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Substitute Bill Comparative Synopsis

Sub. H.B. 450

134th General Assembly

House Public Utilities

Rocky Hernandez, Attorney

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_134_1481-5)
Carbon reduction energy systems	
No provision.	Allows, notwithstanding any Ohio law or order or regulation of the Public Utilities Commission of Ohio (PUCO) to the contrary, a mercantile customer of an electric distribution utility (EDU) to (1) construct a carbon reduction energy system (CRS), which cannot be a community solar project (CSP), on their premises that generates electricity from renewable energy resources and (2) contract with other mercantile customers to connect directly into the system and acquire an interest in the output to meet their electricity requirements, with CRS costs related to transmission and distribution

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	system upgrades to be paid for by the mercantile customer, or group of mercantile customers (R.C. 4928.671).
CSP siting	
Requires a CSP to be located on one or more adjacent and contiguous parcels of land and not be located within one mile of solar facilities under the control of the same entity, based on the project's point of interconnection (R.C. 4928.85(A)(3)).	Requires a CSP to be located on one or more adjacent and contiguous parcels of land and not be located within one mile of <i>another solar facility under the control of an entity sharing the same taxpayer identification number as the entity constructing or owning and operating the facility</i> , based on the project's point of interconnection (R.C. 4928.85(A)(3)).
Solid waste facility as "distressed site"	
Allows a <i>closed</i> solid waste facility licensed by the Environmental Protection Agency (EPA) under continuing law to be a "distressed site" (R.C. 4928.85(B)(3)).	Allows a solid waste facility licensed by the EPA under continuing law to be a "distressed site" (R.C. 4928.85(B)(3)).
"Subscriber" defined	
Defines "subscriber" as a customer of an EDU who purchases a share of the output of a CSP from a subscriber organization and is not a self-assessing purchaser under continuing law (R.C. 4928.85(C)).	Defines "subscriber" as <i>any retail electric customer that resides within the certified territory</i> of an EDU and who purchases a share of the output of a CSP <i>located in the EDU's territory</i> from a subscriber organization and is not a self-assessing purchaser under continuing law (R.C. 4928.85(C)).
"Control" defined	
Defines "control" as the possession, directly or indirectly, of the power to direct the management and policies of an entity, whether through the ownership of voting securities, by contract, or otherwise (R.C. 4928.85(E)).	No provision.

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Certified megawatts (MWs) for CSPs	
Allows PUCO to certify up to 2000 MWs of CSPs, based on nameplate capacity (R.C. 4928.851(A)).	Allows PUCO to certify up to 1000 MWs of CSPs, based on nameplate capacity (R.C. 4928.851(A)).
Certified megawatts (MWs) for distressed sites	
Allows PUCO to certify up to 1,000 MWs of CSPs constructed exclusively on distressed sites, with a majority of the MWs being distributed to CSPs that are constructed in the Appalachian region (R.C. 4928.851(B)).	Allows PUCO to certify up to 1,000 MWs of CSPs constructed exclusively on distressed sites, with 500 MWs being distributed to CSPs that are constructed in the Appalachian region (R.C. 4928.851(B)).
Net metering for subscribers	
Requires subscribers to be eligible for net metering as a customer-generator under continuing law, offsetting the subscriber's usage based on the amount of electricity represented by the subscriber's share of a project (R.C. 4928.852(A)).	Requires subscribers to be eligible for net metering as a customer-generator under continuing law, offsetting the subscriber's usage on a kilowatt per hour basis based on the amount of electricity represented by the subscriber's share of a project as if the project was located on the subscriber's premises and connected directly to their facilities (R.C. 4928.852(A)).
Consumer protections under current law	
No provision.	Requires the purchase of shares of output of a CSP through subscriber enrollment to be considered (1) a consumer transaction subject to the Consumer Sales Practices law for residential subscribers, and (2) goods subject to the law governing the sale of goods for nonresidential customers (R.C. 4928.853).

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Annual report	
Requires PUCO to conduct an annual review of the CSP program and submit a report to the General Assembly containing, amongst other required information, how much energy was consumed by subscribers (<i>R.C. 4928.858(A)(3)</i>).	Requires PUCO to conduct an annual review of the CSP program and submit a report to the General Assembly containing, amongst other required information, how much energy was <i>subscribed to</i> by subscribers (<i>R.C. 4928.858(A)(3)</i>).
Self-assessing purchasers and CSP ownership	
No provision.	Prohibits a self-assessing producer under continuing law to own any portion of a CSP or purchase a share of the output of the project (<i>R.C. 4928.859</i>).
PUCO-developed consumer protections	
Requires PUCO to ensure consumer protection for the enrollment of subscribers to a CSP and ensure participation opportunities for all subscribers (<i>R.C. 4928.859(A)</i>).	No provision.
Self-assessing purchaser and CSP costs	
No provision.	Provides that a self-assessing purchaser cannot be required to pay, in its EDU rates, directly or indirectly, any costs associated with the CSP program, including charges for any transmission or distribution system upgrades necessary for the development of any CSP and rate increases or shifts in costs as a result of a subscriber offsetting its transmission or distribution usage charges through net metering (<i>R.C. 4928.8511</i>).

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Collection of costs from customer classes	
No provision.	Requires PUCO to adopt rules to ensure costs associated with the CSP program only be recovered from customer classes participating in the program and that no cross-subsidization of costs between customer classes occurs (<i>R.C. 4928.8512(G)</i>).