

March 23, 2022

House Energy and Natural Resources Committee
Chairman Jim Hoops
Opponent Testimony on House Bill 118
Invenergy LLC

Dear Chairman Hoops,

I write to you today to provide comment in opposition of House Bill 118 (HB 118). In its establishment of a local referendum, this bill would jeopardize the future of renewable energy development in Ohio. As written, the legislation is harmful to business, harmful to landowners and harmful to Ohio's economic growth.

Invenergy is a utility-scale developer, owner and operator of clean and renewable energy generation resources. To date, we have developed, contracted and/or built more than 27,000 megawatts (MW) of utility-scale wind, solar, natural gas, and advanced energy storage projects globally. Our footprint in the United States (20,655 MW and growing) is a reflection of our successful track record engaging locally with each project we construct, start to finish, and Ohio is no exception. Invenergy is an established fair and trustworthy community partner in Ohio. We developed, built, and now operate the Hardin Solar Project in Hardin County. For more than ten years we built strong relationships with landowners, county commissioners, past and current county economic development directors and we are proud that Hardin County Solar Project became commercially operational in February 2021. During peak construction, the 150-megawatt project employed 250 workers on site and, per the requirements in the PILOT agreement, 80 percent of those workers were Ohioans.

Now that the project has moved into operation, Invenergy employs four full-time operation and maintenance staff with plans to hire an administrative role. Hardin Solar will contribute/invest \$2.2 million dollars annually into the local economy through payments to landowners, wages and benefits to employees, and tax payments to the school, county, and fire districts. In addition to the Hardin Solar project, we currently have more than 1,400 (MW) of solar projects in late-stage development located in the state. These projects represent more than \$1.5 billion of direct investment in Ohio communities and would pay more than \$27 million annually to local landowners, school districts, towns, and counties.

Invenergy opposes HB 118 because it acts as an effective moratorium on solar and wind development in Ohio. The bill enables township trustees to move forward a resolution and local referendum vote on any Ohio Power Siting Board (OPSB) approved project at the end of the

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development cycle. This legislation is problematic for several reasons. First, the timing of the resolution and referendum at the end of the development timeline introduces so much risk and uncertainty that it effectively deems any development uneconomic, unfinanceable and thereby, untenable. Developers spend years on community outreach, working with participant and adjacent landowners and performing due diligence onsite to ensure compatibility with wildlife, watersheds, and community plans. No company would risk millions of dollars to fund these important project steps for a public referendum vote to take place thereafter. Second, the timeline upon which a referendum vote could happen extends the duration of uncertainty for projects developers up to at least one year, which would carry additional risk. Third, the terms upon which a township trustee could pass a resolution allow for any issue they deem “material” to be suitable for a referendum. Renewable generation technology as well as the entire development lifecycle hinges on compliance with stringent regulatory measures set by experts. The designation around “material” dispels any confidence the existing measures provide developers for project success. Invenergy seeks business certainty and a fair siting regime that HB 118 clearly rejects.

The current OPSB review and approval process is rigorous and inclusive, requiring an array of studies, certificates and opportunities for stakeholder participation. It offers multiple opportunities for local communities and stakeholders to ask questions and provide input throughout the development process. In addition to the OPSB’s outreach process, Invenergy sends provides information about every project to local stakeholders through direct mailings, phone calls, door to door campaigns and public meetings. This outreach serves to educate the local community, provide an opportunity for stakeholders to ask questions, and ensures an open and transparent development process.

The OPSB further incorporates local voices into their review process by seeking their engagement in their rulemaking processes. The OPSB is the correct and appropriate agency to dictate project advancement. It stands independent of project developers and stakeholders and holds developers and projects accountable to the public interest. The OPSB can lean on other Ohio agencies with the specific industry knowledge and expertise to minimize both risk and impact of approved projects. This bill would effectively dispel the engaging and collaborative process that exists at the OPSB, as well as the critical resources the OPSB uses in its decision-making.

Thank you for the opportunity to provide feedback on HB 118. Please reach out with any questions or comments to help Ohio move forward with a clean energy future.

Sincerely,

Kaley Bangston
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Invenergy Renewables LLC