



Remarks for HB 387
House Environment, Energy & Technology Committee
03/12/2025

Mr. Chairman, Members of the Committee. Good morning. My name is Lance Giles, and I am a contract lobbyist based in Boise, Idaho.

Today, I am here on behalf of my client, Renewable Northwest, a registered 501(c3) non-profit and membership organization consisting of over 80 members, including energy developers, large electrical load users, and others. We support competitive marketplaces for energy development in Idaho, Montana, Washington, and Oregon.

We urge you to send House Bill 387 to General Orders for possible amendment so that we can work together with the Sponsor and other stakeholders to improve this bill.

As written, the bill will raise electricity prices for Idaho's residents and businesses. The bill also lacks clarity critical to implementation, creates regulatory redundancy, and infringes on private property rights. Let me quickly speak to each of these concerns.

First, the bill's requirement to pay a decommissioning bond before the start of construction will significantly increase the cost of bond capital over the life of the project. These costs are directly passed to Idaho's residents and businesses. By adding a new up-front cost, the bill would raise electricity costs for Idaho consumers.

The vast majority of decommissioning bonds for wind projects around the United States are paid at the mid-point of an energy project's first purchase power agreement, usually around 10-15 years after commercial operations begin. Given the parties involved are incentivized to operate the project for the entirety of the Power Purchasing Agreement, there is very little risk of facilities being decommissioned in this time frame. Requiring bond payment up front is attempting to solve a problem that simply does not exist.

Second, the bill would institute a new requirement to remove the entirety of every subsurface structure and road, no questions asked and no consideration for communities that might want to keep roads. We've never seen this before anywhere in America, and for good reason: it's not necessary. On agricultural lands for instance, typically the requirement is to remove the top three or four feet of a structure under the surface because most farm equipment doesn't go deeper than eighteen inches. Underground electrical lines are typically buried three to four feet underground and do not impede farming.

Third, the bill introduces regulatory redundancies and ambiguity. Idaho's counties already have the pen on decommissioning requirements. Why does the Idaho State Legislature need to override them? The Idaho Department of Lands already has its own decommissioning requirements for state lands, as does the federal government for federal lands.

This bill could create a new and second bond requirement, for no good reason. If House Bill 387 is intended to regulate private lands, why does the State Legislature need to usurp individual property rights? It should be up to private landowners to negotiate a decommissioning plan that makes sense for each situation.

Again, I urge you to send House Bill 387 to General Orders for possible amendment and stand ready for questions.