

**House Bill 173 of the 136th General Assembly  
Testimony of Christopher Hollon, AES Ohio  
Before the House Energy Committee November 12, 2025**

Chairman Holmes, Vice Chair Mathews, Ranking Member Rader, and members of the House Energy Committee, thank you for the opportunity to provide opponent testimony on Sub. House Bill 173.

My name is Christopher Hollon, and I am Senior Counsel for AES Ohio. I have represented the Company for more than a decade in matters before the Public Utilities Commission of Ohio, including four distribution rate cases. I also represent the Company before the Ohio Power Siting Board.

AES Ohio, formally The Dayton Power and Light Company, serves over 530,000 customers in West Central Ohio. Our 2,900 employees and retirees have served as the backbone for reliable and affordable electricity across a 6,000 square mile service territory in 24 counties for over 100 years.

AES Ohio is responsible for delivering electricity to customers safely and reliably over our Transmission and Distribution systems. As a poles and wires company, we are the critical link between the competitive generation market and our customers.

AES Ohio opposes House Bill 173 and believes that Ohio's consumers deserve equal and fair consumer protections – no matter where they live.

**Sub-metering in Ohio**

While AES Ohio has not yet experienced third-party submetering activity at the same level as other electric utilities in Ohio, we believe it is in the best interest of our customers to raise our concerns before the practice becomes more widespread within our service territory.

AES Ohio supports efforts to ensure that all electric customers—regardless of whether they receive service directly from a regulated utility or through a third-party reseller—are afforded the same rights, protections, and transparency. However, as currently written, Sub-HB 173 does not go far enough to achieve that goal.

The bill does not provide customers served by third-party resellers with the same statutory rights and regulatory protections that are guaranteed to customers of regulated utilities. Without such protections, customers could face inconsistent service quality, billing practices, limited recourse in the event of disputes, and uncertainty regarding disconnection procedures.

In addition, under Ohio's electric regulatory framework, customers of the state's electric distribution utilities have the right to shop for their generation supply. Sub-HB 173 does not

preserve this right for customers served through submetering arrangements, effectively limiting customer choice and undermining the intent of electric competition in Ohio.

AES Ohio and other electric distribution utilities operate under strict regulations, with rates and returns carefully reviewed and approved by the Public Utilities Commission of Ohio (PUCO) to ensure fairness and cost transparency. In contrast, Sub-HB 173 would permit third-party submetering entities to leverage the cost structures and returns of regulated utilities while **reselling electricity at unregulated rates**. This could allow such entities to charge customers and earn profits above regulated levels, despite serving a captive customer base without oversight.

Multiple court cases involving Ohio utilities—such as AEP and Duke Energy—and third-party resellers, including Nationwide Energy Partners (NEP), are currently pending. The outcomes of these cases are likely to clarify important legal questions surrounding the regulation of third-party electric resellers.

We urge the General Assembly to exercise caution in amending the Revised Code before these judicial proceedings are resolved. Doing so prematurely could create inconsistencies between statute and case law, complicating regulatory enforcement and customer protection efforts.

AES Ohio appreciates the General Assembly's attention to this important issue. We share the Committee's goal of ensuring that all Ohioans receive safe, reliable, and fairly priced electric service under consistent consumer protections.

While Sub-HB 173 represents a step toward addressing submetering concerns, we respectfully submit that it requires further refinement to fully protect consumers and maintain equity between regulated utilities and unregulated resellers.

AES Ohio welcomes the opportunity to work collaboratively with the Committee, legislative staff, and other stakeholders to develop a balanced solution that protects electric customers and promotes a fair and transparent energy marketplace.

Thank you.