

A-Engrossed
House Bill 4126

Ordered by the House February 10
Including House Amendments dated February 10

Sponsored by Representative SMITH (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.

Allows consumer-owned utilities to use certain amount of unbundled renewable energy certificates to meet renewable portfolio standard under certain circumstances.

Directs Public Utility Commission to conduct study on allowing electric companies to offer voluntary renewable energy tariffs to nonresidential customers. Specifies factors for commission to consider, including impact that such tariffs would have on other customers. Authorizes such tariffs upon commission determination to allow such tariffs. Specifies that all costs associated with tariff are borne by nonresidential customer receiving services under tariff.

A BILL FOR AN ACT

1
2 Relating to utilities.

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

4 **SECTION 1. Section 2 of this 2014 Act is added to and made a part of ORS 469A.005 to**
5 **469A.210.**

6 **SECTION 2. Unless the exemption provided by ORS 469A.055 (1) terminated for the**
7 **consumer-owned utility pursuant to ORS 469A.055 (5), a consumer-owned utility described in**
8 **ORS 469A.052 (2) that is subject to the large utility renewable portfolio standard described**
9 **in ORS 469A.052 (3) may use, notwithstanding ORS 469A.145 (1), unbundled renewable energy**
10 **certificates, including banked unbundled renewable energy certificates, to meet:**

11 **(1) Up to 100 percent of the standard described in ORS 469A.052 (3)(a); and**

12 **(2) Up to 75 percent of the standard described in ORS 469A.052 (3)(b) or (c).**

13 **SECTION 3. (1) As used in this section, "electric company" has the meaning given that**
14 **term in ORS 757.600.**

15 **(2) The Public Utility Commission shall conduct a study to consider the impact of allow-**
16 **ing electric companies to offer voluntary renewable energy tariffs to their nonresidential**
17 **customers. The study shall be subject to public comment in a manner determined by the**
18 **commission.**

19 **(3) The commission shall consider the results of the study described in subsection (2) of**
20 **this section in conjunction with the factors specified in this subsection to determine**
21 **whether, and under what conditions, it is reasonable and in the public interest to allow**
22 **electric companies to provide voluntary renewable energy tariffs to nonresidential custom-**
23 **ers. The factors the commission shall consider are:**

24 **(a) Whether allowing electric companies to provide voluntary renewable energy tariffs**
to nonresidential customers promotes the further development of significant renewable en-

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 **ergy resources;**

2 **(b) The effect of allowing electric companies to offer voluntary renewable energy tariffs**
3 **on the development of a competitive retail market;**

4 **(c) Any direct or indirect impact, including any potential cost-shifting, on other custom-**
5 **ers of any electric company offering a voluntary renewable energy tariff;**

6 **(d) Whether the voluntary renewable energy tariffs provided by electric companies to**
7 **nonresidential customers rely on electricity supplied through a competitive procurement**
8 **process; and**

9 **(e) Any other reasonable consideration related to allowing electric companies to offer**
10 **voluntary renewable energy tariffs to their nonresidential customers.**

11 **(4) If the commission determines under subsection (3) of this section to allow electric**
12 **companies to offer voluntary renewable energy tariffs to nonresidential customers, the**
13 **commission may authorize an electric company to file a schedule with the commission that**
14 **establishes the rates, terms and conditions of services offered under the voluntary renewable**
15 **energy tariff. All costs and benefits associated with a voluntary renewable energy tariff shall**
16 **be borne by the nonresidential customer receiving service under the voluntary renewable**
17 **energy tariff. Schedules shall be submitted and considered in accordance with ORS 757.205,**
18 **757.210, 757.212 and 757.215. The commission also shall consider the factors specified in sub-**
19 **section (3) of this section when determining whether to approve a schedule.**

20 **(5) ORS 757.646 (1) and rules adopted under ORS 757.646 (1) and 757.659 (7) pursuant to**
21 **ORS 757.646 (1) do not bar the commission from approving a schedule for a voluntary**
22 **renewable energy tariff that is consistent with this section and commission findings.**

23 **(6) Any qualifying electricity, as defined in ORS 469A.005, procured by an electric com-**
24 **pany to provide electricity pursuant to a voluntary renewable energy tariff described in this**
25 **section may not be used by the electric company to comply with the requirements of the**
26 **renewable portfolio standard described under ORS 469A.052 or 469A.055.**

27