

Senate Bill 427

Sponsored by Senator FERRIOLI (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**.

Amends certain provisions setting forth renewable portfolio standard requirements and acquisition processes to reinstitute requirements and processes in effect on March 7, 2016.

Repeals provisions directing certain electric companies to eliminate coal-fired resources from electric companies' allocation of electricity on or before January 1, 2030.

Repeals provisions setting forth programs for transportation electrification and procurement of energy from community solar projects.

A BILL FOR AN ACT

1
2 Relating to elimination of requirements for which a public utility that supplies electricity may re-
3 quest from the Public Utility Commission an increase in rates; amending ORS 469A.052 and
4 section 27, chapter 28, Oregon Laws 2016; and repealing sections 1, 2, 20, 21, 22, 28, 29 and 30,
5 chapter 28, Oregon Laws 2016.

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

6 **SECTION 1.** ORS 469A.052, as amended by section 5, chapter 28, Oregon Laws 2016, is amended
7 to read:
8

9 469A.052. (1) The large utility renewable portfolio standard imposes the following requirements
10 on an electric utility that makes sales of electricity to retail electricity consumers in an amount that
11 equals three percent or more of all electricity sold to retail electricity consumers:

12 (a) At least five percent of the electricity sold by the electric utility to retail electricity con-
13 sumers in each of the calendar years 2011, 2012, 2013 and 2014 must be qualifying electricity;

14 (b) At least 15 percent of the electricity sold by the electric utility to retail electricity con-
15 sumers in each of the calendar years 2015, 2016, 2017, 2018 and 2019 must be qualifying electricity;

16 (c) At least 20 percent of the electricity sold by the electric utility to retail electricity con-
17 sumers in each of the calendar years 2020, 2021, 2022, 2023 and 2024 must be qualifying electricity;

18 **and**

19 *[(d) At least 25 percent of the electricity sold by a consumer-owned utility to retail electricity con-*
20 *sumers in the calendar year 2025 and subsequent calendar years must be qualifying electricity;]*

21 *[(e) At least 27 percent of the electricity sold by an electric company to retail electricity consumers*
22 *in each of the calendar years 2025, 2026, 2027, 2028 and 2029 must be qualifying electricity;]*

23 *[(f) At least 35 percent of the electricity sold by an electric company to retail electricity consumers*
24 *in each of the calendar years 2030, 2031, 2032, 2033 and 2034 must be qualifying electricity;]*

25 *[(g) At least 45 percent of the electricity sold by an electric company to retail electricity consumers*
26 *in each of the calendar years 2035, 2036, 2037, 2038 and 2039 must be qualifying electricity; and]*

27 *[(h) At least 50 percent of the electricity sold by an electric company to retail electricity consumers*
28 *in the calendar year 2040 and subsequent calendar years must be qualifying electricity.]*

29 **(d) At least 25 percent of the electricity sold by the electric utility to retail electricity**

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 **consumers in calendar year 2025 and subsequent calendar years must be qualifying electric-**
 2 **ity.**

3 (2) If, on June 6, 2007, an electric utility makes sales of electricity to retail electricity consum-
 4 ers in an amount that equals less than three percent of all electricity sold to retail electricity con-
 5 sumers, but in any three consecutive calendar years thereafter makes sales of electricity to retail
 6 electricity consumers in amounts that average three percent or more of all electricity sold to retail
 7 electricity consumers, the electric utility is subject to the renewable portfolio standard described in
 8 subsection (3) of this section. The electric utility becomes subject to the renewable portfolio stand-
 9 ard described in subsection (3) of this section in the calendar year following the three-year period
 10 during which the electric utility makes sales of electricity to retail electricity consumers in amounts
 11 that average three percent or more of all electricity sold to retail electricity consumers.

12 (3) An electric utility described in subsection (2) of this section must comply with the following
 13 renewable portfolio standard:

14 (a) Beginning in the fourth calendar year after the calendar year in which the electric utility
 15 becomes subject to the renewable portfolio standard described in this subsection, at least five per-
 16 cent of the electricity sold by the electric utility to retail electricity consumers in a calendar year
 17 must be qualifying electricity;

18 (b) Beginning in the 10th calendar year after the calendar year in which the electric utility be-
 19 comes subject to the renewable portfolio standard described in this subsection, at least 15 percent
 20 of the electricity sold by the electric utility to retail electricity consumers in a calendar year must
 21 be qualifying electricity;

22 (c) Beginning in the 15th calendar year after the calendar year in which the electric utility be-
 23 comes subject to the renewable portfolio standard described in this subsection, at least 20 percent
 24 of the electricity sold by the electric utility to retail electricity consumers in a calendar year must
 25 be qualifying electricity; and

26 (d) Beginning in the 20th calendar year after the calendar year in which the electric utility be-
 27 comes subject to the renewable portfolio standard described in this subsection, at least 25 percent
 28 of the electricity sold by the electric utility to retail electricity consumers in a calendar year must
 29 be qualifying electricity.

30 **SECTION 2.** Section 27, chapter 28, Oregon Laws 2016, is amended to read:

31 **Sec. 27.** [(1) On or after January 1, 2020, but no later than December 31, 2021, the Public Utility
 32 Commission shall investigate the impacts of the amendments to ORS 469A.052 by section 5 of this 2016
 33 Act on:]

34 [(a) Rates;]

35 [(b) Greenhouse gas emissions;]

36 [(c) Electrical system reliability and operations;]

37 [(d) The allocation of risk between customers of electric companies and electric companies;]

38 [(e) The eligibility and timing of cost recovery for the generation of qualifying electricity; and]

39 [(f) The resource procurement process.]

40 [(2)] (1) [In addition to the investigation described in subsection (1) of this section,] On or after
 41 January 1, 2020, but no later than December 31, 2021, the Public Utility Commission shall investi-
 42 gate the forecasting of projected state and federal production tax credits as described in section 18b
 43 [of this 2016 Act], **chapter 28, Oregon Laws 2016**, and allowing those costs to be included in rates
 44 through any variable power cost forecasting process established by the commission.

45 [(3)] (2) On or after January 1, 2020, but no later than December 31, 2021, the commission shall

1 report the findings of the [*investigations*] **investigation** conducted under this section to the interim
2 committees of the Legislative Assembly related to business and energy. As part of the report, the
3 commission may make recommendations for legislation. The commission shall submit the report in
4 the manner required by ORS 192.245.

5 **SECTION 3. Sections 1, 2, 20, 21, 22, 28, 29 and 30, chapter 28, Oregon Laws 2016, are**
6 **repealed.**

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