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PPC Opposes Injunction Filing in Federal Court, Urges Return to Settlement Talks

PORTLAND, OR – October 14, 2025 – The Public Power Council (PPC) today expressed strong opposition to the State of Oregon and environmental groups’ request for a federal court injunction that would, among other harmful actions, mandate round-the-clock spill from the Columbia and Snake River dams during much of the year – a measure PPC said is scientifically unproven, counterproductive to real salmon recovery, extremely costly to electricity consumers, and could spell disaster for our region’s grid reliability.

If granted, Oregon and the other plaintiffs’ motion could cost Northwest public power ratepayers and other river users hundreds of millions of dollars per year and increase the risk of regional blackouts, all while diverting attention from collaborative, science-based solutions.

“Instead of directing time and energy into court filings, PPC encourages the plaintiffs to work with all interested parties and focus on our common, shared goals of promoting the restoration of the region’s valued endangered and threatened species with science-based and cost-effective fish mitigation measures,” said Scott Simms, PPC CEO & Executive Director. “We can continue to support salmon and support a productive hydro and river commerce system – these elements are not and should not be mutually exclusive.”

The filing comes four months after the federal government withdrew from the 12/14 Memorandum of Understanding (MOU) with “Six Sovereigns” – Oregon, Washington, and four Northwest Tribes – that had paused decades-long litigation. PPC noted that instead of pursuing renewed negotiations, the plaintiffs went directly back to court seeking more restrictive dam operations than those discussed in the prior MOU.

“When the federal agencies withdrew from the MOU, the door was open to continued negotiations,” Simms said. “Public power stood ready to participate in those talks. Unfortunately, the plaintiffs chose litigation over collaboration, but it is not too late to engage in productive settlement conversations.”

PPC emphasized that the Federal Columbia River Power System (FCRPS) provides about 28 percent of the Northwest’s electricity and is some of the nation’s cleanest and most

reliable energy. For decades, Northwest public power utilities have invested heavily in fish recovery – paying more than \$15 billion since 1999 for mitigation and restoration efforts. Fish and wildlife expenses now make up roughly one-quarter of Bonneville Power Administration’s (BPA) wholesale power rate paid for by the region’s public power customers.

“Given these significant commitments, public power has a responsibility to ensure that every fish mitigation action is based on sound science and measurable benefit,” Simms said.

Recent reports and modeling by regional scientists – including work discussed by the Northwest Power and Conservation Council – have raised questions on the effectiveness of ever-increasing spill volumes. Higher spill can reduce juvenile survival tracking accuracy, raise water temperatures, and diminish power output with uncertain biological gains for the region’s fish.

“Oregon and the plaintiffs’ proposal ignores these uncertainties and risks, making things worse for both fish and people,” Simms said.

Growing Reliability and Affordability Challenges

The injunction proposal comes as the Northwest faces mounting resource adequacy concerns. The Northwest Power and Conservation Council and Western Power Pool have each warned that the region is entering a period of tight electricity supply margins, with projected shortfalls during extreme winter and summer conditions as early as 2026–2027. Retirements of coal and gas plants, combined with delays in transmission expansion and long lead times for new firm electricity generating sources, have left the system increasingly dependent on hydropower for grid reliability.

At the same time, energy affordability is emerging as a major concern for households and local utilities alike. BPA’s most recent rate case showed upward pressure on wholesale costs from inflation, deferred maintenance, and growing environmental obligations. Layering additional spill mandates and other drastic actions on top of these costs, PPC said, would further strain family budgets and the competitiveness of small businesses throughout the region.

“The Northwest is already walking a reliability tightrope,” Simms said. “Adding an untested spill regime and other untested actions right now is not only bad science – it’s bad timing. Our region cannot afford to gamble with grid reliability or affordability.”

Despite opposing the injunction, PPC reiterated its long-standing willingness to work toward a durable settlement that protects fish, affordability, and reliability.

“Public power remains open to renewed discussions among the states, Tribes, and federal agencies,” Simms said. “We know salmon and hydropower can coexist – they already do throughout the basin. It’s time to build on that success, not unravel it through the courts.”

About the Public Power Council

The Public Power Council (PPC) represents consumer-owned, non-profit electric utilities across the Pacific Northwest that purchase power and transmission from the Bonneville Power Administration. PPC’s mission is to preserve and enhance the benefits of the Federal Columbia River Power System for its member utilities and the millions of customers they serve. More information is available at www.ppcpdx.org.