



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2070</b>		DATE: <b>2/28/2024</b>	
COMMITTEE: <b>Emerging Issues</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>ABBY FOSTER</b>		PHONE NUMBER: <b>434-989-0327</b>	
BUSINESS/ORGANIZATION NAME: <b>RETAIL ENERGY ADVANCEMENT LEAGUE</b>		TITLE: <b>VP POLICY &amp; ADVOCACY</b>	
ADDRESS: <b>1617 MYRTLE AVE.</b>			
CITY: <b>CAMP HILL</b>		STATE: <b>PA</b>	ZIP: <b>17011</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/28/2024 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>AVERY FRANK</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: <b>avery.frank@showmeinstitute.org</b>		ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/28/2024 10:45 AM</b>

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**TO THE HONORABLE MEMBERS OF THIS COMMITTEE** Thank you for the opportunity to testify. My name is Avery Frank. I am a policy analyst at the Show-Me Institute, a nonprofit, nonpartisan, Missouri-based think tank that advances sensible, well-researched, free-market solutions to state and local policy issues. The ideas presented here are my own and are offered in consideration of creating a system for choice and competition in retail electricity provision. Coal plants are being decommissioned around the state and nation. Meanwhile, electric vehicles are capturing a larger share of the transportation market, and new energy technologies like small modular reactors (SMRs) are emerging.<sup>1</sup> Through all of this change, Missourians need reliable, clean, affordable electricity. HB 2070 would allow market forces to help determine energy prices and would allow energy consumers (industrial, commercial, and residential) to choose their own retail electricity supplier in a competitive market rather than only being able to purchase their electricity from one (monopoly utility) company. HB 2070 would not affect control over the transmission and distribution sector. **AFFECTING PRICES WITH MARKET FORCES** HB 2070 would open the retail portion of the energy market to market competition. Customers would be able to choose from new, competing suppliers offering various rates and services. Each company could differentiate itself through enhanced customer service, usage of renewable energy, length of contract, and other factors. In states with retail competition, customers have seen electricity prices decrease, as opposed to monopolized states, where prices have increased slightly in recent years. Using inflation-adjusted figures, “electricity prices in competitive states in 2020 were 17% lower than in 2008, whereas prices in monopolized states rose 2%.”<sup>2</sup> During this same time frame in Missouri, prices rose 17%. Additionally, all of the other 18 states that saw inflation-adjusted electric price increases during this time had monopolized retail distribution of electricity. None had retail competition.<sup>3</sup> This trend has continued. Between November 2022 and 2023, Missouri’s average cost per kilowatt-hour in the residential sector rose by 6.8% while in Illinois (a neighbor with energy deregulation), costs decreased by 7.7%.<sup>4</sup> As energy markets around the country have been deregulated, prices have fallen from their highs in every state that allows retail competition. Missouri, which has seen prices increase in recent years, could reverse that trend by allowing retail competition to enter its energy sector. **PERSONALIZING YOUR ENERGY PLAN** As mentioned, lower prices are not the only way in which customers can craft their energy plans. Prompt customer service or even a straightforward and convenient billing procedure might appeal to some consumers more than others. Another example would be customers who want a provider that uses energy from renewable sources. If a consumer wants to pay a premium in order to select a 100% renewable portfolio, they could do that—and through it, invest in renewable energy. Retail competition would allow Missouri customers to choose an energy provider based on price and other factors. **ADDRESSING TEXAS** Opponents of electric competition often invoke Texas’s winter-storm blackouts in February of 2021 as an example of the failure of retail customer choice. However, these blackouts had nothing to do with the fact that

