

SENATE BILL REPORT

SSB 6355

As Passed Senate, March 3, 2026

Title: An act relating to creating partnerships to improve the reliability and capacity of the electric transmission system, including through a Washington electric transmission authority.

Brief Description: Concerning the electric transmission system.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Hunt, Kauffman, Chapman, Conway, Dhingra, Pedersen, Saldaña, Shewmake and Stanford).

Brief History:

Committee Activity: Ways & Means: 2/26/26, 3/02/26 [DPS, DNP, w/oRec].

Floor Activity: Passed Senate: 3/3/26, 30-19.

Brief Summary of First Substitute Bill

- Establishes the Washington Electric Transmission Authority (Authority) to, among other duties, support the expansion of and upgrades to the electric transmission system and be a state-wide resource for transmission.
- Creates a ten-member board of directors to provide oversight and advise the Authority.
- Establishes a tribal clean energy partnership work group to identify and evaluate opportunities for tribal participation in the development and ownership of clean energy facilities and infrastructure.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6355 be substituted therefor, and the substitute bill do pass.

Signed by Senators Robinson, Chair; Stanford, Vice Chair, Operating; Trudeau, Vice

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Chair, Capital; Frame, Vice Chair, Finance; Cleveland, Conway, Dhingra, Hansen, Hasegawa, Kauffman, Pedersen, Riccelli, Saldaña, Wellman and Wilson, C..

Minority Report: Do not pass.

Signed by Senators Torres, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Dozier, Assistant Ranking Member, Capital; Boehnke, Muzzall, Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Gildon, Ranking Member, Operating; Braun.

Staff: Jed Herman (786-7346) and Kimberly Cushing (786-7421)

Background: Clean Energy Transformation Act. In 2019, the Legislature passed the Clean Energy Transformation Act (CETA), which requires Washington's electric utilities to meet 100 percent of their retail electric load using non-emitting and renewable resources by January 1, 2045. CETA requires electric utilities to eliminate coal-fired resources from their allocation of electricity by December 31, 2025, and make all retail sales of electricity greenhouse gas neutral by January 1, 2030.

The Transmission Corridors Work Group. Under CETA, the Legislature directed the Energy Facility Site Evaluation Council to convene a Transmission Corridors Work Group (TCWG) to review the need for new or upgraded transmission to meet Washington's renewable energy goals; identify where transmission and distribution facilities may need to be enhanced or constructed; and identify environmental review options and recommend ways to expedite review of transmission projects without compromising required environmental and cultural protection.

The TCWG issued its final report in October 2022, and identified several key themes, including regional and interregional planning, staff resources in state agencies; enhanced resources for tribes; and pre-application planning and coordination.

Summary of First Substitute Bill: Washington Electric Transmission Authority. The Washington Electric Transmission Authority (Authority) is created as a public body. The Authority is an instrumentality of the state exercising essential government functions related to electric transmission.

The priority of the Authority is to maintain or improve the reliability of electric service to Washington customers by:

- supporting the expeditions and efficient expansion of new electric transmission capacity within the state that are prudent and needed to serve Washington customers;
- prioritizing partnerships for new electric transmission projects that meet at least one of the following criteria:
 1. increase access to grid connections for renewable resources and non-emitting electric generation;

2. provide access to regional wholesale markets;
 3. are located in more than one electric utility service territory; or
 4. would not otherwise be built by Washington electric utilities;
- pursuing cost-effective non-wire alternatives to increase the capacity of existing electrical infrastructure;
 - be a statewide resource for developing and coordinating upgrades to existing transmission lines;
 - collaborating with electric utilities, independent transmission developers, local jurisdictions, federally recognized Indian tribes, labor unions, neighboring states, regional entities, and the federal government to develop transmission resources;
 - evaluating opportunities to coordinate with regional wholesale markets;
 - supporting opportunities for community microgrids, distributed energy resources, and energy conservation; and
 - supporting community and economic development.

The Authority must, to the greatest extent practicable, seek to protect cultural and natural resources, avoid impacts to overburdened communities and vulnerable populations, support good jobs, maximize the use of existing rights-of-way for transmission development including on state highways; and mitigate wildfire risk.

