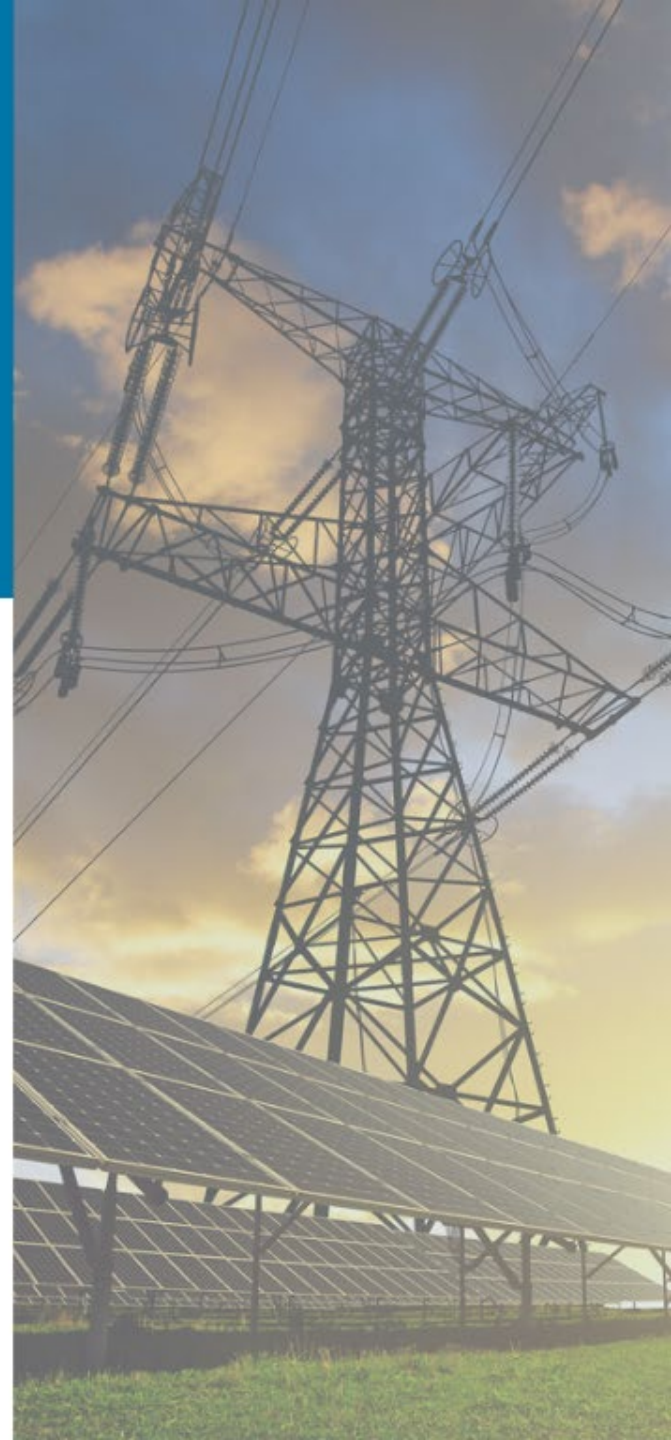


PENDING ENERGY LEGISLATION IN THE OHIO GENERAL ASSEMBLY



THE OHIO CHAMBER OF COMMERCE ON ENERGY ISSUES

- The Ohio Chamber of Commerce was founded in 1893
- Policy recommendations are made through the Energy & Environmental Committee
 - Committee includes various industries including energy producers, manufacturers and utilities
 - Member-driven
- Supports comprehensive energy policies that balance a diverse portfolio of energy sources & technologies



PRIMARY LEGISLATIVE FOCUS FROM 2013-2018

- Wind setbacks
- Renewable and energy efficiency mandates

WIND SETBACKS



- ▶ Previous setback distance requirements increased in 2014
 - Previous requirement was 1,125 feet between the extended tip of a wind turbine and the nearest home
 - Current requirement is 1,225 feet from the tip of the turbine blade at ninety degrees from the nearest adjacent property line
- ▶ Increase made via a last-minute addition, with little debate, to the state budget
- ▶ Result has been to discourage development of new wind projects
- ▶ Wind proponents have sought to relax setback requirements ever since