Texans can choose their electricity suppliers. During Texas's 2021 winter storm, nearly half of the state's peak winter generating capacity was rendered unusable for two days. Frozen gas wellhead equipment constrained fuel delivery, and power plants not adequately weatherized for record-cold temperatures failed to produce power. Because the gas-delivery system depends on electricity to function, the lack of power had a snowball effect, leading to wider power outages.<sup>5</sup> Additionally, the regional electric grid that serves most of Texas (ERCOT) is not connected to the grids of other states, meaning importing electricity from other states was not an option. None of these factors would have been different if Texans had not been able to choose their electric service providers. A simple comparison between the fully competitive and fully monopolized parts of Texas makes this point. A study from the Baker Institute at Rice University found that electric generation subject to competition outperformed monopolized generation during the storm.<sup>6</sup> Competitive areas experienced fewer outages as a percentage of total generating capacity than monopolized generation. The study concluded that "in general, the resource entities that remained fully regulated performed less well."<sup>7</sup> It does not matter if there is a competitive market or a monopoly in place if there is not enough energy to sell, and that is what occurred in Texas.<sup>8</sup> In sum, what Texas experienced was a crisis in the generation of electricity compounded by the isolation of its regional electric grid. HB 2070 addresses neither generation nor distribution. In addition, Missouri is connected to regional grid networks including the Midcontinent Independent System Operator (MISO), the Southwest Power Pool (SPP), and Southeast, which would allow Missouri to import electricity from other states in the event of a crisis that affected local generation.<sup>9</sup> A SAMPLE CONSUMER WEBSITE Texas is one example of over a dozen states that use retail electricity competition in the energy market.<sup>10</sup> In its user-friendly customer interface, Texas provides customer ratings (based on the ratio of complaints received to the number of customers), price, renewable portfolio percentage, contract length, payment plan specifics, and much more. The image on page 3 displays a sample search using Texas's energy retail website, [powertochoose.org](http://powertochoose.org).<sup>11</sup> As the market continues to innovate, more consumer preferences could be incorporated. For example, preferences could be added if consumers want to make an investment in the nuclear energy sector or if they want to invest in new, innovative energy producers. HB 2070 builds on our current foundation to make our energy sector better, by opening the door to market forces that could bring prices down and spur innovation.

1. Integrated Resource Plan: Ameren Missouri, Ameren Missouri, [www.ameren.com/missouri/company/environment-and-sustainability/integrated-resource-plan](http://www.ameren.com/missouri/company/environment-and-sustainability/integrated-resource-plan). Accessed 21 Feb. 2024; Muñoz, Robert. How Many Electric Cars Are in the United States? (2024 Stats!), SensibleMotive, 5 Jan. 2023, [sensiblemotive.com/electric-car-statistics](http://sensiblemotive.com/electric-car-statistics); Liou, Joanne. What Are Small Modular Reactors (SMRs)? IAEA, 13 Sept. 2023, [www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs](http://www.iaea.org/newscenter/news/what-are-small-modular-reactors-smrs). 2. Puckett, Jakob. Competition in Electricity Markets, Show-Me Institute, 20 Dec. 2021, [showmeinstitute.org/wp-content/uploads/2021/12/20211117-Retail-Energy-Competition-Puckett.pdf](http://showmeinstitute.org/wp-content/uploads/2021/12/20211117-Retail-Energy-Competition-Puckett.pdf). 3. Ibid. 4. Electric Power Monthly—U.S. Energy Information Administration (EIA), U.S. Energy Information Administration (EIA), [www.eia.gov/electricity/monthly/epm\\_table\\_grapher.php?t=table\\_5\\_06\\_a](http://www.eia.gov/electricity/monthly/epm_table_grapher.php?t=table_5_06_a). Accessed 21 Feb. 2024. 5. Baier, Corianna, and Jakob Puckett. "HOUSE BILL 2742 AND RETAIL ELECTRICITY COMPETITION." Show-Me Institute, 26 Apr. 2022, [showmeinstitute.org/wp-content/uploads/2022/04/20220324-Puckett-HB2742-Retail-Electric-Competition.pdf](http://showmeinstitute.org/wp-content/uploads/2022/04/20220324-Puckett-HB2742-Retail-Electric-Competition.pdf). 6. Foss, Michelle Michot, Pat Wood III, and Brett Perlman. The Texas Freeze Out: Electric Power Systems, Markets and the Future. Rice University's Baker Institute for Public Policy. 21 June 2021. Accessed 21 March 2022 at <https://www.bakerinstitute.org/media/files/files/bc261393/00-foss-online-texas-freeze-iaee.pdf>. 7. Ibid. [powertochoose.org](http://powertochoose.org) 5297 Washington Place · Saint Louis, MO 63108 · 314-454-0647 Visit us: [showmeinstitute.org](http://showmeinstitute.org) Find us on Facebook: Show-Me Institute Follow us on Twitter: @showme Watch us on YouTube: Show-Me Institute 8. Giberson, Michael, et al. "How to Prevent Another Texas Power Failure." Reason Foundation, 20 Apr. 2021, [reason.org/commentary/how-to-prevent-another-texas-power-failure/](http://reason.org/commentary/how-to-prevent-another-texas-power-failure/). 9. "RTOs and ISOs." Federal Energy Regulatory Commission, 17 Jan. 2024, [www.ferc.gov/electric-power-markets#:~:text=The%20Southeast%20electricity%20market%20is%20a%20bilateral%20market,%28FRCC%29%20and%20the%20Southeastern%20Electric%20Reliability%20Council%20%28SERC%29](http://www.ferc.gov/electric-power-markets#:~:text=The%20Southeast%20electricity%20market%20is%20a%20bilateral%20market,%28FRCC%29%20and%20the%20Southeastern%20Electric%20Reliability%20Council%20%28SERC%29). 10. "Deregulated Electric & Gas States (Updated 2024)." Electric Choice, Feb. 2024, [www.electricchoice.com/map-deregulated-energy-markets/](http://www.electricchoice.com/map-deregulated-energy-markets/). 11. Power to Choose, Public Utility Commission of Texas, [powertochoose.org/en-us#%22](http://powertochoose.org/en-us#%22). Accessed 21 Feb. 2024



