



**Opponent Testimony of Sarah Moser on House Bill 554
on behalf of Apex Clean Energy Management, LLC
Ohio House Public Utilities Committee
November 30, 2016**

Chairman Dovilla, Vice Chairwoman Roegner, Ranking Member Ashford, and Members of the Ohio House Public Utilities Committee, thank you for the opportunity to testify today. I am here to testify in opposition to House Bill 554.

My name is Sarah Moser, and I am a development manager with Apex Clean Energy, a leading developer of utility-scale renewable energy facilities headquartered in Charlottesville, Virginia. I was born in Van Wert County, and after serving in the United States Air Force, returned to raise my family on our farm. As a member of the community, veteran and former local economic development advocate, I am excited to work every day to bring renewable energy to northwest Ohio.

Apex has completed the development and construction of seven wind energy facilities, manages operations for five of those facilities, and maintains the largest development portfolio in the United States.

As a part of our continued growth, we plan to invest \$2.4 billion in Ohio and provide over a gigawatt of wind energy to the regional grid. To date, we have already spent more than \$15 million on development projects in the state.

Unfortunately, the state's current approach to renewables, including the approach detailed in House Bill 554, misses the mark. A Renewable Portfolio Standard ("RPS"), as well as reasonable setback requirements for siting wind turbines, are necessary to level the playing field in a market that has traditionally favored other fuels.

After the General Assembly enacted the RPS in 2008, with a virtually unanimous vote, Ohio emerged as a national energy leader and provided the policy and regulatory certainty needed to attract significant private investment in renewable power. By freezing the standards in 2014, the General Assembly signaled to the market that the state's commitment to growing a diverse domestic energy sector was subject to change. Investment in Ohio-based renewables projects stalled, and Ohio was instantly at a competitive disadvantage to neighboring states throughout the region.

The impacts of the RPS freeze are not borne by renewable energy developers alone. Major corporations, with the ability to spur the state's economic development and create jobs, are



increasingly seeking low-cost wind and solar power to meet growth, reinvestment, and sustainability goals. Last year, Fortune 500 companies, including manufacturers, advanced technology firms, and other non-utility customers accounted for half of the total renewable power purchase agreements in the United States. Renewable energy has become a difference-maker when these companies choose to expand or relocate, and right now, Ohio is losing in the competition to attract new jobs.

Local communities, small businesses, and workers benefit from renewable power as well. Apex has several wind projects under development in Ohio; together they will generate the following economic benefits for local communities over the projects' lifetimes:

- \$104 million in county and township payments
- \$171 million in landowner payments
- \$207 million in school payments
- More than 500 construction jobs and 50 long-term operations and maintenance jobs

Other states in the Midwest are actively working to set policies that will attract job creators that could otherwise choose to invest in Ohio. The Michigan Senate, for example, recently voted to increase the state's RPS from 10% to 15%. States like Michigan are providing the market signals to draw companies actively making capital investment decisions in the region.

Governor Kasich has repeatedly reinforced the desire to make Ohio an energy leader and an attractive place to do business. We support his call to reinstate meaningful renewable energy standards and make sure every state and industry in the country knows that Ohio is open for business. By functionally continuing the RPS freeze, House Bill 554 eliminates compliance with the statutory renewable energy standards for three more years and furthers market uncertainty for renewable energy developers like Apex and the corporate consumers demanding renewable power.

Finally, House Bill 554 does nothing to remedy the prohibitive property line setbacks for wind turbines set forth in current law. The setbacks imposed in 2014 under HB 483 have created a de facto moratorium on wind development in Ohio and are preventing companies like ours from making significant investments in local communities across the state.

We believe the current property line setback rules in Ohio are the most restrictive siting guidelines in the country and need to be changed to unlock private investment in Ohio-based wind resources. With the enactment of the RPS freeze and the new property line setbacks, the General Assembly made the decision to change the rules midstream, and Apex has stranded investments in projects in Ohio. House Bill 554 represents an opportunity to reset the current approach and unlock such significant investment.



For the reasons outlined above, Apex opposes House Bill 554. Ohio's approach to renewable energy deserves a holistic analysis that results in a comprehensive approach to meeting the state's energy future. By continuing the RPS freeze and failing to address the current property line setbacks for wind, the legislature is missing a significant opportunity to modernize the state's energy mix, provide savings to ratepayers, and shape a business climate attractive to local communities and Fortune 500 companies alike.

Thank you for the opportunity to testify on House Bill 554. I would be pleased to answer any questions.

Sarah Moser
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