

COMMITTEE ON NATURAL RESOURCES
118th Congress Disclosure Form
As required by and provided for in House Rule XI, clause 2(g)(5)

The House Committee on Natural Resources
Subcommittee on Water, Wildlife and Fisheries Hearing Titled
“Left in the Dark: Examining the Biden Administration’s Efforts to
Eliminate the Pacific Northwest’s Clean Energy Production.”
December 12, 2023

For Individuals:

Name:
Address:
Email Address:
Phone Number:

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For Witnesses Representing Organizations:

Name: Scott R. Simms, CEO & Executive Director
Name of Organization(s) You are Representing at the Hearing: Public Power Council
Business Address: [REDACTED]
Business Email Address: [REDACTED]
Business Phone Number: [REDACTED]

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For Nongovernment Witnesses ONLY:

1. Please attach/include current curriculum vitae or resume.

Please see attached.

2. Please list any federal grants or contracts (including subgrants or subcontracts) related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the source and amount of each grant or contract.

None.

3. Please list any contracts or payments originating with a foreign government related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the amount and country of origin of each contract or payment.

None.

4. Please disclose whether you are a fiduciary (including, but not limited to, a director, officer, advisor, or resident agent) of any organization or entity that has an interest in the subject matter of the hearing.

I am the CEO and Executive Director of the Public Power Council (PPC). I also serve as the Corporate Secretary and Treasurer of PPC, which is governed by a 21-member board comprised of executives of PPC member utilities. PPC represents the vast majority of the non-profit, consumer-owned electric utilities in the Pacific Northwest, serving people and businesses in Washington, Oregon, Idaho, western Montana, and parts of Nevada and Wyoming. These large and small utilities in rural and urban areas of the Great Pacific Northwest purchase electricity and transmission services from the Bonneville Power Administration, or BPA – the largest Power Marketing Agency of the four under the U.S. Department of Energy. Unlike most federal agencies, BPA does not receive federal appropriations, but funds all of its operations by selling wholesale power and transmission products and services to PPC members and other utilities. Collectively, consumer-owned utilities pay 70 percent of BPA’s \$3.9 billion-dollar annual revenue requirement, with the remainder of BPA’s budget covered from sales to others.

Congress gave consumer-owned utilities in the Pacific Northwest the first right of access to the power BPA markets from the Federal Columbia River Power System (FCRPS). PPC members rely on those, as well as the federal transmission, resources to deliver power to the communities they serve. As noted below, PPC is a party to the long-running litigation involving the operations of the FCRPS. PPC is also a party to the mediation process conducted by the Council on Environmental Quality (CEQ) and the Federal Mediation and Conciliation Service (FMCS) to resolve the litigation pertaining to the operations of the FCRPS.

5. Please list any current or pending litigation against the Federal government to which you or your organization is a party. Please disclose as applicable case name, docket number, the court, and subject matter of the litigation.

National Wildlife Federation v. National Marine Fisheries Service (NWF v. NMFS), 3:01-cv-640-SI (D. Or.)

- Long-standing litigation pertaining to the operations of the FCRPS. FCRPS is comprised of the federal generating resources PPC members rely on to provide reliable, clean, affordable power to their communities.
- PPC is an intervenor.

Idaho Conservation League, et al. v. Bonneville Power Administration, Ninth Circuit Case No. 23-593

- Litigation initiated by some environmental NGOs relating to BPA’s use of the Power Reserves Distribution Clause and BPA’s decision on how to allocate power reserves among authorized purposes. The petition asks the Court to set aside BPA’s determinations in the Power RDC Decision and “and remand to BPA to revisit the decision in a manner that complies with BPA’s duties to fish and wildlife under the Northwest Power Act.”
- PPC is an intervenor.