



Senate Energy and Public Utilities Committee  
Chairman Steve Wilson  
Proponent Testimony – Senate Bill 346  
Testimony of Tyler M. Duvelius  
Executive Director, Ohio Conservative Energy Forum  
November 10, 2020

Chairman Wilson, Vice-Chairman McColley, Ranking Member Williams, Members of the Committee: Thank you for the opportunity to testify before you today as a proponent of the bipartisan Senate Bill 346.

My name is Tyler Duvelius, I serve as the Executive Director of the Ohio Conservative Energy Forum (OHCEF). OHCEF was founded in 2015 to provide a forum for conservatives to discuss a diverse, all-of-the above energy portfolio – one that includes not only existing sources of energy generation such as coal and natural gas, but that also seeks to expand the development of clean and renewable energy sources – like wind and solar energy. And yes, we also support nuclear energy. OHCEF believes that clean energy, of all stripes, can strengthen both our economy and our national security while providing unmatched opportunities for innovation, such as those that we are currently seeing in the Mahoning Valley – or as it has been referred to by Vice President Pence, the Voltage Valley.

As a conservative organization, OHCEF supports a free and fair market. Ohioans deserve an energy policy that is liberated from even a whiff of corruption. It is long past time that we have an open dialogue in our state about how to build a cleaner, energy independent future in Ohio. OHCEF supports Senate Bill 346 because leaving House Bill 6 on the books would prohibit such a conversation from happening. House Bill 6 must be fully repealed.

While I could re-litigate the reasons that my organization was originally opposed to House Bill 6 and the policies that it contained, those reasons have previously been laid before this committee. The focus of this testimony will be on the questions of why House

Bill 6 should be repealed and why Senate Bill 346 is the appropriate vehicle for such repeal. Put simply, and to echo Senate President Larry Obhof, the allegations of corruption and scandal that have swirled around House Bill 6, have made it clear that this piece of major energy legislation is tainted and must be “ripped out”.

On Thursday, October 29, in the frenzied runup to last week’s election, former aide to Representative Householder, Jeff Longstreth, and lobbyist Juan Cespedes pled guilty to federal racketeering charges involving the alleged House Bill 6 scandal. These admissions of guilt changed indictments into convictions. It led to the firing of FirstEnergy CEO Chuck Jones and a larger shakeup of top FirstEnergy executives. The plea deals spurred an investigation by the Public Utilities Commission. It gave a sad, unfortunate truth to the tainted legislative process of House Bill 6. Ohioans deserve better than to have legislation on the books that even has the faintest association to allegations of scandal and corruption.

I applaud the work of this committee in their deliberative consideration of House Bill 6 last year. The Chairman and the committee as a whole refused to kowtow to artificially established deadlines – ultimatums – from FirstEnergy and its affiliate company, FirstEnergy Solutions, now known as Energy Harbor following its bankruptcy proceedings. This body’s work on House Bill 6 last year to include measures of transparency was laudable but additional, more stringent audit provisions should be included in the wake of these allegations. I commended this committee for re-instating the Renewable Portfolio Standard, albeit in a reduced form, but it is even more important to remove onerous barriers to renewable energy development, which is a free-market demand of the 21<sup>st</sup> Century economy and an important tool for business attraction and retention.

While the work of this committee was substantial, it does not change the fact that the legislative process leading to the ultimate enactment of House Bill 6 was corrupted. That is why it is so important to pass Senate Bill 346 in order to repeal House Bill 6 and begin energy policy conversations anew in the open light of a new day.

As I am sure the members of this committee are aware, a number of elected officials have called for repeal of House Bill 6. While I will not list each public comment from each

officeholder, I do think Governor DeWine's public comments from last week are of particular note: "(House Bill 6) is a unique law that is forever tainted by how we created it. The process, looking back, is clearly tainted and we have to start over. ... We need to wipe the slate clean and figure out a different way to do this."

That is exactly what Senate Bill 346 would do, it would wipe the slate clean and give Ohioans the opportunity to figure out a path toward something we all want – a cleaner, more prosperous future. In fact, a bipartisan poll conducted by Brian Tringali of The Tarrance Group and EMC Research found that nearly two thirds of Ohioans want to see House Bill 6 fully repealed. The poll results show a clear majority of Ohioans who, even when given a generous buffer for polling inaccuracy, want to see the full repeal of House Bill 6 – the byproduct of passing Senate Bill 346. OHCEF is happy and eager to be a part of the conversation on the next chapter of Ohio's energy future.

Thank you for your time and consideration to my testimony. I greatly appreciate the opportunity to appear in front of this committee and hope to soon be able to do the same in the House. I am happy to answer any questions the committee may have.