



ADMINISTRATIVE RULES OF MONTANA



38.5.8411 LEVEL 3 EXPEDITED REVIEW

- (1) An EDC shall use the Level 3 interconnection review procedure for an interconnection request that meets the criteria in ARM 38.5.8406(1)(c). An EDC shall not impose additional requirements for Level 3 reviews not specifically authorized under this section unless the EDC and the applicant mutually agree to do so.
- (2) Once the interconnection request is deemed complete by the EDC, the EDC shall assign a line section queue position based upon the date and time the interconnection request is determined to be complete if there is more than one interconnection request pending for the same line section. The line section queue position of each interconnection request shall be used to determine the potential adverse system impact of the small generator facility based on the relevant screening criteria. The applicant will proceed under the timeframes of this section. The EDC shall notify the applicant about other higher line section queued applicants on the same radial line or area network that the applicant is seeking to interconnect to. Line section queue position shall not be forfeited or otherwise impacted by any pending dispute submitted under the provisions of ARM 38.5.8413.
- (3) For interconnection requests to the load side of an area network, the following criteria must be satisfied:
 - (a) The nameplate capacity of the small generator facility is less than or equal to 50 kW;
 - (b) The proposed small generator facility utilizes a certified inverter-based equipment package;
 - (c) The small generator utilizes reverse power relays and/or other protection functions that prevent the export of power into the area network;
 - (d) The aggregate of all generation on the area network does not exceed the smaller of 5% of an area network's maximum load or 50 kW; and
 - (e) No construction of the facilities by the electric distribution company shall be required to accommodate the small generator facility.
- (4) Interconnection requests meeting the requirements set forth in ARM 38.5.8411(3) for small generator facilities interconnecting to an area network shall be presumed to be appropriate for interconnection. The EDC shall process the interconnection request to area networks using the following procedures:
 - (a) The EDC shall evaluate the interconnection request under Level 2 interconnection review procedures as set forth in ARM 38.5.8410(3) except that the EDC may have 25 business days to conduct an area network impact study to determine any potential adverse system impacts of interconnecting to the EDC's area network; however, the EDC shall not be

obligated to meet the timeline for reviewing the interconnection request as provided for herein until such time as the EDC has completed the review of all other interconnection requests that have a higher line section queue position;

- (b) In the event the area network impact study identifies potential adverse system impacts, the EDC may determine at its sole discretion that it is inappropriate for the small generator facility to interconnect to the area network in which case the interconnection request shall be denied; however, the applicant may elect to submit a new interconnection request for consideration under Level 4 procedures in which case the line section queue position assigned to the Level 3 interconnection request will be retained provided the request is made within 15 business days after notification that the current application is denied; and
 - (c) In the event the EDC denies the interconnection request, the EDC shall provide the applicant with a copy of its area network impact study and written justification for denying the interconnection request.
- (5) For interconnection requests to a radial distribution circuit, the following criteria must be satisfied:
 - (a) The aggregated total of the nameplate capacity of all of the generators on the circuit, including the proposed small generator facility, is 10 MW or less;
 - (b) The small generator will use reverse power relays or other protection functions that prevent power flow onto the electric distribution system;
 - (c) The small generator is not served by a shared transformer; and
 - (d) No construction of facilities by the EDC on its own system shall be required to accommodate the small generator facility.
- (6) For an interconnection request meeting the requirements of ARM 38.5.8411(5) for small generator facilities interconnecting to a radial distribution circuit, the EDC shall evaluate the interconnection request under the Level 2 expedited review in ARM 38.5.8410. The EDC shall approve the interconnection request if all of the applicable screens in ARM 38.5.8410(2) are satisfied.
- (7) For a small generator facility that satisfies the criteria in (4) or (5) of this rule, the EDC shall approve the interconnection request and provide a standard interconnection agreement for the applicant to sign within five business days.
- (8) The applicant shall have 30 business days after receipt of an interconnection agreement to sign and return the standard small generator interconnection agreement. If the applicant does not sign the standard small generator interconnection agreement within 30 business days, the request shall be deemed withdrawn. After the standard small generator interconnection agreement is signed by the parties, interconnection of the small generator facility shall proceed according to any milestones agreed to by the parties in the standard small generator interconnection agreement.
- (9) The interconnection agreement will not be final until:
 - (a) Any milestones agreed to in the standard small generator interconnection agreement are satisfied;
 - (b) The small generator facility is approved by electric code officials with jurisdiction over the interconnection;
 - (c) The applicant provides a certificate of completion to the EDC; and

- (d) There is a successful completion of the witness test, if conducted by the EDC.
- (10) If the small generator facility is not approved under a Level 3 review, the applicant may submit a new interconnection request for consideration under the Level 4 procedures specified in ARM 38.5.8406(1)(d) without sacrificing the original line section queue position provided the revised interconnection request is submitted within 15 business days of notice that the current request has not been approved.

Authorizing statute(s): 69-3-103, MCA

Implementing statute(s): 69-3-102, MCA

History: NEW, 2010 MAR p. 1801, Eff. 8/13/10.