

WRITTEN TESTIMONY OF THE NATURAL RESOURCES DEFENSE COUNCIL

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on Substitute Senate Bill 346

Before the Senate Energy and Public Utilities Committee



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Chairman Wilson, Ranking Member Williams and Members of the Ohio Senate Energy and Public Utilities Committee, my name is Dan Sawmiller and I'm the Ohio energy policy director for the Natural Resources Defense Council. Thank you for the opportunity to submit written testimony as a proponent to SB346 which repeals the tainted House Bill 6 and restores Ohioans' trust in our government.

I don't believe I need to list for you all of the elements that make up the dark cloud circling above Ohio's statehouse today. However, at least two individuals have recently entered guilty pleas, a number of top executives at FirstEnergy have now been terminated, and it is not unreasonable to assume that more legal activity is forthcoming. Every time a story of potential corruption surrounding the passage of HB6 enters the news, Ohio's General Assembly – not just the House, not just the former Speaker, but the entire General Assembly - receives another black eye. This can only change by taking action to fully repeal House Bill 6 now and then starting over with a clean slate.

I agree with statements made by Governor DeWine last week where he responded to a question about his position on House Bill 6 by saying - in part - that "my position hasn't changed; it needs to be repealed. It is a unique law that is forever tainted by how we created it." The Governor continues to express his desire for carbon free energy in this state, and he is correct in saying that "we need to wipe the slate clean and figure out a different way to do this."¹

I know that some members of this committee feel as though the legal issues surrounding House Bill 6 is only for the Ohio House to wrestle with, and that the Senate did its job fairly and effectively. But as Governor DeWine infers in his comment, Ohioans see this differently. Ohioans are seeing a General Assembly that may have been corrupted. It is the duty of all of us to now restore their trust and faith while resisting the urge to point fingers at fellow lawmakers, committees or competing stakeholders.

I urge you to act with integrity, honor and courage and to rise to the incredible challenge that has now been placed upon the shoulders of this committee; restoring the faith and trust of Ohio's government among its people. Now is the time to be humble with your pride and do what is so obviously needed to assure the hard-

¹ NRDC's Issue Brief can be used as a guide for this committee as it plans its next steps following the repeal of House Bill 6. This Issue Brief provides examples of "best practices" that NRDC looks for in state proposals to compensate nuclear plants for the low-carbon power they generate:

<https://www.nrdc.org/sites/default/files/transition-away-uneconomical-nuclear-plants-ib.pdf>

working families of Ohio that their government can be relied on to do what is right for them because it is right for them, and not because it represents the wishes of a few with outsized influence.

When this committee was first convened nearly two years ago, Chairman Wilson motivated energy stakeholders when he laid out a bold vision for a comprehensive energy policy for Ohio, the likes of which we have not seen since 1986 - if I recall his statement correctly. This is an honorable goal, and one that NRDC and its Ohio members are prepared to work on as we continue forward.

This comprehensive energy policy should look closely at strategies for reducing carbon emissions in Ohio's power and transportation sectors and in buildings. It should also include new policies that ensure that we never find ourselves in this situation again. An equitable 21st century clean energy policy can create hundreds of thousands of jobs in Ohio, attract new business to our state, save customers money on their electric bills and achieve so many other positive things that can be shared more equally among Ohioans.

As a quick example of the types of business opportunities a comprehensive 21st century energy policy can attract, I'll reference a letter that two Senators shared with all members of the Ohio Senate on August 27th titled 'Considering the Repeal of HB 6.' That letter states that "access to clean energy is a priority for companies who want to invest in our communities and our people, and the elimination of clean energy sources makes our state less attractive for businesses." They made reference in this letter to the sustainability goals of Amazon, Google and Facebook. Each of these companies – and many other large companies in every vertical of Ohio's economy – now have 100% clean renewable energy purchase goals that do not include nuclear power as a qualifying technology.²³⁴

It is time for an honest debate about energy policy in Ohio with an eye toward our economic and environmental future. I very much look forward to that honest debate, but there is a most unfortunate job that first must be completed and that is the clean repeal of House Bill 6.

Thank you for your attention to my testimony. I am available for your questions and to discuss my position further.

² <https://sustainability.fb.com/>

³ <https://sustainability.google/commitments/#>

⁴ <https://sustainability.aboutamazon.com/environment/the-cloud?energyType=true>