



**Bill Seitz**  
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**Committees:**  
Public Utilities, *Chair*  
Criminal Justice, *Vice-Chair*  
Commerce and Labor  
State Government Oversight and Reform  
Transportation  
Finance - General Government Subcommittee

September 30, 2013

The Honorable President Faber  
Ohio Statehouse, 2<sup>nd</sup> Floor  
1 Capitol Square  
Columbus, Ohio 43215

Dear President Faber,

I am in receipt of Ted Ford's September 27 letter to you on behalf of Ohio Advanced Energy Economy, copied to all members of the Senate, and write in the strongest possible terms to denounce his attempt to dictate our legislative process.

The enviro-socialist movement will apparently stop at nothing in its effort to prevent any modifications to the costly and ineffective centralized government mandates foisted on Ohio ratepayers by S.B. 221. Never in my 13 years in the Ohio General Assembly has a more deliberative process been undertaken in an effort to revise those mandates.

Even prior to the introduction of the placeholder version of S.B. 58, I solicited input from all quarters as to what subjects we should review. This generated hundreds of pages of response. Then, we started hearings on the placeholder bill, which covered many dates and many months and generated hundreds more pages of testimony and comment. Those whom Mr. Ford represents ably presented their recommendations. For the most, part those recommendations were to preserve the status quo. To the extent Mr. Ford and his allies made recommendations in their April, 2013 report, substitute S.B 58 adopts the letter or spirit of many of those recommendations (see attached). Of course, if the General Assembly were to determine to simply preserve the status quo, we would need no help from Mr. Ford or anyone else; we would not even need a bill. For these reasons, as I digested the vast amount of testimony and commentary on the placeholder bill, I saw no reason to ask for his help in developing a substitute bill. Rather, I chose to listen to the employers representing over 250,000 jobs in Ohio who wrote begging to change the law (binder of letters available in my office), and I chose also to listen to the two industrial energy groups representing over 300,000 Ohio jobs who joined in that request.

Not content merely to fashion a substitute bill on my own that was responsive to those requests for reform, I engaged several key Majority Caucus Senators who were on my committee, the Caucus staff, the Governor's office, and the utilities upon whom the mandates fall to consider the contours of a substitute bill. This process took the entire summer. I kept the Ranking Minority member informed of the likely contours of the bill, and I even held a massive interested parties meeting among the defenders of the failed status quo before introducing a substitute version of the bill. At that meeting, two constructive comments were offered by one participant (Mr. Steve Giles), both of which were immediately followed up on, and addressed in the substitute bill that was accepted last week. Mr. Ford's only suggestion was to delay any action. That was not constructive or even responsive.

In addition to all the above, I have had multiple one-on-one meetings with numerous stakeholders representing every side of the issues involved. I resent Mr. Ford's insinuation to the contrary. Never has there been a more open and fair process for a bill prior to its introduction! Mr. Ford falsely states that I gave some assurance that development of legislation would include all parties. All parties were involved in the hearings and all parties will be given ample opportunity to testify on the substitute bill.

Incredibly, Mr. Ford's shameful attempt to impugn my process comes even as the substitute bill to which he objects retains the enviro-socialist mandates of SB 221, including the 22% energy efficiency goal and the 25% renewable/advanced energy goal. Moreover, the bill (against my better wishes) codifies an interpretation of the 3% cost cap for renewables that is completely at odds with how the Senate was told it would work in 2007, and is extremely charitable to proponents of the status quo.

If action on substitute S.B 58 is to be stopped by Mr. Ford's attempt to dictate process, until such time as "all stakeholders can convene and seek agreement on the content of the legislation," then I expect the same standards will be applied to every other bill we consider, the vast majority of which enjoy far less process than we have already had on S.B. 58—with more hearings to come. I am confident that those hearings will result in our members being fully educated as to such issues as why in-state renewable resources cost over 100% more than out-of-state renewable resources; why they will never replace baseload capacity; why large energy consumers are tired of subsidizing programs that do not benefit them; why the special interests want to protect themselves against competing in the open market; and why we can reduce carbon emissions and diversify our energy portfolio at far lower costs by relying on natural gas and hydropower. I am eager to have those public hearings; apparently, Mr. Ford is not.

We will follow a deliberative process, one that I am utterly unafraid to engage in. Let's have at it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Seitz", with a long horizontal line extending to the right.

William J. Seitz

Enclosures

Cc: Members of the Senate  
Speaker Batchelder  
The Honorable Governor Kasich  
Representative Stautberg  
Mr. Ted Ford