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Columbus and Cincinnati File Suit to Halt Payments of HB 6 Fees to Save Taxpayers Millions of Dollars

COLUMBUS -- Today, the City of Columbus and the City of Cincinnati jointly filed a lawsuit in Franklin County Court of Common Pleas against FirstEnergy to stop House Bill 6 (HB 6). The lawsuit seeks to strike down HB 6 as unconstitutional and to protect Ohioans, including the residents of Cincinnati and Columbus, from nearly a billion dollars of new fees that will be collected through their utility bills over the next six years.

“Because of HB 6, the people of Ohio are required to pay a \$900 million corporate bailout to FirstEnergy that was created through corruption, bribery and deception. In the City of Columbus alone, our residents are on the hook for \$25 million of their own money that could otherwise be used to support their families,” said Columbus City Attorney Zach Klein. “Columbus and Cincinnati are suing to make sure Ohioans get to keep their hard-earned money, especially as we head into the winter months during a pandemic.”

“We are filing suit to protect ratepayers from being taken advantage of in one of the largest political corruption scandals in state history,” said Cincinnati Mayor John Cranley. “We will aggressively work to seek an injunction from the courts to stop the unconstitutional corrupt statute from taking effect in January 2021. Ohio utility ratepayer should not have to pay into a corporate bailout fund that was secured through fraud, deceit and intimidation.”

The multi-city suit includes a claim that HB 6 is an unconstitutional lending of the State’s credit to a private enterprise. Because the lawsuit attacks the constitutionality of HB 6 and seeks to stop the new utility fees from being collected from ratepayers, the suit also names the Chairman of the Public Utilities Commission and the State Treasurer.

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"We call upon every Ohio city to join Columbus and Cincinnati in fighting HB 6's unconstitutional \$1 billion tax on consumers," said Tom Bullock, executive director of the Citizens Utility Board of Ohio. "While Ohioans suffer from the COVID-19 public health crisis, it's not right to force them to pay more on their monthly bills for a corrupt bailout of FirstEnergy."

Attorney General Dave Yost has filed a one-count complaint against FirstEnergy, former Ohio Speaker of the House Larry Householder and others under Ohio consumer protection law. However, the Attorney General's action does not stop the state from collecting these new fees under HB 6 from all Ohio ratepayers -- rather it just redirects money that will be collected from electricity consumers to State of Ohio coffers.

Klein, who is a proponent of clean energy and the jobs associated with it, also noted, "Supporting Issue 1 in Columbus is one of the many legitimate ways to go about reimagining and creating Ohio's energy future, where union jobs support and promote clean energy infrastructure, but HB 6 isn't even close to being legitimate."

Approval of Issue 1 on Nov. 3 helps the City of Columbus move to Ohio-based wind and solar energy without raising bills or taxes. The program is designed to be an economic driver by attracting businesses that are looking for a commitment to renewable energy.

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