

**A-Engrossed**  
**Senate Bill 451**

Ordered by the Senate June 14  
Including Senate Amendments dated June 14

Sponsored by Senator BEYER (at the request of Covanta) (Pre-session filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes eligibility for renewable energy certificates for facilities that generate electricity from direct combustion of municipal solid waste and became operational before January 1, 1995, if such facilities register with Western Renewable Energy Generation Information System at any time, **and for up to 11 average megawatts of electricity generated, per calendar year, from the combustion of biogenic material.**

**A BILL FOR AN ACT**

1  
2 Relating to eligibility for renewable energy certificates; amending ORS 469A.020 and 469A.031.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 469A.020 is amended to read:

5 469A.020. (1) Except as provided in this section, electricity may be used to comply with a  
6 renewable portfolio standard only if the electricity is generated by a facility that becomes opera-  
7 tional on or after January 1, 1995.

8 (2) Electricity from a generating facility, other than a hydroelectric facility, that became oper-  
9 ational before January 1, 1995, may be used to comply with a renewable portfolio standard if the  
10 electricity is attributable to capacity or efficiency upgrades made on or after January 1, 1995.

11 (3) Electricity from a hydroelectric facility that became operational before January 1, 1995, may  
12 be used to comply with a renewable portfolio standard if the electricity is attributable to efficiency  
13 upgrades made on or after January 1, 1995. If an efficiency upgrade is made to a Bonneville Power  
14 Administration facility, only that portion of the electricity generation attributable to Oregon's share  
15 of the electricity may be used to comply with a renewable portfolio standard.

16 (4) Subject to the limit imposed by ORS 469A.025 (5), electricity from a hydroelectric facility  
17 that became operational before January 1, 1995, may be used to comply with a renewable portfolio  
18 standard if the facility is certified as a low-impact hydroelectric facility on or after January 1, 1995,  
19 by a national certification organization recognized by the State Department of Energy by rule, and  
20 if the facility is either:

21 (a) Owned by an electric utility; or

22 (b) Not owned by an electric utility and located in Oregon and licensed by the Federal Energy  
23 Regulatory Commission under the Federal Power Act, 16 U.S.C. 791a et seq., or exempt from such  
24 license.

25 (5) Electricity from a generating facility located in this state that uses biomass and that became  
26 operational before January 1, 1995, may be used to comply with a renewable portfolio standard if

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 the facility meets the requirements of the federal Public Utility Regulatory Policies Act of 1978 (P.L.  
2 95-617) on March 4, 2010.

3 (6) **Electricity from a generating** facility located in this state that generates electricity from  
4 direct combustion of municipal solid waste and that became operational before January 1, 1995, may  
5 be used to comply with a renewable portfolio standard for up to 11 average megawatts of electricity  
6 [*generated per calendar year.*] **generated, per calendar year, from the direct combustion of**  
7 **biogenic material.**

8 **SECTION 2.** ORS 469A.031 is amended to read:

9 469A.031. Notwithstanding ORS 469A.029, a facility described in **either** ORS 469A.020 (5) **or (6)**  
10 is eligible for renewable energy certificates if the owner or operator of the generating facility reg-  
11 istered the generating facility with the Western Renewable Energy Generation Information System  
12 on or after January 1, 2011.  
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