

OREGON BUSINESS DEVELOPMENT DEPARTMENT
DIVISION 93
SOLAR DEVELOPMENT INCENTIVE PROGRAM

123-093-0100

Purpose

This division of administrative rules clarifies, specifies and establishes standards and criteria for the Solar Development Incentive (SDI) program (program) and Fund established by the 2016 Legislative session through HB 4037. The SDI program was established to incentivize the generation of electricity from solar photovoltaic energy.

(1) Program overview. The SDI program offers a flat cents-per-kilowatt hour (kWh) payment for all output from an Enrolled Project for up to 5 years. Oregon Business Development Department (Department) will make monthly payments to an owner or operator of an Enrolled Project. Owners of eligible solar photovoltaic (PV) energy systems with a Nameplate Capacity of between 2 and 10 megawatts (MW) enrolled in the SDI program can receive a monthly payment of \$0.005/kWh electricity demonstrably generated by the Enrolled Project for a period of up to 5 years.

(2) Application review. Application for the SDI program is subject to program qualification review and a project readiness assessment. Projects that are deemed qualified will be evaluated by a selection committee designated by the Department to determine if Applicants demonstrated that the project will likely be executed within program timelines. The selection committee will generate an enrollment queue based on the likelihood of a project's ability to begin generating electricity no later than January 2, 2018. The Department will offer enrollment to projects according to their position in the queue and cap participation of a single owner or operator at 35MWs of projects.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0200

Definitions

The following definitions apply unless the context requires otherwise:

(1) "Affiliated Entity" means all businesses or individuals controlling, controlled by, or under common control with the owner or operator or otherwise affiliated with the owner or operator. In making the determination, the Department will consider, among other factors, ownership and contractual relationships among businesses, including but not limited to ownership interests, financial relationships, purchase options, partnership flips, and expected or scheduled changes in ownership interests or percentages.

(2) "Applicant" means an owner or operator of a solar PV project who submits a solar PV project for SDI enrollment consideration.

(3) "Application Date" means the date and time at which the Applicant submitted an SDI application online.

(4) "Capacity Factor" as defined by the Energy Information Administration, means the ratio of the electrical energy produced by a generating unit for the period of time considered to the electrical energy that could have been produced at continuous full power operation during the same period.

(5) “Commercially Operational” means a solar PV facility that is generating and selling electricity in accordance with a Power Purchase Agreement with the purchasing utility.

(6) “Department” refers to the Oregon Business Development Department.

(7) “Eligible Project” means a Qualified and Ready Project whose owner, operator, or Affiliated Entities, would, after enrollment of the project, own or operate, collectively, no more than 35MWac of Solar PV Energy Systems enrolled in the SDI Program, as determined by the Department.

(8) “Enrollee/Program Enrollee” means the owner or operator of Solar PV Energy System enrolled in the SDI Program. The Enrollee is responsible for managing relationships and reporting requirements associated with the SDI program.

(9) “Enrolled Project” means the SDI Program Enrollee’s Qualified, Ready, and Eligible Solar PV Energy System that has been selected to participate in the SDI program, for which the Enrollee has completed required contracting and documentation to participate in the SDI program and as such is eligible to receive the production-based incentive.

(10) “Enrollment Date” is the date assigned by the Department that serves as the earliest date from which production data can be submitted for SDI payment. It also serves as the date from which Enrollees have 12 months to generate electricity before experiencing reductions in their total incentive payments.

(10) “Investor-Owned Utility” means an investor-owned utility, as defined in ORS 469.631 that distributes electricity.

(11) “Nameplate Capacity” means the maximum rated output of a generator, inverter, or other electric power production equipment measured in alternating current under specific conditions designated by the manufacturer of the equipment.

(12) “Off-taking Entity” means the buyer of the electricity produced by a generating facility.

(13) “Publicly Owned Utility” has the meaning given that term in ORS 469.649.

(14) “SDI Payee” means the Enrolled Project Owner or Operator entity to whom SDI payments will be issued.

(15) “Project Owner or Operator” means the entity that has primary control over a project.

