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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 330  
DEPARTMENT OF ENERGY

**FILED**

11/02/2023 2:05 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Oregon Solar + Storage Rebate Program Amendments

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/22/2023 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:  
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Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 12/18/2023

TIME: 3:00 PM

OFFICER: Agency Staff

REMOTE MEETING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-408-418-9388

CONFERENCE ID: 23393613069

SPECIAL INSTRUCTIONS:

Webinar password:

solar (76527 from phones and video systems)

NEED FOR THE RULE(S)

HB 3409 amended the definition of a paired solar and storage system to allow greater flexibility for solar contractors participating in the Oregon Solar + Storage Rebate Program while supply chain issues related to energy storage components are ongoing. This rule amendment is needed to align the rule definition with this legislative change. Additional changes are needed based on a review of the program by the Department and feedback from industry and other stakeholders. These changes are needed to update and remove some of the barriers to projects getting completed and to update rebate rates due to changes to other available incentives.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

HB 3409 (2023) <https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB3409>

Virtual meeting recordings and presentations. <https://www.oregon.gov/energy/Get-Involved/Pages/Solar-Rebate-Program-Rulemaking.aspx#2023>

## STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The proposed rule amendments are expected to have an overall positive effect on racial equity in Oregon, however the precise level of this effect cannot be known since the uptake of the program is voluntary. An important goal of the solar plus storage rebate program is to expand access to renewable energy to low- or moderate-income Oregonians and low-income service providers. The program requires at least 25 percent of funds to go to low- or moderate-income customers and low-income service providers.

The Oregon Department of Energy (ODOE) is attempting to enable more low- or moderate-income individuals to access and benefit from the program by increasing the number of reservations a contractor can have at a time for systems for low- or moderate-income residential customers or low-income service providers, and by increasing the length of time a low-income service provider reservation can be extended by. These changes should allow for an increase in the number of projects a contractor can carry out at any one time and account for any supply chain or workforce delays associated with projects for low-income service providers. These changes are expected to have a positive impact on racial equity, however the level of this impact cannot be known since uptake of the program is voluntary and the program is constrained by existing demographics and home ownership structures.

ODOE does not have demographic data for those people who are not eligible for a utility incentive and not low- or moderate-income and so cannot accurately predict the impact to racial equity of a reduction in the residential rebate for customers not eligible for a utility incentive and not low- or moderate-income.

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### FISCAL AND ECONOMIC IMPACT:

The reduction in the residential rebate rate for people who are not eligible for a utility incentive and not low- or moderate-income is expected to have a mixed economic impact. The households that meet those criteria that are installing a solar electric system on their residence will be eligible for a smaller rebate and so negatively impacted, but more households overall are expected to be able to benefit which will result in a positive impact.

Other amendments to the rules are expected to have a positive impact on contractors eligible for the program, as they allow for payment of a rebate for paired solar and storage to be split resulting in the potential for a reduction in the time that a contractor is waiting for reimbursement of costs. The amendments would also allow more low- or moderate-income and low-income service provider projects to be undertaken by a contractor.

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### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) The Oregon Department of Energy is expected to be impacted by the amendments to the rule and incur costs in order to adjust the software system contractors apply to the program through.

Members of the public who are not eligible for a utility incentive for the installation of solar and who do not qualify as low- or moderate-income according to the rules are expected to be economically affected by the rules, as described in the fiscal and economic impact section.

Solar contractors may be impacted if they opt to request payment of a rebate for a paired solar and storage system to be split, as described in the (2).

(2)(a) There are 72 approved contractors that are subject to the rule, and more may be impacted if they become approved contractors.

(b) If a contractor requests to receive payment of a rebate for a paired solar and storage system in two parts, they will be required to submit a request for both the solar electric system and the storage system, this could add administrative cost. This is not a requirement and they can request payment of the rebate for both the solar and storage system at the same time, which would result in no change to their administrative costs.

