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Senate Energy & Public Utilities Committee
Proponent Testimony on Substitute Senate Bill 123
Steve Buehrer, Partner, Carpenter, Lipps, LLP

Chairman Reineke, Vice Chair McColley, Ranking Member Smith and members of the Committee, thank you for accepting my testimony in support of Sub Senate Bill 123. My name is Steve Buehrer, Partner at Carpenter, Lipps. Today, I represent Champion Companies in support of this legislation.

Champion Companies is a vertically integrated real estate investment, development and management firm focused on multi-family housing. The Champion Companies' expertise is in buying, renovating, developing and repositioning multifamily properties. Champion's current portfolio of nearly 5,000 units and over \$1 billion in real estate is a result of the company's strategy and execution, with over \$3 billion and 20,000 units of multifamily transactions since 2010. The Company is based in Westerville, Ohio.

The definition of public utilities in the current Ohio Revised Code creates ambiguity leading to costing litigation for a number of Ohio businesses. Despite favorable rulings from the Public Utilities Commission, litigation continues.

We believe this legislation will help these issues and provide clarity going forward. Senate Bill 123:

1. 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. Champion Companies looks forward to continuing progress on this legislation, and we ask for favorable consideration of the bill. Thank you.

Stephen Buehrer
Partner
Carpenter, Lipps, LLP