

December 11, 2023

Dear NW Congressional Delegation,

As another year ends, we are writing to express again our fundamental and significant concern over the delay in negotiations to modernize the Columbia River Treaty. As major stakeholders in the power, navigation, and flood control operations of the federal systems operating throughout the Columbia River basin, we believe that modernization and revision of this major Treaty is now years overdue and our members, representing the majority of the residents of the Pacific Northwest, are paying an excessive price for the failure to achieve an urgently needed change to this treaty.

On December 13<sup>th</sup> of this year, it will be 10 years since the Regional Recommendation was forwarded to the State Department by the U.S. Entity. The Regional Recommendation was the product of several years of collaborative work in the Northwest by nearly all major stakeholders with significant interests in the Treaty. We are well past the deadline suggested in the Regional Recommendation. **In fact, the Regional Recommendation, which is attached, requested that Treaty revisions be accomplished by 2015 or look to other options by 2016, which was seven years ago.** Notably, the Regional Recommendation says at some point the U.S. should consider “other options” if we cannot reach agreement with Canada. If there is no breakthrough in the negotiations, these other options should be considered and invoked.

Canadian officials have recently acknowledged that the Canadian Entitlement is presently worth more than \$300 million per year with higher energy prices likely to continue this increased value of the Canadian Entitlement for years. There are additional costs to U.S. ratepayers related to transmission costs and operational costs related to capacity and Canadian flexibility to call upon the U.S. for energy deliveries. We believe strongly that there is no continuing obligation to deliver a windfall to Canada in future years, particularly if the result is that our members need to buy back that US-generated renewable energy at even higher prices.

As you know, the Biden Administration and our states have serious and significant climate change objectives and renewable energy requirements. We need this power to meet state renewable energy standards and the Administration’s climate goals. We hope and believe that the State Department has as a priority to keep the renewable energy generated in the Pacific Northwest rather than delivering it to Canada. But, we are looking at yet another year of delivering this power to Canada unnecessarily.

In addition to our power needs, we express our significant concerns over the failure of the Administration to provide a clear plan for preserving domestic flood control protections before the “called upon” requirements of the existing Treaty become effective in September of next year, less than a year away. Our communities need more certainty of operations before that time, and river interests depending on navigation certainty require more detailed planning for operations. **If the failure to modernize the Treaty by September 2024 results in default to the Called Upon system, the Corps of Engineers must provide the river communities and us more information so that our constituents can plan for September 2024.** It is not enough to issue vague warnings without giving our constituents an

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- Chelan County PUD
- Cowlitz County PUD
- Douglas County PUD
- Eugene Water & Electric Board
- Grant County PUD
- Idaho Consumer-Owned Utilities Association
- Mason County PUD #3
- Northwest Requirements Utilities
- Pacific Northwest Waterways Association
- PNGC Power
- Portland General Electric
- Puget Sound Energy
- Public Power Council
- Seattle City Light
- Snohomish County PUD
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opportunity to raise operational and other concerns, have the Corps respond to concerns, and give River users time to prepare for September 2024.

We urge our delegation to once again press the State Department and White House to successfully conclude negotiations with Canada for a better, modernized treaty or invoke the sunset provisions of the existing treaty which allow either party to end the power provisions with ten years notice.

We look forward to continuing to work with you to make this a priority for the Biden Administration in 2024.

Sincerely,



Scott Simms  
CEO & Executive Director  
Public Power Council



Neil Maunu  
Executive Director  
Pacific Northwest Waterways Association