

Requested by Representative HOLVEY

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4036**

1 On page 2 of the printed bill, after line 22, insert:

2 **“SECTION 1a. (1) As used in this section, ‘coal-fired resource’ has**  
3 **the meaning given that term in section 1 of this 2016 Act.**

4 **“(2) The Public Utility Commission may exclude from rates all or**  
5 **any portion of the costs related to:**

6 **“(a) An electric company’s investing in a coal-fired resource; or**

7 **“(b) Complying with any state or federal environmental regulation**  
8 **associated with a coal-fired resource owned or operated by an electric**  
9 **company.”.**

10 On page 9, delete line 45.

11 On page 10, delete lines 1 through 7 and insert:

12 **“SECTION 11.** The Public Utility Commission upon its own motion or  
13 at the request of an electric company may open an investigation to determine  
14 whether to grant an electric company a temporary exemption from complying  
15 with one or more of the requirements of ORS 469A.052. The commission may  
16 grant a temporary exemption under this section if the commission determines  
17 that compliance with one or more of the requirements of ORS 469A.052 is  
18 likely to result in compromises to the electric company’s electrical system  
19 or in conflicts with or compromises to the electric company’s obligation to  
20 comply with the mandatory and enforceable reliability standards of the  
21 North American Electric Reliability Corporation. A request for a temporary

1 exemption submitted under this section must include:”.

2 In line 11, delete “applying” and insert “requesting”.

3 In line 13, after “in” insert “compromises to the electric company’s elec-  
4 trical system or in”.

5 In line 17, after “in” insert “compromises to the electric company’s elec-  
6 trical system or in”.

7 Delete lines 33 through 40 and insert:

8

9 **“(Investigation)**

10

11 **“SECTION 12. Upon its own motion or at the request of an electric**  
12 **company, the Public Utility Commission may open an investigation for**  
13 **the purpose of determining how to mitigate any adverse impacts re-**  
14 **lated to the requirements of ORS 469A.052 (1)(e), (f), (g) or (h) or other**  
15 **requirements under ORS 469A.005 to 469A.210 related to the supply of**  
16 **electricity. An investigation opened under this section may focus on**  
17 **any of the following:**

18 **“(1) Rate impact;**

19 **“(2) Greenhouse gas emissions;**

20 **“(3) The reliability and operation of an electric company’s electrical**  
21 **system;**

22 **“(4) The allocation of risk between an electric company and the**  
23 **customers of the electric company; or**

24 **“(5) The procurement of resources.”.**

25 On page 11, delete lines 1 and 2 and insert:

26 **“SECTION 13. Section 14 of this 2016 Act is added to and made a**  
27 **part of ORS chapter 757.”.**

28 Delete lines 22 through 24 and insert:

29 **“(4) In determining the stranded costs obligation, the commission may**  
30 **make its determination in accordance with the Federal Energy Regulatory**

1 Commission’s current methodology for determining stranded costs under the  
2 same or similar circumstances.”.

3 Delete lines 27 through 45.

4 On page 12, delete lines 1 through 10 and insert:

5 “**NOTE:** Sections 15 and 16 were deleted by amendment. Subsequent  
6 sections were not renumbered.”.

7 On page 13, line 25, after “electrification” delete the rest of the line.

8 In line 26, delete “subsection (2) of this section.”.

9 In line 28, delete “that are:” and insert “. In determining cost recovery  
10 under this section, the commission shall consider whether the investment or  
11 expenditures are:”.

12 After line 30, insert:

13 “(c) Prudent, as determined by the commission;”.

14 In line 31, delete “(c) Reasonably expected to be” and insert “(d)”.

15 In line 32, delete “(d) Reasonably expected to enable” and insert “(e) Ca-  
16 pable of enabling”.

17 In line 33, delete “and”.

18 In line 34, delete “(e) Reasonably expected to improve” and insert “(f)  
19 Capable of improving”.

20 In line 36, delete the period and insert “; and”.

21 After line 36, insert:

22 “(g) In accordance with any other consideration approved by the com-  
23 mission.”.

24 In line 44, after “depreciated,” insert “the commission may allow”.

25 In line 45, delete “may” and insert “to”.

26 On page 17, delete lines 3 through 5.

27 In line 6, delete “26” and insert “25”.

28 In line 7, delete “September” and insert “December”.

29 In line 8, delete “30” and insert “31”.

30 In line 9, delete “27” and insert “26”.

1 In line 12, delete “28” and insert “27”.

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