DEPARTMENT OF ENERGY
DIVISION 160

ESTABLISH A RENEWABLE ENERGY CERTIFICATE SYSTEM FOR THE OREGON RENEWABLE PORTFOLIO STANDARD (RPS)

330-160-0015

Definitions

For the purposes of Oregon Administrative Rules, chapter 330, division 160, the following definitions apply unless the context requires otherwise:

(1) "Banked Renewable Energy Certificate" has the meaning in ORS 469A.005.

(2) "Bundled Renewable Energy Certificate" has the meaning in ORS 469A.005.

(3) "Compliance Year" has the meaning in ORS 469A.005.

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

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

(6) "Electricity Service Supplier" has the meaning in ORS 469A.005.

(7) "Electric Utility" has the meaning in ORS 469A.005.

(8) "Federal Columbia River Power System" (FCRPS) means the transmission system constructed and operated by Bonneville Power Administration (BPA) and the hydroelectric dams constructed and operated by the U.S. Army Corps of Engineers and the Bureau of Reclamation in Oregon, Washington, Montana and Idaho.

(9) "Generator representative" means an electricity generating facility's owner, operator or WREGIS account holder.

(10) "High Water Mark Contract" means a power sales contract between a consumer-owned utility and BPA that contains a contract high water mark, and under which the utility purchases power from BPA at rates established by BPA in accordance with the tiered rate methodology.

(11) "Joint Operating Entity" means an entity that was lawfully organized under State law as a public body or cooperative prior to September 22, 2000, and is formed by and whose members or participants are two or more public bodies or cooperatives, each of which was a customer of BPA on or before January 1, 1999.

(12) "Multiple-fuel facility" means a facility that is capable of generating electricity using more than one type of fuel. A facility that uses fossil fuel for generator start-up but otherwise uses a single eligible

resource and is not required to register in WREGIS as a multi-fuel generating unit, as defined by WREGIS, is not a multiple-fuel facility.

(13) "Oregon's share" as used in ORS 469A.020(3), means the portion of Federal Columbia River Power System generation attributable to the Oregon load of hydroelectric efficiency upgrades that BPA provides to:

(a) Each consumer-owned utility serving load located in Oregon, pursuant to a High Water Mark Contract;

(b) Each Joint Operating Entity with retail utility members serving load located in Oregon, pursuant to a High Water Mark Contract; and

(c) Each investor-owned utility participating in the Residential Exchange Program that serves load located in Oregon.

(14) "Qualifying Electricity" has the meaning in ORS 469A.005.

(15) "Qualifying thermal energy" means thermal energy that meets the requirements of OAR 330-160-0080.

(~~15~~16) "Renewable Energy Certificate" (REC or Certificate) means a unique representation of the environmental, economic, and social benefits associated with the generation of electricity from renewable energy sources that produce Qualifying Electricity. One Certificate is created in association with the generation of one MegaWatt-hour (MWh) of Qualifying Electricity. While a Certificate is always directly associated with the generation of one MWh of electricity, transactions for Certificates may be conducted independently of transactions for the associated electricity.

(~~16~~17) "Renewable Energy Source" has the meaning in ORS 469A.005.

(~~17~~18) "Residential Exchange Program" means the arrangement, based on section 5(c) of the Pacific Northwest Electric Power Planning and Conservation Act, whereby regional utilities sell BPA an amount of power equal to their residential and small-farm load at their average system cost in exchange for federal electric power, and pass on the benefits to their residential and small-farm customers in the form of a bill credit.

(~~18~~19) "RPS" means the Oregon renewable portfolio standard as established in ORS 469A.

(20) "Secondary purpose" means an end use for thermal energy that:

(a) is in the form of direct heat, steam, hot water, or other thermal form that is used for heating, cooling, humidity control, or mechanical or chemical work; and

(b) for which fuel or electricity would otherwise be consumed.

(21) "Station service" means the energy that is used to operate an electric or thermal generating plant. It includes energy consumed for plant lighting, power, and auxiliary facilities.

(~~19~~22) “Stranded electricity” means qualifying electricity that:

(a) Was generated between January 1, 2007, and March 4, 2011, by a generating unit that was registered in WREGIS on or before March 4, 2011; and

(b) Was reported to the Department on or before March 11, 2011.

(23) “Thermal Renewable Energy Certificate” (T-REC) means a REC associated with the generation of qualifying thermal energy. One T-REC is created in association with the generation of 3,412,000 British thermal units of qualifying thermal energy.

(~~20~~24) “Unbundled Renewable Energy Certificate” has the meaning in ORS 469A.005.

(~~21~~25) “Vintage” means the month and year that qualifying electricity was created in accordance with WREGIS protocol.

(~~22~~26) “WREGIS” means the Western Renewable Energy Generation Information System, which is the renewable energy certificate tracking and reporting system established by the California Energy Commission and the Western Governors’ Association and governed by the Western Electricity Coordinating Council for use by states and provinces throughout the western power interconnection.

Stat. Auth.: ORS 469A.130
Stats. Implemented: ORS 469A.130 - 469A.145
Hist.: DOE 6-2008, f. & cert. ef 9-3-08; DOE 11-2010(Temp), f. & cert. ef. 8-31-10 thru 2-26-11; DOE 1-2011, f. & cert. ef. 2-22-11; DOE 2-2011, f. & cert. ef. 3-4-11; DOE 11-2012, f. & cert. ef. 11-14-12; DOE 1-2014, f. & cert. ef. 2-10-14

330-160-0030

Allowed Vintage of Renewable Energy Certificates

(1) The system of renewable energy certificates established through this rule may be used to comply with or participate in the Oregon RPS through the use of Certificates with a vintage of January 2007 or later.