(16) “Solar Photovoltaic Energy System” or “Solar PV Energy System” means equipment and devices that have the primary purpose of collecting solar energy and generating electricity by photovoltaic effect.

(17) “Qualified Project” means a Solar PV Energy System that meets the criteria set forth in OAR 123-093-0400 as a stand-alone project.

(18) “Qualified and Ready Project” means a Qualified Project that is more likely to begin generating electricity no later than January 2, 2018.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0300

Application Process Overview

(1) Application. Applicants complete and submit the online application and upload all

supporting materials to:

(a) Demonstrate their project is qualified to be included in the program.

(b) Demonstrate project readiness.

(2) Complete Application. Applications are considered complete if all required questions on the application form have been answered, all available and applicable supporting documents have been uploaded or the Applicant includes explanation pertaining to the lack of supporting documentation, and the application has been submitted using the online form. The Department may, but is not obligated to, ask for response clarification and additional supporting documentation. A determination of a completed application will be made at the sole discretion of the Department.

(3) Application Date. Applications shall be considered received on the date marked received by the online form, unless the application is determined to be incomplete. Requests for supporting documentation for otherwise complete applications will not affect the Application Date.

(4) Incomplete Applications. Applicants must answer all the required questions completely. If any portion of the application is left blank, it shall be interpreted as incomplete and may lead to the rejection of the application. Required fields will be indicated as such on the online application form. If a written response is required for a question that does not apply, Applicants must indicate that the question does not apply. The online submission form will notify Applicants of incomplete applications.

(5) Unique applications for each project. Applicants must submit unique applications for each project submitted for consideration to receive the SDI.

(6) Deadline. All Applicants must complete and submit the application and all required supporting documentation by January 2, 2017.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0400

Qualification

The Department, in consultation with external organizations including, but not limited to, the Oregon Department of Energy (ODOE) will determine if a proposed project is qualified.

(1) A solar PV system is qualified if it:

(a) Has applied by January 2, 2017

(b) Is located in Oregon

(c) Has a Nameplate Capacity between 2 and 10 megawatts as measured in alternating current (MWac)

(d) Can be demonstrated, in a power purchase agreement (PPA), that it has an agreed upon commercial operation date (COD) of January 1, 2016 or later

(e) Is or will be either directly connected to the electrical system of an Oregon Investor-Owned Utility or Publicly Owned Utility, or is indirectly connected to the electrical system of an Investor-Owned Utility or Publicly Owned Utility in a manner that the Selection Committee determines is acceptable for Program Enrollees

(f) Has or will have a revenue grade meter or other device that monitors and measures the quantity of energy generated by the Solar PV Energy System

(g) Meets any other siting, design, interconnection, installation and electric output standards required by the laws of Oregon

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0500

Project Evaluation

(1) The Department will establish a SDI program Selection Committee (Selection Committee) with representation from organizations including, but not limited to the Department and the Oregon Department of Energy.

(2) The Selection Committee will:

(a) Assist in determining if projects are qualified to participate in the SDI program,

(b) Evaluate Qualified Projects to assess project readiness, and

(c) Meet to discuss evaluated projects in order to generate an enrollment queue that prioritizes projects that are more likely to generate electricity by January 2, 2018.

(3) The elements of project readiness that will be assessed include:

(a) Business Strength (40%) – Preference will be given to projects that are led by demonstrably creditworthy companies with teams that demonstrate an ability to complete projects of similar scale, type, and location within projected timeframes. This includes an evaluation of:

(A) Secured funding sources, demonstrable with a signed Commitment to Lend or term sheet confirming secured funding sources, amounts and where applicable, expiration dates. Additional material may include award letters, confirmation emails, and other communications to support demonstration of participation in other incentive programs, where applicable.

(B) Team experience, demonstrable with a list of renewable energy project team members, roles, and qualifications; resumes of renewable energy project managers and other key team members; lists of similar renewable energy projects completed.

(a) Status of Agreements/Permits (30%) – Preference will be given to projects for which Applicants can demonstrate that required permits, agreements, and supply chains have been secured. This includes an evaluation of:

(C) Permitting status, demonstrable with applicable documents including, but not limited to, Conditional Use Permit (application and signed if available), Notice to Proceed from Authority Having Jurisdiction (AHJ), and other signed required permits as well as a narrative explaining the status of required permits that have yet to be granted.

