

I am here to speak against HB 6 the “Ohio Clean Air Program’ because Ohio must have true leadership on energy based on a complete understanding of costs to rate payers and the health, safety and welfare of the citizens of our state.

HB 6 is a reaction to the failure of First Energy Corporation and First Energy Solutions. First Energy chose to ignore the obvious market trends away from coal and nuclear to clean energy like wind and solar. Their investment strategy was dependent on a friendly legislature granting more money for operation. The new request is for \$400 million in addition to the \$200 million a year already pledged for three years by the PUCO.

FirstEnergy is already getting a \$200 million per year bailout from the Public Utilities Commission of Ohio (PUCO.) This has caused a 5% increase in FirstEnergy electric bills! By contrast, AEP is asking for regulatory approval to lower bills by building wind and solar.

HB 6 defines a Clean Air Resource as CO2 Free, Zero Carbon with minimum emissions but that is not true for nuclear plants that require: Uranium mining, milling, refining, conversion, enrichment, fuel fabrication, MOX fuel, transportation and building reactors and numerous other facilities which use immense amounts of carbon. Carbon use is ongoing, including making more canisters for waste. How much energy will be needed to keep nuclear waste isolated for hundreds of thousands of years? Nuclear power plants are allowed to, and all do, have regular radioactive releases into the air and water. Nuclear plants all leak tritium. Uranium mining, milling and refining all produce dangerous waste piles and emissions of radioactive and hazardous materials, including radon gas. Heat from Davis-Besse and Perry is warming Lake Erie. This is particularly problematic in the shallow Western Basin, where it contributes to toxic algal blooms. Vast quantities of STEAM emitted not only warm the air, but also have a marked greenhouse effect (water vapor is a greenhouse gas).

The U.S. Securities and Exchange Commission, the NRC, FERC, U.S. EPA, the federal bankruptcy court’s U.S. Trustee, Ohio Consumers’ Counsel, the Environmental Law and Policy Center and consumer and environmental groups filed strong legal objections to FirstEnergy Solutions’ restructuring plan. The court denied FirstEnergy a bonus plan that excluded union members. FirstEnergy “competes” by pushing legislation that blocks cheaper renewables development.

Andrew Scurria April, 2018 The bankrupt FirstEnergy affiliates operate seven power facilities in Midwestern power markets where aggressive competition from cheaper gas-fired and renewable energy sources has undercut the economics of traditional nuclear and coal plants. The Ohio-based company said it would operate those plants normally while state and federal regulators consider its recent requests for a bailout.

Warning of a “market failure,” FirstEnergy Solutions on Thursday petitioned the U.S. Energy Department to prop up coal and nuclear plants across the Midwest by forcing the region’s grid operator to cut favorable deals that shift more of their costs onto consumers. A spokeswoman for Energy Secretary Rick Perry said the request would “go through our standard review process.”

The FirstEnergy Corp. parent company isn't part of the chapter 11 case, nor are other company subsidiaries that operate in regulated electricity markets. But creditors are considering asserting claims that the parent failed to honor its financial obligations to the bankrupt units, a person familiar with the matter said.

The companies filing for bankruptcy have more than 3,000 employees and total debt of about \$3.8 billion, according to court documents. FirstEnergy Solutions Corp. alone has \$1.5 billion in debt, including a \$150 million revolving credit note with Allegheny Energy Supply Co. under which \$102 million is currently outstanding and due Monday.

First Energy said the bankrupt units have access to \$550 million in cash that will allow them to meet their obligations to employees, suppliers and customers while under court protection. FirstEnergy Solutions President Donald Schneider said the chapter 11 filing "represents our best path forward as we continue to pursue opportunities for restructuring, asset sales and legislative and regulatory relief."

FirstEnergy is not meeting its obligation to fully fund decommissioning at Davis-Besse and Perry.

NBC NEWS/AP 3-15-19: Nuclear industry pushing for fewer inspections at plants. "The nuclear power industry is pushing the Nuclear Regulatory Commission to cut back on inspections at nuclear power plants and throttle back what it tells the public about problems." Davis-Besse's shield building continues to crack.

First Energy Solutions will also have to decommission its five coal plants that are scheduled to close.

Nuclear power is not competitive in pricing as the most expensive source of utility based power \$112-189 per MWH compared to coal \$60-143 and Solar \$36-44 and wind \$29-56.

All of these facts were known to First Energy and First Energy Solutions for over a decade.

AEP has been much more successful in changing its energy policy. The company said it "unsuccessfully sought a buyer for Conesville Plant for a number of years," but made the decision to shut it down after considering "the costs of keeping the plant operational and the outcomes of recent competitive generation auctions." "long-term strategy is focused on its regulated businesses and investment in infrastructure and the energy innovations."

The Ohio Legislature had agreed in 2008 that a clean energy future was our best alternative. A renewable energy standard was created that required utility companies in Ohio to use renewable energy and include energy efficiency.

HB 6 also mentions wind energy as a 'Clean Air Resource' but little has been done to improve Ohio's position in wind energy generation.

Ohio ranks third in the mid-west of 12 states in clean energy jobs 112,000 and 4th in renewable energy jobs 9,800.

Ohio is 9th out of ten Midwestern states in wind energy production with 729 MW compared to Iowa 8,422 and TX 24,899.

Ohio leads the nation with 62 factories that produce wind turbine parts.

A two year freeze on our renewable energy standards put Ohio further behind other states that have made the correct decision to use wind and solar and other renewables to reduce utility rates and improve air and water quality.

It must now be clear that Ohio must:

Engage in restoration of closed coal brownfield sites since all of Ohio coal plants will be uncompetitive in five years and will close.

Decommission the existing nuclear plants and provide for safe handling of nuclear fuel.

Help distressed communities that have been burdened by bad utility decisions with bonds and job training. "Colorado Energy Impact Assistance Act",

Promote all forms of renewable energy since that is our future and must be part of our economic plan.

Ohio should be a leader in clean energy and energy innovation not trying to save a failed utility that can never make its outdated energy work.