

**Testimony of Teresa Ringenbach
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Ohio House Energy Committee
House Bill 173 – Sub. Version -3
Date: November 12, 2025**

Chairman Holmes, Vice Chair Mathews, Ranking Member Rader, and Members of the Committee, my name is Teresa Ringenbach, and I am the Senior Vice President of Corporate Affairs for Nationwide Energy Partners (NEP). NEP is an energy management and solutions company focused solely on the multifamily sector. In addition to construction, design, and energy solutions we provide submetering services.

Current Landscape

Today, there are limited consumer protections for submetered residents. Despite NEP support for more than a decade for PUCO and legislative protections even the few that exist today are at risk. Costly, ongoing cases at the PUCO and the Ohio Supreme Court continue to challenge whether these limited protections should or can continue to exist. These cases, instigated by AEP, persist despite PUCO's repeated rulings against them.

Existing Protections Include:

- PUCO order requiring:
 - Total bill cap
 - Lease disclosure
 - Disconnection requirements applicable to landlords
- Landlord-Tenant law under **ORC 5321**
- Consumer protections under **Chapters 1349 and 1345** of the Consumer Sales Practices Act

HB 173 – Introduced Version

The introduced version of House Bill 173, and its companion bill Senate Bill 108, codified the PUCO order without altering existing protection statutes. Notably, it included disconnection rules referencing **medical certifications**, which NEP honors.

Key Additions:

- PUCO authority to regulate and track submetering via registration
- PUCO authority to levy penalties for non-compliance
- Clear definitions distinguishing behind-the-meter services from monopoly public utilities

Substitute HB 173 – Version -1

This version retained all prior provisions and added:

- Expanded registration requirements (managerial, financial, technical)
- Property-specific compliance plan with a **\$10,000 penalty** for non-compliance
- Clarified PUCO fee as administrative
- Defined formal vs. informal complaint processes
- Amended landlord-tenant law to include disclosures and expand PUCO authority
- Required notification to residents about bill assistance programs
- Introduced a **per-instance multiplier** to the **\$100/day fee**
 - Assume the bill is non-compliant in a 100-unit apartment building
 - A non-compliant bill means a cumulative 30 days of wrong rate.
 - A fine occurs when the non-compliance remains unresolved for another 60 days. First bill noticed is first violation followed by two more coming to a total of 90 days.
 - 100 apartment units x \$100 = \$10,000 per day fine
 - \$10,000 per day x 90 days = \$900,000 fine
- Equipment sale provision to prevent discrimination and ensure proceeds benefit ratepayers without delay

Substitute HB 173 – Version -3

This latest version before you builds upon all prior provisions and introduces:

- Mandate for properties to accept HEAP payments if a resident qualifies
- OCC to maintain a bill assistance list for submetered residents, accessible to landlords
- **Bill Transparency Requirements:**
 - Use of kWh or proper measurement for use of the bill calculator also required by this legislation
 - Distinct line items to separate electricity use from other charges (e.g., pet fees, trash)
 - Disclosure of common area charges in both lease and bill
- PUCO reporting on submetering numbers and complaint statistics
- Immediate correction of non-compliance without waiting for PUCO action
- Confidentiality clarification to protect identity theft-related information only
- Extended timeline for PUCO rulemaking
- Increased registration fee from **\$200 to \$1,000**, aligning with Ontario Energy Board standards (OEB's \$800 CAD ≈ \$500 USD annually)

Risks and Misconceptions

AEP's testimony introduced confusion. To clarify:

- If AEP prevails at the Supreme Court, current PUCO protections may be invalidated, leading to renewed litigation—not an immediate end to submetering.
- AEP could not provide numbers on submetered residents as they do not currently track where or how many units are submetered. HB 173 addresses this data gap.
- Submetering entities are interested in servicing PIPP, but the program needs modernization, including faster debt forgiveness aligned with lease terms.

House Bill 173 has evolved through hearings and stakeholder input to include robust protections and regulatory clarity. It is a strong bill that raises industry standards and ensures oversight while protecting residents.

I respectfully urge you to pass HB 173.