(D) Site control agreement(s), such as land ownership documentation or a long-term lease.

(E) Status of Power Purchase Agreement (PPA), demonstrable with a signed PPA or a description of the status of the agreement.

(F) Status of Interconnection Agreement (IA), demonstrable with a signed IA or a description of the status of the IA, including the status of studies.

(G) Status of Transmission Agreement (TA) when applicable, demonstrable with a signed TA or a description of the status of the TA, including the status of studies.

(H) Contractors' status, demonstrable with signed contractor agreements, paid invoices or cancelled checks indicating security deposits or service payments made to contractors.

(I) Supply status, demonstrable with supply invoices, contracts, bids, or proposals.

(b) Project Plan (30%) – Preference will be given to projects for which Applicants can demonstrate that project milestones have been and are likely to continue to be met, and that demonstrate likely commercial operation by January 2, 2018. This includes an evaluation of:

(A) Commercial Operation Date (COD), demonstrable with either an 'agreed upon' or 'proposed' COD between the Off-taking Entity and the project owner, and that can be demonstrated with a signed PPA.

(B) Project development timeline, demonstrable with a project Gantt chart or schedule that includes duration of each development stage, dates of major milestones (e.g., equipment procurement, equipment delivery on site, construction start and end dates, commissioning, etc.), and a description of project risks, including their influence on the project critical path and mitigation strategies.

(C) Community engagement/outreach, demonstrable with a list of past and proposed, required and voluntary community engagement activities, including goals, audience, tactics, and reach.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0600

Eligibility

(1) The Department will offer SDI program enrollment to Qualified Projects that are eligible for enrollment in the order in which they are arranged in the SDI queue until 150 MW of eligible projects have been enrolled.

(2) Once the SDI program has enrolled 150 MW of qualified and eligible projects, qualified and eligible projects that were not selected to participate will retain their location in the queue.

(a) In the event that Enrolled Projects are removed from the SDI program, their remaining program capacity may be released and reassigned to qualified and eligible projects, according to their assignment in the SDI queue.

(b) In the event that remaining program capacity is reassigned, the total incentive amount reassigned will be limited to the remaining released capacity and the project to which it is reassigned will be constrained to program sunset dates and as such might not receive a full five years of incentive payments.

(3) A project may be qualified but ineligible for enrollment if, by enrollment, the Applicant and any Affiliated Entity would own or operate, collectively, Solar PV Energy Systems enrolled in the SDI Program with a cumulative Nameplate Capacity in excess of 35MWac. A qualified but ineligible project will retain its position in the queue but will not be considered for enrollment unless all of the following criteria are met:

(a) An Enrolled Project is removed from the incentive program and that removal reduces the cumulative Nameplate Capacity of the qualified but previously ineligible project and all Solar PV Energy Systems enrolled in the SDI Program that are owned or operated by the Applicant, or any business controlling, controlled by, or under common control with the Applicant, to 35MWac or less,

- (b) The SDI program has remaining capacity,
- (c) There are no other qualified and eligible projects in the queue ahead of the project, and
- (4) Partial Funding of Projects. For the above determination, the entire Nameplate Capacity of a project will be used. That is, if an entity has four qualified 10 MW projects, only three of them would be eligible. The fourth project would not be eligible for partial funding of a 5MW portion.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)
Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0700

Payment and Requirements

(1) Payment

(a) Incentive structure. The SDI program offers a flat cents-per-kWh payment for all output from an Enrolled Project for up to five years. Subject to the terms and conditions of the program enrollment contract, the Department will make monthly payments to an Enrolled Project of \$0.005/kWh of electricity generated by the Enrolled Project during the preceding month. Payments shall continue for up to five years after the date on which the Department makes the initial payment to the Program Enrollee for energy generated by the Enrolled Project.

(b) Program enrollment. Enrollees will be required to sign a program enrollment contract detailing the conditions of enrolling their project in the SDI program and accepting SDI payments. Once all contracts and related materials have been received, Enrolled projects will be given an Enrollment Date, which will serve as the earliest date from which production data can be submitted for the incentive payment to the SDI Payee.

