

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 [5/21/2010] by the
Date prior to or same as filing date

Oregon Department of Energy 330
Agency and Division Administrative Rules Chapter Number

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to become effective [5/27/2010] through [11/2/2010]
Date upon filing or later A maximum of 180 days including the effective date.

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.

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:

330-090-0134; 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

SUSPEND:

Stat. Auth.: ORS 469.040, 469.165, 469.185-469.225, 315.354, 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 goes 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
- 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

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.
ARC 940-2005