



March 10, 2021

**Re: HB 3049, Relating to Facilities Along Public Roads**

Dear Co-Chair Beyer, Co-Chair McLain, Co-Vice Chairs Boquist and Noble, and Members of the Joint Committee on Transportation,

Consumer-owned utilities (COUs) and the Special Districts Association of Oregon (SDAO) stand opposed to HB 3049, which creates new authority for counties to levy uncapped and unlimited fees for the construction or alteration of electrical and water/wastewater service lines along county roads. This authority would be in direct contradiction to ORS 758.010 (2) which provides that such uses be “free of charge.”

The Oregon Municipal Electric Utilities Association (OMEU), the Oregon People’s Utility District Association (OPUDA), and the Oregon Rural Electric Cooperative Association (ORECA) represent 36 of Oregon’s COUs. As COUs, we are governed by locally-elected boards. SDAO represents 97 domestic water providers and 46 sanitary districts. Our members provide services at the least cost possible and have no profit motive. Fees, like those proposed in HB 3049, must be passed on to our customers. All of our members have significant infrastructure requiring regular maintenance, upgrading and replacement in county rights of way. Additionally, catastrophic weather events, like the recent wildfires and ice storms, create unprecedented system impacts. This bill would allow fees for “construction or *alteration* of a line, fixture or other facility within the right of way of a public road under the jurisdiction of the county . . .” not merely new installations.

The coronavirus, wildfires, and now the ice storms, have created hardships for our communities and utilities. Recognizing this, we have been working with our customers, many of whom are struggling, to provide utility assistance when available and generous payment plans. Our members voluntarily suspended disconnections for non-payment for extended periods of time during the pandemic. These actions, while appropriate and necessary, have created challenges for many of our members. Several have delinquent accounts double or triple this time a year ago, pre-pandemic. Now is not the time to impose new costs for utility customers.

While our concerns about the open-ended authority granted in HB 3049 are unequivocal, they are even more acute during this challenging time. We urge the Committee to reject this bill.

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