Secretary of State
Certificate and Order for Filing

TEMPORARY ADMINISTRATIVE RULES

A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on [April 15, 2011] by the
Date prior to or same as filing date

Oregon Department of Energy		330
Agency and Division		Administrative Rules Chapter Number
Kathy Stuttaford	625 Marion Street NE, Salem, OR 97301	(503) 378 - 4040
Rules Coordinator	Address	Telephone

to become effective [April 18, 2011] through [October 14, 2011].
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Clarifies treatment of federal grants received in connection with a facility eligible for a BETC.

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

RULEMAKING ACTION

List each rule number separately, 000-000-0000.
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:

AMEND: OAR 330-090-0110, 330-090-0130, 330-090-0133, 330-090-0140

SUSPEND:

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

Other Auth.:

Stats. Implemented: ORS 315.356, 469.215

RULE SUMMARY

These rules clarify that federal grants received in connection with a facility reduce the BETC certified cost of the facility dollar for dollar, as required by ORS 315.356. The rules also clarify that, for applicable facilities receiving a preliminary certification and that begin construction on or after April 15, 2011, federal grants received under section 1603 of the American Recovery and Reinvestment Act of 2009 (ARRA) will reduce the BETC certified cost dollar for dollar. The rules provide new definitions of "certified cost" and "federal grant," and the rules state that the reduction for federal grants is to the BETC final certified cost.

[signature]	ROB REPINEC	4-15-11
Authorized Signer	Printed name	Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.