

April 30, 2025

## **Position on Bills at 2025 Session of Oregon Legislature:**

### **HB 3546: Support, but it should have been improved**



The Consolidated Oregon Indivisible Network (COIN) is a coalition of over 50 local Indivisible groups throughout Oregon that cooperate and amplify their joint efforts to advance important federal and state legislation and engage with elected officials to promote causes for the benefit of all Oregonians.

COIN supports HB 3546, which would require the Oregon Public Utility Commission (OPUC) to create a rate classification for certain large energy use facilities and require regulated utilities to execute contracts with such facilities with provisions intended to protect other ratepayers from increased costs to the utility that the large energy use facilities do not cover.

While this is a laudable goal, HB 3546 as introduced had several problems. These were described in the attached March 7 letter to the members of the House Committee on Climate, Energy, and Environment by Jeff Hammarlund on behalf of COIN. Professor Hammarlund described five problems and offered fixes. Most of which were not included in the adopted -3 amendment. Even with the -3 amendment:

1. The bill still contains an unacceptably vague definition of “facility,” as it does not sufficiently define “adjacent sites.”
2. The -3 amendment does fix the second problem by defining “large energy use facility” to include a facility that “is able to use 20 megawatts or more,” even if the facility does not actually use that amount of capacity.
3. The -3 amendment does not fix the third problem, because it does not specify any minimum amount or percentage of projected energy use that the facility must “take or pay.”
4. As the fourth problem, Professor Hammarlund noted that the bill does not require the OPUC to approve a form contract. The -3 amendment merely deletes the requirement for the OPUC to prepare such a contract.
5. The -3 amendment does not fix the fifth problem, which is that the 10-year contract requirement only applies to large energy use facilities that apply for service on or after the effective date of the bill, not those that were on the system prior to that date.

Thus, while the bill could have been substantially improved by implementing Professor Hammarlund's suggestions, it remains worth supporting.

## **Consolidated Oregon Indivisible Network (COIN)**

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