

# House Bill 2274

Sponsored by Representative GILLIAM, Senator OLSEN, Representative BENTZ; Representatives BOONE, ESQUIVEL, HUFFMAN, MATTHEWS, OLSON, THOMPSON, WITT, Senators BOQUIST, JOHNSON (Presession 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**.

Modifies, for purpose of gathering information related to greenhouse gas emissions, information that Environmental Quality Commission may require to be reported.

## A BILL FOR AN ACT

1  
2 Relating to reporting of information related to greenhouse gas emissions; amending ORS 468A.280.

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

4 **SECTION 1.** ORS 468A.280 is amended to read:

5 468A.280. (1) **Except as provided in subsection (3) of this section, and** in addition to any  
6 registration and reporting that may be required under ORS 468A.050, the Environmental Quality  
7 Commission by rule may require registration and reporting by:

8 (a) Any person who imports, sells, allocates or distributes for use in this state electricity, the  
9 generation of which emits greenhouse gases.

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

12 (2) **Except as provided in subsection (3) of this section,** rules adopted by the commission  
13 under this section for electricity that is imported, sold, allocated or distributed for use in this state  
14 may require reporting of information necessary to determine greenhouse gas emissions from gener-  
15 ating facilities used to produce the electricity and related electricity transmission line losses.

16 (3) **Rules adopted by the commission under this section may not require the reporting**  
17 **of greenhouse gas emissions other than actual greenhouse gas emissions produced by a**  
18 **generating facility.**

19 [(3)(a)] (4)(a) The commission shall allow consumer-owned utilities, as defined in ORS 757.270,  
20 to comply with reporting requirements imposed under this section by the submission of a report  
21 prepared by a third party. A report submitted under this paragraph may include information for  
22 more than one consumer-owned utility, but must include all information required by the commission  
23 for each individual utility.

24 (b) For the purpose of determining greenhouse gas emissions related to electricity purchased  
25 from the Bonneville Power Administration by a consumer-owned utility, as defined in ORS 757.270,  
26 the commission may require only that the utility report:

27 (A) The number of megawatt-hours of electricity purchased by the utility from the Bonneville  
28 Power Administration, segregated by the types of contracts entered into by the utility with the  
29 Bonneville Power Administration; and

30 (B) The percentage of each fuel or energy type used to produce electricity purchased under each

**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 type of contract.

2 [(4)(a)] (5)(a) Rules adopted by the commission pursuant to this section for electricity that is  
 3 purchased, imported, sold, allocated or distributed for use in this state by an electric company, as  
 4 defined in ORS 757.600, must be limited to the reporting of:

5 (A) Greenhouse gas emissions emitted from generating facilities owned or operated by the elec-  
 6 tric company;

7 (B) Greenhouse gas emissions emitted from transmission equipment owned or operated by the  
 8 electric company;

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

11 (i) The seller of the electricity to the electric company; and

12 (ii) The original generating facility fuel type or types; and

13 (D) An estimate of the amount of greenhouse gas emissions, using default greenhouse gas emis-  
 14 sions factors established by the commission by rule, attributable to:

15 (i) Electricity purchases made by a particular seller to the electric company;

16 (ii) Electricity purchases from an unknown origin or from a seller who is unable to identify the  
 17 original generating facility fuel type or types;

18 [(iii) *Electricity purchases for which a renewable energy certificate under ORS 469A.130 has been*  
 19 *issued but subsequently transferred or sold to a person other than the electric company;*]

20 [(iv)] (iii) Electricity transmitted for others by the electric company; and

21 [(v)] (iv) Total energy losses from electricity transmission and distribution equipment owned or  
 22 operated by the electric company.

23 (b) Pursuant to paragraph (a) of this subsection, a multijurisdictional electric company may rely  
 24 upon a cost allocation methodology approved by the Public Utility Commission for reporting emis-  
 25 sions allocated in this state.

26 [(5)] (6) Rules adopted by the commission under this section for fossil fuel that is imported, sold  
 27 or distributed for use in this state may require reporting of the type and quantity of the fuel and  
 28 any additional information necessary to determine the carbon content of the fuel. For the purpose  
 29 of determining greenhouse gas emissions related to liquefied petroleum gas, the commission shall  
 30 allow reporting using publications or submission of data by the American Petroleum Institute but  
 31 may require reporting of such other information necessary to achieve the purposes of the rules  
 32 adopted by the commission under this section.

33 [(6)] (7) To an extent that is consistent with the purposes of the rules adopted by the commission  
 34 under this section, the commission shall minimize the burden of the reporting required under this  
 35 section by:

36 (a) Allowing concurrent reporting of information that is also reported to another state agency;

37 (b) Allowing electronic reporting;

38 (c) Allowing use of good engineering practice calculations in reports, or of emission factors  
 39 published by the United States Environmental Protection Agency;

40 (d) Establishing thresholds for the amount of specific greenhouse gases that may be emitted or  
 41 generated without reporting;

42 (e) Requiring reporting by the fewest number of persons in a fuel distribution system that will  
 43 allow the commission to acquire the information needed by the commission; or

44 (f) Other appropriate means and procedures determined by the commission.

45 [(7)] (8) As used in this section, “greenhouse gas” has the meaning given that term in ORS

1 468A.210.

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