

**Opposition Testimony – House Bill 15**  
**March 13, 2025**  
**Ohio House Energy Committee**

Chair Holmes, Vice Chair Klopfenstein, Ranking Member Glassburn, and Members of the House Energy Committee,

Thank you for the opportunity to give Opposition testimony on House Bill 15, whose goal is to increase power generation and improve Ohio's electric grid. My name is Cathy Becker, and today I am testifying on my own behalf as a concerned citizen of Ohio.

**Community Energy Pilot Program**

First, I'd like to start with a really good thing in HB 15. The latest version of HB 15 has the addition of a Community Energy Pilot Program, in which everyday Ohioans could subscribe to energy produced from small scale projects throughout the state. Energy projects would be 10 MW or 20 MW if on designated distressed land, for a total of 1500 MW statewide. This is a fantastic program that would help Ohioans pool their energy usage to save money while increasing grid reliability by building distributed energy across the state.

Whatever else happens to HB 15, I hope you all will retain this program in the bill and help get it into the Senate companion bill, SB 2. This would be great for everyday Ohioans.

**Legacy Generation Resource Rider**

Next I'd like to cover a good thing in HB 15 that could be improved. HB 15 would repeal the Legacy Generation Resource Rider, through which Ohioans have paid \$670 million to bail out two aging Ohio Valley Electric Corporation (OVEC) coal plants. Repealing this is a big step forward for Ohio, something many parties have been seeking for years. But it could be even better if the bailouts ended immediately upon passage of the bill, and were not tied to utilities' electric security plans, many of which will take several years to sunset.

**Solar Generation Fund**

Next I'd like to cover a program that could be added to make HB 15 stronger. This regards the Solar Generation Fund, through which Ohioans have paid \$60 million, of which less than \$10 million has actually been spent to help build solar plants in Ohio. Currently HB 15 would end collection of the Solar Generation Fund immediately and return the money to consumers.

That's not the worst thing, but the current version of SB 2 makes better use of these funds. SB 2 would transfer the remaining solar funds to a new program that would make loans to schools for energy efficiency upgrades. The schools would save money on their energy bills, which would be used to pay back the loan and fund educational expenses.

This is a good program in SB 2 that I ask you to include in HB 15 as well. It could be further improved by expanding the loans to also cover the costs for installing solar panels. A school district in Batesville, Arkansas, provides a great example. By putting solar on schools, they cut energy costs in half. This saved enough to raise teacher salaries by up to \$15,000 per year, all while improving educational quality and lowering carbon pollution.

### **Ohio Power Siting Board Process**

Unfortunately, the latest version of HB 15 now contains language from SB 2 that caused me to oppose that bill, and causes me to oppose this one. Of great concern to me – and many others who would be concerned if they were aware of what’s in the bill – are stipulations regarding the Ohio Power Siting Board process.

Currently, the OPSB has a long approval process that includes public information sessions, applications with thousands of pages, a full investigation, public hearings, months of public comments, and adjudicatory hearings to establish the facts about a proposed project. The entire process takes many months and often years.

House Bill 15 would shorten this process to 45 days – just six weeks – for two types of applications:

- An electric generating plant, transmission line, or gas pipeline proposed in a priority investment area, defined as a designated brownfield or former coal mine
- A major utility facility, defined as 50 MW or more, proposed to go on private property owned by applicant – presumably a large energy user such as a data center

The first of these 45-day stipulations – in a Priority Investment Area – includes local involvement because it is local officials who nominate the brownfield or former coal mine to be designated as a Priority Investment Area in the first place.

There are no guardrails for the second 45-day stipulation that would fast-track a major energy generation facility – such as a 100 MW gas plant – on land owned by the applicant. Local officials would have no ability to approve or veto such a major project in their district.

This is what tips me into the opposition category, and it could affect me personally.

My husband and I recently moved to a new build subdivision in Hilliard – basically our dream home that we funded with a small inheritance and the sale of our previous house. What we didn’t know when we signed the contract three years ago was that a series of Amazon data centers were planned to go in across the street.

Having a data center as a neighbor is not by itself a concern. What is of great concern is if that data center is allowed to build a major gas plant on property next door with only a six-week approval process, and no ability for my local representatives to say no.

Here's a photo of the Amazon data centers taken from my driveway. The dumpster you see in the middle is there because they are still building new homes on my street.



I am not the only person affected. There are 176 data centers in all of Ohio – of those, 108 are in Central Ohio. Here is a map of the data centers in Central Ohio – many if not most are in residential areas. This means hundreds of thousands of people could end up with a gas plant next door approved in just six weeks – and they have no idea this is being discussed.



You can check this map out for yourself at <https://www.datacentermap.com/usa/ohio/>

The fact that a major utility facility could be fast-tracked through a 45-day process at the Ohio Power Siting Board is very concerning. That is not enough time to educate residents about what is at stake, get public comments, or do an investigation of the facts. This time frame should be lengthened to nine months for these complicated applications.

In addition, the second type of accelerated review – for a major utility facility on an applicant's land – should include local approval, just as the first type of accelerated review – for an energy project in a Priority Investment Area – already does.

Any applicant who wants to build a major utility facility, such as a large gas plant, on their property should have to get the approval of local officials first, just as they would for practically any other use of land through zoning laws and area commissions.

Further, in 2021, the legislature passed Senate Bill 52, which allows local cities, counties, and townships to ban solar and wind projects, but not oil and gas projects. At least 24 counties have done so. If we allow local officials to ban solar and wind projects, then it's only fair to allow them to veto gas plants, especially in residential areas.

### **Energy efficiency, renewable energy**

Data centers can and should implement best practices in energy efficiency and energy supply. Instead of building gas plants all over the state, including in residential areas, we could incentivize or require data centers to be energy efficient and use renewable energy.

- Research from [Duke University](#) finds that [even small tweaks](#), such as limiting power drawn from the grid to 90% for one day per year, could unlock 76 gigawatts of capacity – equal to 10% of peak demand in the entire United States.
- Data centers can also run reliably on renewable energy coupled with battery storage, [according to RMI](#), the nation's top sustainable energy research institute.

Unfortunately, the gas to supply gas plants comes from fracking, which has serious negative impacts on human health and the environment. In the last two years, Ohio has even begun fracking in our state parks, wildlife areas, and public lands. Public comments on nominations to frack public lands show the vast majority of Ohioans are opposed.

In fact, of 923 comments submitted on the last four nominations to frack Salt Fork State Park, Valley Run Wildlife Area, Egypt Valley Wildlife Area, and Jockey Hollow Wildlife Area, only ONE comment was in support. One out of 923 comments. That's 1/10<sup>th</sup> of 1 percent. 99.9% of comments were opposed to fracking our parks and wildlife areas. Legislators should listen to the citizens of Ohio who have made their preferences clear.

This concludes my testimony on HB 15. Thank you again for the opportunity to testify, and I can try to answer any questions.