

December 3, 2019

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

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Dear Chairman Vitale,

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I am writing this letter to express my disappointment and concern if [House Bill](#) ~~HOUSE BILL~~ 401 passes.

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I am a fourth-generation farmer whose family has made a living and raised many generations in rural Seneca County. Our family has always supported our community in any way that would make it stronger. As a young boy, I remember my father helping township trustees keep roads open during winter storms with his own farm equipment-never asking for or accepting compensation. He served on the zoning appeals board for many years and my son continues that tradition. My mother has worked polling booths for many election cycles over the years and also spent eight years as the township clerk helping keep our local government fiscally responsible. As for myself, I learned from the example my parents have set. I spent more than 27 years as a volunteer fireman and first responder, serving as chief and assistant chief. I have helped shape the youth of our community through coaching little league baseball and volunteering as a 4H advisor for over 10 years. These are a few examples of some of the things we do locally, this does not include the State and National boards, committees, and leadership roles we have accepted over the years. We are truly community minded and committed to the sustainability of our neighborhood.

I am extremely concerned with the language of HB 401. As it is written today, it will limit growth of renewable energy in Ohio and imposes a restriction on government and keep it from doing the exact thing our legislature was established for -- to provide a GREATER level of management and oversight for projects that meet the GREATER good of society. I would have to ask those who support HB401 if they believe our country would have the GREATEST infrastructure of any country in the world if we had left the placement and funding of a National Transportation System (Federal Highways) up to a local referendum vote? Would we have the GREATEST electric grid in the world if Transmission Line placement were left up to a local referendum vote? Would we have the most accessible cellular communication system without some level of government oversight in design and placement of cell towers? Not if it were left up to a referendum vote. My point is, that if every service of public need were to be left up to a referendum vote, we would have none of these things and we would be an undeveloped country. Our government has the role of providing structure and processes to

manage the development of those things that meet the public good. One of the PUCO's commitments to their mission is stated as "Promoting utility infrastructure investment through appropriate regulatory policies and structures." This statement is seems to be exactly what HB401 looks to circumvent. HB401 bypasses the "appropriate regulatory policies and structures" to allow a public referendum vote and stop the resources designed to help solve problems in our rural communities. The same is true for the Ohio Power Sitting Board. Their mission is "to support sound energy policies that provide for the installation of energy capacity and transmission infrastructure for the benefit of the Ohio citizens, promoting the state's economic interests, and protecting the environment and land use." HB401 takes all authority to act away from the OPSB's ability to provide for the needs of the residents of the State of Ohio, protect the environment, and allow for a landowner to use their resources as they deem necessary. It is my opinion that HB401 ignores the current process of the Sitting Board and literally goes against the mission of OPSB that has been in place since 1972. The Ohio Revised Code #4906 details the role of the OPSB and defines exactly what the process of governmental oversight, review, and enforcement is, to meet the needs of a community and support their mission.

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I am also concerned for the precedent this type of legislation will set. HB401 could very well be the beginning of a community's mission creep to restrict private land use and small business development. This could be the avenue a special interest group would use to limit my family's ability to expand or diversify our farm. I believe setting this precedent could obstruct a small business from expanding their operations by hindering the purchase of land or from changing a product line because a community may vote to not allow expanded manufacturing. Maybe they would vote to not allow a production facility to operate three shifts per day. Perhaps a vote to not allow a farmer to harvest his crops during certain hours or on certain days. Again, the point being, this type of legislation likely will lead to many unintended consequences. Precedent has a lot of political value and should be spent wisely.

Thank you for allowing me to share my opinions and concerns.

Please remove HB401 from consideration. There is no value in creating legislation that addresses issues currently handled by the Ohio Revised Code and implemented by State Agencies that are working for the good of all of Ohio.

Gary Baldosser

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cc: Members of the Ohio House Energy and Natural Resources Committee  
Representative Bill Reineke

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