For projects of the Authority, the Authority must seek to consult in advance with all electric utilities in areas where a project may be located and coordinate with utilities that operate electric transmission facilities that would be affected by these projects. The Authority must make reasonable and diligent efforts to acquire property or an interest in property by negotiation prior to exercising the power of eminent domain.

Without creating state debt, or lending the credit of the state, the Authority may:

- adopt rules and operating procedures, except for rules to direct cost allocation of transmission resources;
- utilize the services of executive departments of the state upon mutually agreeable terms and conditions;
- exercise the power of eminent domain for land acquisition necessary to secure property or rights-of-way for new transmission corridors for public use;
- enter into contracts and agreements;
- solicit, receive, issue and expend gifts, grants, and donations;
- apply for and accept federal loans;
- enter into partnerships with public or private entities, which must include a fee schedule for services provided, and may include assisting the project proponent in following the State Environmental Policy Act process and supporting tribal consultation;
- lease, purchase, and accept donations of property;
- sell, lease, exchange, or dispose of property;
- own electric transmission equipment and systems, but it may not exceed the extent and duration necessary or useful to promote the public interest and the Authority must

- develop a plan identifying specific conditions prior to becoming an owner;
- select a qualified transmission builder or operator to build, finance, plan, acquire, maintain, and operate an electric transmission project, and proceed as a builder as a last resort if there is an identified pressing need and not a ready and willing qualified transmission builder, subject to criteria in rule;
- sell a state-owned electric transmission project at any stage of development to an electric utility serving customers in Washington, a joint operating agency, Bonneville Power Administration (BPA), or an independent transmission developer or operator; before selling a project, the Authority must adopt criteria in rule for developing a transparent process, issuing a competitive request for proposals, evaluating proposals, and selecting a project developer;
- adopt criteria in rule for an initial and annual local investment commitment fee for high-voltage projects that the Authority develops, owns, or sells, in order to distribute the fees among counties, cities, towns, and federally recognized Indian tribes in proportion to the project's impact; and
- coordinate with the Washington Economic Development Finance Authority (WEDFA) to provide conduit financing for eligible partners that request transmission financing.

The Authority must charge and collect an application review fee of \$5,000 to be submitted by each entity that applies for the use of services provided under a partnership with the Authority. The Authority's primary mode for facilitating discrete transmission projects must be through partnerships with transmission developers, including consumer- and investor-owned utilities, on eligible projects in high priority transmission corridors. The Authority may originate projects without a partner only as a last resort where the project does not interfere with or duplicate another project under development.

The Authority may only offer transmission service on facilities owned by the Authority under a transmission tariff administered by a Federal Energy Regulatory Commission (FERC) jurisdictional entity. Except for facilities owned by the Authority under a partnership agreement with the BPA, a consumer-owned utility, or a joint operating agency, transmission service may be offered under the same terms as the transmission tariff of the partner entity.

The Authority must submit a report of its activities to the Governor and Legislature by December 1, 2027, and July 1st annually thereafter. The report must include operating and financial statements covering the operations of the Authority for the previous fiscal year.

The Authority and any eligible facilities acquired by the Authority are not subject to the jurisdiction of the Utilities and Transportation Commission (UTC). Nothing allows an investor-owned electric utility to include the cost of eligible facilities in its rate base without the approval of the UTC.

Board of Directors. To provide oversight and advise the Authority, a ten-member Board of

Directors (Board) must be appointed by January 1, 2027. Membership includes the director of the Department of Commerce (Commerce), or director's designee, and the remaining members appointed by the Governor with one each representing the following:

- experience working at a consumer-owned utility, preferably with expertise in the transmission function;
- experience working at an investor-owned utility, preferably with expertise in the transmission function;
- expertise in land use planning and law and local permitting processes;
- expertise in clean energy development;
- expertise in ratepayer protection;
- representative of electrical workers with expertise in building electrical transmission;
- experience with financing large infrastructure projects;
- expertise in wildlife conservation and land use policies; and
- from a federally recognized Indian tribe.

One or more members of the Board appointed by the Governor must have expertise with the BPA's transmission service. When facilitating particular transmission projects, the Board may consult with other state agencies or subject matter experts on natural hazards, including wildfire, and potential mitigation practices for such hazards, including upgrading transmission facilities with advanced transmission technologies.

