

EXECUTIVE ORDER NO. 25-25

ACCELERATING WIND AND SOLAR ENERGY DEVELOPMENT IN ADVANCE OF ELIMINATION OF FEDERAL CLEAN ENERGY TAX CREDITS

WHEREAS, the State of Oregon recognizes the critical role of clean energy development in advancing community resilience and reducing greenhouse gas emissions while promoting a diverse and inclusive economy; and

WHEREAS, demand for clean electricity is rising rapidly across the region, and development of solar and wind energy facilities in Oregon aligns with the state's goals and values by producing clean and affordable electricity, supporting jobs and economic growth, generating property tax revenue for local communities, and advancing progress towards Oregon's clean energy and climate goals; and

WHEREAS, federal clean energy production and investment tax credits reduce the development costs of solar and wind energy projects; and

WHEREAS, the Trump Administration is taking multiple actions to impede development of renewable solar and wind energy resources, driving up electricity costs and constraining economic development; and

WHEREAS, the federal budget reconciliation bill adopted by Congress eliminated the clean electricity production and investment tax credits for solar and wind projects that begin construction after July 4, 2026 and are placed into service after December 31, 2027; and

WHEREAS, if wind or solar energy projects cannot meet the tax credit deadlines, it will mean lost property tax revenues for Oregon communities and lost construction jobs in 2026 and 2027 and could lead to increases in electricity rates and setbacks to Oregon's climate goals; and

WHEREAS, immediate action is needed to help shovel-ready renewable solar and wind energy projects utilize soon-to-be-terminated federal clean energy production and incentive tax credits; and

WHEREAS, temporary changes must be made to Oregon's energy siting and permitting processes to position shovel-ready solar and wind projects to begin construction by July 4, 2026 and demonstrate compliance with federal requirements for clean energy tax credits.



EXECUTIVE ORDER NO. 25-25
PAGE TWO

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. Directives for Expediting Executive Branch Agency Siting and Permitting Processes.

- Executive branch agencies identified by this Order are directed to take any and all steps necessary and authorized by existing statutes to accelerate and prioritize siting and permitting reviews, approvals, and processes necessary to expedite the permitting and development of solar and wind energy projects in Oregon that seek to qualify for federal clean energy tax credits that require construction to commence by July 4, 2026 and impose a four-year deadline for projects to be placed into service.
- Agencies or their respective boards or commissions shall exercise discretionary authority up to and including adoption of temporary emergency rules to carry out the directives described in this Order.
- These directives apply to the following state agencies and boards and commissions:
 - Department of Land Conservation and Development and the Land Conservation and Development Commission;
 - Department of Energy and the Energy Facility Siting Council;
 - Department of Environmental Quality and the Environmental Quality Commission;
 - Department of Fish and Wildlife and the Fish and Wildlife Commission;
 - Department of Forestry and the Board of Forestry;
 - Department of State Lands and the Land Board;
 - Department of Transportation and the Oregon Transportation Commission;
 - Public Utility Commission; and
 - State Historic Preservation Office.

2. Specific Directives to the Oregon Department of Energy and the Energy Facility Siting Council.

- Consult with solar and wind projects seeking state siting approvals that demonstrate the need to begin construction by July 4, 2026, to be eligible for federal tax credits. For those projects, identify process changes within existing statutory authority that, if implemented, would be of greatest assistance to meeting the deadline for federal tax credits and determine the feasibility of making those changes consistent with this Order.



EXECUTIVE ORDER NO. 25-25
PAGE THREE

- Where applicable, forego consultation with or review by federal agencies unless required by Oregon state statute.
- Prioritize siting approval processes for projects that must commence construction by the federal deadline on July 4, 2026, and accelerate permit reviews and processes, including but not limited to contracting third party expertise to process applications at additional cost to the applicant. The highest priority should be given to projects that have secured power purchase agreements to serve electricity customers in Oregon, have secured interconnection agreements, and can demonstrate the project will provide benefits to Oregon ratepayers.
- As necessary, schedule additional Council meetings to expedite application reviews and site certificate approvals.
- The Director of the Oregon Department of Energy and the Energy Siting Council shall exercise the enforcement discretion granted under ORS 469.992 to waive civil penalties for any solar or wind energy project that meets the following criteria:
 - The applicant has submitted a complete application for a site certificate and begins construction prior to July 5, 2026, for the purpose of meeting the Physical Work Test described in IRS Notice 2025-42 to qualify for the federal clean energy investment or production tax credit;
 - The applicant demonstrates financial assurance as required by OAR 345-022-0050 by supplying a letter of credit prior to commencing construction on the facility, in a form approved by Council in December 2024, naming the State of Oregon, acting by and through the Council, as the beneficiary or payee. The letter of credit must be issued by a financial institution that is included on the Council's pre-approved financial institution list upon submission of a site certificate application, and in an amount totaling no less than \$150,000 per megawatt of aggregate generating and storage capacity specified in the site certificate application;
 - Violation of existing statutory or rule provisions must be limited to the minimum disturbance necessary to satisfy the Physical Work Test prior to July 4, 2026; and
 - In meeting the Physical Work Test, the applicant must avoid all natural, historical, archeological, and cultural resources identified in the application or by agencies reviewing the preliminary application.



EXECUTIVE ORDER NO. 25-25
PAGE FOUR

Civil penalties may be waived for up to four years.

Nothing in this Order exempts a solar or wind facility from complying with the energy facility siting standards established under Chapter 345 of the Oregon Administrative Rules. This Order does not limit or affect the Department's or the Council's discretion to issue civil penalties for violations unrelated to the scope and intent of this Order.

3. Specific Directives to the Public Utility Commission.

- To the extent practicable, accelerate Request for Proposal timelines and support expedited public utility procurement of clean energy resources.
- Commission Staff shall propose for the Commission's adoption provisions of House Bill 2065 (2025) that if applied will allow use of interconnection studies conducted by third parties to solar or wind projects subject to this Order.

4. This Order is effective as of 8:00 a.m. on October 6th, 2025 and shall remain in effect until July 4, 2030.

Done at Salem, Oregon, this 6th day of October, 2025.



A handwritten signature in black ink, reading "Tina Kotek".

Tina Kotek
GOVERNOR

ATTEST

A handwritten signature in black ink, reading "Tobias Read".

Tobias Read
SECRETARY OF STATE