(c) The increased administrative cost associated with requesting payment of a rebate for a paired solar and storage system in two parts is unknown as it may differ from contractor to contractor. The increased cost is associated with needing to submit information and documentation at two separate times rather than just once. This is optional and a contractor may submit a request for payment of a rebate as they currently do, which would result in no change to their administrative costs.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Solar and storage contractors were engaged directly during the public meetings and via the Oregon Solar and Storage Industries Association.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Two public information meetings were conducted, the ability to submit written comments was made available, and outreach to key stakeholders was carried out. A rules advisory committee was not considered necessary following this public engagement.

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HOUSING IMPACT STATEMENT:

As required under ORS 183.530 and 183.534, the Department has considered the potential impact of these rules and believes these rules will cause no impact to the following costs for developing a typical 1,200 square foot detached single family dwelling on a 6,000 square foot parcel of land: (1) materials and labor costs (2) administrative construction or other costs (3) land costs, or (4) other costs.

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RULES PROPOSED:

330-240-0010, 330-240-0030, 330-240-0100, 330-240-0120, 330-240-0130, 330-240-0140, 330-240-0150

AMEND: 330-240-0010

RULE SUMMARY: The amendment edits the definition of paired solar and storage system to match updated statutory language.

CHANGES TO RULE:

330-240-0010

Definitions for Division 240

(1) "Completion date" means the date as of which a solar electric system or paired solar and storage system has passed its final inspection by the authority having jurisdiction.¶¶

(2) "Contractor" has the definition given in Oregon Laws 2019 Chapter 655 Section 1(1) and means a person whose trade or business consists of offering for sale solar electric systems or paired solar and storage systems or of providing construction, installation, or design services for solar electric systems or paired solar and storage systems.¶¶

(3) "DC" means direct current electricity.¶¶

(4) "Department" means the Oregon Department of Energy.¶¶

(5) "Director" means the director of the Oregon Department of Energy.¶¶

(6) "Eligible project cost" means the costs allowed for determining the rebate, including solar photovoltaic modules, mounting structure and hardware, associated electrical equipment, energy storage system equipment, and labor costs.¶¶

(7) "Energy storage system" has the definition given in Oregon Laws 2019 Chapter 655 Section 1(3) and means commercially available technology that is capable of retaining energy, storing the energy for a period of time, and transmitting the energy after storage.¶¶

(8) "Household" means all individuals who reside in the place of residence, including all family members and roommates who are not related and not part of a separate lease agreement.¶¶

(9) "Ineligible project cost" means the costs not allowed for determining the rebate, including, but not limited to, financing charges, maintenance costs, service contracts, extended warranties, reroofing, or costs for auxiliary distribution systems such as electric vehicle charging stations.¶¶

(10) "Low- or moderate-income residential customer" means a residential electrical utility customer whose household income is less than or equal to 100 percent of state median income adjusted for household size.¶¶

(11) "Net cost" has the definition given in Oregon Laws 2019 Chapter 655 Section 1(5) and means the actual cost of the purchase, construction, and installation of a solar electric system or a paired solar and storage system, minus any incentive received for the system from the electric utility serving the customer for which the system is installed.¶¶

(12) "Paired solar and storage system" has the definition given in Oregon Laws 2019 Chapter 655 Section 1(6) and means a solar electric system and an energy storage system purchased together, constructed, and installed ~~together~~ by the same contractor and paired such that the energy storage system provides storage capacity for electrical energy produced by the solar electrical system.¶¶

(13) "Program" means the solar plus storage rebate program established by Oregon Laws 2019, chapter 655 (House Bill 2618).¶¶

(14) "Purchase date" means the date that a contract for purchase of a solar energy system or paired solar and storage system is signed by both the contractor and the customer for which the system is installed.¶¶

(15) "Residential customer" means the owner-occupant of a residential dwelling. An occupant who is the trustee of a trust that is the owner of a residential dwelling, is considered to meet the definition of residential customer.¶¶

(16) "Solar electric system" has the definition given in Oregon Laws 2019 Chapter 655 Section 1(7) and means any system, mechanism or series of mechanisms, including photovoltaic systems, that uses solar radiation to generate electrical energy.¶¶

(17) "Utility incentive" means financial assistance that lowers the capital cost of a solar electric system or paired solar and storage system and that is provided directly from an electric utility as defined in ORS 757.600 or from funds provided by the Energy Trust of Oregon pursuant to ORS 757.612.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

RULE SUMMARY: The amendment corresponds with the change in the definition of a paired solar and storage system, corrects a numbering reference, and outlines that payment of a rebate for a paired solar and storage system may be split into two payments if requested by the contractor.

