

SENATE AMENDMENTS TO HOUSE BILL 3479

By COMMITTEE ON RULES

June 29

1 On page 1 of the printed bill, delete lines 4 through 30 and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Agreement’ means the agreement dated October 5, 1970, and titled ‘Agreement for**
4 **Construction, Ownership and Operation of the Trojan Nuclear Plant,’ as amended.**

5 **“(b) ‘Allocated territory’ has the meaning given that term in ORS 758.400.**

6 **“(c) ‘Person’ means:**

7 **“(A) A person as defined in ORS 174.100;**

8 **“(B) A person as defined in ORS 758.400;**

9 **“(C) A public body as defined in ORS 174.109; or**

10 **“(D) Any combination of entities described in subparagraphs (A), (B) and (C) of this**
11 **paragraph.**

12 **“(d) ‘Trojan obligations’ means all of the obligations and liabilities of the Portland Gen-**
13 **eral Electric Company to pay amounts that are due or that may become due under the**
14 **agreement or that are due or that may become due as a result of a requirement imposed by**
15 **a federal, state or local governmental body, agency or instrumentality.**

16 **“(e) ‘Utility service’ has the meaning given that term in ORS 758.400.**

17 **“(2) Any person acquiring all or a portion of any allocated territory of the Portland**
18 **General Electric Company, or acquiring the right to provide utility service within the allo-**
19 **cated territory of the Portland General Electric Company, shall assume a share of Trojan**
20 **obligations that is proportionate to the total amount of allocated territory or the percentage**
21 **of retail customer load for which the person has acquired the right to provide utility service,**
22 **whichever is greater.**

23 **“(3) The assumption of Trojan obligations described in this section shall occur without**
24 **regard to whether the acquisition described in subsection (2) of this section occurs through**
25 **market transactions or condemnation proceedings or by any other means.**

26 **“(4) Any person assuming a share of Trojan obligations shall pay all required or neces-**
27 **sary amounts, when due, into any decommissioning or other fund established, required or**
28 **approved by any federal, state or local governmental body, agency or instrumentality for the**
29 **purpose of meeting Trojan obligations. A person making payments into a fund described in**
30 **this subsection may use the person’s share of the fund for the purpose of meeting the per-**
31 **son’s Trojan obligations, subject to any limitation imposed by a federal, state or local gov-**
32 **ernmental body, agency or instrumentality.**

33 **“(5) The obligations imposed by subsection (2) of this section do not apply to any person**
34 **acquiring allocated territory or customers of the Portland General Electric Company when:**

35 **“(a) The acquisition occurs pursuant to the terms of a contract allocating territory that**

1 has been approved by the Public Utility Commission under ORS 758.400 to 758.475 and that
2 is in effect on the effective date of this 2005 Act; or

3 “(b) The acquisition comprises less than one percent of the total allocated territory of
4 the Portland General Electric Company or less than one-tenth of one percent of the total
5 retail customer load of the Portland General Electric Company at the time of acquisition,
6 whichever is greater.”.

7 On page 2, delete lines 1 through 18.
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