Testimony of Terrence O'Donnell Dickinson Wright PLLC

Senate Bill 188, Wind Energy Development

Ohio Senate Energy and Natural Resources Committee Wednesday, October 11, 2:30 p.m. Finance Hearing Room

1. Wind Energy Enjoys Broad Local Support

A. <u>Over 2,000 Ohioans</u> have signed leases, options for their land, or agreements to host project infrastructure (including underground cables, roads, etc.). This testament to their support—dedicating a small portion of their farmland to a wind project—is more compelling than any testimony we can provide. These landowners are eager to capture the long term, stable revenue stream wind lease payments provide over the coming decades.

2. Local Control over Taxes

A. Ohio law provides for a payment in lieu of taxes ("PILOT") for any qualifying energy project, including wind, solar, cogen, clean coal, etc. But the PILOT is only available IF THE COUNTY COMMISSION APPROVES IT BY RESOLUTION. Counties that (for whatever reason) do not support a particular wind project may simply decline to approve a PILOT, and the project will be uneconomic compared to the many counties that approve PILOTS.

3. Private, Voluntary, Business-to-Business Transactions

- A. EDPR built a \$200 million wind farm in Ohio exclusively for Amazon Web Services. Starwood is constructing a similar project in Paulding County for General Motors. Facebook has announced its plans for Ohio data centers and will power those with renewables. With these public announcements alone, we know Ohio is very quickly running out of supply.
- B. Apple, Facebook, Dow Chemical, The Ohio State University, Target, Wal-Mart, Citygroup, Anheuser Busch, Google, Owens Corning, the US Army, and Avery Denison, and many more have signed PPAs. The Fortune 500 is driving this trend, with 102 of the Fortune 500 committed to 100% renewables by 2025. Clean energy has become a bedrock, nonnegotiable item for some of the country's largest employers, and Ohio is quickly becoming uncompetitive in the category.
- C. Ohio's prohibitive setback law has acted as a moratorium on new wind permits. Not a single new project has been filed since the passage of HB 483.
- D. To re-open the market, Ohio should pass SB 188 to allow projects to again move forward, so willing counties, willing farmers, and willing businesses can reap the benefits that state regulation is now preventing-- while preserving safety and general welfare. Pass SB 188 and it will literally unleash billions of dollars of in-state investment.