CHANGES TO RULE:

330-240-0030

Project Eligibility

To be eligible for a rebate for the sale, construction, or installation of a solar electric system or a paired solar and storage system, the system must meet the following requirements:¶

- (1) The solar electric system or paired solar and storage system must be installed by an eligible contractor. The contractor may use subcontractors in the construction or installation of a solar electric system or paired solar and storage system; however, all firms and individuals working on the construction or installation of a solar electric system or paired solar and storage system, whether working on behalf of the contractor or a subcontractor, must hold any license, bond, insurance or permit required for the work performed.¶
- (2) In the case of a paired solar and storage system, the solar electric system and energy storage system must be purchased together from the same eligible contractor.¶
- (3) In the case of a paired solar and storage system, the solar electric system and associated energy storage must be constructed and installed ~~together~~ by the same eligible contractor or a subcontractor working for the eligible contractor, as provided in subparagraph (a1), such that the energy storage system provides storage capacity for electrical energy produced by the solar electric system.¶
- (4) In the case of a paired solar and storage system, the system must include a minimum of one kilowatt DC of solar electric nameplate capacity for every five kilowatt-hours of battery storage.¶
- (5) The purchase contract for a solar electric system or paired solar and storage system must be signed on or after January 1, 2020.¶
- (6) A contractor must submit a reservation application before starting construction or installation of a solar electric system or paired solar and storage system in order to be eligible for a rebate.¶
- (7) The solar electric system or paired solar and storage system must be installed on real property in Oregon.¶
- (8) The solar electric system or paired solar and storage system must benefit a residential customer or a low-income service provider as defined in these rules.¶
- (9) The solar electric system or paired solar and storage system must consist of new equipment.¶
- (10) In the case of a solar electric system, the system must contain all components necessary to convert and deliver solar energy into electrical energy for use in a dwelling or commercial application.¶
- (11) Equipment purchased for a solar electric system or a paired solar and storage system must include a manufacturer warranty covering the following:¶
  - (a) The photovoltaic inverters for a minimum of five years against manufacturer's defects.¶
  - (b) Photovoltaic modules for a minimum of 20 years against degradation of performance below 80 percent of original output under standard test conditions.¶
- (12) All installations of a solar electric system or paired solar and storage system must include a total system workmanship warranty that covers the installation of solar panels, inverters, racking, patented roof protection systems, roof penetrations, batteries, electrical and mechanical parts, and wiring for the duration of at least five years.¶
- (13) Any equipment installed as part of a solar electric system or paired solar and storage system must meet industry standards and the technical specifications provided in these rules.¶
- (14) The solar electric system or paired solar and storage system must have received all applicable electrical and structural permits from the local jurisdiction and must pass all final inspections conducted by the authority having jurisdiction.¶
- (15) The solar electric system or paired solar and storage system must follow electric utility-specific rules and regulations.¶
- (16) The Total Solar Resource Fraction ("TSRF") shall be calculated for each photovoltaic array and provided to the Department for reporting in the Department's designated software system. The Department reserves the right to request documentation from a solar site analysis tool and to conduct independent verification of TSRF values. If all modules in a photovoltaic array do not meet the minimum TSRF requirement under this section, an eligible contractor may apply for a reservation based on the eligible modules. Only photovoltaic modules that meet the minimum performance standards of this section represent installed capacity for the purpose of solar electric system rebate calculations. All installations must meet the following minimum performance standards:¶
  - (a) For on-site shade analysis the TSRF must be 75 percent or greater at all points on the photovoltaic array.¶

(b) For remote shade analysis the TSRF must be 80 percent or greater for the roof plane where the photovoltaic array is located.¶

