

STAFF MEASURE SUMMARY

House Committee On Energy and Environment

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 06/02/15

**Action:** Do Pass.

**Meeting Dates:** 05/05, 06/02

**Vote:**

Yeas: 9 - Bentz, Boone, Heard, Helm, Holvey, Johnson, Reardon, Vega Pederson, Weidner

**Prepared By:** Beth Patrino, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires Energy Facility Siting Council (EFSC) to evaluate notice of intent or request for expedited review of site certificate application. Authorizes EFSC to compensate state agency or local government incurring expenses directly related to evaluation activities for consultation initiated by applicant for notice of intent or request for expedited review prior to submittal of notice or request; limits such expenses to those established in estimate and agreed to by applicant and excludes legal expenses of agency or local government incurred as result of participation in contested case. Authorizes EFSC to compensate tribe identified by Commission on Indian Services for expenses directly related to certain evaluation activities related to site certificates. Requires person submitting notice of intent to file for site certificate, request for exemption, or request for expedited review, to pay fee in advance. Authorizes EFSC to periodically review documents, reports or other materials to ensure compliance with terms and conditions of site certificate, or request another agency or local government to do so and compensate them for same.

**ISSUES DISCUSSED:**

- Current EFSC permitting process
- Role of cost estimates; applicant may challenge expenses
- Disclosure of information prior to submitting notice of intent

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Energy Facility Siting Council (EFSC) is a seven member board appointed by the Governor to review applications for site certificates for all state-jurisdiction energy facilities. The Department of Energy administers the EFSC process, which consolidates state and local government regulations into a single review process. State agencies and local governments participate in the site certificate process as reviewing agencies. Applicants submit a notice of intent prior to applying for a site certificate. Oregon law currently allows compensation for reviewing agencies for expenses related to review of a notice of intent and site certificate application (ORS 469.360).

Senate Bill 259A would authorize EFSC to compensate a state agency or local government for expenses directly related to its consultation, initiated by an applicant's notice of intent or request for an expedited review prior to the submission of a notice or request. The measure also authorizes EFSC to compensate a tribe similarly, for expenses directly related to its review of a notice of intent, site certificate application, or request for expedited review.