

**Topic:** Charge, credit price, termination date, and other changes

\_\_\_\_\_ moved to amend as follows:

1 In line 6 of the title, after "3706.484," insert "3706.485,  
2 3706.486, 3706.487,"

3 In line 7 of the title, after "3706.50," insert "3706.51,  
4 3706.52,"

5 In line 23, after "3706.484," insert "3706.485, 3706.486,  
6 3706.487,"; after "3706.50," insert "3706.51, 3706.52,"

7 In line 258, delete "3706.50" and insert "3706.52"

8 In line 327, after "(2)" delete the balance of the line and  
9 insert "The Ohio clean air program shall terminate on December  
10 31, 2029."

11 Delete lines 328 through 332

12 In line 397, delete "A" and insert "Except as provided in  
13 division (D) of this section, a"

14 In line 401, after "(b)" insert "Subject to division (D) of  
15 this section:

16 (i)"

17 In line 402, after "." insert:

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18           "(ii)"

19           After line 421, insert:

20           "(D) If a certified clean air resource or certified reduced  
21 emissions resource is participating in the Ohio clean air  
22 program and is sold to a new owner, the new owner shall apply  
23 under section 3706.42 of the Revised Code to the authority for  
24 certification as a clean air resource or reduced emissions  
25 resource to be eligible to participate in the Ohio clean air  
26 program."

27           In line 454, after the second underlined comma insert "and  
28 until December 31, 2029,"

29           In line 456, after "which insert "may vary by customer  
30 class and"

31           In line 461, delete "established"

32           In line 462, after "be" insert "established by the public  
33 utilities commission"; delete "following:" and insert  
34 "information provided by the Ohio air quality development  
35 authority from the financial disclosures submitted under section  
36 3706.486 of the Revised Code. The commission shall periodically  
37 review the charges based on information provided by the  
38 authority from the most recent financial disclosures submitted,  
39 to determine the continued need for the charges and whether the  
40 charges are reasonable."

41           Delete lines 463 through 499

42 In line 533, delete "(1)"; delete "in the first" and insert  
43 "shall be established by the authority in accordance with the  
44 information from the financial disclosures submitted under  
45 section 3706.486 of the Revised Code. The authority shall adjust  
46 the price as it determines necessary based on the most recent  
47 financial disclosures submitted."

48 Delete lines 534 through 538

49 After line 549, insert:

50 "Sec. 3706.485. The money remitted to an owner of a  
51 certified clean air resource under section 3706.482 or 3706.49  
52 of the Revised Code shall be used only for the operation and  
53 maintenance of the resource and to cover any shortfalls  
54 regarding that operation or maintenance, including shortfalls  
55 for employee wages, salaries, and benefits. The remitted money  
56 shall not be applied to subsidize any profit, return on  
57 investment, or earned rate of return.

58 "Sec. 3706.486. (A) Each owner of a certified clean air  
59 resource shall submit, beginning on July 1, 2021, and on the  
60 date that is every six months thereafter, a financial disclosure  
61 to the Ohio air quality development authority, providing  
62 financial information regarding the operation and maintenance of  
63 the resource, including employee wages, salaries, and benefits,  
64 demonstrating compliance with the requirements of section

65 3706.485 of the Revised Code, and providing any other financial  
66 information required under rules adopted by the authority.

67 (B) The authority shall provide information from the  
68 financial disclosures to the public utilities commission for the  
69 commission's purposes under section 3706.47 of the Revised Code.

70 (C) The authority, not later than ninety days after the  
71 effective date of this section, shall adopt rules under Chapter  
72 119. of the Revised Code governing the financial disclosures  
73 required under this section."

74 After line 582, insert:

75 "Sec. 3706.51. Any owner of a clean air resource receiving  
76 clean air credits shall annually, beginning February 1, 2021,  
77 provide to the governor, the general assembly, and the Ohio air  
78 quality development authority a report of the following  
79 information for the prior calendar year:

80 (A) The amount of jobs created in this state by the  
81 resource, and the wage and salary ranges of the jobs;

82 (B) The amount of carbon dioxide emissions prevented due to  
83 the use of the resource;

84 (C) Annual tax disbursements to or from the state and any  
85 political subdivision of the state;

86 (D) The number of megawatts of electricity produced and  
87 sold by the resource and the price per megawatt hour received by  
88 the resource.

89           Sec. 3706.52. (A) Notwithstanding section 4905.32 of the  
90 Revised Code, if a certified clean air resource or certified  
91 reduced emissions resource closes or is sold prior to the  
92 termination of the Ohio clean air program, the charges paid  
93 under section 3706.47 of the Revised Code shall be refunded to  
94 the customers that paid the charges.

95           (B) Not later than ninety days after the effective date of  
96 this section, the public utilities commission, in consultation  
97 with the consumers' counsel, shall adopt rules to determine the  
98 disbursement of refunds under division (A) of this section."

99   The motion was \_\_\_\_\_ agreed to.