2008 SENATE BILL 221 ENACTED

- ▶ Established a renewable energy portfolio standard requiring 8.5% of electricity sold by Ohio's electric distribution utilities or electric services companies must be generated from renewable energy sources by 2024
- ▶ Required utilities to implement energy efficiency and peak demand reduction programs that achieve a cumulative energy savings of 22% by the end of 2025, and reduce peak demand by 1.0% in 2009 and 0.75% annually thereafter through 2018

RENEWABLE AND ENERGY EFFICIENCY MANDATES



RENEWABLE AND ENERGY EFFICIENCY MANDATES (CONTINUED)

2013

GENERAL
ASSEMBLY
BEGAN TO BE
CONCERNED
ABOUT THE
COST IMPACTS
OF THESE
MANDATES

2014

SB 310, enacted in
2014, froze the
annual mandate
escalation
requirements for
two years

2016

HB 554, passed by the
General Assembly in
2016, would have
substantially lowered
the mandates and made
other changes, but the
bill was vetoed by then-
Gov. John Kasich

2017

HB 114, passed by
the House in 2017,
would have
effectively
eliminated the
mandates, but it did
not make it out of
the Senate

**After six years of debate, virtually no
significant policy changes were
ultimately made to SB 221.**



HOUSE BILL 6

- Enacted July 2019
- Primary goal is to keep Ohio's two nuclear plants and coal-fired power plants operational
 - Accomplishes this by imposing a \$1.50 monthly cost on residential consumers and \$1,500 for all other customer classes
- Alters the renewable portfolio standards and energy efficiency mandates
- Caps on costs for customers

HOUSE BILL 247



- Introduced May 2019 and has had three hearings in the House Public Utilities Committee
- "Grid modernization"
- Expands the definition of "Smart grid"
- Lifts corporate separation requirements for products and services other than retail electric service
- Authorizes nonbypassable riders for infrastructure development for state and local economic development projects
- Ongoing interested party meetings
- Substitute bill expected in Spring 2020

- OPSB certificate for wind projects would be subject to a local referendum
- Copy of the wind turbine manufacturer's safety specifications will be added to the OPSB's criteria for wind certification application
- Alters the minimum wind turbine setbacks
- Both bills still pending in chamber of origin
- Ohio Chamber of Commerce testified in opposition

HOUSE BILL 401/ SENATE BILL 234



HOUSE BILL 246

- "Puco modernization"
- Stated goal is to reform the PUCO and the Consumers' Counsel
- Introduced in May 2019, but remains a placeholder bill with no specifics or legislative language
- Timetable for release of the substitute bill is unknown



HOUSE JOINT RESOLUTION 2



- Stated goal is to protect Ohio's power grid and other critical infrastructure from foreign influence and control
- Proposes to amend the Ohio Constitution to do the following:
 - Prohibits a business entity that is determined by the Secretary of State to be an "alien entity" from having ownership interest in critical infrastructure
 - Requires divestment if ownership interest is deemed as an alien entity
 - Defines critical infrastructure as power plants, electric transmission lines, oil & gas pipelines and water treatment plants
 - Requires an entity with ownership interest in critical infrastructure to report to the SOS with information about shareholders

HJR2 (CONTINUED)

- Is a product of the debate over House Bill 6 and the ensuing referendum effort
- Had a single hearing in the House Energy and Natural Resources Committee in October 2019





SENATE BILL 33

- Modifies certain criminal offenses with respect to critical infrastructure facilities
 - Imposes fines and civil liability for damage to a critical infrastructure facility
- Defines critical infrastructure as:
 - Production operations, refineries, pipelines, electric generating facilities, freight transportation, water treatment facilities and railroads, just to name a few
- Goal is to deter individuals from physically damaging critical infrastructure projects

CONTACT INFORMATION

Stephanie Kromer

Director of Energy and Environmental Policy

Email Address

skromer@ohiochamber.com

Phone Number

(614) 629 0930