

SENATE AMENDMENTS TO SENATE BILL 318

By COMMITTEE ON ENERGY AND ENVIRONMENT

March 16

1 On page 1 of the printed bill, delete lines 13 through 29.

2 Delete pages 2 and 3 and insert:

3 “(2) The Public Utility Commission may, pursuant to its authority under ORS 756.040 to obtain
4 adequate service for the public generally, determine the resource adequacy for load serving entities.
5 The commission shall determine resource adequacy, and the sufficient level of power supply reli-
6 ability, through use of a loss of load probability, loss of load expectation or similar metric or met-
7 rics, as identified by the commission.

8 “(3) If the commission determines resource adequacy for load serving entities under subsection
9 (2) of this section, the commission shall require each load serving entity, at multiple intervals on a
10 schedule determined by the commission, to periodically demonstrate to the commission that the load
11 serving entity is achieving its resource adequacy to the satisfaction of the commission. The com-
12 mission shall consider physical resources, including demand response resources and other demand-
13 side resources, and contract characteristics in evaluating a load serving entity’s demonstration.

14 “(4) If, after the demonstration provided pursuant to subsection (3) of this section, the commis-
15 sion determines that a load serving entity is not satisfactorily providing resource adequacy, the
16 commission may commence an investigation pursuant to ORS 756.515 (1) to identify remedial actions,
17 analysis or planning necessary to correct any deficiency and direct the load serving entity to per-
18 form the actions, analysis or planning.

19 “(5) If a load serving entity other than a public utility fails to demonstrate, to the satisfaction
20 of the commission, that the entity is able to provide resource adequacy, and if the entity fails to
21 undertake remedial actions, analysis or planning as directed by the commission under subsection (4)
22 of this section, the commission may, in addition to any other remedy provided by law:

23 “(a) Direct a public utility, for customers served by the entity within the public utility’s allo-
24 cated service territory, to provide an assessment of the public utility’s ability to provide resource
25 adequacy for those customers and to identify the actions necessary to remedy the deficiency;

26 “(b) Notwithstanding ORS 757.646 and the definition of ‘electricity’ and ‘electricity services’ in
27 ORS 757.600, direct the public utility to provide resource adequacy for the customers identified in
28 paragraph (a) of this subsection and, if so directed, shall allow the public utility to recover from the
29 entity and the entity’s customers, through a mechanism approved by the commission, all prudently
30 incurred costs consistent with the public utility’s assessment and identified actions; and

31 “(c) If the load serving entity is an electricity service supplier, revoke or otherwise condition
32 the electricity service supplier’s certification pursuant to authority provided in ORS 757.649.

33 “(6) The commission may consider coordination and integration with any multistate, regional or
34 national entity when assessing resource adequacy under this section and may consider resource
35 adequacy requirements or obligations imposed on load serving entities by those multistate, regional

1 or national entities.”

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