

WRITTEN TESTIMONY OF VISTRA ENERGY CORPORATION  
BEFORE THE  
OHIO SENATE ENERGY AND PUBLIC UTILITIES COMMITTEE  
JUNE 18, 2019

*Chairman Wilson, Ranking Member Williams and distinguished members of the Senate Energy and Public Utilities Committee. Vistra Energy appreciates the opportunity to submit written testimony in opposition to House Bill 6.*

Vistra is an integrated power company with a significant retail electric and gas business and electric generation assets across the United States, including Ohio. Vistra's retail brands currently serve approximately 2.9 million residential, commercial, and industrial customers across five states, and our generation fleet totals approximately 41,000 megawatts of highly efficient generation capacity, with a diverse portfolio of natural gas, nuclear, coal, solar, and energy storage facilities, including one of the lowest-cost, most reliable, and highest safety-rated nuclear plants in the country. Vistra operates in 12 states and six of the seven competitive markets in the nation, with about 5,400 employees. The Vistra family of companies are proud to support the communities where our employees and customers live, work, and grow. We take pride in being a good neighbor and strengthening the places where we serve customers, where our valued employees live, and where we call home.

Vistra is the largest power generator in Ohio, providing over 5,100 MW of generation capacity through our seven generation facilities using natural gas, coal and oil:

- Dicks Creek (155 MW, Gas – CT), in Monroe, Ohio;
- Hanging Rock (1,430 MW, Gas - CCGT), in Ironton, Ohio;
- Miami Fort (1,097 MW, Oil & Coal), in North Bend, Ohio;
- Richland (423 MW, Gas- CT), in Defiance, Ohio;
- Stryker (16 MW, Oil), in Stryker, Ohio;
- Washington (711 MW, Gas – CCGT), in Beverly, Ohio; and
- Zimmer (1,300 MW, Coal), in Moscow, Ohio.

Vistra also provides retail electric services to approximately 316,000 Ohioans through our retail brands. We recently launched a new retail electricity brand in Ohio called Brighten Energy to supply renewable energy to socially conscious consumers looking for an affordable way to make a difference. Along with our existing Dynegy brand, Vistra serves all customer classes in Ohio: residential, small business, large commercial and industrial. Additionally, Vistra is currently in the process of growing our retail presence in the state. We are expanding our retail sales office located in Cincinnati and opening new offices in Columbus and Cleveland. We employ more than 380 Ohioans across the state and are recruiting more retail sales professionals as we expand our presence.

Vistra is also in the process of acquiring Crius Energy, a competitive electric and gas retail provider, with an anticipated transaction close in the second quarter of 2019. Crius has roughly 1 million customers across 19 U.S. states, including approximately 44,000 customers in Ohio, and the company provides

retail natural gas and electric services through the Viridian, Public Power, Ohio Gas & Electric, and Energy Rewards brands. Following the close of the transaction, Vistra will have an estimated 4 million retail customers across the U.S.

Ohio is one of the most important and diverse energy states in the U.S. and Vistra is committed to providing its residents with innovative, customer-centric retail electricity, along with safe, reliable, and efficient power generation. We care about ensuring that the PJM market remains one of the most well-functioning markets in the nation, which is why we feel strongly about participating in the dialogue regarding nuclear subsidies and whether they make sense.

As policymakers, House Bill 6 presents you with a hotly debated question concerning subsidies for nuclear and certain coal plants. This debate will have been ill served if you as legislators and the taxpayers of Ohio did not receive:

- A fact-based, public process, conducted by an independent party showing the costs and benefits of such a measure, using the most accurate data available;
- Full transparency from the entities to benefit from the subsidy to determine need; and
- An open dialogue about the policy objective.

When citizens of Ohio ask for state or federal aid (like food stamps or Medicaid) they are required to prove need. Why shouldn't a company, asking for more than \$1 billion in aid from the citizens of Ohio, have to do the same? Further, bailout funds given under House Bill 6 are given without requirements on how they are spent. Rather than require that the funds go towards costs and projects that will ensure the facilities remain viable for years to come, such as capital improvements, additional staffing, or higher wages for plant employees, House Bill 6 gives out a blank check to a corporation without any safeguards. The Ohio taxpayer deserves to know that their hard-earned dollars are being used to truly benefit Ohioans with reliable power and cleaner air rather than being used to line the pockets of already profitable facilities.

Beyond the needs of the specific facilities, the broader impact on the electric market in Ohio should be considered. This includes examining the cost to taxpayers from the subsidy, such as increased costs for electricity and the impacts to affordability. It also should include examining the effect subsidies may have on other electricity producers that are competing in the market without asking for taxpayer money. Any bill authorizing the picking of winners and losers in a competitive business should proceed with great caution, and have a bright light cast on it in a public setting. We believe it unacceptable to harm citizens who ultimately pay the bill and companies who play by the rules no matter the objective of the policy.

In summary, if the legislature is going to tax Ohioans and give the money to a corporation, please make sure there is a public comprehensive verification of the need, that the impacts to tax paying Ohioans are fully known, and that other generators and the market as a whole are not harmed. At the end of the day, Ohioans should be able to answer, "Why are you doing this and why am I paying for it?"

Vistra Energy is committed to powering Ohio at the most competitive prices possible. Thank you for your time and consideration on this issue and we look forward to working collaboratively with you to provide Ohioans with reliable, safe and affordable electricity.