



December 10, 2024

Chairman Reineke, Vice Chair McColley, Ranking Member Smith and members of the Committee, thank you for allowing me to submit testimony in support of Substitute Senate Bill 123 on behalf of the Ohio Home Builders Association. (OHBA).

OHBA is a trade association representing 4,000 builders, remodelers, and land developers across the state. The vast majority of home construction and development in Ohio is undertaken by our members. In addition to single family homes, our members develop land for and build apartments, condos and other multi-family dwellings. OHBA understands the importance of competition and the critical role it plays in bringing a more affordable product to the market.

SB 123 is a fair and necessary piece of legislation. It clarifies the rights of property owners to choose energy services within the boundaries of their properties. It retains the monopoly of a public utility outside of and between the boundaries of properties. The clarification provided by a portion of this legislation will ensure that private businesses are able to operate in an open market. Further, it is our understanding, nothing in Sub Senate Bill 123 prevents a public utility from offering such services behind their meter, and they would still be able to compete to provide them. Additionally, PUCO would retain their authority to review complaints brought up in cases where privately-operated technology crosses beyond a private property's borders.

The current definition of public utility in the Ohio Revised Code is extremely ambiguous and leaves the door open for further cases at the PUCO. 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. As stated above, the language in Sub SB 123 will not restrict the PUCO. It will retain the PUCO as the regulator and eliminate the use of the ambiguous definition of public utility, which leads to expensive and long regulatory processes hindering in the free-market business resulting in increased costs due to potential litigation.

Thank you for the opportunity to provide comments. We look forward to continue working with the proponents of Sub SB 123.

Vince Squillace

Executive Vice President, Ohio Home Builders Assn.