

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass the A-Engrossed Measure  
**Vote:** 5 - 0 - 0  
**Yeas:** George, Schrader, Starr, Verger, Metsger  
**Nays:** -  
**Exc.:** -  
**Prepared By:** Jim Stembridge, Administrator  
**Meeting Dates:** 2/17

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**WHAT THE MEASURE DOES:** Allows pre-1995 non-utility-owned certified low-impact hydroelectric power facilities to qualify for compliance with Renewable Portfolio Standard (RPS). Authorizes that up to 40 average megawatts of electricity per year may be used to comply with the RPS without regard to number of certified facilities or generating capacity of those facilities. Repeals amendments to RPS if Act is declared unconstitutional.

**ISSUES DISCUSSED:**

- Small, green, non-utility-owned hydroelectric projects
- Certified facilities and environmental compatibility
- Economic aspects of older facilities compared with those of new construction

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The Renewable Portfolio Standard (RPS) requires that all utilities and electricity service suppliers serving Oregon must include, in their portfolios of power sold to retail customers, a percentage of electricity generated from qualifying renewable energy sources. The percentage of qualifying electricity that must be included varies over time, with all utilities and suppliers obligated to include some renewably-generated electricity in their portfolio by the year 2025. Renewably-generated electricity is tracked by Renewable Energy Certificates (RECs), which can be bought, sold, or banked.

The Low Impact Hydropower Institute (LIHI) is the primary hydropower facility national certification organization, although it has not been officially recognized by Oregon Department of Energy administrative rule, as provided in ORS 469A.020 (4). LIHI certifies hydropower facilities operated in accordance with objective scientific environmental standards in eleven areas: general eligibility, settlement agreements, river flows, water quality, reservoir levels, fish passage and protection, watershed protection, threatened and endangered species protection, energy efficiency, cultural resource protection, and recreation. The institute's website is <http://www.lowimpachydro.org/>.