(c) Enrollment date. Enrollment date is determined to be January 2, 2017 (the SDI application closing date).

(d) Production demonstration. Enrolled projects will be required to demonstrate (via e.g. meter data or monthly utility purchase statements) the amount of electricity that is produced by the system on a monthly basis by submitting production data to the Department by the 15th day after the end of the previous month or as otherwise arranged and agreed upon with the Department. Enrollees who provide production demonstration data after the agreed upon date may experience a delay in payment.

(e) Payment. The Department will disburse to SDI Payees SDI payments of \$0.005/kWh of demonstrated production of solar energy generated during the preceding month(s). Payments will only be made in accordance with and subject to the terms and conditions of the program enrollment contract.

(f) Automated Clearing House (ACH) payment. The Department will issue direct deposit payment via ACH only. Program Enrollees will be required to complete necessary forms and approvals to facilitate ACH payments.

(g) Incentive reductions. Enrolled projects that are unable to begin generating electricity within one year of their Enrollment Date will have a reduction in the total number of months that they are eligible to receive payments. Beginning one year after an Enrolled Project's Enrollment Date, for each month that the Enrolled project does not generate electricity, the Department shall reduce, by one month, the number of monthly payments otherwise required to be paid to the SDI project Enrollee. For example, an Enrollee can receive 60 months of incentive payments for its Enrolled Project if the project is

generating electricity by January 2, 2018 (i.e. within 12 months of the latest possible project Enrollment Date). If instead, the project does not begin to generate electricity until 18 months after the Enrollment Date, the project will only receive 54 months of incentive payments (60 months – 6 months when the project was not generating electricity past the 12-month timeframe = 54 months of incentive payments).

(h) Project removal. Projects that fail to perform, have a change in scope such that they become disqualified, or become ineligible, may be removed from the SDI program. Owners of Enrolled Projects that are removed from the SDI program will be assigned an ineligibility date by the Department, after which they will not receive any payments otherwise required to be paid to the Enrolled Project Owner for said removed Enrolled Project. Projects removed from the SDI program may have their program capacity released and reassigned to eligible projects according to their assignment in the SDI queue. Projects can be removed from the SDI program because of, but not limited to, the following scenarios:

(A) If by two years after the Enrolled Project's Enrollment Date the Enrolled Project is not interconnected, Commercially Operational, and generating electricity, the Department will remove the Solar PV Energy System from the SDI program.

(B) An Enrolled Project may become unqualified if, after enrollment, the scope of the project changes such that the project no longer meets the project qualifications. The Department will remove unqualified solar PV projects from the SDI program.

(C) Enrolled projects that fail to comply with the obligations in the enrollment contract may be removed from the SDI program.

(D) Enrolled projects that fail to meet reporting obligations may be removed from the SDI program.

(E) Enrolled projects that make, or are discovered to have made, material misrepresentations regarding their Enrolled Project(s) will be removed from the SDI program.

(F) An Enrolled Project may become ineligible (even if it remains qualified) if, after enrollment, there is a change in a relationship between the owner or operator of the project and other businesses owning or operating Enrolled Projects. If, as a result of such change, Enrolled Projects' eligibility is jeopardized, the Department may remove projects from the SDI Program. Before removing a project from the SDI Program, the Department will consult with the owners and operators of all Enrolled Projects whose eligibility has been jeopardized by the change in relationships among owners and operators of Enrolled Projects.

(2) Capacity Factor. SDI program budget was projected based on an average project Capacity Factor of 25 percent. If Enrolled Projects consistently achieve actual Capacity Factors higher than what was used for projecting the budget, the Department will cap total incentive payments so that they do not exceed the program budget, and will distribute incentives based on actual monthly production to Enrolled Projects that produce electricity on a first come first serve basis, until the cap has been reached.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0800

Reporting Requirements

(1) Applicants of eligible projects selected to participate will be sent an email with an offer to enroll in the SDI program. If the Applicant wishes to enroll a selected project they will be required sign a program enrollment contract which includes the following reporting requirements:

(a) Enrollment Confirmation Project Description – Due as part of enrollment contracting and including, but not limited to, the following project components as applicable:

(A) Project ownership and Affiliated Entities details. This includes the disclosure of all individuals and entities that hold, directly or indirectly, ownership interests and/or control of the Enrolled Project. This also includes purchase options, partnership flips, and expected or scheduled changes in ownership interests or percentages. Project owners must also disclose entities in which they hold, directly or indirectly, ownership interests or control.

