

**Ohio House of Representatives
House Public Utilities Committee
Interested Party Testimony
House Bill 128**

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March 2, 2021**

Chairman Hoops, Vice-chair Ray, Ranking Member Smith, and members of the House Public Utilities Committee, thank you for the opportunity to provide written testimony as an interested party with concerns on House Bill 128. I am Leo Almeida and I am a Senior Policy Associate at The Nature Conservancy in Ohio.

The Nature Conservancy is a non-partisan, science-based organization that seeks to conserve the lands and waters on which all life depends. We have chapters in all 50 states and work in over 70 countries across the globe. We work collaboratively with businesses, farmers, sportsmen groups, government and local communities to develop pragmatic, market-based solutions to conservation challenges, including air pollution. More than 65,000 Ohioans are Nature Conservancy supporters.

The Nature Conservancy opposed House Bill 6 because it was a missed opportunity to develop a comprehensive energy plan for Ohio. HB 6 did not allow sources of clean air and lower carbon emitters to equally receive benefits and continue to flourish successfully in Ohio. This bill provided financial certainty in a time of market distress to the nuclear and coal energy sectors while decreasing and essentially rendering the renewable portfolio standard (RPS) and energy efficiency resource standard (EERS) ineffective.

We are glad to see the General Assembly take actions to address some of the very concerning, detrimental and unnecessary actions included in HB 6. We think HB 128 is a good beginning, in that it removes the decoupling mechanism, reverts to a more reasonable significantly excessive earnings test for distribution utilities, and provides a refund to ratepayers. We commend Chairman Hoops and Representative Stein for recognizing that these issues need to be recognized and dealt with. We also will provide numerous reasons in our testimony that HB 128 should be expanded to address the other significant flaws in HB 6 and lead Ohio into a positive direction towards comprehensive energy policy.

The right thing to do is to repeal HB 6. This will send a clear message to the citizens of Ohio that the General Assembly wants to put an end to the troubling aftermath of this legislation and begin anew. Repealing this bill will propel significant business investment in our state by sending a clear signal that Ohio is open for all types of energy business. House Bill 6 reduced the RPS from 12.5% to 8.5% which sent the wrong message to businesses and investors in clean energy development. It removed the requirement to continue maintaining the standard once it reaches the percent required in the final year allowing utilities that reach an 8.5% RPS by 2026, to then potentially go back to 0% starting in 2027. Reinstating the EERS helps Ohioans. The EERS supports programs that have saved consumers

\$7.06 billion. Energy efficiency programs are designed to reduce the amount of energy consumed and therefore reduce the amount of energy generated. Energy you don't use doesn't cost you money. This also translates into less carbon emissions from the energy sector. Many of you heard during HB 6 deliberations that the Legislative Service Commission analysis of cost savings did not take into account the cost savings of Energy Efficiency for Ohio ratepayers which renders it incomplete at best and inaccurate at worst. Repealing HB 6 and continuing the energy efficiency programs is estimated to result in a monthly average savings or reduction of \$7.01 per family, not an increase in rates. If the goal of HB 6 was to encourage a lower-carbon future for Ohio and save ratepayers money, then removing the RPS and EERS was counterintuitive.

Ohioans want to see more emphasis on energy efficiency, solar and wind power. Polling conducted in Ohio over the past several years asking Ohioans about energy issues have shown an increase in support for policies that embrace clean energy. Statewide polling conducted in August 2020 showed that 67% of voters support repealing HB6 and replacing it with a clean energy plan. These recent polling results confirm the findings of the poll commissioned by The Nature Conservancy in 2017 which was conducted by Public Opinion Strategies, on the attitudes of registered voters in Ohio toward clean energy. To sum up the most telling responses – a vast majority of Ohio voters support clean energy policies and nearly nine out of ten would tell an elected official to support policies that encourage greater use of all types of renewable energy and energy efficiency in Ohio. They also strongly support Ohio reaching the 12.5% RPS.

The Nature Conservancy urges this committee not to pass HB 128, and instead fully repeal HB 6 and begin working on a comprehensive energy plan. Developing a true comprehensive energy plan will allow us to harness all the potential we have as a state to be a leader in lower carbon energy sources and respond to current and future demand for a forward-thinking energy portfolio. We have no doubt Ohio's policymakers, businesses and manufacturers, municipalities, environmental and conservation groups, consumer advocacy agencies and all the others that have been a part of the process can come together to craft an approach that will better respond to what Ohioans want and need. We heard, during deliberations of HB 6, numerous organizations offering ideas that would move us forward as a state. Do not be daunted by the idea of a comprehensive approach. Ohioans have shown they embrace innovation, challenges, and clean energy. We offer our organization's help to the General Assembly to create an inclusive approach that reinforces lower carbon goals, encourages the economic benefits of clean energy, incentivizes new technology to address current challenges related to energy storage, remove impediments to growth, and sends a clear message that Ohio is open for business.

Thank you for the opportunity to provide written testimony as an interested party to House Bill 128. Please contact me if you have any questions.

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