



**Before the Senate Energy and Public Utilities Committee  
Proponent Testimony on House Bill 128  
March 23rd, 2021**

Chair Peterson, Vice Chair Schuring, Ranking Member Williams and members of the Senate Energy and Public Utilities Committee, my name is Stephanie Kromer, and I am the Director of Energy and Environmental Policy for the Ohio Chamber of Commerce. Thank you for allowing me the opportunity to offer written testimony on House Bill 128.

The Ohio Chamber is the state's leading business advocate, and we represent nearly 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans.

As I mentioned, the Ohio Chamber represents nearly 8,000 companies that do business in Ohio. We are a member-driven organization, and our members are diverse. Nowhere, perhaps, is that more evident than in the energy space. We represent companies that extract the raw materials used in generating power, that actually generate power, be it nuclear, coal, natural gas, wind, or solar, that transmit and distribute power, that sell power, that consume power, and that manufacture products or provide services somewhere along the power supply chain.

I testified in front of this committee in December urging a repeal of HB 6 in tandem with comprehensive reforms to Ohio's energy policy that both balance a diverse portfolio of energy sources and provides for reliable, affordable sources of energy. House Bill 128 addresses some of our initial concerns surrounding the passage of HB 6 while respecting the fact there were those who acted in good faith during process.

At the heart of the HB 6, was the \$150 million a year nuclear payment that was allocated to the Davis Besse and Perry nuclear power plants. We now have a clearer picture of the financial situation and understand that the nuclear plants may be able to stay operational without the subsidy. By repealing this provision of HB 6, all customers will see a reduction in their utility bills. This would come at an opportune time because it would allow for Ohio businesses, some of whom are struggling with cash flow issues due to the economic slowdown from the COVID-19 pandemic to save money on their utility bills.

Customers will also see a refund on their utility bills because HB 128 also removes the decoupling mechanism that was implemented in HB 6. With the removal of energy efficiency mandates, the HB 6 decoupling provision is no longer needed to recover lost revenues.

HB 128 also modifies the significantly excessive earnings test (SEET) changes that were not part of HB 6 but were enacted as part of HB 166 from the 133<sup>rd</sup> General Assembly. The SEET ensures that customers receive a refund in the event an electric distribution utility's earnings are significantly excessive. HB 128

returns the SEET to its original state, resulting in customers now realizing the protections that were promised to them with the original implementation of the SEET.

The Ohio Chamber of Commerce supports passage of HB 128 and looks forward to being a part of the ongoing discussions regarding Ohio's comprehensive energy policy that both balances a diverse portfolio of energy sources and provides for reliable, affordable sources of energy.