

Requested by Representative SMITH DB

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2021**

1 On page 1 of the printed A-engrossed bill, line 2, after the second semi-
2 colon delete the rest of the line and insert “and amending ORS 469A.210.”.

3 Delete line 3.

4 Delete pages 2 through 27 and insert:

5 **“SECTION 1. ORS 469A.210 is added to and made a part of ORS**
6 **chapter 757.**

7 **“SECTION 2. ORS 469A.210 is amended to read:**

8 **“469A.210. (1) As used in this section:**

9 **“(a) ‘Electric company’ has the meaning given that term in ORS**
10 **757.600.**

11 **“(b) ‘Retail electricity consumer’ has the meaning given that term**
12 **in ORS 757.600.**

13 “[~~(1)~~] (2) The Legislative Assembly finds that community-based renewable
14 energy projects, including but not limited to marine renewable energy re-
15 sources that are either developed in accordance with the Territorial Sea Plan
16 adopted pursuant to ORS 196.471 or located on structures adjacent to the
17 coastal shorelands, are an essential element of this state’s energy future.

18 “[~~(2)~~] *For purposes related to the findings in subsection (1) of this section,*
19 *by the year 2025, at least eight percent of the aggregate electrical capacity of*
20 *all electric companies that make sales of electricity to 25,000 or more retail*
21 *electricity consumers in this state must be composed of electricity generated by*

1 *one or both of the following sources:]*

2 **“(3)(a) For purposes related to the findings in subsection (2) of this**
3 **section, by the following years the following percentages of electricity**
4 **sold in this state by each electric company that makes sales of elec-**
5 **tricity to 25,000 or more retail electricity consumers in this state must**
6 **be composed of electricity generated by one or more of the sources**
7 **described in paragraph (b) of this subsection:**

8 **“(A) By 2030, five percent; and**

9 **“(B) by 2035, 10 percent.**

10 **“(b) An electric company may comply with paragraph (a) of this**
11 **subsection through sales of electricity composed of electricity gener-**
12 **ated by:**

13 **“[(a)] (A) Small-scale renewable energy projects with a generating ca-**
14 **capacity of 20 megawatts or less, or that are interconnected with a trans-**
15 **mission or distribution system at a voltage of 115 kilovolts or less, and**
16 **that generate electricity utilizing a type of energy described in ORS**
17 **469A.025; [or]**

18 **“[(b)] (B) Facilities that generate electricity using biomass that also**
19 **generate thermal energy for a secondary purpose[.]; or**

20 **“(C) Small power production facilities as defined in ORS 758.505 that**
21 **generate electricity utilizing a type of energy listed in ORS 469A.025**
22 **and that:**

23 **“(i) Are located, with the consent of the relevant tribal government**
24 **as defined in ORS 181A.680, within the boundaries of an Indian reser-**
25 **vation or land held in trust by the United States for the benefit of a**
26 **federally recognized Oregon Indian tribe; or**

27 **“(ii) Have executed a community benefits agreement with a local**
28 **government as defined in ORS 174.116, a school district as defined in**
29 **ORS 332.002, a local environmental or habitat conservation organiza-**
30 **tion or another entity that exists for the public benefit as identified**

1 **by rule by the Public Utility Commission.**

2 **“(4)(a) Out of the facilities described in subsection (3) of this section**
3 **that generate electricity used to meet the requirements of subsection**
4 **(3) of this section, at least 25 percent must be:**

5 **“(A) Located in the electric company’s service territory;**

6 **“(B) Directly interconnected with the transmission system owned**
7 **or managed by the electric company; or**

8 **“(C) If not directly interconnected with the transmission system**
9 **owned or managed by the electric company, designated as a network**
10 **resource.**

11 **“(b) An electric company must cooperate with the efforts of a fa-**
12 **cility described in subsection (3) of this section to be designated as a**
13 **network resource.**

14 **“[(3)] (5) Regardless of the facility’s nameplate capacity, any single facil-**
15 **ity described in subsection [(2)(b)] (3)(b)(B) of this section may be used to**
16 **comply with the requirement specified in subsection [(2)] (3) of this section**
17 **for up to 20 megawatts of capacity.**

18 **“SECTION 3. (1) The Public Utility Commission may not cause to**
19 **delay, due to the pendency of any rulemaking or other proceeding**
20 **necessary to implement one or more provisions of ORS 469A.210, any**
21 **procurement or request for proposals that will result in the procure-**
22 **ment by an electric company of electricity generated from a facility**
23 **described in ORS 469A.210 (3)(b)(A), (B) or (C)(i).**

24 **“(2) The amendments to ORS 469A.210 by section 2 of this 2021 Act**
25 **are not intended to modify, delay or alter the timeline for any pro-**
26 **curement or request for proposals initiated on, before or after the ef-**
27 **fective date of this 2021 Act for which rulemaking is not necessary to**
28 **determine whether the procurement or request for proposals will**
29 **count toward compliance by an electric company with ORS 469A.210.”.**

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