

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended, Be Printed Engrossed, and Be Placed on the Consent Calendar

Vote: 8 - 0 - 0

Yeas: Bailey, Bentz, Boone, Krieger, Thompson, Witt, Cannon, Gilliam

Nays: 0

Exc.: 0

Prepared By: Liz Puskar, Administrator

Meeting Dates: 3/29, 3/31, 4/19

WHAT THE MEASURE DOES: Specifies that owner of qualifying facility is owner of renewable energy certificate created pursuant to system established under ORS 469A.130 for generation during term of contract where contract was executed pursuant to 16 U.S.C. 2601 *et. seq.* and was in effect prior to November 20, 2005. Applies only to qualifying facilities located in Oregon, certified as qualifying small power production facilities or qualifying cogeneration facilities under 16 U.S.C. 796, and producing electricity priced under ORS 758.525. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Market conditions in Oregon and California for renewable energy certificates
- Need for certainty regarding ownership of renewable energy certificates
- Incentives for power generation facilities to invest in renewable energy

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: 16 U.S.C. 2601 *et. seq.* is the codification of the Public Utility Regulatory Policies Act of 1978, a federal law relating to renewable energy. Under 469A.130, the Oregon Department of Energy is required to establish a system of renewable energy certificates that can be used by an electric utility or electricity service supplier to establish compliance with the state's Renewable Portfolio Standard. The Department codified this system in the Oregon Administrative Rules, Part 330, Division 150. These rules do not currently address ownership of renewable energy certificates for facilities built prior to 2005. House Bill A 3175 establishes ownership rules for those certificates.