

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 38

By COMMITTEE ON ENVIRONMENT AND WATER

June 1

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 26.

2 On page 2, delete lines 1 through 28 and insert:

3 **“SECTION 2. (1) In addition to any registration and reporting that may be required under**  
4 **ORS 468A.050, the Environmental Quality Commission by rule may require registration and**  
5 **reporting by:**

6 **“(a) Any person who imports, sells, allocates or distributes for use in this state elec-**  
7 **tricity, the generation of which emits greenhouse gases.**

8 **“(b) Any person who imports, sells or distributes for use in this state fossil fuel that**  
9 **generates greenhouse gases when combusted.**

10 **“(2) Rules adopted by the commission under this section for electricity that is imported,**  
11 **sold, allocated or distributed for use in this state may require reporting of information nec-**  
12 **essary to determine greenhouse gas emissions from generating facilities used to produce the**  
13 **electricity and related electricity transmission line losses.**

14 **“(3)(a) The commission shall allow consumer-owned utilities, as defined in ORS 757.270,**  
15 **to comply with reporting requirements imposed under this section by the submission of a**  
16 **report prepared by a third party. A report submitted under this paragraph may include in-**  
17 **formation for more than one consumer-owned utility, but must include all information re-**  
18 **quired by the commission for each individual utility.**

19 **“(b) For the purpose of determining greenhouse gas emissions related to electricity pur-**  
20 **chased from the Bonneville Power Administration by a consumer-owned utility, as defined**  
21 **in ORS 757.270, the commission may require only that the utility report:**

22 **“(A) The number of megawatt-hours of electricity purchased by the utility from the**  
23 **Bonneville Power Administration, segregated by the types of contracts entered into by the**  
24 **utility with the Bonneville Power Administration; and**

25 **“(B) The percentage of each fuel or energy type used to produce electricity purchased**  
26 **under each type of contract.**

27 **“(4)(a) Rules adopted by the commission pursuant to this section for electricity that is**  
28 **purchased, imported, sold, allocated or distributed for use in this state by an electric com-**  
29 **pany, as defined in ORS 757.600, must be limited to the reporting of:**

30 **“(A) Greenhouse gas emissions emitted from generating facilities owned or operated by**  
31 **the electric company;**

32 **“(B) Greenhouse gas emissions emitted from transmission equipment owned or operated**  
33 **by the electric company;**

34 **“(C) The number of megawatt-hours of electricity purchased by the electric company for**  
35 **use in this state, including information, if known, on:**

1       “(i) The seller of the electricity to the electric company; and  
2       “(ii) The original generating facility fuel type or types; and  
3       “(D) An estimate of the amount of greenhouse gas emissions, using default greenhouse  
4 gas emissions factors established by the commission by rule, attributable to:  
5       “(i) Electricity purchases made by a particular seller to the electric company;  
6       “(ii) Electricity purchases from an unknown origin or from a seller who is unable to  
7 identify the original generating facility fuel type or types;  
8       “(iii) Electricity purchases for which a renewable energy certificate under ORS 469A.130  
9 has been issued but subsequently transferred or sold to a person other than the electric  
10 company;  
11       “(iv) Electricity transmitted for others by the electric company; and  
12       “(v) Total energy losses from electricity transmission and distribution equipment owned  
13 or operated by the electric company.  
14       “(b) Pursuant to paragraph (a) of this subsection, a multijurisdictional electric company  
15 may rely upon a cost allocation methodology approved by the Public Utility Commission for  
16 reporting emissions allocated in this state.  
17       “(5) Rules adopted by the commission under this section for fossil fuel that is imported,  
18 sold or distributed for use in this state may require reporting of the type and quantity of the  
19 fuel and any additional information necessary to determine the carbon content of the fuel.  
20 For the purpose of determining greenhouse gas emissions related to liquefied petroleum gas,  
21 the commission shall allow reporting using publications or submission of data by the Amer-  
22 ican Petroleum Institute but may require reporting of such other information necessary to  
23 achieve the purposes of the rules adopted by the commission under this section.  
24       “(6) To an extent that is consistent with the purposes of the rules adopted by the com-  
25 mission under this section, the commission shall minimize the burden of the reporting re-  
26 quired under this section by:  
27       “(a) Allowing concurrent reporting of information that is also reported to another state  
28 agency;  
29       “(b) Allowing electronic reporting;  
30       “(c) Allowing use of good engineering practice calculations in reports, or of emission  
31 factors published by the United States Environmental Protection Agency;  
32       “(d) Establishing thresholds for the amount of specific greenhouse gases that may be  
33 emitted or generated without reporting;  
34       “(e) Requiring reporting by the fewest number of persons in a fuel distribution system  
35 that will allow the commission to acquire the information needed by the commission; or  
36       “(f) Other appropriate means and procedures determined by the commission.  
37       “(7) As used in this section, ‘greenhouse gas’ has the meaning given that term in ORS  
38 468A.210.  
39       “SECTION 3. The Department of Environmental Quality shall evaluate the funding  
40 mechanism for developing and implementing the greenhouse gas reporting program estab-  
41 lished under ORS 468A.050 and section 2 of this 2009 Act, including whether a schedule of fees  
42 should be established for persons required to report under section 2 of this 2009 Act. The  
43 department shall report to the Seventy-sixth Legislative Assembly, or to any special session  
44 of the Seventy-fifth Legislative Assembly, in the manner provided by ORS 192.245.”.

45       In line 29, delete “3” and insert “4”.

