

Oregon Citizens' Utility Board

610 SW Broadway, Suite 400
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May 15, 2025

To: Chair Kropf, Vice-Chair Wallen, Vice-Chair Chotzen, and members of the House Judiciary Committee

From: Bob Jenks, Executive Director, Oregon Citizens' Utility Board (CUB)

Re: Opposition to SB 926A

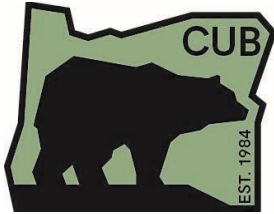
CUB is a membership-based 501(c)3 nonprofit consumer advocacy organization that represents the interests of residential energy and telecom utility consumers before legislative, administrative and judicial bodies. CUB represents the interests of Oregon households by advocating for utility regulations and policies that protect your wallet. To date, we have saved Oregon ratepayers over \$10 billion dollars. **We reluctantly submit this testimony in opposition to SB 926A. CUB would really like to work with the sponsors of the bill to ensure victims of utility-caused wildfires get justice for the harm done to them.** At the same time, as the utility residential consumer advocate, we must ensure investor-owned utility customers continue to have reliable electricity service as affordably as possible.

We understand and agree with the intent of the bill—to bring swift justice to the victims of the 2020 utility-caused wildfires. What they have suffered is unacceptable, especially because these disasters were preventable. That they are still forced to suffer due to delays of justice is also unacceptable. We believe no one should be forced to relive their trauma in drawn out litigation, as they wait for justice from the courts as the appellate process proceeds. CUB is adamant everyone should get the swift justice they deserve.

CUB can support Section 2's concept of protecting ratepayers from the costs and expense of a wildfire caused by a utility's negligence. In Pacific Power's rate case last year, CUB advocated against the company being able to recover costs associated with restoration from the 2020 wildfires arguing that the company did not prove those costs were prudently incurred.¹ As I stated to [OPB two years ago](#), "[t]he court found that Pacific Power was reckless and grossly negligent, and included punitive damages meant to punish the company, not customers. Customers should not pay a dime of these costs." We've previously advocated that we believe this applies to settlements from this harm, as well.² Our position fervently remains the same.

¹ *Id.*

² See *In the Matter of PacifiCorp dba Pacific Power, Request for a General Rate Revision*. Docket No. UE 433, CUB Opening Brief, 63 (Oct. 14, 2024), available at: <https://apps.puc.state.or.us/edockets/edocs.asp?FileType=HBC&FileName=ue433hbc332070055.pdf&DocketID=24006&numSequence=277>.



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Unfortunately, as currently written, Section 3 of SB 926A risks unintended consequences for residential households of electric utilities, which includes victims of the 2020 fires. For example, this section could harm a utility's ability to invest in its future capacity needs and wildfire mitigation strategies, creating safety and reliability concerns for customers. These utilities often issue stock for necessary grid investment purposes. This bill would prevent utilities from maintaining their system until an outstanding judgment is paid. This, unfortunately, could be quite some time as the cases work through the appellate process. Limiting ability to raise capital would be very problematic for the utility's customers because it would limit grid maintenance needed for reliable service. And it would put the utility in the position of having to borrow at a much higher interest rate than it would otherwise, raising costs for customers. There is also the risk utilities will not be able to access financing at all, given the impact the inability to access shareholder funds will have for financial institutions lending money. Each of these outcomes will result not only in higher electricity bills for customers but potentially reduce service reliability and safety as the utilities may be prevented from making necessary investments to meet our growing electricity grid needs.

We, of course, would be happy to be part of conversations to find a solution. We would like to collaborate with the sponsors of the bill to find a workable solution that provides justice for victims but also maintains reliable and affordable electricity service.

Thank you for your time and consideration.