



March 26, 2019

House Committee on Energy and the Environment
Chair Ken Helm
900 Court St. NE
Salem, OR 97301

Dear Chair Helm, Vice-Chairs Schouten and Reschke, and members of the committee,

The Oregon Solar Energy Industries Association (OSEIA) is a trade association founded in 1981 to promote clean, renewable, solar technologies. OSEIA members include businesses, non-profit groups, and other solar industry stakeholders. We provide a unified voice of the solar industry and focus exclusively on the solar value chain; from workforce development to permitting, advocacy, policy, and regulation for manufacturing, residential, commercial, community, and utility scale solar projects on the local, state and regional level.

OSEIA strongly supports HB 2496 and also supports the -2 amendment which strengthens several provisions in the bill. The -3 amendment is also a good first step and we hope to work with the bill sponsor and the committee to continue to improve the bill through further amendments. The bill seeks to update and strengthen existing law and we support this effort.

In 2007 the Oregon Legislature passed an excellent program into law, that dedicates 1.5% of public construction projects using state dollars to Green Energy Technology (GET), which is primarily solar and biomass. Since then, successful projects have been built around the state on schools, fire stations and other public buildings. This law has increased public awareness and excitement about solar and has produced clean, renewable energy in Oregon, for Oregonians.

The law is a reasonable one. If an entity determines that GET is not appropriate for the project, the project must submit its reasoning to a technical review panel, which provides analysis and a recommendation to the public entity, who then makes the final call about whether or not to follow the GET requirement. There are a number of reasons a project might not be appropriate for the GET requirement and the technical review committee has been reasonable in their reviews.

Unfortunately, not all projects follow the law. For example, in 2018 one of the requests to the Oregon Department of Energy to be exempt from the requirement cited that they couldn't fulfill the requirement because the design had already been completed without factoring in the GET requirement. Failing to properly design the building in order to adhere to the requirement is not a justifiable reason to not comply. Some projects fail to submit a reason to the technical review panel at all and simply do not follow the requirement.



Failure to follow the law is frustrating for solar companies, who have had many good experiences with these projects and see first-hand the benefits the projects can bring. OSEIA is simply requesting assurance that the law is followed as it was written.

To this end, OSEIA supports the -2 amendment, which would require the contracting agency to be pre-qualified to bid on a contract only if they follow the 1.5% requirement, including submitting an assessment for review if the project is deemed not appropriate. In addition, while we support the ability of public entities to roll the requirement into a future project, we are concerned that the requirement may be continually postponed. We support the -2 amendment which puts a limit of three on the number of times the requirement can be pushed forward onto a future project. Public entities are not required to set-aside the 1.5% for a future project and so in order to have the assurance that the law will be followed, the -2 amendment requires the 1.5% to be returned to the general fund if the requirement is not met in one of three projects.

OSEIA is grateful to Rep. Holvey for his strong support of this law and his work on the -3 amendment. While some of the provisions in the -3 amendment will mean fewer solar projects on public buildings, OSEIA is willing to work with stakeholders to find common ground to ensure that the program and its benefits continue.

OSEIA also supports a new provision in the underlying bill to include battery storage when paired with solar as an eligible Green Energy Technology. Battery storage when paired with solar is an important resiliency measure, especially for public buildings. When the lights go out, solar power also stops working, since it is connected to the grid. However, if the solar system is paired with on-site storage, that building can continue to have electricity, powered from the battery which has stored solar power generated on-site. In an emergency, it is critical that public buildings have electricity. Fire and police stations, hospitals, and schools need to be fully operational for emergency response and as community gathering places. Oregon is not yet adequately prepared for the subduction zone earthquake, making distributed generation of solar power, paired with battery storage, critical for the state's response and recovery.

For the above reasons, OSEIA strongly supports HB 2496 and the -2 amendment. We look forward to continuing to work with Rep. Holvey and other stakeholders to improve the bill and the program for the benefit of all Oregonians.

Angela Crowley-Koch
Executive Director
Oregon Solar Energy Industries Association (OSEIA)