(17) Under no circumstances will more than one rebate be issued under the program for the same solar electric system or paired solar and storage system. When a paired solar and storage system is being installed, the payment of the rebate may be split into two payments if requested by the contractor. One payment may be requested for the rebate amount associated with the solar electric system and one payment may be requested for the rebate amount associated with the energy storage system.¶

(18) A solar electric system or paired solar and storage system installed for a low-income service provider who is eligible under 330-240-0070 paragraph (4) must be installed on a public building that provides social services to low- or moderate-income individuals, or provides emergency shelter and/or communications in disaster situations.¶

(19) A solar electric system or paired solar and storage system may share an AC disconnect and main utility panel.¶

(20) A solar electric system or paired solar and storage system qualifying for residential rebates may not be part of a larger system or share components such as racking with other solar electric or paired solar and storage systems.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

AMEND: 330-240-0100

RULE SUMMARY: The amendment changes the residential rebate rate for customers who are not eligible for a utility incentive and are not low- or moderate-income from \$0.50 per watt DC of installed capacity to \$0.30 per watt DC of installed capacity.

CHANGES TO RULE:

330-240-0100

Solar Electric System Rebate Rates; Calculation Method

(1) Low- or moderate- income residential rebate rate: \$1.80 per watt DC of installed capacity, up to 60 percent of the net cost or \$5,000, whichever is less.¶

(2) Residential rebate rate for customers eligible for an electric utility incentive and not low- or moderate-income: \$0.20 per watt DC of installed capacity, up to 40 percent of the net cost or \$5,000, whichever is less.¶

(3) Residential rebate rate for customers not eligible for a utility incentive and not low- or moderate-income: \$0.530 per watt DC of installed capacity, up to 40 percent of the net cost or \$5,000, whichever is less. ¶

(4) Low-income service provider rebate rate: \$0.75 per watt DC of installed capacity, up to 50 percent of the net cost or \$30,000, whichever is less.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

RULE SUMMARY: The amendment removes a reference to a schedule in another rule that is also being amended.

CHANGES TO RULE:

330-240-0120

Reservation Process

(1) Contractors must submit an application to reserve a rebate for a solar electric system or a paired solar and storage system using the Department's designated software system. The Department will begin accepting reservation applications on January 22, 2020, from contractors who have established eligibility under the program for contracts entered into on or after January 1, 2020. ~~The schedule for the availability and allocation of rebate funds by customer category is specified in 330-240-0150.~~

(2) The following information about an installation must be provided to the Department to make a reservation application:

- (a) Name of customer.
- (b) Whether the installation benefits a residential customer or a low-income service provider.
- (c) Address of installation and unit number, if applicable.
- (d) Size of the solar electric system.
- (e) System specifications of the solar electric system, as listed in the Department's software system.
- (f) Total Solar Resource Fraction, or TSRF, for the photovoltaic array.
- (g) Size of the energy storage system, if applicable.
- (h) System specifications for the energy storage system if applicable, as listed in the Department's software system.
- (i) For a residential customer, whether the customer claims to be qualified as low-income or moderate-income.
- (j) Eligible project cost for solar electric system.
- (k) Eligible project cost for energy storage system, if applicable.
- (l) Whether the project will receive a utility incentive.
- (m) Amount of utility incentive, if applicable.
- (n) Date of contract signed between customer and contractor.
- (o) Copy of the signed contract.
- (p) Other information as requested by the Department.

(3) Reservation applications for low-income service providers must provide the following information in addition to the information in paragraph (2):

- (a) For multifamily affordable housing: the state and/or agencies which have awarded public subsidies to the project, the number of units in the project, and the projected occupancy date.
- (b) For low-income service providers other than multifamily affordable housing: documentation required to verify the organization's eligibility consistent with program rules.

(4) The Department's software system will confirm receipt and will give each reservation application a time and date stamp signifying the time and date the initial reservation application is received. The Department will review reservation applications in the order that they are received, based upon the time and date stamp. The Department will provide written notice to the contractor once a reservation application has been approved or denied. Subject to the availability of funds, program funds will be reserved for a project following departmental approval of a reservation request.

