

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 838

By COMMITTEE ON ENERGY AND THE ENVIRONMENT

May 9

1 On page 3 of the printed A-engrossed bill, line 34, after “(g)” insert “Landfill gas or”.

2 On page 4, line 9, after the period insert “A hydroelectric facility described in this subsection  
3 is not subject to the requirements of subsection (4) of this section.”.

4 On page 6, line 24, delete the second “The”.

5 Delete lines 25 through 27.

6 On page 9, delete lines 24 through 38 and insert:

7 “(3) The Public Utility Commission shall establish an automatic adjustment clause as defined in  
8 ORS 757.210 or another method that allows timely recovery of costs prudently incurred by an elec-  
9 tric company to construct or otherwise acquire facilities that generate electricity from renewable  
10 energy sources and for associated electricity transmission. Upon the request of any interested per-  
11 son, the commission shall conduct a hearing and allow interested persons to appear, to conduct  
12 discovery and to submit evidence and briefs on the terms of the automatic adjustment clause or  
13 other method for timely recovery of costs.

14 “(4) An electric company must file with the commission for approval of a proposed rate change  
15 to recover costs under the terms of an automatic adjustment clause or other method for timely re-  
16 covery of costs established under subsection (3) of this section. Upon the request of any interested  
17 person, the commission shall conduct a hearing and allow interested persons to appear, to conduct  
18 discovery and to submit evidence and briefs on whether the commission should approve the proposed  
19 rate change.

20 **“SECTION 13a. The Public Utility Commission shall establish the automatic adjustment**  
21 **clause or another method for timely recovery of costs as required by section 13 (3) of this**  
22 **2007 Act no later than January 1, 2008. The clause or method shall apply to all prudently**  
23 **incurred costs described in section 13 (3) of this 2007 Act incurred by an electric company**  
24 **since the date of the company’s last general rate case that was decided by the commission**  
25 **before the effective date of this 2007 Act.”.**

26 On page 14, line 11, after “rate” insert “under subsection (1) of this section or ORS 757.603  
27 (2)(a)”.

28 In line 13, after “of” insert “subsection (1) of”.

29 In line 15, after “of” insert “subsection (1) of”.

30 In line 24, delete “less than” and after “megawatts” insert “or less”.

31 On page 16, line 27, after “may” insert “not”.

32 In line 28, delete “otherwise” and after “section” insert a period and delete the rest of the line  
33 and delete lines 29 through 32.

34 On page 22, delete lines 36 through 41 and insert:

35 **“SECTION 35. A people’s utility district may become a member of an electric cooperative,**

1 or of a limited liability company, for the purposes of planning, financing, constructing, ac-  
2 quiring, operating, owning or maintaining property used for the generation and associated  
3 transmission of electricity within or outside this state. A district may not become a stock-  
4 holder in, or lend the credit of the district to, an electric cooperative or a limited liability  
5 company. If a district becomes a member of an electric cooperative or of a limited liability  
6 company, the district may not exercise the power of eminent domain for the benefit of the  
7 electric cooperative or limited liability company.”.

8 On page 23, delete lines 17 through 20 and insert:

9 “(4) This section does not apply to a public contract executed in connection with:

10 “(a) The acquisition of renewable energy certificates;

11 “(b) The acquisition, construction, improvement or equipping of, or the financing of any interest  
12 in, a renewable energy facility; or

13 “(c) The acquisition or financing of any interest in electrical capacity needed to shape, firm or  
14 integrate electricity from a renewable energy facility.”.