

Ohio Gets [Community Choice](#):

Bipartisan Support Provides a Shot in the Arm for [National RAGE Campaign](#)

by Jay Paget and [Paul Fenn](#)



Republican-dominated Ohio, the nation's fourth largest electricity market, has become the second state after Democratic Massachusetts to include Community Choice in its electric industry restructuring law, leading Ohio Consumers' Counsel Robert Tongren to call the bill "one of the best pieces of electric deregulation in the country," and reflecting strong bipartisan support that should boost advocacy for the pro-consumer and environmental policy in upcoming federal restructuring legislation.

Modeled after the "Community Choice" provision in [Massachusetts' 1997 electric restructuring law](#), the bill allows cities, townships, villages and counties to form community-wide municipal buyers' cooperatives to purchase electric power, in effect turning whole cities into single "Big Consumers" to secure the best rates - or buy the cleanest electricity - for their residents and businesses. Anyone who wants to purchase power separately can "opt-out" of the deal, a key community empowering element that distinguishes Community Choice from the "opt-in" municipal aggregation model legislated in other states such as California.

After passing anti-Community Choice legislation without any Democratic support in May, the Ohio Senate approved the House's bipartisan Community Choice bill in a 29-3 vote on June 22. The final bill is expected to be signed into law by Republican Governor Bob Taft, allowing Ohio Communities to begin formulating community energy goals and offer their business to energy suppliers starting in 2001.

Supporters were particularly startled with the bipartisan nature of support for the measure. While the minority Democratic caucus fingered Community Choice as a top priority in its restructuring platform, the Republican House Public Utilities Committee chairwoman shepherded the measure through committee and took a leadership role in getting it passed, resulting in bipartisan legislation last week to open Ohio's \$11 billion electric industry to competition while giving communities the power to decide their energy needs and purchase electricity collectively through their local governments.

"The bipartisan vote in Ohio reflects growing recognition that [California's each-man-for-himself deregulation model](#) is not working for the vast majority of consumers," said Wenonah Hauter of RAGE (Ratepayers for Affordable Green Electricity), a national coalition of 150 consumer and environmental groups for Community Choice led by Public Citizen, Ralph Nader, and Sierra Club Founder David Brower. More than a year after California's [anti-Community Choice law](#) went into effect, fewer than 1% of consumers are participating in market. "It also reflects a growing awareness mayors and city councilors nationally that local governments have a critical role to play in making

deregulated electricity markets responsive to residents and small businesses."

Community Choice advocates say the strong bipartisan support for the provision in the final weeks of the restructuring debate hide an intense political battle waged largely beneath the surface over the past year as they focused their efforts on educating city, town and county officials. "Six months ago no one in Ohio had heard of Community Choice," said Jennifer O'Donnell, Program Director for Ohio Citizen Action, which led the organizing effort with the Ohio Consumers' Counsel, Ohio Partners for Affordable Energy, and RAGE. "But Democrats and Republicans both knew from looking at California and most other deregulated states that residents and small businesses are being redlined out of deregulated markets. We simply had to demonstrate that we had a solution to their problem."

O'Donnell said their strategy was to convince local officials - who are the key element in making Community Choice work - to demand that solution. "The key challenge was to make local officials realize what this could mean for their communities and get them involved in the deregulation debate."

In Northern Ohio, where consumers are frustrated by electric rates that are 30-60% higher than the state average, investor-owned utility company FirstEnergy mounted a letter writing and lobbying campaign to discourage city councilors from supporting the initiative, even asking county officials to rescind Community Choice resolutions that had already been passed.

But the pro-Community Choice campaign's strategy proved the more powerful in the end. Brook Park mayor Tom Coyne led local officials statewide in testifying before House and Senate Committees and writing pro-Community Choice letters to the legislature, the most prominent of them including Eastlake mayor Dan DiLiberto, Avon Lake mayor Vince Urbin, and Lakewood city councilor Mike Skindell. Otherwise, local officials from more than thirty cities, towns and counties passed resolutions or signed onto letters asking the legislature to support Community Choice, including Ashtabula county, Ashtabula township, the city of Avon, the city of Avon Lake, the city of Brook Park, the city of Cincinnati, the city of Cleveland, the city of Defiance, Eaton Township, the city of Eastlake, the village of Elmore, the city of Elyria, the city of Gahanna, the city of Garfield Heights, the city of Lakewood, the village of Lindsey, the city of Lorain, Lucas county (containing Toledo), Mayfield village, the village of Milan, the city of North Ridgeville, the city of Oregon, Ottawa county, the city of Perrysburg, the city of Pickerington, the village of Put-in-Bay, the village of Roaming Shores, the city of South Euclid, the city of Sylvania, the city of Toledo, the city of University Heights, and the village of Walbridge, the three county Mid-Ohio Regional Planning Commission., and the Northeast Mayors and Managers Association, representing five counties.

"Most legislators were receptive to the idea of a local government role once local governments started to ask for it," said Matthew Patrick, an early Community Choice proponent and selectman of Falmouth, Massachusetts who visited Columbus to meet with key legislators and testify before both House and Senate committees. "Now Community Choice is an apple pie issue in Ohio. Few will openly oppose it, and most would like to take credit for what is obviously a pro-consumer measure."

Early legislative supporters of the measure also reflect that the appeal of Community Choice had less to do with party and more to do with an understanding of local government. Democratic Minority Whip Senator Dan Brady (D-Cleveland), a former Cleveland city councilman, not only took on a leadership role in the Senate but helped with the Democratic caucus in the House. Meanwhile, Republican House Public Utilities Committee Chairwoman Priscilla Mead (R-Columbus), a former

mayor of Upper Arlington, played a key role in carrying it through her committee intact. Republican Representative Ron Amstutz (R-Wooster), a former mayor of Orville, drafted the early language and helped garner Republican support. "This is one of a potential number of ways of jump-starting a competitive environment," he said. Republican Representative David Goodman (R-Columbus) sponsored the Community Choice amendment, while Democratic House Public Utilities Committee members Christopher Verich (D-Warren) and Ed Jerse (D-Euclid) provided key support for the measure as it passed through committee.

Community Choice advocates said the Ohio vote has opened new doors for efforts to pass Community Choice legislation at the federal level. "Making deregulated markets truly competitive, and truly beneficial to consumers, is not a left-or-right wing proposition," said Wenonah Hauter of the RAGE coalition. "It is simply a matter of setting aside the special interests of entrenched monopolies and establishing new markets that really work for everyone, including residents and small businesses. We hope to see similarly bipartisan support in Washington when electric restructuring comes to Congress."

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