No Board member may represent an owner or operator of an electric generating or transmission facility. After the initial staggered appointments, each Governor appointee must serve four-year terms. Decisions require a simple majority vote of all the members on the Board. The Board must elect its own chair from the membership for a two-year period and meet quarterly.

The Board must hire and fix compensation of an executive director by June 30, 2027. Commerce must provide administrative and staff support to the Board until the executive director is hired. The executive director may employ staff.

High Priority Transmission Corridor Identification. Commerce must identify high priority transmission corridors leveraging transmission plans from national and regional entities and Washington utilities and existing state, regional, and national siting studies, in an open, transparent process, by October 30, 2027. Commerce may contract with independent expert analysts to identify high priority transmission corridors.

The Authority must update the transmission corridor identification study by October 30, 2032, and no less than every five years thereafter.

Accounts. The Electric Transmission Operating Account (Operating Account) and the Electric Transmission Capital Account (Capital Account) are created in the state treasury. Revenues to the Operating Account consist of appropriations made by the Legislature, fees collected for services provided under a partnership with the Authority, federal funds, gifts,

or grants from the private sector or foundations, and other sources. Moneys in the Operating Account may be spent only after appropriation, and for operating cost purposes consistent with purposes of the Authority.

Revenues to the Capital Account consist of all moneys received for the acquisition, sale, management, and administration of the Authority's duties for electric transmission projects and all other revenue related to electric transmission projects created or acquired. The Capital Account may also receive appropriations made by the Legislature, federal funds, gifts, grants, and the endowments from public or private sources. Moneys in the Capital Account may be spent only after appropriation. The executive director, or director's designee, may authorize expenditures from the Capital Account to reimburse management costs incurred by the Authority on electric transmission projects, for the acquisition of interests in land or property to be managed as projects, and for all other nonoperating costs.

Labor Requirements. When selecting a qualified transmission builder or operator, undertaking conduit financing through WEDFA, or constructing a project, the Authority must ensure all construction and maintenance work is performed by either:

- an electric utility, using qualified electrical employees; or
- a contractor or independent transmission developer using qualified electrical employees and using apprentices enrolled in a specified apprenticeship program, with a completion rate of at least 25 percent.

The Authority must also ensure that work is performed in compliance with the applicable prevailing wage provisions.

Tribal Clean Energy Partnership Work Group. A Tribal Clean Energy Partnership Work Group (work group) is established within Commerce. The work group must:

- develop and evaluate pathways for tribal participation in clean energy facility development that will advance economic development opportunities, while safeguarding tribal reserved rights and supporting voluntary collaboration with utilities and project developers;
- identify opportunities for joint ownership and co-investment between tribes, utilities, and private sector developers to develop clean energy generation, transmission, storage, and related infrastructure to create more equitable, efficient, and ecologically sustainable energy projects;
- conduct research on barriers and opportunities related to tribal access to financing, federal programs, tax incentive, and other capital instruments that support tribal investment, ownership, and economic participation in developing clean energy facilities;
- recommend approaches to expand the clean energy workforce to include members of tribes; and
- develop model tribal consultation processes, contracts, defined mitigation options, incentives, and community investment agreements related to clean energy

development and the siting and permitting of energy facilities with the voluntary support of tribal members.

Commerce must appoint at least eight and no more than 12 members to the work group selected for subject matter experience, including:

- four to six representatives of electric utilities and industrial manufacturers or project developers;
- two individuals with expertise in economic development related to clean energy facilities and infrastructure;
- two individuals with expertise in tribal cultural resources or governance; and
- no more than two ad hoc members.

Commerce must also notify each federally recognized Indian tribe and each federally recognized Indian tribe with treaty ceded lands in Washington about the work group and invite a tribal council representative or their designee to participate in the work group, based on the voluntary interest of tribal governments.

Commerce may reimburse work group members for travel expenses.

Commerce may convene a clean energy advisory committee to provide feedback on strategies and recommendations developed by the work group. Advisory committee member may include clean energy facility and transmission developers, labor union representatives, individuals with expertise in clean energy facility and infrastructure financing or capital markets, and environmental advocacy organizations.

