

HB 2941-3
(LC 2841)
4/2/15 (MBM/ps)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2941**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating
2 new provisions; amending ORS 757.603;”.

3 Delete lines 4 through 27 and delete pages 2 through 5 and insert:

4 **“SECTION 1.** ORS 757.603 is amended to read:

5 “757.603. (1)(a) Except as provided in this subsection, [*on and after March*
6 *1, 2002,*] an electric company shall provide all retail electricity consumers
7 that are connected to the electric company’s distribution system with a reg-
8 ulated, cost-of-service rate option.

9 “(b) The Public Utility Commission by order may waive the requirement
10 of paragraph (a) of this subsection for any retail electricity consumer other
11 than residential electricity consumers and small commercial electricity con-
12 sumers. [*A waiver under this paragraph may not take effect before July 1,*
13 *2003.*] Before ordering a waiver under this paragraph, the commission shall
14 conduct such studies as the commission deems necessary and provide notice
15 and opportunity for public comment and hearings. The commission may order
16 a waiver under this paragraph if the commission finds, based on an
17 evidentiary record developed through public comment and hearings, that a
18 market exists in which retail electricity consumers subject to the waiver are
19 able to:

20 “(A) Purchase supplies of electricity adequate to meet the needs of the
21 retail electricity consumers;

22 “(B) Obtain multiple offers for electricity supplies within a reasonable

1 period of time;

2 “(C) Obtain reliable supplies of electricity; and

3 “(D) Purchase electricity at prices that are not unduly volatile and that
4 are just and reasonable.

5 “(2) [*Not later than March 1, 2002,*] Each electric company shall provide
6 each residential electricity consumer that is connected to its distribution
7 system a portfolio of rate options. The portfolio shall include at least the
8 following options:

9 “(a) A rate that reflects significant new renewable energy resources;
10 [*and*]

11 “(b) A market-based rate[.]; and

12 “(c) **If the commission finds, through public comment and hearing**
13 **or through market research conducted by the electric company, that**
14 **demand is sufficient to justify the rate, a rate option for electricity**
15 **associated with a specific renewable energy resource, including solar**
16 **photovoltaic energy.**

17 “(3)(a) The commission shall regulate the cost-of-service rate option under
18 subsection (1) of this section and the portfolio of rate options under sub-
19 subsection (2) of this section. The commission shall reasonably ensure that the
20 costs and risks of serving each option are reflected in the rates for each
21 option.

22 “(b) The commission may prohibit or otherwise limit the use of a cost-of-
23 service rate by retail electricity consumers who have been served through
24 direct access, and may limit switching among portfolio options and the
25 cost-of-service rate by residential electricity consumers.

26 “**SECTION 2. (1) The Public Utility Commission shall evaluate pro-**
27 **grams identified by the commission that incentivize the development**
28 **and use of solar photovoltaic energy systems and shall submit a report**
29 **to the Legislative Assembly, that:**

30 “(a) **Recommends the most effective, efficient and equitable ap-**

1 proach to incentivizing the development and use of solar photovoltaic
2 energy systems in this state; and

3 “(b) For each program, makes a recommendation on whether the
4 program should be discontinued, modified or extended or should re-
5 main unchanged.

6 “(2) In developing recommendations under subsection (1) of this
7 section, the commission shall consider:

8 “(a) The resource value of solar energy;

9 “(b) How to minimize confusion and transaction costs for persons
10 who participate in programs that incentivize the development and use
11 of solar photovoltaic energy systems;

12 “(c) The costs borne by persons who do not participate in programs
13 that incentivize the development and use of solar photovoltaic energy
14 systems;

15 “(d) The commission’s study of the effectiveness of programs that
16 incentivize the development and use of solar photovoltaic energy sys-
17 tems prepared pursuant to section 4, chapter 244, Oregon Laws 2013;
18 and

19 “(e) Any other factors deemed relevant by the commission.

20 “(3) The commission shall consult with the State Department of
21 Energy in conducting the study and making the report required by
22 subsection (1) of this section.

23 “(4) The commission shall submit the report required by subsection
24 (1) of this section, including any recommendations for legislation, to
25 the interim committees of the Legislative Assembly related to energy
26 on or before September 15, 2016.

27 “SECTION 3. This 2015 Act being necessary for the immediate
28 preservation of the public peace, health and safety, an emergency is
29 declared to exist, and this 2015 Act takes effect on its passage.”.

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