LEGAL UPDATES

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Wyden and the Blue Wave: What Could Come Next for the Clean Energy Tax Credits

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At a November 9, 2026, press conference, Senator Ron Wyden (D-OR) told reporters that the incoming congress, driven by the "blue wave" of Democratic officeholders, would revisit clean energy credits that were affected by the One Big Beautiful Bill Act (OBBBA).

Wyden plans to "push hard to restore the incentives" as reported by Tax Notes. While specific proposals were not discussed, the effort could include restoring the investment and production tax credit for wind and solar projects beyond the end of the 2027 cliff imposed by the OBBBA as well as other extensions and expansions. These efforts are subject to President Trump's veto power, so the outcome remains to be seen.

Industry participants should continue to monitor news out of the Senate Finance Committee as this process develops.

What This Means for You

Developers, investors, and tax credit buyers with exposure to wind and solar projects impacted by the OBBBA's 2027 phase-out should track the composition and priorities of the incoming congress, particularly developments out of the Senate Finance Committee. Because any restoration effort remains subject to a potential presidential veto, stakeholders should avoid making project or financing decisions premised on an assumed legislative outcome and should instead continue planning around the credit timelines currently in effect under the OBBBA while monitoring for further detail on any specific legislative proposals.

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We routinely advise renewable energy developers, investors, and tax credit buyers on clean energy tax credits. Contact Doug Jones, Phil Cole, or your Husch Blackwell attorney if you want to discuss these developments or their potential impact on your renewable energy projects and tax credit planning.

Sources

Stanton, Cady. (2026, Nov. 10). Wyden Cites IRS Oversight, Energy Credits as Priorities as Chair. Tax Notes. Doc 2026-31936.

This article provides general legal information. It does not constitute legal advice to the reader and does not create an attorney-client relationship between the reader and Husch Blackwell LLP. The reader should seek legal advice if they have questions about how this legal information may apply to their own circumstances.

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