



Opponent Testimony of Bruce Burcat on House Bill 401  
Executive Director of the Mid-Atlantic Renewable Energy Coalition  
December 3, 2019

Representative Nino Vitale, Chair  
Energy and Natural Resources Committee  
The Ohio House of Representatives  
77 South High Street  
Columbus, Ohio 43215

Chair Vitale, Vice Chair Kick, Ranking Member Denson, and members of the Ohio House Energy and Natural Resources Committee, my name is Bruce Burcat and I am the Executive Director of the Mid-Atlantic Renewable Energy Coalition (MAREC). Thank you for the opportunity to provide testimony in **opposition** to House Bill 401.

MAREC is an organization of wind and solar energy developers, manufacturers, service companies, and nonprofit organizations dedicated to the growth of renewable energy in Ohio and throughout the PJM transmission region.

MAREC is opposed to House Bill 401 for several reasons. First, it wrongly singles out wind farms for disparate treatment as opposed to other forms of electric generation by requiring wind farms to obtain approval of the Ohio Power Siting Board and then be subject to a referendum vote in each township where the windfarms are proposed to be sited. There is no comparison for other electric power plants, like coal and natural gas plants, etc., to have to face a local referendum process potentially eradicating approvals obtained through the OPSB. There should be a free competitive landscape and no distinct rules for one form of energy generation. The uncertainty raised by the bill, which would subject wind developers, that had undergone the detailed OPSB process and received approval of a certificate to construct a wind farm, to a referendum that could reverse that OPSB approval, would have a chilling effect on the potential for any new development.

Second, rather than deter the benefits of a clean energy economy, the State should be embracing it. Dating back to wind setbacks legislation in 2014 and House Bill No. 6 enacted earlier this year, the State is risking the loss of the major benefits of clean energy developers choosing to locate their resources in Ohio. Billions of dollars in investment in Ohio will end up being diverted to other states. Our wind developers want to develop and invest in Ohio. We believe that laws that have the effect of discouraging or stopping such investment should not be in the interest of Ohio and a better path should be chosen instead.

Here are some key economic facts to consider regarding wind energy to be a driver for economic growth:

- MAREC members collectively have thousands of megawatts (MWs) of wind in development in Ohio, which would inject hundreds of millions of dollars into local economies and create thousands of good-paying jobs.
- 4,500 MW of wind energy is under development within Ohio
- Ohio is home to the #1 in the USA wind energy manufacturing base among all states with over 60 facilities.<sup>1</sup>
- Estimated up to 3,000 wind jobs in Ohio<sup>2</sup>

Finally, in developing their sites for wind projects, it has been the wind industry's privilege to work with numerous landowners, many of whom are farmers. Windfarm leases to these folks are important long-term revenue streams that in a number of cases keep their farms and homesteads afloat. Waiting for the extended and thorough OPSB process alone is difficult enough; then adding the uncertainty of an extended referendum process after the OPSB has ruled, where one negative township vote could make the whole project nonviable, makes the process for a landowner fraught with uncertainty. While we believe that reasonable safeguards make sense, landowners who want to use their property in a manner consistent with their ownership of their land and their inherent rights of ownership should be given a fair opportunity to do so. House Bill 401 and its untenable referendum requirement would all but certain erase those rights.

We strongly urge the Committee to vote to oppose HB 401 so that the State would not single out one energy industry participant for unreasonable requirements for siting their projects; to not discourage wind energy companies any further from investing billions of dollars in Ohio; and reduce the roadblocks for landowners who want to use their land consistent with their needs and rights of ownership.

I appreciate your time and consideration and would be pleased to answer any questions.

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<sup>1</sup> <https://www.awea.org/Awea/media/Resources/StateFactSheets/Ohio.pdf>.

<sup>2</sup> Id.