MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER:	DATE:
HB 2233	4/1/2026

COMMITTEE:
General Laws

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME:	PHONE NUMBER:
ABBY FOSTER	**434-989-0327**
BUSINESS/ORGANIZATION NAME: **RETAIL ENERGY ADVANCEMENT LEAGUE**	TITLE: **SR. VICE PRESIDENT**

ADDRESS:
1617 MYRTLE AVE

CITY:	STATE:	ZIP:
CAMP HILL	**PA**	**17011**

EMAIL:	ATTENDANCE:	SUBMIT DATE:
foster@retailenergychoice.org	**In-Person**	**4/1/2026 1:22 PM**

RE: Support for House Bill 2207 and House Bill 2233 “Electrical Choice and Competition Act — Written testimony to accompany oral remarks delivered on April 1, 2026

Chairman Keathley and Members of the House General Laws Committee,

Thank you for the opportunity to testify today on House Bill 2207, sponsored by Rep. Don Mayhew and House Bill 2233, sponsored by Rep. Tricia Byrnes. On behalf of our members, we ask that you support this legislation to allow competition with the utility on the generation and sale of electricity.

States across the country are confronting the same fundamental challenge: rising electricity demand, aging generation fleets, and the need to build significant new infrastructure. Missouri is no exception. The question before you is not whether investment is needed—it clearly is—but how that investment is structured, who pays for it, and who bears the risk.

Missouri relies on a system where utilities build power generation, recover those costs from customers, and earn a regulated return. Many of those assets that serve Missouri ratepayers today were built in the 1970’s. And historically, rates in Missouri maintained without large price spikes as investor-owned utilities recovered costs from those large assets over a long period and little new power generation was built.

However, over the last decade, costs have risen sharply, and recent years have only accelerated that trend. Importantly, those increases are not being driven primarily by the cost of building new power plants and generating electricity. Instead, they have been attributed to infrastructure, programs and a few renewable energy projects.
According to Ameren (pg. 4-6) and Evergy’s (pg. 4-5) updated 2025 Integrated Resource Plans, almost 10,000 MWs will be built in the next 10 years with 66 percent of these new investments being renewable energy and 34 percent gas.

Building new power generation to replace retiring assets and meet new demand will increase these costs ratepayers are already paying exponentially.

Over the seven months, Missouri’s investor-owned utilities have filed requests with the Public Service Commission for more than $5 billion in costs to build 3,000 MW, less than one-third of the projected amount of new power generation projected to be built in the next 10 years.

These costs do not include AFUDC or loan financing costs and these filings are specific to only building new generation. There are several other rate recovery cases that have been filed separately for other costs such as poles and wires, substations, energy efficiency programs, fuel adjustments, etc.). The Public Service Commission has already approved some of these requests and ratepayers will begin to see these costs reflected in their bills soon.

Allowing a monopoly to build this much new generation under a cost-plus model creates a fundamental imbalance.

If projects are delayed, customers pay.
If costs exceed projections, customers pay.
If demand assumptions change, customers still pay.

While investor-owned utilities in monopoly states have built very little generation in the last 15 years, there are many examples of these types of cost overruns to learn from.

Fortunately, there is another way to approach this.

There are 24 states that allow some form of competition with the electric utility where private capital finances new generation, and investors assume the financial risk. Projects are built based on market demand, not guaranteed recovery or one utility's corporate climate goals. Customers benefit from multiple suppliers competing on price and product, and the system gains flexibility to adapt to changing conditions.

These markets have demonstrated a consistent pattern:
- **More generation built faster to meet demand**
- **Greater price discipline over time**
- **Maintained reliability through diverse supply sources**

Missouri does not have to start from scratch. You already have a working example of competition in your natural gas market. Commercial and industrial customers routinely shop for gas supply, manage price risk, and contract based on their needs—while utilities maintain the local delivery system as a monopoly to provide safe and reliable delivery service.

This legislation applies that same concept to electricity.
It keeps the grid regulated.
It preserves reliability.

But it introduces competition in generation—where it can have the greatest impact on cost and innovation.

We have been at this crossroads before. Other states made the decision to open their markets, attract private investment, and give customers options. Missouri did not take that step at the time. Missouri lawmakers have the same opportunity to revisit that decision with the benefit of decades of real-world experience.

This legislation will reduce long-term cost exposure by shifting risk of these capital investments off ratepayers while maintaining reliability through regulated monopoly utility infrastructure.

At a time when the scale of investment is unprecedented, continuing down the current path places increasing financial burden on customers with limited flexibility.

Introducing competition provides a way to meet that challenge with greater discipline, more capital, and better alignment of incentives.
Thank you for your time and consideration.

