

Requested by Senator BEYER

**PROPOSED AMENDMENTS TO
SENATE BILL 318**

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 its authority under
4 ORS 756.040 to obtain adequate service for the public generally, determine
5 the resource adequacy for load serving entities. The commission shall deter-
6 mine resource adequacy, and the sufficient level of power supply reliability,
7 through use of a loss of load probability, loss of load expectation or similar
8 metric or metrics, as identified by the commission.

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

17 “(4) If, after the demonstration provided pursuant to subsection (3) of this
18 section, the commission determines that a load serving entity is not satis-
19 factorily providing resource adequacy, the commission may commence an
20 investigation pursuant to ORS 756.515 (1) to identify remedial actions, anal-
21 ysis or planning necessary to correct any deficiency and direct the load

1 serving entity to perform the actions, analysis or planning.

2 “(5) If a load serving entity other than a public utility fails to demon-
3 strate, to the satisfaction of the commission, that the entity is able to pro-
4 vide resource adequacy, and if the entity fails to undertake remedial actions,
5 analysis or planning as directed by the commission under subsection (4) of
6 this section, the commission may, in addition to any other remedy provided
7 by law:

8 “(a) Direct a public utility, for customers served by the entity within the
9 public utility’s allocated service territory, to provide an assessment of the
10 public utility’s ability to provide resource adequacy for those customers and
11 to identify the actions necessary to remedy the deficiency;

12 “(b) Notwithstanding ORS 757.646 and the definition of ‘electricity’ and
13 ‘electricity services’ in ORS 757.600, direct the public utility to provide re-
14 source adequacy for the customers identified in paragraph (a) of this sub-
15 section and, if so directed, shall allow the public utility to recover from the
16 entity and the entity’s customers, through a mechanism approved by the
17 commission, all prudently incurred costs consistent with the public utility’s
18 assessment and identified actions; and

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

22 “(6) The commission may consider coordination and integration with any
23 multistate, regional or national entity when assessing resource adequacy
24 under this section and may consider resource adequacy requirements or ob-
25 ligations imposed on load serving entities by those multistate, regional or
26 national entities.”.

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