(B) Project specifications, such as:

(i) Site specifications

(ii) Production estimates

(iii) Off-taking entity(ies), Renewable Energy Certification status, and anticipated wheeling charges where applicable.

(C) Incentive program participation:

(i) A list of all other affiliated projects that have applied for SDI funds

(ii) A list of all other public incentive programs and associated amounts that the Enrolled Project is receiving or intends to apply to (e.g. federal tax credits, state loan programs, etc.)

(D) Project benefits, such as number of full-time-equivalent positions created, including both the construction jobs and operations and maintenance jobs and their associated average wages.

(b) Project status report(s). Projects that are not yet operational will be required to submit quarterly project status reports until the project is operational. Project status reports must be submitted to the Department on the 15th day of the month following the close of each calendar quarter until the Enrolled project is completed and online. Failure to submit reports may delay the process of future payments or result in removal from the SDI program. Quarterly project status reports include, but are not limited to, the following project details:

(A) Brief narrative summarizing project progress, including key milestones, and progress towards those milestones.

(B) Status of required permits and approvals

(C) Equipment procurement status

(D) Current ownership and any anticipated changes to ownership

(E) Installation status

(F) Inspection status

(c) Commissioning report. After an Enrolled Project is Commercially Operational, and prior to receiving incentive payments, Program Enrollees must submit a Commissioning Report. The Department will review the Commissioning report to ensure that reporting requirements are satisfied. Enrolled Projects that have satisfied the Commission reporting requirements will be given approval to begin submitting production reports. Enrolled Projects that are operational at the time of enrollment must complete a Commissioning Report prior to receiving incentive payments, which can

be submitted at the same time as the Enrollment Confirmation Project Description report submission. Commissioning reports include, but are not limited to, the following project details:

(A) Project details such as online date, final installed size, and production data access mechanism, brief project narrative, including project description, biggest challenges and lessons learned;

(B) Project permit and agreements documentation, including such things as code and safety inspections from the Jurisdiction Having Authority (JHA), utility final inspection report, and fully executed Interconnection Agreement (IA) and indication of approval to connect project to the grid;

(C) Project financial summary, including such things as Commitment to Lend documentation, final installed cost, and confirmation of all funding sources and amounts;

(D) Current ownership structure and any anticipated changes to ownership; and

(E) Final list of associated projects and Affiliated Entities that have applied for SDI funding.

(d) Production reports. Projects that have submitted a satisfactory Commissioning report, and have been approved to submit Production reports must submit a monthly production report by the 15th day after the close of the previous month. Delays in reporting may result in a delay in payment. Production reports must include, at a minimum:

(A) Monthly kilowatt hour (kWh) production. Monthly kWh production as verified through:

(i) The Western Renewable Energy Generation Information System (WREGIS), including EIA Utility and Plant codes, and the WREGIS generator ID,

(ii) a Qualifying Reporting Entity,

(iii) a production statement from the purchasing utility, or

(iv) another verifiable mechanism as agreed upon with the Department.

(B) Capacity Factor. Actual Capacity Factor for the preceding month

(C) Changes in capacity. Explanation of unanticipated capacity changes experienced in the previous month, both higher and lower, as well as large capacity deviations anticipated for projected production.

(D) Renewable Energy Certificates (REC) status. REC status including owners in Oregon and any changes in REC ownership.

(e) Change report. The incentive payments for Enrolled Projects are limited to the electricity produced by the Enrolled Project as described in the incentive program contract. Enrollees must notify the Department of any change in an Enrolled Project scope as soon as possible.

(A) Changes to project details, including but not limited to project current or anticipated future ownership, size, location, Off-taking Entity, or to any of the project details evaluated when determining qualifications and eligibility, must be reported to, and approved by the Department to determine if the project is still eligible.

