

HB 4015 -1 STAFF MEASURE SUMMARY
Senate Committee On Energy and Environment

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Meeting Dates: 2/22, 2/27

WHAT THE MEASURE DOES:

The measure defines a battery energy storage system (BESS); exempts a BESS when sited in conjunction with another energy facility from obtaining a separate site certificate; and permits a BESS developer, or local government, to defer regulatory authority to the Energy Facility Siting Council to obtain site certificate for a BESS.

Detailed summary:

Defines “Battery energy storage system” (BESS) as an energy storage system that, other than for personal, noncommercial use: (a) collects energy from the electric grid or an energy generation facility; (b) uses rechargeable batteries to retain and store the energy for a period of time; and (c) discharges the energy after storage to provide electricity when needed. Expands exemption from obtaining a site certificate from the Energy Facility Siting Council for battery energy storage systems that are related or supporting facilities addressed in a site certificate for another energy facility. Permits a BESS developer, or a local government in consultation with developer, to defer regulatory authority to the Energy Facility Siting Council to obtain a site certificate for a BESS. Takes effect on the 91st day following adjournment sine die.

- Fiscal Impact: Has Minimal Fiscal Impact
- Revenue Impact: No Revenue Impact

House Vote: Ayes, 44; Nays, 13

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Makes decision to defer regulatory authority to the Energy Facility Siting Council exclusive to the local government, after consultation with the developer rather than allowing a developer to elect to defer to EFSC.

BACKGROUND:

Battery energy storage systems (BESS) are composed of individual battery cells that are housed together in a module and enclosed in a structure such as a shipping container or a building. Utility- or large-scale BESSs store energy from sources such as wind and solar and provide backup power when those intermittent sources are not available. Stored power can also be strategically deployed from BESSs when generating capacity from renewable energy is limited or the cost to generate it is high. BESSs can be located at power generation sources, along transmission lines, or closer to where electricity is distributed.

The Wheatridge Renewable Energy Facility East, located in Umatilla and Morrow Counties, is an approved 200-megawatt wind energy generation facility that includes a proposed 30 MW BESS. The project is one of several in Oregon that is under review by the Oregon Energy Facility Siting Council (EFSC).

Large energy facilities developers in Oregon must apply for a site certificate from EFSC before they can begin construction. The certificate or amended certificate authorizes the applicant to construct, operate, and retire the facility subject to the conditions set forth in the site certificate or amended site certificate. Site certificates or amended site certificates last for the duration of the life of the facility. Currently, a separate site certificate is not required for transmission lines, storage facilities, pipelines, or similar related or supporting facilities, if such related or supporting facilities are addressed in and are subject to a site certificate for another energy facility (ORS

This summary has not been adopted or officially endorsed by action of the committee.

469.320). BESS are not addressed explicitly in the statute. A BESS workgroup met in 2023 to discuss site certificate issues and draft potential bill language that provides energy project developers options for siting BESSs.

PRELIMINARY