

## HB 3874 STAFF MEASURE SUMMARY

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

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**Meeting Dates:** 3/27, 4/3

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#### WHAT THE MEASURE DOES:

The measure increases, from 50 to 100 megawatts, the average electric generating capacity of wind energy facility to defer regulatory authority to the Energy Facility Siting Council, requiring the developer of a facility to obtain a site certificate.

#### Detailed summary:

Removes wind energy from the definition of an "electric power generating plant" and from the definition of a renewable energy facility in statute (Oregon Revised Statute [ORS] 215.446, 469.300). Adds an electric power generating plant to the definition of "energy facility" and to the definition of a "renewable energy facility" in statute (ORS 215.446, 469.300). Increases, from 50 to 100 megawatts, the average electric generating capacity of wind energy at a single energy facility or within a single energy generation area—if the developer of a facility elects or the governing body of the local government after consulting with the developer elects—to defer regulatory authority to the Energy Facility Siting Council, requiring the developer of a facility to obtain a site certificate.

- *FISCAL: Minimal fiscal impact*
- *REVENUE: No revenue impact*

#### ISSUES DISCUSSED:

- Provisions of measure
- Avoided costs for acquiring renewable energy
- Current dockets at the Oregon Public Utility Commission on avoided costs for acquiring renewable energy

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

In 2022, wind energy made up 12.6% of energy produced in Oregon, from 50 operating wind facilities, according to the Oregon Department of Energy. Large energy facility builders in Oregon must apply for a site certificate from the Energy Facility Siting Council (EFSC) before they can begin construction. Facilities that fall under certain acreage limits have the option of going through a county siting process. House Bill 3179 (2023) increased the allowable size a solar photovoltaic power generation facility could be and still use a county siting process rather than the EFSC process.