

**Ohio House of Representatives
House Select Committee on Energy Policy and Oversight
Opponent Testimony
House Bill 798**

**Leo Almeida, The Nature Conservancy in Ohio
December 3, 2020**

Chairman Hoops, Vice-chair Abrams, Ranking Member Leland, and members of the House Select Committee on Energy Policy and Oversight, thank you for the opportunity to provide written testimony in opposition to House Bill 798. I am Leo Almeida and I am a Senior Policy Associate at The Nature Conservancy in Ohio.

The Nature Conservancy is a non-partisan, science-based organization that seeks to conserve the lands and waters on which all life depends. We have chapters in all 50 states and work in over 70 countries across the globe. We work collaboratively with businesses, farmers, sportsmen groups, government and local communities to develop pragmatic, market-based solutions to conservation challenges, including air pollution. More than 65,000 Ohioans are Nature Conservancy supporters.

The Nature Conservancy opposed House Bill 6 last year because it was a missed opportunity to develop a comprehensive energy plan for Ohio. HB 6 did not allow sources of clean air and lower carbon emitters to equally receive benefits and continue to flourish successfully in Ohio. This bill provided financial certainty in a time of market distress to the nuclear and coal energy sectors while decreasing and essentially rendering the renewable portfolio standard (RPS) and energy efficiency resource standard (EERS) ineffective.

We are glad to see that HB 798 has additional audit language, removes the decoupling mechanism, and reverts back to a more reasonable significantly excessive earnings test for distribution utilities. We also believe that it was wise to add the provision to prevent homeowners' and condominium associations from placing unreasonable limitations on property owners who want to install solar panels. This will allow more Ohioans the opportunity to receive the benefits of generating their own electricity at their homes. We commend Chairman Hoops for recognizing that these issues needed to be addressed.

While we are glad to see some issues addressed in this bill, we remain concerned with HB 798 because it does not address all of the major issues from HB 6. The right thing to do is to repeal HB 6. That sends a clear message to the citizens of Ohio and doing so will not only reinstate the clean energy standards that propelled significant business investment in our state and saved consumers money, but also address the still-remaining problems with this bill. House Bill 6 reduced the RPS from 12.5% to 8.5% which sent the wrong message to businesses and investors in clean energy development. It removed the requirement to continue maintaining the standard once it reaches the percent required in the final year allowing utilities that reach an 8.5% RPS by 2026, to then potentially

go back to 0% starting in 2027. Reinstating the EERS helps Ohioans. The EERS supports programs that have saved consumers \$7.06 billion. Energy efficiency programs are designed to reduce the amount of energy consumed and therefore reduce the amount of energy generated. Energy you don't use doesn't cost you money. This translates into less carbon emissions from the energy sector. We also heard testimony from the Legislative Service Commission that their analysis of cost savings did not take into account the cost savings of Energy Efficiency for Ohio ratepayers which renders it incomplete. If the goal of HB 6 was to encourage a lower-carbon future for Ohio, removing the RPS and EERS seems counterintuitive. Recent data using the full scope of utility charges to consumers indicates that when HB 6 goes fully into effect, Ohio ratepayers will see an increase in their energy bills. Repealing HB 6 and continuing the energy efficiency programs is estimated to result in a monthly average savings or reduction of \$7.01 per family, not an increase in rates.

Ohioans want to see more emphasis on energy efficiency, solar and wind power. Polling conducted in Ohio over the past several years that ask similar questions of Ohioans about energy issues have shown an increase in support for policies that embrace clean energy. Recent statewide polling conducted in August showed that 67% of voters support repealing HB6 and replacing it with a clean energy plan. These recent polling results confirm the findings of the poll commissioned by The Nature Conservancy in 2017 which was conducted by Public Opinion Strategies, on the attitudes of registered voters in Ohio toward clean energy. To sum up the most telling responses – a vast majority of Ohio voters support clean energy policies and nearly nine out of ten would tell an elected official to support policies that encourage greater use of all types of renewable energy and energy efficiency in Ohio. They also strongly support Ohio reaching the 12.5% RPS.

The Nature Conservancy urges this committee not to pass HB 798, and instead pass either HB 738 or HB 746 to fully repeal HB 6. When passing HB 6 in 2019, many members of the General Assembly did not receive accurate information about the specific needs of Ohio's nuclear power plants. HB 6 did not reflect the desire of Ohioans to support all sources of clean energy, the process was not open and transparent to Ohioans, and it was not a comprehensive energy bill. Instead, HB 6 effectively repealed successful policies that have generated millions of dollars of investments and jobs in renewable energy and cost savings through energy efficiency to provide a legislative vehicle for a nuclear and coal bailout. The two bills to fully repeal HB 6 have already received four hearings by this committee. There are 58 sponsors and co-sponsors of these two bills. That means 58 members of the 99 members that make up the Ohio House of Representatives are ready to repeal HB 6. Passing a full repeal of HB 6 provides an opportunity for the General Assembly to hit the reset button on Ohio's energy policy and to fully consider and develop a comprehensive energy plan which should include items such as grid modernization, electric vehicle infrastructure, net metering, and expanding distributed generation opportunities.

Ohio's energy policy should reflect and embrace new technology and bring those dollars and jobs to our state. Developing a true comprehensive energy plan allows us to harness all the potential we have as a state to be a leader in lower carbon energy sources and respond to current and future demand for a forward-thinking energy portfolio. We have no doubt Ohio's policymakers, businesses and manufacturers, municipalities, environmental and conservation groups, consumer advocacy agencies and all the others that have been a part of the process can come together to craft an



approach that will better respond to what Ohioans want and need. We heard, during deliberations of HB 6, numerous organizations offering ideas that would move us forward as a state. Do not be daunted by the idea of a comprehensive approach. Ohioans have shown they embrace innovation, challenges and clean energy. We offer our organization's help to the General Assembly to create an inclusive approach that reinforces lower carbon goals, encourages the economic benefits of clean energy, incentivizes new technology to address current challenges related to energy storage, remove impediments to growth, and sends a clear message that Ohio is open for business.

Thank you for the opportunity to provide written testimony in opposition to House Bill 798. Please contact me if you have any questions.

Leo Almeida
Senior Policy Associate
The Nature Conservancy in Ohio
6375 Riverside Drive, Suite 100
Dublin, OH 43017
Phone: 614-717-2770
Email: Leonardo.Almeida@tnc.org