator determines unsubscribed energy by project based on known subscription percentage (by kW) for each project, based on AC capacity. For example, for a 100 kW project, if 90 kW is allocated to Participants then 10 kW is unsubscribed.
3. **Program Administrator calculates unsubscribed hourly generation.**
   - The Program Administrator will share with the utility the amount of unsubscribed kW by day for the previous month (applying the same percentage of unsubscribed power to each hour's generation).
   - The utility or PA will apply the proprietary hourly $/kWh rate to unsubscribed energy based on OPUC approved as-available avoided cost rate. This avoided cost rate ($/kWh) is expected to be dynamic and vary by hour, month, year and utility.
4. **Utility remits final amount owed to Program Administrator and the Program Administrator reimburses the Project Manager.** After the final amount is calculated, the Program Administrator shall pay each Project Manager their share of unsubscribed energy along with their monthly subscription fee payments.

6.7 Appendix: Link Index

Community Solar Program Rules:
https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=4090

Oregon Community Solar website: https://www.oregoncsp.org

Oregon Laws 2016, Chapter 28, Section 22(1)(d):
https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2016orLaw0028.pdf

Community Solar Program Platform Registration:
https://www.oregoncsp.org/p/RegistrationProcedure

IRS W-9 Form: https://www.irs.gov/pub/irs-pdf/fw9.pdf

Federal Trade Commission Business Center: https://www.ftc.gov/tips-advice/business-center/privacy-and-security/consumer-privacy

Consumer privacy: https://www.ftc.gov/tips-advice/business-center/privacy-and-security/consumer-privacy

Data security: https://www.ftc.gov/tips-advice/business-center/privacy-and-security/data-security

Oregon 2010 Census: https://www2.census.gov/library/publications/decennial/2010/cph-2/cph-2-39.pdf

TIGERWeb mapping application: https://tigerweb.geo.census.gov/tigerweb

Dept of Energy Models: https://www.oregon.gov/energy/save-energy/pages/heps.aspx

WREGIS Operating Rules:
https://www.wecc.org/Corporate/WREGIS%20Operating%20Rules.pdf

WREGIS Account holder registration:
https://www.wecc.org/Administrative/Account%20Holder%20(AH)%20Registration%20Guide.pdf

WREGIS Project register: https://www.wecc.org/WREGIS/Pages/Default.aspx