



House Public Utilities Committee
Opponent Testimony
HB 118
March 23, 2021

Chair Hoops, Vice Chair Ray, Ranking Member Smith, and members of the House Public Utilities Committee; RWE Renewables Americas, LLC (“RWE”) is a developer, owner and operator of utility-scale renewable energy assets in North America. RWE owns and operates Scioto Ridge Wind, a 250 megawatt facility in Hardin and Logan counties, and a \$300 million investment in Ohio. RWE also owns Willowbrook Solar, a 150 megawatt solar development project in Highland and Brown counties and multiple early-stage utility-scale solar development projects in the state. RWE submits this testimony in opposition to House Bill 118, as the bill represents an effective moratorium on clean energy development in the state. RWE’s planned further investment in rural Ohio is significant, and now unfortunately at-risk with the introduction of HB118.

Ohio is uniquely positioned to enjoy significant economic growth and a diverse energy portfolio due to its abundance of natural resources, robust transmission infrastructure and demand for home-grown energy. HB 118 would put a halt on such growth by subjecting significant energy infrastructure projects to a local referendum vote *after* development resources have already been spent, presenting an insurmountable financing and investment risk.

The existing Ohio Power Siting Board process is designed to standardize permitting requirements while also inviting and incorporating input from local communities. A statewide process provides a balanced forum that investors understand and a level-playing field for all energy generation resources, which allows for a stable regime that encourages an all-of-the-above energy policy on a level playing field.

Subjecting a statewide permit to a local vote is unprecedented in renewable energy development in the United States. That some jurisdictions have purely local decision-making is true, however, no other state in the union requires an investor to meet rigorous state permit requirements in an adjudicated process, only to be exposed to a local referendum at the end of that process.

Further, HB118 is also troubling due to the retroactive nature of the referendum requirements. As drafted, the bill would expose *pending* certificate and amendment applications to a local vote, even though those applications were made under existing law and an entirely different set of rules than those envisioned in this legislation.

Simply put, Ohio cannot set a stable energy policy or business climate by inviting a patchwork of local rules and burdensome approvals as set forth in HB118. RWE urges committee members to reject this legislation, and stands ready to enter a productive dialogue to explore process improvements that ensure Ohio is equipped to meet its energy future.

Craig Sundstrom

Director, Government and Regulatory Affairs

RWE Renewables Americas, LLC