

## HB 3247 STAFF MEASURE SUMMARY

### House Committee On Climate, Energy, and Environment

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**Meeting Dates:** 3/6

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#### WHAT THE MEASURE DOES:

The measure prohibits the Oregon Public Utility Commission (PUC) from authorizing or approving a plan by an electric company to retire an electric power generating facility that provides reliable or dispatchable electricity unless the electric company has acquired a presently available generating resource that can provide reliable or dispatchable electricity in an amount that is equal to or greater than the amount of reliable or dispatchable electricity that is provided by the electric power generating facility that the electric company proposes to retire.

#### Detailed summary:

Defines “dispatchable electricity” and “reliable electricity.” **Prohibits the Oregon Public Utility Commission (PUC) from authorizing or approving a plan by an electric company to retire an electric power generating facility** that provides reliable or dispatchable electricity unless the electric company has acquired a presently available generating resource that can provide reliable or dispatchable electricity in an amount that is equal to or greater than the amount of reliable or dispatchable electricity that is provided by the electric power generating facility that the electric company proposes to retire. Requires PUC, in coordination with the Oregon Department of Energy (ODOE), to **seek a waiver** to the federal regulations or requirements until such time that the electric company acquires a generating resource that can provide reliable or dispatchable electricity in an amount that is equal to or greater than the amount of reliable or dispatchable electricity that is provided by the electric power generating facility that the electric company proposes to retire, if an electric company proposes to retire an electric power generating facility that provides reliable or dispatchable electricity in response to federal regulations or requirements that impose increasing costs to the maintenance or operation of the electric power generating facility. Requires the PUC, if PUC or ODOE is unable to obtain a waiver, to **bring a civil action and seek an injunction** or other appropriate relief to restrain the implementation of the federal regulations or requirements until such time that the electric company acquires a generating resource that can provide reliable or dispatchable electricity in an amount that is equal to or greater than the amount of reliable or dispatchable electricity that is provided by the electric power generating facility that the electric company proposes to retire. Takes effect on the 91st day following adjournment sine die.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

#### ISSUES DISCUSSED:

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

The Oregon Public Utility Commission (PUC) regulates investor-owned utilities and is responsible for ensuring utility customers have access to safe, reliable, and high-quality utility services at just and reasonable rates. The PUC evaluates regulated utility filings in three major categories: 1) rates; 2) planning, including evaluating integrated resource plans (IRPs) and clean energy plans (CEPs); and 3) programs.

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The Oregon Department of Energy's Energy Facility Siting Council (EFSC) has the authority to approve energy facility site certificates or amended site certificates which authorize an applicant to construct, operate, and retire facilities subject to the conditions set forth in the site certificate or amended site certificate (Oregon Revised Statute [ORS] 469.401). According to ODOE's 2024 Biennial Energy Report, as of 2024, the amount of **decommissioned (retired) megawatts** in Oregon for EFSC jurisdiction projects by type of energy source was:

- Renewable electricity projects: 0 megawatts
- Non-renewable electricity projects: 2,095 megawatts