

Testimony on HB 6 — Creates Ohio Clean Air Program

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Energy and Natural Resources Subcommittee on Energy Generation

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Representatives Stein and O'Brien, members of the subcommittee, thank you for the opportunity to submit testimony opposing legislation that creates an Ohio clean air program and effectively eliminates Ohio's Renewable Portfolio Standard (RPS) and Energy Efficiency Resource Standard (EERS). HB 6 deals with complex energy issues that have not been handled very well in Ohio in the last several years. The state was not served well when former Governor Kasich slashed the budget of the Office of Consumer Counsel early in his first term, just as a variety of energy issues were adding complexity to the Ohio energy picture. The OCC plays an important role deciphering complex energy issues and protecting consumer interests.

The reference to clean air in the title of HB 6 is a diversion. This bill is designed to (1) provide financial support for the continuing operation of the Davis-Besse and Perry Nuclear Power Stations, (2) **effectively eliminate** Ohio's Renewable Portfolio Standard (RPS) and Energy Efficiency Resource Standard (EERS), (3) subsidize fossil fuel electricity generators who add emission controls. The people of Ohio deserve an honest framing of the important issues addressed in this bill: (1) a straightforward discussion of the merits of subsidizing nuclear power that includes recognition of the jobs implications, (2) review of RPS and EERS with an opportunity to strengthen them, and (3) a broad look at urban and rural air quality in the state, which is affected by much more than utility scale generation of electricity.

I have attended previous House and Senate hearings on energy issues dominated by efforts to marginalize if not eliminate Ohio's RPS and EERS criteria. On one occasion in a Senate hearing, the chair and vice-chair both walked out during testimony describing effective energy efficiency initiatives. In recent years the political leadership of Ohio has worked hard to slow response to the development of alternative energy resources and improved energy efficiency, arguing that generation technology should not be chosen by legislation, which is happening in HB 6, and that "the market" should be allowed to operate free of legislative constraints. HB 6 clears a

path for operators of the Davis-Besse and Perry plants to escape market forces.

The long title for HB 6 continues the pattern of diversion. I offer an annotated version (**bold added**) of the long title: “to facilitate and encourage (**utility scale nuclear**) electricity production and use from clean air resources, to facilitate investment to reduce the emissions from other generating technologies (**coal, gas and oil based technologies**) that can be readily dispatched to satisfy demand in real time (**wind and solar need not apply**), and proactively engage the buying power of consumers (**levy surcharges on electric bills**) in this state for the purpose of improving air quality in this state (**modest improvement at best**).” The production credit of \$9.50 per MWh is designed to subsidize nuclear power plants and other utility scale generation facilities, effectively propping up old technologies at the expense of newer technologies that more effectively meet the challenge of both air quality and climate change. There is no reference to climate change in this bill, which is a serious omission.

This legislation privileges historic, utility scale electrical generation technologies at the expense of alternative utility scale and distributed electrical generation technologies. The development of alternative technologies in Ohio has been slowed by past legislative action and would be further limited by provisions of HB 6. I have operated a PV solar array at our home since July 2013. I arranged the various permits required and was met with interest and real assistance at every stage: local zoning, county permits and inspections, AEP permits. It's at the legislative and regulatory levels that I have met resistance to the idea that our solar array, and more generally distributed generation, could make a contribution to not only lowering the carbon footprint of our household but also represent an important response to the challenges of climate change. Our array produces less than 3 MWh annually. Our \$9.50 per MWh annual production credit would not cover the \$2.50 monthly residential surcharge created by HB 6.

HB 6 should be withdrawn and new legislation drawn up in response to information generated by these hearings: HB 6' Subsidize nuclear power plants and save jobs, HB 6'' Assuring the development of alternative energy technologies in Ohio and improvement of the impact of energy efficiency initiatives as Ohio's response to climate change, and HB 6''' (may require additional hearings since HB 6 has nothing to do with clean air)

New initiatives in urban and rural air quality. I oppose HB 6' but a clean bill would sharpen the arguments.

The weekday news digest, Midwest Energy News, is an excellent source of information about energy events in the Midwest. It records accurately Ohio's lack of progress compared with Iowa, Illinois, Minnesota, Wisconsin and Michigan. This is a link to the publication.

<https://energynews.us/region/midwest/>

A screen shot of today's edition is reproduced below. The Digest isn't my only source of information but it is the best one for marking Ohio's progress. It would be nice if legislative action didn't impede the state's progress

Tuesday, April 23, 2019

MIDWEST ENERGY NEWS

SOLAR: Iowa pork producers emerge as a [politically potent opponent](#) to utility efforts to scale back rooftop solar incentives as lawmakers [remain divided](#) over the proposal.

(Energy News Network, Iowa Public Radio)

ALSO: A group of Indianapolis residents form the [city's first solar cooperative](#). *(Inside Indiana Business)*

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COAL:

• The Indiana Chamber of Commerce [rejects pleas](#) from former U.S. EPA head Scott Pruitt to support legislation that keeps coal plants open. *(Reuters)*

Perhaps the item under COAL offers re-assurance that Midwesterners are prepared to think for themselves. Ohio legislators would do well to respect the intelligence of their constituents. They need to do better than HB 6.