(2) No renewable energy certificate that derives from the WREGIS renewable energy certificate system with a vintage before January 2007 will be eligible for compliance with the Oregon RPS.

(3) Banked renewable energy certificates with a vintage of January 2007 or later, both bundled and unbundled, may be held for future use within the WREGIS renewable energy certificate system to comply with the Oregon RPS.

(4) Generating facilities that produce qualifying electricity shall be eligible to receive certificates associated with generation beginning on January 1, 2007.

(5) Renewable energy certificates created by WREGIS that are associated with stranded electricity may be used to comply with the Oregon RPS.

(6) Generating facilities that meet the requirements of OAR 330-160-0080 and that produce qualifying thermal energy shall be eligible to receive Thermal Renewable Energy Certificates associated with generation on or after March 8, 2016.

Stat. Auth.: ORS 469A.130
Stats. Implemented: ORS 469A.130
Hist.: DOE 6-2008, f. & cert. ef 9-3-08; DOE 2-2011, f. & cert. ef. 3-4-11; DOE 1-2014, f. & cert. ef. 2-10-14

330-160-0080

Thermal Energy from the Generation of Electricity Using Biomass

(1) Thermal energy may be used to comply with the Oregon RPS if it is generated in a facility that meets the requirements of Section (2) of this rule and generated in a manner that meets the requirements of Section (3) of this rule.

(2) Facility Requirements:

(a) The facility must generate electricity from renewable biomass sources listed under ORS 469A.025(2) and must also generate thermal energy for a secondary purpose;

(b) The age of the generating facility must meet the requirements of ORS 469A.020;

(c) The location of the generating facility must meet the requirements of ORS 469A.135(2); and

(d) The facility's electric generator must have a rated capacity of at least 10 percent of the energy content of the fuel input.

(3) Manner of Generation:

(a) The thermal energy must be generated as a result of the generation of electricity using biomass sources listed under ORS 469A.025(2). For multiple-fuel facilities, only the portion of thermal energy that is generated from eligible biomass sources is eligible for the generation of T-RECs in accordance with OAR 330-160-0060; and

(b) The thermal energy must be used for a "secondary purpose," as defined in OAR 330-160-0015.

(4) Exclusions. Thermal energy may not be used to comply with a renewable portfolio standard if:

(a) It is used for station service as defined in OAR 330-160-0015;

(b) It is returned to the biomass conversion device such as steam condensate or hot water return;

(c) It bypasses the electricity production device; or

(d) It is used while electricity production equipment is out of service.

330-160-0090

Metering, Monitoring, and Reporting of Qualifying Thermal Energy

(1) Qualifying thermal energy must be metered directly using the following methods:

(a) Facilities must install heat meters, in accordance with the manufacturer's specifications, to measure qualifying thermal energy. The thermal energy must be metered at the secondary purpose.

(b) Facilities must take data readings for the measurement of qualifying thermal energy at least once per hour. The qualifying thermal energy produced must be totaled for each 24 hour period, each monthly period, and each quarter.

(c) Facilities using a liquid- or gas-based thermal system (excluding steam systems, which are covered in Paragraph (d) of this rule) must measure the qualifying thermal energy produced using one of the following methods:

(A) Installation and use of heat meters with a manufacturer's guaranteed accuracy of ±5.0% or better, provided that a professional engineer licensed by the state in which the facility is located and in good standing confirms that the meters were installed and operate according to the manufacturers' specifications; or

(B) Use of an alternative metering method approved by the Department, provided that the accuracy of any such method is ±5.0% or better, and provided that a professional engineer licensed by the state in which the facility is located and in good standing confirms that the source implemented the alternative method as approved by the Department and certifies that the alternative method achieves the stated accuracy of ±5.0% or better.

(d) Facilities using a steam-based system must measure the qualifying thermal energy produced using one of the following methods:

(A) Installation and use of meters with accuracy of ±3.0% or better, which shall be confirmed by a professional engineer licensed by the state in which the facility is located and in good standing; or

(B) Installation and use of meters that do not comply with the accuracy of Subsection (1)(d)(A) provided that the manufacturer's guaranteed accuracy of the meters is ±5.0% or better, and provided that a professional engineer licensed by the state in which the facility is located and in good standing confirms that the meters were installed and operate according to the manufacturer's specifications; or

(e) Use of an alternative metering method approved by the Department, provided that the accuracy of any such method is ±5.0% or better, and provided that a professional engineer licensed by the state in which the facility is located and in good standing confirms that the source implemented the alternative method and confirms that the alternative method achieves the stated accuracy of ±5.0% or better.

(2) Facilities must retain directly an independent third party monitor to verify the consumption of thermal energy for a secondary purpose and to report such consumption to WREGIS.

(3) An independent monitor who verifies thermal energy usage for a secondary purpose must be one of the following:

(a) A professional engineer licensed by the state in which the facility is located and in good standing; or

(b) A certified energy manager as certified by the Association of Energy Engineers;

(5) An independent monitor must be certified as a QRE for thermal energy by WREGIS.

(6) No facility producing qualifying thermal energy may use an independent monitor who is a member of the immediate family of the owner of the facility source, who has an ownership interest in the facility, or who sold or installed the renewable energy system and associated equipment.

(7) The duties of the independent monitor are:

(a) To perform an initial inspection of the source's meters for accuracy and capability to measure the useful thermal energy produced,

(b) To measure and verify quarterly the facilities qualifying thermal energy production used to qualify for certificates pursuant to the WREGIS operating rules; and

(c) To report the consumption of qualifying thermal energy and the REC calculation to the customer and to WREGIS.

(8) An independent monitor shall not receive compensation for monitoring services that is a function of the number of certificates issued to any source using the independent monitor.