



Senate Energy and Public Utilities Committee
House Bill 772
December 9, 2020

Chairman Wilson and members of the Senate Energy and Public Utilities Committee, thank you for the opportunity to provide written proponent testimony on House Bill 772 (HB 772).

The Alliance for Energy Choice is an Ohio non-profit corporation that seeks to promote fairness and competition in electric utility service. The Alliance advocates for free-market solutions that will ensure an adequate and fairly priced supply of electric power to Ohio's residents, businesses, and industries. The Alliance also advocates for policies that do not favor one supplier or one form of energy over another.

While our membership has repeatedly stated it believes that a full repeal would be the cleanest and fairest manner in which to correct the harmful policies contained within House Bill 6 (HB 6), this legislation is the most preferable option currently being considered for righting the numerous wrongs in current law. Additionally, HB 772 will not only repair Ohio's broken energy policy but also take a giant step toward restoring Ohioans' trust in their government institutions and elected officials.

We commend Representative Romanchuk for bringing forth this important legislation. Our members are supportive of the entirety of HB 772 as it completely repeals all of the anti-market subsidies that negatively impact competitive market participants and protects Ohio customers from paying a plethora of unfair, unnecessary charges on their electric utility bills. Our only recommendations for improving the legislation would be to include the following provisions from House Bill 798:

- A repeal of the current law that permits FirstEnergy to pool the total earned return on common equity of its three Ohio electric distribution utilities for purposes of applying it to the state's Significantly Excessive Earnings Test.
- Adding an emergency clause in order for the bill to take immediate effect if the requisite vote threshold is achieved.

We appreciate this opportunity to submit written proponent testimony on HB 772. The Alliance urges the Ohio Senate to act swiftly, on behalf of Ohio's citizens and businesses, to pass this critical legislation in order to correct the damaging policies enacted in HB 6. As always, please do not hesitate to contact us if you have any questions or would like further information regarding this document or the Alliance for Energy Choice.



The Alliance for Energy Choice membership currently includes Calpine, Eastern Generation, The Energy Professionals of Ohio, LS Power, and Vistra Energy.