



February 4, 2026

Senator Janeen Sollman, Chair
Senate Committee on Energy & Environment
Oregon State Capitol
900 Court Street NE
Salem, OR 97301

RE: COU Requested Amendments and Clarifications to SB 1526

Dear Chair Sollman, Vice-Chair Brock Smith, and Members of the Senate Committee on Energy & Environment:

As you know, COUs and other energy suppliers have become increasingly concerned about legislation that assigns new roles to ODOE. Unless other dollars, like GF, are designated these costs fall on our ratepayers through the Energy Supplier Assessment (ESA). Last year we saw an ESA increase of 13.5%. While SB 1526 indicates that ODOE should apply to the Environmental Restoration Council for funding for pre-startup activities and to establish a founding board, the bill says nothing about ongoing funding for operations. With testimony during Legislative Days about Connecticut relying on a utility bill surcharge as part of their funding, we became concerned.

In discussing our concerns with the Chair, she indicated a willingness to include language clarifying that ODOE will not be overseeing the Founding Board. Accordingly, ESA funds will not be tapped for funding ongoing operations once the Founding Board is created with grant funds from the Environmental Restoration Council, which comes from Monsanto settlement dollars.

Additionally, Legislative Counsel has confirmed that a utility surcharge or additional ESA could only be used with explicit Legislative approval. The independent Board does not have this spending authority. LC has indicated a willingness to affirm this on the record, which would be appreciated.

Finally, we asked that the sponsor remove the word “transmission” on page 2 line 18. We think transmission projects are outside the scope of the type of projects that should proceed under this concept. Transmission decisions should not be made by a Board with state agencies and non-governmental organizations. As we saw from the discussion around the Transmission Authority legislation last Session, a much broader discussion needs to be had about the State’s role in transmission. To avoid confusion, the Chair has agreed to delete the word “transmission.”

We appreciate you addressing our concerns.

Sincerely,

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