



March 21, 2019

Re: HB 2496

To Whom It May Concern;

We appreciate the opportunity to share our experience with the 1.5% Green Energy Technology (GET) requirement.

Sunlight Solar is one of Oregon's longest serving solar installation companies. We are proud to have been selected through the competitive public bidding process to construct several solar energy projects that were built as a result of the 1.5% GET requirement. We fully believe in the intent and value of the rule, and strongly support the amendments introduced in HB2496, which would greatly improve the law's effectiveness.

We'd like to submit for the record our correspondence with the administration and legal counsel of the Bend La Pine School District ("BLS D"), with whom we had detailed dialogue about the 1.5% GET law in the spring of 2015. It was at this time that BLS D made the decision to not follow the 1.5% GET law's guidelines and procedures, either following or preceding the District legal counsel's determination that BLS D was not required to install green energy technology at a new elementary school (Silver Rail) and middle school (Pacific Crest). In our view the logic behind these determinations was flawed at best, as we argue in our response letter. Here we have an example of a growing trend, where agency representatives elected to not follow this state requirement based on what we believe is a misinterpretation of the statute and knowledge that there would be little to no oversight or enforcement of this law. To our knowledge BLS D has not included renewable energy technologies on any subsequent construction projects, and in our experience, agencies throughout the state have come to many the same conclusions in recent years, which has resulted in a consistent downturn in the number of public construction projects that have included a renewable energy component. Simply put, the word is out that this rule has no teeth and is easily skirted.

Although we respect BLS D's and any public agency's right and duty to act in what they perceive to be the best interest of the community, and we commend BLS D's efforts to incorporate energy efficient technologies, we also strongly disagree with much of the District's interpretation of the 1.5% GET statues, procedures, and overall value. We believe that a reading of the attached correspondence will help committee members better understand the point of view of a small but important segment of public agency representatives, as well as the perspective of renewable energy industry workers and advocates who support this law and the proposed amendments in HB2496.

Respectfully,

-Sean Micken

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Exhibits

- Exhibit A: BLS D email to Sunlight Solar
- Exhibit B: Sunlight Solar response to BLS D email
- Exhibit C: Sunlight Solar response to BLS D Determinations of Appropriateness
- Exhibit D: Determination of Appropriateness (Silver Rail Elementary)
- Exhibit E: Determination of Appropriateness (Pacific Crest Middle School)