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# TROUTMAN SANDERS LLP

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A T T O R N E Y S   A T   L A W  
A LIMITED LIABILITY PARTNERSHIP

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February 28, 2005

Hon. Magalie R. Salas  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

RE: *PacifiCorp*  
Docket No. ER05-554-000

Dear Secretary Salas:

On February 4, 2005, in Docket No. ER05-554-000, PacifiCorp filed three late-filed small generator interconnection agreements and one transmission agreement (“February 4 Filing”). In particular, PacifiCorp filed: (1) a Generation Interconnection Agreement between PacifiCorp and Roseburg Forest Products Co. (“Roseburg”); (2) a Generation Interconnection Agreement between PacifiCorp and TDY Industries Inc., a California corporation d/b/a Wah Chang; (3) a Generation Interconnection Agreement between PacifiCorp and Warm Springs Power Enterprises; and (4) a Transmission Service Agreement between PacifiCorp and Warm Springs Power Enterprises. PacifiCorp and Roseburg hereby respectfully request that the Commission accept the Roseburg Interconnection Agreement as explained in more detail below.

Through the process of having the filing noticed, PacifiCorp was notified by Roseburg that the description of the Roseburg Interconnection Agreement was incorrect. In the February 4 Filing, PacifiCorp stated that the “energy generated at this facility is used to offset approximately 20 MW of Roseburg load (a retail customer of PacifiCorp) at this location with any excess power being sold to PacifiCorp.” Roseburg has indicated that the energy generated actually offsets approximately 30 MW of Roseburg load (not 20 MW). Roseburg also indicated that the facility has not recently generated any excess power.

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In addition, PacifiCorp stated that the “Roseburg Forest Products Powerhouse consists of six (6) steam turbine-generators that deliver 16.6 MW of energy to the Roseburg Forest Products Substation in Oregon.” However, Roseburg has indicated that this description is inaccurate. Instead, Roseburg has six behind the meter facilities that deliver a total capability of 50.4 MW. While the behind the meter facilities on a rated capacity basis exceed 20 MW, the interconnection itself only has a capability of 20 MW. As PacifiCorp interprets the Commission’s Order No. 2003,<sup>1</sup> it seems that the Commission was concerned about the rated generator capacity behind the interconnection and not the size of the interconnection when demarcating the line between small and large generator interconnections.<sup>2</sup> Given the fact that the energy resource in this agreement exceeds 20 MW (at 50.4 MW), PacifiCorp anticipates that the Commission may reject the as-filed Roseburg Interconnection Agreement and direct PacifiCorp to enter into a new interconnection agreement with Roseburg that is Order No. 2003 compliant.<sup>3</sup>

Nonetheless, PacifiCorp and Roseburg request that the Commission accept the Roseburg Interconnection Agreement as filed by either waiving the requirements of Order No. 2003 or treating Roseburg as a small generator due to the 20 MW interconnection limitation. PacifiCorp and Roseburg request waiver of the Order No. 2003 requirements because (1) both parties are satisfied with the current agreement; and (2) the administrative costs surrounding the conversion to an Order No. 2003 compliant agreement would be burdensome. PacifiCorp and Roseburg note that the Roseburg Interconnection Agreement was entered into prior to the Commission’s issuance of Order No. 2003. PacifiCorp and Roseburg also agree that upon the request of Roseburg or the Commission, the Roseburg Interconnection Agreement will be modified in order to comply with Order No. 2003.

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<sup>1</sup> *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, FERC Stats. & Regs., Regulations Preambles ¶ 31,146 (2003) (Order No. 2003), *order on reh’g*, Order No. 2003-A, FERC Stats. & Regs., Regulations Preambles ¶ 31,160 (2004) (Order No. 2003-A), *order on reh’g*, 109 FERC ¶ 61,287 (Dec. 20, 2004) (Order No. 2003-B).

<sup>2</sup> *See* Order No. 2003 at P 4 (“The Commission here adopts standard procedures and a standard agreement to be used by Transmission Providers with Interconnection Customers proposing to interconnect a generator of more than 20 MW to sell energy at a wholesale interstate commerce.”); *see also* fn. 3 (“The term Large Generator is intended to refer to any energy resource having a capacity of more than 20 megawatts...”).

<sup>3</sup> *See PacifiCorp*, 109 FERC ¶ 61,001 (2004) (where the Commission rejected a late-filed interconnection agreement and required PacifiCorp to enter into a new interconnection agreement that was compliant with Order No. 2003).

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If you have any questions, or if we can be of further assistance, please do not hesitate to contact us.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2005, I served the foregoing filing by first class mail upon each person designated on the official service list compiled by the Secretary in the above-referenced proceedings.

/s/

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Amie V. Colby