

Requested by Representative SMITH DB

**PROPOSED AMENDMENTS TO
HOUSE BILL 2021**

1 In line 2 of the printed bill, after the semicolon delete the rest of the line
2 and insert “creating new provisions; and amending ORS 469A.210.”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. ORS 469A.210 is added to and made a part of ORS**
5 **chapter 757.**

6 **“SECTION 2. ORS 469A.210 is amended to read:**

7 **“469A.210. (1) As used in this section:**

8 **“(a) ‘Electric company’ has the meaning given that term in ORS**
9 **757.600.**

10 **“(b) ‘Retail electricity consumer’ has the meaning given that term**
11 **in ORS 757.600.**

12 **“[(1)] (2) The Legislative Assembly finds that community-based renewable**
13 **energy projects, including but not limited to marine renewable energy re-**
14 **sources that are either developed in accordance with the Territorial Sea Plan**
15 **adopted pursuant to ORS 196.471 or located on structures adjacent to the**
16 **coastal shorelands, are an essential element of this state’s energy future.**

17 **“[(2) For purposes related to the findings in subsection (1) of this section,**
18 **by the year 2025, at least eight percent of the aggregate electrical capacity of**
19 **all electric companies that make sales of electricity to 25,000 or more retail**
20 **electricity consumers in this state must be composed of electricity generated by**
21 **one or both of the following sources:]**

1 **“(3)(a) For purposes related to the findings in subsection (2) of this**
2 **section, by the following years the following percentages of electricity**
3 **sold in this state by each electric company that makes sales of elec-**
4 **tricity to 25,000 or more retail electricity consumers in this state must**
5 **be composed of electricity generated by one or more of the sources**
6 **described in paragraph (b) of this subsection:**

7 **“(A) By 2030, five percent; and**

8 **“(B) by 2035, 10 percent.**

9 **“(b) An electric company may comply with paragraph (a) of this**
10 **subsection through sales of electricity composed of electricity gener-**
11 **ated by:**

12 **“[(a)] (A) Small-scale renewable energy projects with a generating ca-**
13 **capacity of 20 megawatts or less, or that are interconnected with a trans-**
14 **mission or distribution system at a voltage of 115 kilovolts or less, and**
15 **that generate electricity utilizing a type of energy described in ORS**
16 **469A.025; [or]**

17 **“[(b)] (B) Facilities that generate electricity using biomass that also**
18 **generate thermal energy for a secondary purpose[.]; or**

19 **“(C) Small power production facilities as defined in ORS 758.505 that**
20 **generate electricity utilizing a type of energy listed in ORS 469A.025**
21 **and that:**

22 **“(i) Are located, with the consent of the relevant tribal government**
23 **as defined in ORS 181A.680, within the boundaries of an Indian reser-**
24 **vation or land held in trust by the United States for the benefit of a**
25 **federally recognized Oregon Indian tribe; or**

26 **“(ii) Have executed a community benefits agreement with a local**
27 **government as defined in ORS 174.116, a school district as defined in**
28 **ORS 332.002, a local environmental or habitat conservation organiza-**
29 **tion or another entity that exists for the public benefit as identified**
30 **by rule by the Public Utility Commission.**

1 **“(4)(a) Out of the facilities described in subsection (3) of this section**
2 **that generate electricity used to meet the requirements of subsection**
3 **(3) of this section, at least 25 percent must be:**

4 **“(A) Located in the electric company’s service territory;**

5 **“(B) Directly interconnected with the transmission system owned**
6 **or managed by the electric company; or**

7 **“(C) If not directly interconnected with the transmission system**
8 **owned or managed by the electric company, designated as a network**
9 **resource.**

10 **“(b) An electric company must cooperate with the efforts of a fa-**
11 **cility described in subsection (3) of this section to be designated as a**
12 **network resource.**

13 **“[(3)] (5) Regardless of the facility’s nameplate capacity, any single facil-**
14 **ity described in subsection [(2)(b)] (3)(b)(B) of this section may be used to**
15 **comply with the requirement specified in subsection [(2)] (3) of this section**
16 **for up to 20 megawatts of capacity.**

17 **“SECTION 3. (1) The Public Utility Commission may not cause to**
18 **delay, due to the pendency of any rulemaking or other proceeding**
19 **necessary to implement one or more provisions of ORS 469A.210, any**
20 **procurement or request for proposals that will result in the procure-**
21 **ment by an electric company of electricity generated from a facility**
22 **described in ORS 469A.210 (3)(b)(A), (B) or (C)(i).**

23 **“(2) The amendments to ORS 469A.210 by section 2 of this 2021 Act**
24 **are not intended to modify, delay or alter the timeline for any pro-**
25 **urement or request for proposals initiated on, before or after the ef-**
26 **fective date of this 2021 Act for which rulemaking is not necessary to**
27 **determine whether the procurement or request for proposals will**
28 **count toward compliance by an electric company with ORS 469A.210.”.**

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