

Senate Energy & Public Utilities Committee
Proponent Testimony on Substitute Senate Bill 123
Teresa Ringenbach, Vice President of Corporate Affairs, Nationwide Energy Partners
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Chairman Reineke, Vice Chair McColley, Ranking Member Smith and members of the Committee, thank you for allowing me to testify in support of Sub Senate Bill 123. My name is Teresa Ringenbach, I am the Vice President of Corporate Affairs for Nationwide Energy Partners, which I will refer to as NEP.

NEP is an Ohio headquartered business that has provided behind the meter energy services to multifamily property owners for 25 years. NEP provides construction, retail and wholesale electric broker and consulting as well as submetering services to those property owners. Our clients use us to achieve energy efficiency, energy insights and carbon neutral options without raising rent or bills to residents. Our services allow landlords to keep rent low and operate in the PJM market just like any other business in Ohio.

The current definition of public utility in the Ohio Revised Code is extremely ambiguous and leaves the door open for frivolous cases at the PUCO, of which NEP, EV companies and other energy service providers have been targets in recent years. The most recent example is a complaint filed by AEP alleging that NEP was acting as a public utility. After a two-year litigation process, the PUCO sided with NEP on September 6, 2023, and found that we are not a public utility.

While we were pleased with the outcome of the case, there are now three more cases at the PUCO around the same issues, this legislation is extremely important to ensure that Ohio's energy service providers continue to have the opportunity to operate without the threat of being litigated out of business through a regulatory process.

SB 123:

1. The bill creates a new definition of "Behind the meter utility service provider" to distinguish a monopoly utility from service providers who operate on private property at the direction of the property owner.
2. Provides the PUCO with regulatory and consumer protection authority over Behind the meter utility services and providers.
3. Codifies a recent PUCO order mandating a bill cap for sub metered residential tenants. Additionally, the bill gives the PUCO authority to enforce the cap.

This legislation will provide a future path for business while protecting consumers and property owners. NEP looks forward to continuing to work on the bill, and we ask for favorable consideration of the legislation.

Thank you and I am happy to answer your questions.