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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>DAN SHAUL</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: <b>MISSOURI GROCERS ASSOCIATION</b>		TITLE: <b>EXECUTIVE STATE DIRECTOR</b>	
ADDRESS: <b>315 N KEN AVE</b>			
CITY: <b>SPRINGFIELD</b>		STATE: <b>MO</b>	ZIP: <b>65802</b>
EMAIL: <b>dshaul@missourigrocers.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/28/2024 11:44 AM</b>	
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The Missouri Grocers Association supports the idea of being able to choose who they purchase electricity from.



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<b>WITNESS NAME</b>		
<b>BUSINESS/ORGANIZATION:</b>		
WITNESS NAME: <b>RICHARD SPILKY</b>		PHONE NUMBER: <b>312-339-1504</b>
BUSINESS/ORGANIZATION NAME: <b>RETAIL ENERGY SUPPLIER ASSOC. (RESA)</b>		TITLE: <b>ENERGY MARKETS CHAIR</b>
ADDRESS:		
CITY: <b>HARRISBURG</b>		STATE: <b>PA</b>
EMAIL:		ZIP:
ATTENDANCE:		SUBMIT DATE: <b>2/28/2024 12:00 AM</b>
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL: <b>arniedienoff@yahoo.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/28/2024 11:59 PM</b>
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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>CHASE CAMPBELL</b>		PHONE NUMBER: <b>573-864-0972</b>	
REPRESENTING: <b>WINTON POLICY GROUP, LIBERTY UTILITIES</b>		TITLE:	
ADDRESS: <b>124 E HIGH ST</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/28/2024 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>JASON KLINDT</b>		PHONE NUMBER: <b>816-652-1196</b>	
REPRESENTING: <b>EVERGY</b>		TITLE:	
ADDRESS: <b>1200 MAIN ST.</b>			
CITY: <b>KANSAS CITY</b>		STATE: <b>MO</b>	ZIP: <b>64105</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/28/2024 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>KARA CORCHES</b>		PHONE NUMBER: <b>573-634-3511</b>	
REPRESENTING: <b>MISSOURI CHAMBER OF COMMERCE</b>		TITLE:	
ADDRESS: <b>428 EAST CAPITOL AVE.</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/28/2024 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>RICH AUBUCHON</b>		PHONE NUMBER: <b>573-616-1845</b>	
REPRESENTING: <b>AMEREN</b>		TITLE:	
ADDRESS: <b>112 E. HIGH ST.</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/28/2024 12:00 AM</b>	
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