Sincerely,
Abby Foster
Senior Vice President, Retail Energy Advancement League
foster@retailenergychoice.org

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COMMITTEE: **General Laws**		
TESTIFYING:	☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES	
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: **ANGELA VIVIANO**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 5:41 PM**

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TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **ARNIE C. AC "HONEST-ABE" DIENOFF**	PHONE NUMBER: **314-440-9000**	
BUSINESS/ORGANIZATION NAME: **STATE PUBLIC ADVOCACY**	TITLE: **STATE PUBLIC ADVOCATE**	
ADDRESS: **POST OFFICE BOX #1535**		
CITY: **O'FALLON**	STATE: **MO**	ZIP: **63366**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **BEV EHLEN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 7:36 PM**

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The free market works.

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **BILL ZURETTI**	PHONE NUMBER: **603-674-6595**	
BUSINESS/ORGANIZATION NAME: **ELECTRIC POWER SUPPLY ASSOCIATION**	TITLE: **DIRECTOR, REGULATORY AFFAIRS & COUNSEL**	
ADDRESS: **1401 NEW YORK AVENUE, NW**		
CITY: **WASHINGTON**	STATE: **DC**	ZIP: **20005**
EMAIL: **bzuretti@epsa.org**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 4:15 PM**

The Electric Power Supply Association (EPSA) appreciates this opportunity to provide testimony on Missouri House Bills 2207 and 2233 (HB2207 and HB2233). EPSA strongly supports HB2207 and HB2233 as this legislation creates a competitive electricity market, encourages private investment in new generation, and shifts risk off ratepayers.

EPSA is the only national trade association representing America's competitive power suppliers. EPSA members own and operate approximately 225,000 megawatts (MW) of reliable and competitively priced, environmentally responsible generation facilities in all seven U.S. regions operating competitive wholesale energy markets – markets overseen by an Independent System Operator or Regional Transmission Organization (ISO/RTO), and with one exception, regulated by the Federal Energy Regulatory Commission (FERC). EPSA member assets are comprised of a diverse mix of fuels and technologies, including natural gas, nuclear, wind, solar, hydropower, battery storage, geothermal, and coal.

A. HB2207 and HB2233 Would Shift Risk off of Ratepayers and Onto Investors

Under the monopoly model, ratepayers are responsible for paying the costs of generation projects, even when they run billions of dollars over budget, face significant delays, or are ultimately cancelled or fundamentally changed from what was originally proposed.

For example, the V.C. Summer Nuclear Station was abandoned after roughly $9 billion had already been spent, yet customers continue paying for it on their electricity bills. Similarly, the Plant Vogtle expansion more than doubled in cost—from around $14 billion to over $30 billion—and took years longer than expected, with costs ultimately passed to ratepayers.

In many cases, projects begin with one scope and evolve into significantly different or more expensive investments over time, while customers remain obligated to cover the costs. These outcomes are not isolated—they reflect a structural issue within the monopoly model. Utilities recover costs through regulated rates, earn a return on capital invested, and face limited financial exposure when projects underperform.

On the other hand, competitive generation is financed with private capital, not customer dollars. Investors—not ratepayers—assume construction risk, cost overrun risk, and long-term demand risk. If a project is not needed or fails economically, shareholders absorb the loss—not families and businesses.

Competition also introduced meaningful discipline into the system. In competitive markets, developers only build when projects are economically justified, must control costs, and respond to real market demand rather than guaranteed returns. This discipline is particularly important at a time of rising electricity prices, as it is a proven way to reduce unnecessary investment, improve efficiency, and

protect consumers.

At the same time, reliability is strengthened by competitive markets. A diverse mix of independent generation sources enhances system resilience and encourages innovation, including the deployment of flexible resources like storage and demand response, and the ability to respond faster to changing conditions. Utilities still play a critical role in ensuring reliable delivery and maintaining the grid, while Independent Power Producers (IPPs) focus on meeting generation needs in an efficient, cost-effective way.

Finally, competitive markets support economic growth without shifting costs onto ratepayers. Large energy users, such as data centers, are able to procure the power they need without overbuilding speculative generation and limiting the risk that infrastructure costs are passed onto residential customers. In this way, states can accommodate growing demand while protecting ratepayers from financial risk.

B. HB2207 and HB2233 Would Allow Private Capital to Meet Rising Demand

It is not an overstatement to say that our nation is at an inflection point relative to demands on the electric grid, and whether these demand increases are driven by the construction of data centers to win the global race to develop Artificial Intelligence, increased domestic manufacturing, digital currency mining, or electrification policies, our nation will need far more electricity in the coming decade (and beyond) than we currently produce. How much more, and when and where that demand will materialize, remains less certain. This uncertainty is not specific just to electricity demand but extends to the policy and regulatory environments for building new (and maintaining existing) supply as well. It is this uncertainty that creates perhaps the greatest risks to both reliability and affordability for electricity consumers – the dangers of significantly under- or over-producing capacity during a time of volatile demand projections. While competitive markets offer the best path for Missouri to serve its expected load growth, in the event that circumstances change and current forecasts prove to be overly bullish, Missouri consumers will be protected from any risk of stranded costs, which markets allocate exclusively to investors, not captive ratepayers. Contrast this with the current monopoly utility model in Missouri, where overbuilding would result in Missouri homes and businesses bearing the cost of imprudent investments and being saddled with billions in costs to pay for an overbuilt system.

