

Submitter: Stephen Floyd  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure, Appointment or Topic: SB926

To the esteemed members of the committee,

I suggest that the language of SB 926 be amended to include a ban on a utility company charging customers for its legal costs in defense of litigation resulting from negligently causing a wildfire.

By reference, PacifiCorp spent \$1.3 billion defending itself against claims arising from the 2020 Labor Day Fires by the third quarter of 2023 ([https://www.moodys.com/research/Moodys-downgrades-PacifiCorp-to-Baa1-outlook-stable-Rating-Action--PR\\_482643](https://www.moodys.com/research/Moodys-downgrades-PacifiCorp-to-Baa1-outlook-stable-Rating-Action--PR_482643)). These costs exclude any fines, settlements or jury awards, and would doubtless be the subject of attempts by the company to recoup losses through ratepayers. I would argue that these losses are, like those already described in the bill, the result of a company's illegitimate actions and should not be recoverable alongside the legitimate costs of doing business.

I would also recommend adding language requiring an accounting of rebuilding costs following a wildfire caused by negligence. The Public Utility Commission requested such an accounting from PacifiCorp when the company asked to charge ratepayers \$50 million over three years in rebuilding costs for the 2020 fires. PUC asked for specifics to determine which costs were warranted and PacifiCorp refused. PUC gave them a rate increase anyway (though by half, but they still did so) which was a startling dereliction of duty because on the one hand they established the importance of such a list but then said that it's optional. I believe it would be more appropriate for such an accounting of costs to be compulsory in order for a utility to raise rates, to further foster accountability.

Thank your for taking up this issue,

Stephen Floyd