(5) A reservation for a residential customer installation is valid for 180 days unless extended under OAR 330-240-0130. If a rebate is not claimed within 180 days and the reservation is not extended, the reservation will no longer be valid.

(6) A reservation for a low-income service provider installation is valid for one year unless extended under OAR 330-240-0130. If a rebate is not claimed within one year and the reservation is not extended, the reservation will no longer be valid.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)



AMEND: 330-240-0130

RULE SUMMARY: The amendment would allow a contractor to change a paired solar and storage system installation to a solar electric system installation prior to claiming the total rebate amount for the paired solar and storage system. It also changes the duration that a low-income service provider reservation can be extended for.

CHANGES TO RULE:

330-240-0130

Amending or Extending a Reservation

(1) A contractor may make changes to system size or specifications for a solar electric system installation or a paired solar and energy storage system installation after submitting a reservation application and before claiming a rebate.¶

(2) If a contractor increases the size of an installation for which a reservation application was previously submitted, such that the customer is eligible for a larger rebate amount than the initial reservation application, the increase in rebate amount is subject to availability of funds as of the date the amended application is approved by the Department.¶

(3) If a contractor adds energy storage to a solar electric system already having a reservation for a rebate under the program, such that the installation becomes a paired solar and storage system, the contractor must submit a new reservation application which will receive a new time and date stamp in the Department's software system. The rebate amount for a paired solar and storage system under this paragraph is subject to availability of funds as of the date the new reservation application for the paired solar and storage application is approved by the Department.¶

(4) A contractor may change a paired solar and storage system installation to a solar electric system installation after submitting a reservation application and before claiming the total rebate amount for the paired solar and storage system.¶

(5) At the end of the 180-day reservation period, the Department may grant one 180-day extension to each reservation upon request for any reason. At the end of the 360-day extended reservation period, one final additional 180-day extension may be granted to each reservation upon request for any reason.¶

(56) The Department may grant an additional 180-day one year extensions for a reservation for a low-income service provider upon the contractor submitting documentation that the project is making progress toward completion. Such documentation could include evidence that the project is meeting construction benchmarks or maintains valid site construction permits.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

AMEND: 330-240-0140

RULE SUMMARY: The amendment outlines the process by which a contractor may claim the portion of a rebate for paired solar and storage system that relates to the solar electric system separately from the portion of the rebate that relates to the storage system.

CHANGES TO RULE:

330-240-0140

Making a Rebate Request

~~(1)~~ The eligible contractor seeking a rebate must supply the following information to the Department to convert a reservation into a rebate request:¶¶

~~(1(a))~~ Name of customer¶¶

~~(2(b))~~ Address of installation and unit number, if applicable¶¶

~~(3(c))~~ Description of the equipment included in the solar electric system or paired solar and storage system¶¶

~~(4(d))~~ System installation completion date¶¶

~~(5(e))~~ Proof of completion, including permits received from the authority having jurisdiction over permitting for the system¶¶

~~(6(f))~~ Documentation that the contractor, and any subcontractors who performed installation or construction of the system, has any license, bond, insurance or permit, as well as any additional certification required by the Department, required for the construction or installation undertaken by that contractor or subcontractor ¶¶

~~(7(g))~~ A statement signed by both the contractor and the customer for whom the solar electric system or paired solar and storage system is installed that the customer has received the full value of the rebate as a reduction in the net cost of the purchase, construction or installation of the system and that the rebate was clearly reflected on an invoice provided to the customer¶¶

~~(8(h))~~ Contractor's business mailing address¶¶

~~(9(i))~~ Contractor's tax identification number¶¶

~~(10(j))~~ Other information requested by Department¶¶

(2) In the case of a paired solar and storage system, when the solar electric system is constructed and installed prior to the energy storage system, the rebate amount for the solar electric system may be requested by the eligible contractor separately from the storage rebate amount by supplying to the Department all the information listed in (1) that relates to the solar electric system. The rebate amount for the energy storage system may be claimed by submitting all the information listed in (1) that relates to the energy storage system. In both cases this includes a statement signed by both the contractor and the customer that the customer has received the full value of the rebate amount for the system as a reduction in the net cost of the purchase, construction or installation of the system and that the rebate was clearly reflected on an invoice provided to the customer.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