With respect to load growth, like other regions, Missouri is expected to face significant growth in electricity demand, driven by new industrial and data center load growth. Demand is expected to increase by 30%, while nearly 39% of the state's current power generation is scheduled to retire by 2036. Taken together, rising demand and planned retirements will require more than 9,800 megawatts of new generation capacity—equivalent to roughly 14 natural gas plants or approximately $11 billion in investment—to reliably serve a projected load of nearly 20,000 megawatts.

However, recent trends indicate that the current system is not keeping pace with expected demand. In the 10 years before 2023, Missouri utilities added only 1,000 MW of new generation capacity, consisting of wind and solar resources, which falls short of what will be needed in the years ahead.

At the same time, electricity rates have continued to rise. Since 2008, rates have increased by approximately 61%, yet only 2,025 MW of new or upgraded power generation has been completed. Of note, more than half of these investments were wind and solar, and no new baseload power generation has been built in Missouri since 2005.

As utility-owned generation retires and struggles to keep pace with growing demand, independent power producers are leading the development of new generation resources across the country. These companies are developing a diverse mix of resources—including gas, renewables, and storage—at no cost to ratepayers. Competitive power markets have consistently brought new supply online faster and more efficiently than monopoly utility models. This resource mix also comes from a diverse mix of companies. PJM alone has over 1,000 members, with many of these companies providing competitively procured power generation and competitive power products and services.

In fact, in competitive markets, generation development has exceeded load growth, with approximately 1.19 units of generation to every 1 unit of load growth. In contrast, monopoly states fall short with power generation. Nationally, IPPs have built capacity generation at more than three times what Investor-Owned Utilities (IOUs) have built over the decade preceding 2023.

C. Conclusion

EPSA appreciates the opportunity to provide testimony on HB2207 and HB2233. As this legislation represents a significant step in modernizing Missouri's electricity sector by introducing competition and encouraging private investment, EPSA urges the Missouri House to expeditiously pass these measures. By enabling retail choice and requiring open, non-discriminatory access to the grid, the bill will help ensure that electricity is supplied in a more efficient, cost-effective, and customer-focused manner.

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On the other hand, competitive generation is financed with private capital, not customer dollars. Investors—not ratepayers—assume construction risk, cost overrun risk, and long-term demand risk. If a project is not needed or fails economically, shareholders absorb the loss—not families and businesses.

Competition also introduced meaningful discipline into the system. In competitive markets, developers only build when projects are economically justified, must control costs, and respond to real market demand rather than guaranteed returns. This discipline is particularly important at a time of rising electricity prices, as it is a proven way to reduce unnecessary investment, improve efficiency, and protect consumers.

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As utility-owned generation retires and struggles to keep pace with growing demand, independent power producers are leading the development of new generation resources across the country. These companies are developing a diverse mix of resources—including gas, renewables, and storage—at no cost to ratepayers. Competitive power markets have consistently brought new supply online faster and more efficiently than monopoly utility models. This resource mix also comes from a diverse mix of companies. PJM alone has over 1,000 members, with many of these companies providing competitively procured power generation and competitive power products and services.

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **BRYCE MCKINNEY**	PHONE NUMBER: **330-730-4941**	
BUSINESS/ORGANIZATION NAME: **NRG ENERGY AND RETAIL ENERGY ADVANCEMENT LEAGUE**	TITLE: **SENIOR COUNSEL**	
ADDRESS: **3060 KENT RD.**		
CITY: **SILVER LAKE**	STATE: **OH**	ZIP: **44224**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **CAMELLIA PETERSON**	PHONE NUMBER: **417-726-9475**	
REPRESENTING: **AMERICANS FOR PROSPERITY**	TITLE:	
ADDRESS: **PO BOX 94**		
CITY: **JEFFERSON CITY**	STATE: **MO**	ZIP: **65102**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CAROL PITZER**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:26 PM**

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I am in support of HB 2233

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CHRISTINE K WHITE**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:12 PM**

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **CLIF EHLEN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 7:43 PM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **DENNIS GANAHL**	PHONE NUMBER: **636-357-8071**	
REPRESENTING: **MO TAX RELIEF NOW**	TITLE:	
ADDRESS: **15979 WOODLET WAY COURT**		
CITY: **CHESTERFIELD**	STATE: **MO**	ZIP: **63017**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: **HB 2233**	DATE: **4/1/2026**
COMMITTEE: **General Laws**	

