

April 2, 2025

HB 3917 Does not Mandate that Utilities Reimburse the Catastrophic Wildfire Fund, Even if Found to have been Imprudent

Two pieces of submitted testimony on this bill make the statement that, if the Oregon Public Utility Commission (OPUC) finds a utility caused the catastrophic wildfire and was imprudent in its wildfire management, then the utility must reimburse the the Catastrophic Wildfire Fund for the claims paid out. That is not the case.

Instead, Section 8(4) of HB 3917 states:

(4) If the commission determines that a public utility's actions and conduct that caused the catastrophic wildfire were imprudent, the commission may order the utility to reimburse the fund, in whole or in part, for claims paid from the fund as a result of the catastrophic wildfire.

Note the permissive "may," not "shall." The OPUC is not required to order the utility to reimburse the fund.

One testimony that includes the inaccurate description of HB 3197 is that of Jon Stark for Economic Development for Central Oregon, who states:

This fund, while not a liability waiver (if found negligent in causing a fire, utility shareholders would be required to reimburse the fund), will help utilities be more proactive and less reactive.

That statement is further inaccurate, because the OPUC determination is one about prudence, not negligence.

The other testimony is the expert testimony of Ralph Bloemers for the Oregon Green Alliance, who states:

If a utility or its actions were found to be imprudent, then they must reimburse the fund.

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