

Testimony of Terrence O'Donnell
Dickinson Wright PLLC

House Bill 49, State Budget

WIND ENERGY SETBACKS

June 15, 2017

1. Wind Energy Enjoys Broad Local Support

A. Previous testimony, letters of support, etc.

B. **Over 1,000 Ohioans** have signed leases, options for their land, or agreements to host project infrastructure (including underground cables, roads, etc.). This testament to their support—dedicating a small portion of their farmland to a wind project—is more compelling than any testimony I can provide. These landowners are eager to capture the long terms, stable revenue stream wind lease payments provide.

2. Local Control over Taxes

A. Ohio law provides for a payment in lieu of taxes (“PILOT”) for any qualifying energy project, including wind, solar, cogen, clean coal, etc. But the PILOT is only available IF THE COUNTY COMMISSION APPROVES IT BY RESOLUTION.

B. Counties that (for whatever reason) do not support a particular wind project may simply decline to approve a PILOT, and the project will be uneconomic compared to the many counties that approve PILOTS.

3. Private, Voluntary, Business-to-Business Transactions

A. EDPR built a \$200 million wind farm in Ohio exclusively for Amazon Web Services.

B. This trend is real. Just YESTERDAY, it was announced Goldman Sachs signed a contract for a 68 MW wind farm in Pennsylvania. See attached.

C. Apple, Facebook, Dow Chemical, The Ohio State University, Target, Wal-Mart, Google, Owens Corning, the US Army, and Avery Denison (to name a few) have also signed renewable PPAs. The Fortune 500 is driving this trend.

D. Ohio’s prohibitive setback law has acted as a moratorium on new wind permits.

E. To open Ohio up for business to more companies like Amazon and Goldman, for whom access to wind energy is important, Ohio should reform its setback policy to allow projects to again move forward.



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Goldman Sachs Signs Wind PPA With NextEra

Posted by **Betsy Lillian** on June 13, 2017

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In a step toward its global commitment to transition to 100% renewable energy, the Goldman Sachs Group Inc. has signed a long-term power purchase agreement (PPA) with a subsidiary of NextEra Energy Resources LLC for a 68 MW wind farm in Pennsylvania.



According to Goldman Sachs, the agreement will enable the investment and development of the new wind farm, which is expected to facilitate up to 150 construction jobs.

The PPA is a collaborative effort between Goldman Sachs' commodities trading group (J. Aron) and its corporate services and real estate department. J. Aron is acting as an intermediary, providing

commodity risk management and commercial expertise for the transaction.

"By leveraging the firm's intellectual capital and J. Aron's expertise in power markets, we were able to structure the agreement in a way that allowed us to meet our operational and sustainability goals through a creative, market-based solution," states Lloyd C. Blankfein, chairman and CEO of Goldman Sachs.

Goldman Sachs is a member of the [RE100 initiative](#), along with other corporations committed to 100% renewables.

"We are pleased to advance our partnership with Goldman Sachs and help it achieve its renewable energy goals," comments Armando Pimentel, president and CEO of NextEra Energy Resources. "This partnership demonstrates how forward-looking companies like Goldman are rethinking their energy use and leading the way with their investment in low-cost, clean energy that is both good for the country and good for their customers."

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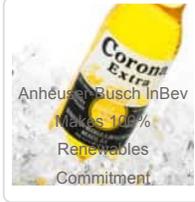
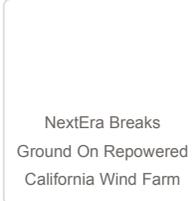
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