

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Energy	330
Agency and Division	Administrative Rules Chapter Number
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Rules Coordinator	Address
	503 373-2127
	Telephone

RULE CAPTION

Modification of the Business Energy Tax Credit to implement caps and revise processing criteria.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

September 14, 2010	9:30	Dept of Energy, 625 Marion St., Salem, OR 97301	Hillary Dobson
Hearing Date	Time	Location	Hearings Officer

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		<i>Auxiliary aids for persons with disabilities are available upon advance request.</i>	

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: 330-090-0350; 330-090-0450

AMEND: 330-090-0105; 330-090-0110; 330-090-0120; 330-090-0130; 330-090-0133; 330-090-0140; 330-090-0150

REPEAL: Temporary Rules: 330-090-0350; 330-090-0450; 330-090-0105; 330-090-0110; 330-090-0120; 330-090-0130; 330-090-0133; 330-090-0140; 330-090-0150

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 469.040, 469.165, 469.185-469.225, 315.356, Oregon Laws, 2010, Chapter 76

Other Auth.:

Stats. Implemented: ORS 469.185-469.225, 315.354, 315.356, HB 3680 (2010)

RULE SUMMARY

These rules implement the provisions of HB 3680(2010) which went into effect on May 27, 2010. These rules :

- Implement the monetary cap for renewable energy facility pre-certifications established in HB 3680.
- Create a system to prioritize renewable energy projects based on criteria and factors to consider.
- Define renewable energy storage device
- Update eligible cost for wind powered devices above 10MW and electric vehicle manufacturing
- Create deadlines for applications prior to program sunsets revised in HB 3680.
- Amend standards used when considering what constitutes a single facility, including phasing, expansions or additions to renewable energy manufacturing facilities.
- Clarify when final certifications may be issued for efficient truck technology
- Add clarity to existing policies for applicants
- Update calculations used for determining discounted value of tax credits transferred under ORS 469.206

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

September 16, 2010, 5:00 PM

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Signature

Printed name

Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005