OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 294
136th General Assembly

Bill Analysis

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Version: As Passed by the Senate

Primary Sponsors: Sens. Lang and Romanchuk

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SUMMARY

- Declares Ohio's public policy is to ensure affordable, reliable, and clean energy security within the state in all applications for a certificate from the Power Siting Board.

DETAILED ANALYSIS

The bill adds a policy consideration to the process of siting certain electric generating facilities in Ohio. Under continuing law, the Power Siting Board (PSB) is responsible for approving the siting in Ohio of (1) major utility facilities (which includes electric generating facilities designed and capable of generating 50 megawatts or more) and (2) economically significant wind farms (which, generally, are wind turbines and associated facilities operating at a capacity of at least five but less than 50 megawatts). To operate in Ohio, major utility facilities and economically significant wind farms must obtain from PSB a certificate of environmental compatibility and public need for construction, operation, and maintenance.[1]

The bill declares it to be Ohio's public policy, in order to ensure affordable, reliable, and clean energy security within Ohio to do the following in all cases involving an application for a certificate from PSB: (1) employ affordable, reliable, and clean energy sources, (2) prioritize domestic production, (3) minimize reliance on foreign adversary nations for critical materials or manufacturing, and (4) ensure the use of Ohioan- and American-built infrastructure and components to deliver energy to Ohio customers.[2] The bill specifies that it shall not be interpreted to alter the criteria and timelines used for determining approval for certification applications or amendments submitted to PSB.[3]

[1] R.C. 4906.01, 4906.03(E) to (H), and 4906.10, not in the bill.

[2] R.C. 4906.011(B).

[3] R.C. 4906.011(C).

The bill defines an "affordable energy source" as an energy resource that has a stable and predictable cost, provides a cost-effective means of heating, cooling, and generating electricity, and delivers substantial savings related to residential and commercial customers comparable to renewable energy and biomass energy sources based on the average cost per unit of energy output calculated to include any direct or indirect payment by any level of government for the previous five years.[4]

The bill defines "advanced nuclear energy technology" as generation III nuclear technology, later nuclear technologies, and significant improvements to existing nuclear energy facilities.[5]

The bill defines a "reliable energy source" as an energy resource that is readily available at all times to meet energy demands with minimal interruptions during high-usage periods, and that, when used for power generation, demonstrates a site-combined minimum capacity factor of 50%, electricity output that is dispatchable at all times with the capability to ramp up or down electricity generation within one hour to stabilize the electrical grid, and the ability to complement and provide backup to renewable energy resources during periods of low availability.[6]

The bill defines a "clean energy source" as any energy generated by using (1) renewable energy or biomass, (2) hydrocarbons, which, when burned, meet EPA national ambient air quality standards, (3) nuclear reaction, or (4) natural gas.[7]

"Domestic production" under the bill is a fuel source primarily produced in the United States. The bill also defines, but does not use, the term "infrastructure security," which is infrastructure necessary to deliver energy to customers that minimizes reliance on foreign nations for critical materials or manufacturing. Finally, the bill defines "foreign adversary nation" as the following countries identified under federal law limiting procurement from certain foreign sources: Democratic People's Republic of North Korea; People's Republic of China; Russian Federation; and Islamic Republic of Iran.[8]

[4] R.C. 4906.011(A)(1); 42 United States Code (U.S.C.) 15852(b), not in the bill.

[5] R.C. 4906.011(A)(2).

[6] R.C. 4906.011(A)(3).

[7] R.C. 4906.011(A)(4); 42 U.S.C. 15852(b), not in the bill.

[8] R.C. 4906.011(A)(5), (6), and (7); 10 U.S.C. 4872(f)(2), not in the bill.

HISTORY

Action	Date
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