

**Ohio Senate
Energy and Public Utilities Committee
Interested Party Testimony
House Bill 128**

**Leo Almeida, The Nature Conservancy in Ohio
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Chairman Peterson, Vice-chair Schuring, Ranking Member Williams, and members of the Senate Energy and Public Utilities Committee, thank you for the opportunity to provide written testimony as an interested party with concerns to 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 work collaboratively with businesses, farmers, sportsmen groups, government, non-profit entities, and local communities to develop pragmatic, market-based solutions to conservation challenges, including water quality, environmental habitat degradation/fragmentation and climate change. More than 65,000 Ohioans are Nature Conservancy supporters.

For background The Nature Conservancy opposed House Bill 6 from the previous General Assembly because it was a missed opportunity to develop a comprehensive energy plan for Ohio. HB 6 created winners and losers in Ohio's energy market and did not allow other sources of clean air and lower carbon emitters to equally receive benefits. The bill provided financial certainty in a time of proclaimed 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 are also glad to see that the House amended this bill to keep the solar funding provision from HB 6. We commend Chairman Hoops and Representative Stein for addressing these points. We would like to provide numerous reasons in following testimony encouraging the expansion of HB 128 to address 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 sends 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. Attempting to piecemeal certain provisions while leaving others intact is not fair to Ohioan's who now know that certain actions surrounding the bill were circumspect at best and criminal at worst. Repealing this bill will propel significant business investment in our state by sending the clear signal that Ohio is open for all types of clean energy business. House Bill 6 reduced the RPS from 12.5% to

8.5% which is a step backwards and 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 go back to 0% starting in 2027. Reinstating the EERS helps Ohioans and 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 the 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 fully 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, 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 to address HB 128 by fully repealing HB 6 and begin working on a comprehensive energy plan. This bill can be part of larger legislation that addresses all the outstanding issues I have outlined in my testimony. 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 and in this General Assembly, 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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