(B) Project changes may affect program qualification or eligibility and could result in termination of, or adjustments to program incentive payments.

(C) Where a delay in project change reporting results in an overpayment the Department will seek to recapture overpayment and reserves the right to offset future payments as well as other remedies allowable by law to recapture overpayment.

(f) Annual report. Forty-five days after the end of the first half of each calendar year, SDI Program Enrollees will submit additional data with their monthly report, including, but not limited to

(A) Total number, average wages, and location of jobs associated with the project

(B) Federal tax credits claimed in Oregon,

(C) Property taxes paid (or total of fee in lieu of), and

(D) Total rents paid to land owner.

(g) Failure to report. Failure to provide required reports, or failure to fully and accurately report project details as required in each report type, may result in immediate termination of program incentive payments and the removal of all associated Enrolled projects from the SDI program. If the Department determines that a failure to report or a failure to fully and accurately report resulted in Enrollee overpayment, the Department will seek to recapture the overpayment and reserves the right to offset future payments as well as other remedies allowable by law to recapture overpayment.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-0900

Ownership, Exclusions, and Transferability

(1) Enrollee ownership and control. SDI program participation is limited to 35 MW of projects per Enrollee Project Owner or Operator and any of the Program Enrollee's Affiliated Entities. The intent of this cap is to prevent a single or small number of solar developer owners or operators from reaping all or most of the benefits of the incentive program. Accordingly, a Qualified and Ready Project might not be an Eligible Project if inclusion in the SDI program would result in a breach of this cap.

(a) Ownership, control, and affiliation disclosure. Applicants are required to disclose all Affiliated Entities associated with the Enrolled Project

(b) Contractual agreement disclosure. Applicants are required to disclose contracts between the Applicant and other individuals or entities that own or operate Solar Photovoltaic Energy Systems in Oregon, and may be required to submit additional information on the nature of the contract.

(c) Failure to disclose. Failure to disclose ownership and control information, especially as it may pertain to Program Enrollees exceeding the 35 MW cap in SDI participation, may result in immediate termination of program incentive payments, the removal of all associated Enrolled projects from the SDI program, and if the Department determines that an Enrollee has been overpaid, the Department will seek to recapture overpayment and reserves the right to offset future payments as well as other remedies allowable by law to recapture overpayment.

(2) Project sale. The SDI payments may not be transferred without prior approval by the Department. For projects not yet generating electricity at the time of the proposed sale, the individual or entity to whom the project is being sold shall submit an updated application as described in this division of administrative rule. Enrolled projects that are generating electricity at the time of the proposed sale will work with the Department, who will determine if the project is still eligible to receive SDI. Failure to comply with this provision may result in immediate termination of program incentive payments and the removal of all associated Enrolled projects from the SDI program.

(3) Exclusion from Public Purpose Funding. Owners of Enrolled Projects are not eligible to receive Public Purpose funds (ORS 757.612 (3)(b)(B)) unless the funds are received pursuant to an agreement

entered into before March 16, 2016.

(4) Renewable Energy Certificate ownership. Owners of Enrolled Projects also own all renewable energy certificates under ORS 469A.130 that are associated with the generation of the Enrolled Project.

Stat. Auth.: Ch. 63, OL 2016 (HB 4037)

Stats. Implemented: Ch. 63, OL 2016 (HB 4037)

123-093-1000

Confidential Records

(1) The director or his or her designee shall provide nonexempt program records for inspection in accordance with Oregon Public Records Law.

(2) The person requesting inspection of the records may be charged in advance the Department's cost for locating, compiling, copying, and mailing the records. Such costs shall include but not be limited to costs incurred in locating records, separating exempt and nonexempt records, having a custodian present during the inspection, preparing lists of data, making photocopies, and telefaxing materials. Fees to be collected shall be set forth in the Department's schedule of fees and may be amended from time to time as the Department in its sole discretion may determine.

Stat. Auth.: ORS 285A.075 & Ch. 63 OL 2016

Stats. Implemented: ORS 192.430 & 285.035(5)