



February 3, 2021

Chair John Lively
Co-Vice Chair Jami Cate
Co-Vice Chair Jason Kropf
House Committee on Economic Recovery & Prosperity
900 Court Street NW
Salem, Oregon 97301

RE: Opposing HB 2613, Relating to Utilities

Dear Chair Lively, Co-Vice Chair Cate, Co-Vice Chair Kropf, and Members of the Committee:

Oregon Municipal Electric Utilities Association (OMEU) is made up of eleven municipally-owned and operated electric utilities. As consumer-owned utilities (COUs) we are directly accountable to the people we serve through our city councils and local governing boards.

OMEU opposes HB 2613. The legislation places an inordinate and costly administrative burden on cities, including municipal electric utilities, by requiring a special communication to “every telecommunications provider with a history of installing underground utility infrastructure in the right of way *or that has a potential to install* underground utility infrastructure in the right way in the future.” Additionally, the bill provides that telecommunications providers be given 30 days after this notification to indicate their interest in colocation. This timeframe could jeopardize the timely completion of electric facility projects. Furthermore, this legislation does not specify that the telecom provider would share in the cost of opening the trench. Colocation arrangements should not unjustly enrich for-profit telecom providers at the expense of municipal residents and ratepayers.

As a matter of public safety, Section 4 of the bill, which provides that cities may not require telecommunications providers to prepare plans detailing the depth and location of other underground facilities in the area of a proposed project if the project is for a linear segment 1000 feet or less, is equally concerning.

In the recent past, one of our municipal electric utilities extended notification regarding an open trench project as a courtesy to a telecom provider. Unfortunately, the contractor doing the excavation was forced to wait for the telecommunications company, wasting both time and money.

Thank you for your consideration.

Sincerely,

Jennifer Joly
Director

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