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Substitute Bill Comparative Synopsis

Sub. H.B. 197

135th General Assembly

House Public Utilities

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_135_1111-3)
State energy policy	
Makes it state policy to establish a solar development program (SDP) (<i>R.C. 4928.02(R)</i>).	No provision.
Appalachian region definitions	
Defines the terms “Appalachian region” and “Appalachian-region site” for purposes of the SDP (<i>R.C. 4934.01(A) and (B)</i>).	No provision.

Previous Version (As Introduced)	Latest Version (I_135_1111-3)
Definition of “large industrial customer”	
No provision.	Defines a “large industrial customer” (LIC) as a manufacturer that uses electricity to change raw or unfinished material into another form or product, and that takes electric utility service from an electric distribution utility (EDU) at certain types of voltages (<i>R.C. 4934.01(G)</i>).
LIC cannot be a “subscriber”	
No provision.	Provides that a subscriber cannot be an LIC (<i>R.C. 4934.01(J)(5)</i>).
LIC prohibited from participating in the CSPP	
No provision.	Prohibits an LIC from participating in the CSPP or being charged in any way for CSPP costs (<i>R.C. 4934.072</i>).
Regional governmental aggregators	
No provision.	Allows a regional governmental aggregator (which is a regional council of governments organized under current law with members in at least 17 counties and is also a governmental aggregator) to purchase: (1) any amount of renewable attributes (any kind of credit, certificate, or other benefit attributable to a community solar facility (CSF) or solar field or the electricity generated by them) from a CSF or a solar field, (2) any amount of electricity generated by a solar field (<i>R.C. 4934.071</i>).
Public Utilities Commission (PUCO) rulemaking	
No provision.	Requires PUCO, with assistance from the working group established under the bill, to promulgate rules to require a community solar organization (CSO) to be responsible for the decommissioning of a CSF (<i>R.C. 4934.17(N)</i>).

Previous Version (As Introduced)	Latest Version (I_135_1111-3)
Decommissioning procedure	
No provision.	<p>Requires, not later than 18 months after a CSF has ceased generating electricity, a CSO to start decommissioning of the CSF, which must include the following terms to be agreed upon in writing between the property owner and the CSO:</p> <ul style="list-style-type: none"> ▪ Removal, and potential reuse and recycling of solar panels and site remediation; ▪ Removal of all nonutility-owned equipment, graveled areas, and access roads; ▪ Replacement of any topsoil and reseeded of the cleared area (<i>R.C. 4934.24</i>).
Decommissioning bond	
No provision.	<p>Requires a CSO to maintain a sufficient bond through the life of a CSF's operation to provide for decommissioning, which must be calculated by a third party professional engineer hired by the CSO every five years from the date of the initial assessment. Requires the board of county commissioners where the project is located to be the obligee of the bond (<i>R.C. 4934.25</i>).</p>
Solar development program	
<p>Requires PUCO to establish an SDP (consisting of 250 MW of capacity for CSFs or solar fields on Appalachian-region sites distributed among the EDUs serving the Appalachian region) and requires PUCO to promulgate rules specifying requirements for SDP implementation and operation (which rules are not subject to the current law requirement to reduce and eliminate administrative rules) (<i>R.C. 4934.19 to 4934.23 and 4934.27</i>).</p>	No provision.

Previous Version (As Introduced)	Latest Version (I_135_1111-3)
SDP review, report, and rules	
Requires PUCO to conduct a review of the SDP 48 months after the rules for the program have been promulgated and to submit a report to the General Assembly which must contain certain data and information. Requires PUCO to adopt rules requiring CSOs and EDUs to provide PUCO with reports containing that SDP data and information (which rules are not subject to the current law requirement to reduce and eliminate administrative rules). <i>(R.C. 4934.25 and 4934.27.)</i>	No provision.