The work group must submit an interim report to the Legislature by April 1, 2027, and a final report by December 1, 2027, that:

- identifies barriers to tribal participation in clean energy facility and infrastructure development;
- makes recommendations for statutory or regulatory changes that would facilitate tribal participation in the development and ownership of clean energy facilities and infrastructure;
- provides partnership, ownership, and investment frameworks for tribal participation in the development and ownership of clean energy facilities and infrastructure;
- provides partnership, ownership and investment frameworks for tribal clean energy development;
- identifies opportunities for clean energy pilot or demonstration projects that support voluntary, mutually beneficial energy partnerships between tribes and energy sector participants in Washington; and
- identifies specific work group recommendations that would benefit from future state funding.

By December 1, 2027, the work group must also submit a report to the Office of Equity to comply with the Nothing About Us Without Us Act.

The work group must hold at least one public meeting before its expiration on June 1, 2028.

Critical Energy Infrastructure Information. Information obtained by the Authority that is critical energy infrastructure information or proprietary technical or business information must be confidential and not subject to inspection or public disclosure. Critical energy infrastructure information is defined.

Appropriation: None.

Fiscal Note: Requested on February 23, 2026.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Our transmission system is maxed out. It's at capacity. This is limiting economic growth, our ability to connect current rate payers, and the ability to generate new clean energy. This is not the version of the bill we had hoped for, but we hope this bill will help fill some of the holes in the energy grid. There is a technical problem in the labor standards section. Will work with the sponsor to address. Washington has ambitious clean energy goals, but ranks last in the build out. The problem isn't lack of projects, but rather lack of transmission capacity. This bill directly addresses this challenge. The public financing tool help lower costs and reduce pressure on rate payers, while maintaining guardrails around state ownership and risk. It is just as important to create transportation infrastructure as it is to create energy infrastructure. We recognize there are significant costs and challenges, but the costs of not doing this are far greater. Transmission authorities in other states have proved to be effective builders of clean energy in other states and have been able to leverage bonds and other state funds in these projects. These power lines are critical to meet our rising power demand and bring new energy resources online. Our current energy provider has been very slow to build and interconnect. Other states that have implemented this type of structure have been successful in bringing private capital into their projects. New Mexico has brought in \$18 billion in private capital for transmission projects. A single line supported more than 2000 construction jobs. Idaho has issued revenue bonds to finance transmission projects.

CON: We are hopeful that we can continue to work with the bill sponsors to improve the bill. Forest land owners understand the need for more transmission capacity, however we have concerns. First, more transmission lines increases the risk of utility-line caused wildfires. Fire liability and risk needs to be a greater part of this discussion. We want this expanded in the bill. Transmission corridor roads are not held to the same high environmental standards that forest roads are, but we believe they should be required to

protect salmon and water quality to the same extent. We would like forest owners included on the board of directors or engaged in some other capacity. A new, unelected board appointed by the Governor with the power of eminent domain with a simple majority vote to create transmission corridors will primarily effect rural Washington. This legislation does not feel like it takes rural concerns into account. This bill is not necessary to implement the budget, despite the added fee. It should be rejected.

OTHER: We support the need for new transmission to deliver clean energy to load centers to maintain reliability. We believe the bill misses the mark with the uncertainty for siting and permitting. We appreciate that the bill addresses consultation with current transmission owners. We think the State might have a better role in facilitating pre-construction, which wouldn't necessarily require standing up a new authority. This has been successful in other states. There have been projects brought online in New Mexico that have proven to be useful, so while we do have some issues with the bill, we believe it could be helpful. We cannot support opening up SEPA to exempt any environmental or cultural resource review.

Persons Testifying: PRO: Natalie Manitius, Clean Air Task Force; Kelly Jiang; John Kydd, Faith Action Network, Third Act; Casey MacLean, Renewable Northwest; Spencer Gray, Northwest & Intermountain Power Producers Coalition (NIPPC); Jason Hudson, IBEW Local 77.

CON: Matt Doumit, Washington Forest Protection Association; Sue Lani Madsen, Washington Rural Environmental Network.

OTHER: John Rothlin, Avista Corp; Peter Godlewski, Association of Washington Business; Council Jeremy Takala, Confederated Tribes and Bands of the Yakama Nation.

Persons Signed In To Testify But Not Testifying: No one.