

# D R A F T

## SUMMARY

Establishes eligibility for renewable energy certificates for facilities that generate electricity from direct combustion of municipal solid waste and became operational before January 1, 1995, if such facilities register with Western Renewable Energy Generation Information System at any time. Limits eligibility to certain amount of electricity generated, per calendar year, from the combustion of biogenic material.

## A BILL FOR AN ACT

1  
2 Relating to direct combustion of municipal solid waste; amending ORS  
3 469A.020 and 469A.031.

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

5 **SECTION 1.** ORS 469A.020 is amended to read:

6 469A.020. (1) Except as provided in this section, electricity may be used  
7 to comply with a renewable portfolio standard only if the electricity is gen-  
8 erated by a facility that becomes operational on or after January 1, 1995.

9 (2) Electricity from a generating facility, other than a hydroelectric fa-  
10 cility, that became operational before January 1, 1995, may be used to comply  
11 with a renewable portfolio standard if the electricity is attributable to ca-  
12 pacity or efficiency upgrades made on or after January 1, 1995.

13 (3) Electricity from a hydroelectric facility that became operational before  
14 January 1, 1995, may be used to comply with a renewable portfolio standard  
15 if the electricity is attributable to efficiency upgrades made on or after  
16 January 1, 1995. If an efficiency upgrade is made to a Bonneville Power Ad-  
17 ministration facility, only that portion of the electricity generation attrib-  
18 utable to Oregon's share of the electricity may be used to comply with a

1 renewable portfolio standard.

2 (4) Subject to the limit imposed by ORS 469A.025 (5), electricity from a  
3 hydroelectric facility that became operational before January 1, 1995, may  
4 be used to comply with a renewable portfolio standard if the facility is cer-  
5 tified as a low-impact hydroelectric facility on or after January 1, 1995, by  
6 a national certification organization recognized by the State Department of  
7 Energy by rule, and if the facility is either:

8 (a) Owned by an electric utility; or

9 (b) Not owned by an electric utility and located in Oregon and licensed  
10 by the Federal Energy Regulatory Commission under the Federal Power Act,  
11 16 U.S.C. 791a et seq., or exempt from such license.

12 (5) Electricity from a generating facility located in this state that uses  
13 biomass and that became operational before January 1, 1995, may be used to  
14 comply with a renewable portfolio standard if the facility meets the re-  
15 quirements of the federal Public Utility Regulatory Policies Act of 1978 (P.L.  
16 95-617) on March 4, 2010.

17 (6) **Electricity from a generating** facility located in this state that  
18 generates electricity from direct combustion of municipal solid waste and  
19 that became operational before January 1, 1995, may be used to comply with  
20 a renewable portfolio standard for up to [*11 average megawatts of electricity*  
21 *generated per calendar year*] **a quantity of electricity per calendar year**  
22 **that is equal to the product of the total electricity generated by the**  
23 **facility in the calendar year, not to exceed 96,360 megawatt-hours,**  
24 **multiplied by the percentage of municipal solid waste directly com-**  
25 **busted at the facility in the calendar year that is biogenic material.**

26 **SECTION 2.** ORS 469A.031 is amended to read:

27 469A.031. Notwithstanding ORS 469A.029, a facility described in **either**  
28 ORS 469A.020 (5) **or (6)** is eligible for renewable energy certificates if the  
29 owner or operator of the generating facility registered the generating facility  
30 with the Western Renewable Energy Generation Information System on or  
31 after January 1, 2011.