AMEND: 330-240-0150

RULE SUMMARY: The amendment increases the number of reservations a contractor can have at a time for systems for low- or moderate-income residential customers or low-income service providers. In the case of a paired solar and storage system that a contractor has requested the payment of the rebate is split, the amendment clarifies that the reservation converts to a rebate request once the total rebate amount is requested. The amendment also removes dates outlining a schedule from when the program was first established.

CHANGES TO RULE:

330-240-0150

#### Allocation of Rebate Funds

(1) Subject to limits on the number of reservations per contractor and on the percentage of funding that may be spent under the program for specific categories of installations, the Department will allocate rebate funding within each funding allocation in paragraph (56) according to the order in which reservation applications are approved by the Department. The Department will review applications for reservation in the order in which reservations are submitted by contractors, signified by the time and date stamp for receipt of the reservation application. ¶

(2) The Department will only reserve funding for a maximum of ~~forty (40)~~; ¶

~~(a) 20 reservations per contractor at a time, consisting of up to twenty reservations in each of two categories: ¶  
(a) for systems for residential customers who are not low- or moderate-income; and ¶~~

~~(b) 25 reservations per contractor at a time for systems for low- or moderate-income residential customers or low-income service providers. ¶~~

(3) A new reservation application will be rejected by the Department if the contractor already has ~~twenty~~ current ~~the maximum number of~~ reservations allowed in the Department's software system for the category of system for which the contractor is attempting to make a new reservation application. Once a contractor converts a reservation into a rebate request using the Department's software system, the contractor may obtain an additional reservation for that category. In the case of a paired solar and storage system, when the eligible contractor requests the payment of the rebate to be split the reservation converts into a rebate request upon the request of the total rebate amount. ¶

(4) No more than 75 percent of program funds may be used for rebates benefitting residential customers who are not low- or moderate-income residential customers, except as provided in paragraph (67). ¶

(5) No more than 50 percent of funds may be used for rebates benefitting low-income service providers. ¶

(6) The Department will make rebate funds available for reservation according to the following schedule: ¶

~~(a) Projects for low- or moderate-income residential customer: Beginning January 22, 2020; ¶~~

~~(a) 50 percent of rebate funds will be available for reservation for systems for low- or moderate-income residential customers or low-income service providers. ¶~~

~~(b) Projects for residential customers that are not low- or moderate income, phase one: Beginning January 22, 2020, 25 percent of rebate~~ Remaining funds will be available for reservation for systems for residential customers other than low- or moderate-income residential customers. ¶

~~(c) Projects for residential customers that are not low- or moderate income, phase two: Beginning April 15, 2020, 25 percent of rebate funds will be made available for reservation for systems for residential customers other than low- or moderate-income residential customers, in addition to any remaining available funds under subparagraph (6)(b). ¶~~

(7) The Department may reallocate a portion of funds under subparagraph (6)(a) and make the funds available for reservations for residential projects for residential customers who are not low- or moderate-income ~~after July 22, 2020~~, subject to the requirement that at least 25 percent of program funds available for issuing rebates in a calendar year be made available to low- or moderate-income residential customers or low-income service providers. ¶

(8) If total funds spent and allocated for installations for low- or moderate-income residential customers and low-income service providers in a calendar year are less than 25 percent of the program funds available for that year, then the unspent and unallocated funds may be made available for all applicants, including residential customers who are not low- or moderate-income residential customers, in the following year. ¶

(9) The Department will periodically post information on its webpage regarding fund balances, including notification when funds that may be used for specific categories of installations are completely spent in the form of rebates or allocated in the form of reservations.

Statutory/Other Authority: ORS 469.040, Oregon Laws 2019 chapter 655 (House Bill 2618)

Statutes/Other Implemented: Oregon Laws 2019 chapter 655 (House Bill 2618)

