

HB 4076 A STAFF MEASURE SUMMARY**Carrier:** Rep. Lively**House Committee On Climate, Energy, and Environment****Action Date:** 02/12/26**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 11-1-0-0**Yeas:** 11 - Andersen, Edwards, Gamba, Helm, Levy B, Levy E, Lively, Marsh, McDonald, Osborne, Owens**Nays:** 1 - Cate**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Erin Pischke, LPRO Analyst**Meeting Dates:** 2/12**WHAT THE MEASURE DOES:**

The measure requires the Energy Facility Siting Council (EFSC), while evaluating an energy facility’s compliance with statewide planning goals, to find that certain standards are met if the energy facility will deliver electricity to the electric grid utilizing its surplus interconnection and does not require associated transmission lines more than two miles from the energy facility’s site boundaries. It defines “surplus interconnection” as any capacity at the point of interconnection under an existing energy facility’s interconnection agreement that is not being utilized and does not exceed the energy facility’s original interconnection capacity.

ISSUES DISCUSSED:

- Transmission and interconnection limits of expanded energy facilities
- Project size, land use, and operational changes allowed in the measure
- Applicability of the measure to the county energy facility siting process

EFFECT OF AMENDMENT:

The amendment replaces the measure.

BACKGROUND:**Energy Facility Siting**

According to the Oregon Department of Energy, EFSC is “responsible for overseeing the development of large electric generating facilities, high voltage transmission lines, gas pipelines, radioactive waste disposal sites, and other projects.” State law requires developers to apply for a site certificate and undergo an EFSC review to ensure the potential project meets certain siting standards. If the developer’s site certificate is approved, the developer is authorized to construct and operate the facility.

Surplus Interconnection

Surplus interconnection refers to using an existing grid interconnection’s unused capacity to add new electricity resources—renewable or nonrenewable—at the same location, without exceeding the original interconnection limit. By relying on already approved interconnection services, it may enable faster, lower-cost deployment of new generation compared to standard interconnection processes.

Executive Orders

In October and November 2025, Governor Tina Kotek issued two executive orders relating to supporting Oregon’s clean energy development: Executive Order (EO) 25-25 explicitly targets accelerating wind and solar energy development before federal clean energy tax credits are eliminated. EO 25-29 declares that reliable clean energy and related infrastructure are necessary to enable sustained economic growth and meet rising energy demands.

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In part, EO 25-29 directs executive branch agencies to support investment in and deployment of clean electricity infrastructure. It also directs agencies to take actions to “develop and implement a coordinated, proactive approach to streamline land use and environmental reviews, siting and permitting, and interconnection processes for clean energy projects, energy storage, and associated transmission and distribution infrastructure.”