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H.B. 79
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 79's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Seitz and Sweeney

Local Impact Statement Procedure Required: No

Michael Kerr, Budget Analyst

The bill has no direct fiscal effect on the state or political subdivisions. It authorizes electric distribution utilities (EDUs) to seek approval from the Public Utilities Commission of Ohio (PUCO) for voluntary portfolios of energy savings programs (i.e., energy efficiency savings and peak demand reduction savings) to help customers save energy. The bill requires PUCO to conduct hearings on such portfolio applications and adopt rules related to customer incentives and utility incentives offered by EDUs' portfolio programs. The bill prescribes several requirements for the energy savings portfolios, including at least one program to benefit low-income residential customers with an annual income at or below 200% of the federal poverty level. A plan must be for a term of not more than five years and abide by codified cost caps. The bill prohibits an energy savings portfolio's costs from resulting in a rate for nonresidential retail customers that is greater than \$7.50 per customer per month, but excludes several items (e.g., lost distribution revenue/decoupling mechanisms) from counting towards the \$7.50 rate cap. Participation among electric utility ratepayers, including the state and political subdivisions, is voluntary, so the associated charges are optional. However, the bill does not permit any customers to opt out of the lost distribution revenue/decoupling mechanisms implemented under the bill, so all ratepayers will be subject to that prospective rider.¹

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¹ R.C. 4928.6646 states that "The recovery of any revenue through any such mechanism is not subject to sections 4928.6655 and 4928.6657 of the Revised Code."