

Senate Bill 17

Sponsored by Senator THATCHER; Senator WEBER, Representatives DIEHL, LEVY B (at the request of Marion County Commissioners) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Makes power made from the direct burning of solid waste eligible for RECs. (Flesch Readability Score: 63.4).

Establishes the eligibility for renewable energy certificates for facilities that generate electricity from the direct combustion of municipal solid waste and became operational before January 1, 1995, if such facilities register with the Western Renewable Energy Generation Information System at any time, and for up to 11 average megawatts of electricity generated, per calendar year, from the combustion of biogenic material.

A BILL FOR AN ACT

1
2 Relating to the eligibility to use electricity generated from waste for renewable energy certificates;
3 amending ORS 469A.020 and 469A.031.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 469A.020 is amended to read:

6 469A.020. (1) Except as provided in this section, electricity may be used to comply with a
7 renewable portfolio standard only if the electricity is generated by a facility that becomes opera-
8 tional on or after January 1, 1995.

9 (2) Electricity from a generating facility, other than a hydroelectric facility, that became opera-
10 tional before January 1, 1995, may be used to comply with a renewable portfolio standard if the
11 electricity is attributable to capacity or efficiency upgrades made on or after January 1, 1995.

12 (3) Electricity from a hydroelectric facility that became operational before January 1, 1995, may
13 be used to comply with a renewable portfolio standard if the electricity is attributable to efficiency
14 upgrades made on or after January 1, 1995. If an efficiency upgrade is made to a Bonneville Power
15 Administration facility, only that portion of the electricity generation attributable to Oregon's share
16 of the electricity may be used to comply with a renewable portfolio standard.

17 (4) Subject to the limit imposed by ORS 469A.025 (5), electricity from a hydroelectric facility
18 that became operational before January 1, 1995, may be used to comply with a renewable portfolio
19 standard if the facility is certified as a low-impact hydroelectric facility on or after January 1, 1995,
20 by a national certification organization recognized by the State Department of Energy by rule, and
21 if the facility is either:

22 (a) Owned by an electric utility; or

23 (b) Not owned by an electric utility and located in Oregon and licensed by the Federal Energy
24 Regulatory Commission under the Federal Power Act, 16 U.S.C. 791a et seq., or exempt from such
25 license.

26 (5) Electricity from a generating facility located in this state that uses biomass and that became
27 operational before January 1, 1995, may be used to comply with a renewable portfolio standard if

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 the facility meets the requirements of the federal Public Utility Regulatory Policies Act of 1978 (P.L.
2 95-617) on March 4, 2010.

3 (6) **Electricity from a generating** facility located in this state that generates electricity from
4 direct combustion of municipal solid waste and that became operational before January 1, 1995, may
5 be used to comply with a renewable portfolio standard for up to 11 average megawatts of electricity
6 [*generated per calendar year.*] **generated, per calendar year, from the direct combustion of**
7 **biogenic material.**

8 **SECTION 2.** ORS 469A.031 is amended to read:

9 469A.031. Notwithstanding ORS 469A.029, a facility described in **either** ORS 469A.020 (5) **or (6)**
10 is eligible for renewable energy certificates if the owner or operator of the generating facility reg-
11 istered the generating facility with the Western Renewable Energy Generation Information System
12 on or after January 1, 2011.
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