

March 10, 2025

Oregon House Committee on Climate, Energy and Environment  
Oregon State Capitol  
900 Court St. NE  
Salem, Oregon 97301

Subject House Bill 3681 with the -1 Amendment

Chair Lively and Members of the Committee,

My name is David Brown, and my company is Obsidian Renewables. We are a clean energy company based in Lake Oswego, Oregon. We have a long history of renewable energy development, having developed the first larger scale solar projects for both Portland General Electric and Pacific Power. We also developed the first utility solar project in the Bonneville Power service territory.

I am here this morning to testify in favor of House Bill 3681 with the -1 amendment. First, I want to thank Representative Gamba for his tireless efforts to advance the discussion on improving state policy on renewable energy development during the time between sessions. We participated in several productive workshops and had additional meetings with Representative Gamba and his staff. Representative Gamba treated participants with respect and listened carefully to what was said. To my observation, people with diverse backgrounds and opinions seemed comfortable with his style and approach.

House Bill 3681 makes changes to the Energy Facility Site Certificate Process. For projects subject to EFSC jurisdiction, the Site Certificate serves as a master building permit. Each Site Certificate contains conditions and requirements that an energy facility must satisfy during planning and design, before construction begins, during construction, during a lifetime of operation, and at the end of operation. I have a Site Certificate for the very large Ft Rock Solar Center, and it is lengthy, detailed and contains over 100 separate conditions that must be satisfied.

Our Site Certificate, like all others, requires that construction begin within three years of the date the Site Certificate is issued. Because of delays in being interconnected to the regional transmission system owned and operated by the Bonneville Power Administration, it is very unlikely construction of an energy facility can begin in three years. It is almost certain that a very large majority of projects with a Site Certificate will need an amendment to extend the date to begin construction.

HB 3681 provides an administrative simple process to obtain an amendment to the Site Certificate for the single purpose of obtaining an extension to date to begin construction. Please see the -1 amendment at page 6.

Obsidian is in process of obtaining such an extension for its Ft Rock site certificate, issued in 2022. Obsidian is following the existing rules and procedures of EFSC. The simple extension amendment will take six months and tens of thousands of dollars in fees of various engineers, soil consultants, wildlife consultants and lawyers, together with charges for the time and expenses of the Department of Energy staff. DOE staff have done a fine job following their rules on our requested amendment, and I am not criticizing their work. I am saying it is unnecessary, because before Obsidian can begin construction of the Ft Rock project we need to “bring down” (make current) all of facts and details of our project as set forth in the Site Certificate and its Final Order to the satisfaction of the DOE. I can see no tangible benefit from a lengthy review process just to obtain an extension of a start date, particularly when it is clear that most projects will require such an extension anyway.

Thank you for your time this morning.

Sincerely,

/s/David W. Brown

David W. Brown

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