



SENATE ENERGY AND PUBLIC UTILITIES COMMITTEE – OPPONENT TESTIMONY, HB 79 –
12.10.24

Good morning, Chairman Reineke, Vice Chair McColley, Ranking Member Smith, and members of the Senate Energy and Public Utilities Committee. My name is Hannah Kubbins and I am the Legislative Director for Americans for Prosperity – Ohio and I appreciate the opportunity to provide opponent testimony on HB 79.

Americans for Prosperity - Ohio strongly opposes this anti-consumer piece of legislation and any votes on this bill will be recorded in our 2024 session legislative scorecard.

We oppose the bill, not because we disagree with energy efficiency, but because the bill is anti-consumer, anti-competition, and pro-utility. Our concerns are as follows:

- This program is not “voluntary.” Residents are automatically enrolled in the program. The only way for residential consumers to opt-out is to respond to one of two postcards mailed from the utility companies. Residents are trapped in the program for up to five years.
- All large companies are exempt. They may opt-in, so it’s only truly voluntary for them.
- The bill includes language about a “\$1.50/\$7.50 cost cap” which seems intentionally misleading. All customers will be forced to pay for lost distribution revenue. The decoupling mechanism and other unspecified expenses are specifically exempt from the “cost cap.”
- Not one proponent can give a definite answer to how much this bill will increase costs for consumers.
- HB 79 is anti-customer privacy. The bill would allow utility companies to emphasize “smart thermostats,” and then permits control over these devices without the customer’s choice and data collection from these smart meters without the customer’s permission.
- If consumers want to be more efficient or cautious with their energy consumption, there are plenty of options already available on the market. Consumers do not need government coercion to decrease their energy consumption.

Americans for Prosperity believes in the free market and allowing consumers to shop for the most cost-effective and efficient supply of energy. Having a choice in how you obtain

your energy is crucial in a time where families have seen an up to 50% increase in their utility bills, ongoing inflation, property tax increases, and the Biden Administration's Energy Efficiency mandates. HB 79 is another example of the Ohio Legislature's poor track record on cronyism energy policy. We urge a "no" vote on HB 79.