

May 19, 2021

Senate Energy and Public Utilities Committee
Chairman Rob McColley
Opponent Testimony on Substitute Senate Bill 52
Invenergy Renewables LLC

Dear Chairman McColley,

I write to you today to oppose substitute Senate Bill 52 (“Sub bill 52”). Invenergy Renewables LLC (“Invenergy”) opposed the initial version of the bill and finds that the substitute version goes even further to harm the solar industry and business communities across Ohio. Sub bill 52 continues to act as an effective moratorium on solar and wind development and puts existing projects at risk.

By way of re-introduction, Invenergy is a utility-scale developer, owner and operator of clean and renewable energy generation assets. We have partnered with Ohio communities and landowners for over ten years. Our years of experience and community partnership culminated in the permitting and construction of the Hardin Solar project near Ada in Hardin County. During peak construction, the project employed 250 workers on site, and per the requirements of the payment in-lieu of taxes (PILOT) agreement, 80 percent of those workers were Ohioans. The project now continues to contribute to the local economy through employee wages, payments to landowners, and continued payments under the PILOT agreement. Building on our successful partnerships in Hardin County, Invenergy continues to partner with other communities across the state to develop over 1,500 megawatts of utility-scale solar projects, providing thousands of jobs and tens of millions of dollars to local economies.

Sub bill 52 requires that township trustees adopt an “energy development district” by resolution before any wind or solar facility can begin construction. Any resolution adopting an energy development district would then be subject to township referendum. For projects in active development, this bill poses significant business risk late into the development process. Substantial resources totaling over a million dollars per project already go into the due diligence process of project development. This includes extensive community outreach, environmental due diligence, and other studies required and reviewed by the Ohio Power Siting Board (OPSB). Allowing for these late-stage projects to be subject to a referendum vote after significant investment sets a bad business precedent for Ohio.

Invenergy

Sub bill 52 overrides the OPSB process by stating only projects built in energy development zones would be designated as in the public interest and necessity. This runs counter to the formal role of OPSB which is to utilize experts to review electricity generation projects and make the determination of public interest and necessity. By implementing an opt-in resolution and referendum process to overthrow an already robust screening process at the OPSB, Sub bill 52 threatens the integrity of project review and approval in Ohio. This is not an acceptable change in regulation for any industry doing business in Ohio or elsewhere.

We appreciate your thoughtful consideration on the harm this bill will do to the Ohio economy, the solar industry and to the landowners and communities partnered with planned projects. Please vote no on Sub bill 52. We welcome further conversation and dialogue on public input in solar development in Ohio.

Sincerely,

Kaley Bangston
Senior Manager, Government & Regulatory Affairs
Invenergy Renewables LLC