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **ELYSE DIANNE SCHAEFFER**	PHONE NUMBER: **314-246-0178**	
BUSINESS/ORGANIZATION NAME: **MISSOURI COALITION FOR THE ENVIRONMENT**	TITLE:	
ADDRESS: **725 KINGSLAND AVE SUITE 100, ST. LOUIS, MO 63130**		
CITY: **ST. LOUIS**	STATE: **MO**	ZIP: **63130**
EMAIL: **eschaeffer@moenvironment.org**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 2:26 PM**

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eschaeffer@moenvironment.org

[1] "Which States Are Getting Hit Hardest by Electricity Price Increases?" https://insideclimatenews.org/news/25092025/inside-clean-energy-electricity-rate-hikes-by-state
[2] "Electricity Rates by State" March 4, 2026. https://www.chooseenergy.com/electricity-rates-by-state/
[3] Sebastian Kiecker, Beyond headlines: The role of markets and states in the U.S. energy transition, March 26, 2025. Available at https://www.e3g.org/publications/beyond-headlines-the-role-of-markets-and-states-in-the-u-s-energy-transition/
[4] All price estimates from Lazard Levelized Cost of Energy+. Lazard Power, Energy and Infrastructure Group, 2025, p. 12. https://www.lazard.com/media/eijnqja3/lazards-lcoeplus-june-2025.pdf

MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: **HB 2233**	DATE: **4/1/2026**
COMMITTEE: **General Laws**	

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **GINGER ELLEN YOAK**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 11:08 PM**

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COMMITTEE: **General Laws**	

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **JACQUIE THORSTENSEN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 9:30 PM**

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BILL NUMBER: HB 2233	DATE: 4/1/2026
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TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: JAVIER BARRIOS	PHONE NUMBER: 247-200-2604	
BUSINESS/ORGANIZATION NAME: GOOD ENERGY	TITLE: MANAGING PARTNER	
ADDRESS: 232 MADISON AVENUE		
CITY: NEW YORK	STATE: NY	ZIP: 10016
EMAIL: javier@goodenergy.com	ATTENDANCE: Written	SUBMIT DATE: 4/1/2026 9:39 PM

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Testimony of Javier Barrios of Good Energy
Before the Senate Commerce, Consumer Protection, Energy and the Environment Committee – In Support of HB 2233

Dear Chair and Honarable Members of the Committee,

Thank you for the opportunity to testify. My name is Javier Barrios, and I'm here to speak in strong support of competitive retail energy markets and their ability to strengthen grid resiliency while protecting Missouri families and businesses.
I am a founding partner of Good Energy, which has been in existence for over 25 years, and with offices in New York and in Greater St. Louis, and with employees who live and work in the St. Louis region. Over that time, our firm has run more than 500 energy aggregation programs for residents and businesses across the country.
I also previously served as president of TEPA - The Energy Professionals Association, a national organization that exists to raise standards in the competitive energy industry. Our mission there is to develop and enforce a code of conduct that promotes fairness, transparency, and equitable treatment of customers. In other words, we want competitive markets—but we want responsible competitive markets, with guardrails that protect consumers and reward reputable actors
Aggregation through competitive markets allows multiple customers to form a group and pool their electric usage for better buying power. This can be done through a farm bureau, a school board association, a chamber of commerce, or with a community of residents through a town or municipal authority. Numerous states give small businesses and residents the ability to solicit bids from companies to enter into long term fixed rate contracts, providing them a way to properly manage their energy budgets..
From that vantage point, I've seen firsthand how well-structured competitive markets can do more than just lower bills; they can materially improve grid resiliency. In many of the communities we serve, we have implemented projects, through competitive retail providers and community partnerships, that both deliver bill discounts for low-income families and support investments that increase capacity and flexibility on the grid. These can include demand-response programs, distributed energy resources, and products that incentivize customers to shift or reduce load during critical periods. The result is a system that is less brittle, less dependent on a single resource plan, and better able to ride through stress events.
Crucially, none of this happens in a vacuum. The most successful competitive market programs we've worked on are genuine partnerships. They bring together multiple stakeholders:

Federal programs and incentives that help fund efficiency and resilience.
State initiatives that align retail market design with reliability and consumer protection goals.
Local governments and municipal leaders who know their communities' needs.
Community organizations and local businesses that drive participation and trust.
And importantly, —supportive utilities that remain responsible for safe, reliable wires service and often collaborate on resilience measures, even as generation and supply are competitively sourced.
When all of these parties are pulling in the same direction, competitive retail providers can be powerful tools in solving real capacity constraints on the U.S. grid. We are not simply "re-pricing" the same kilowatt-hour. We are enabling new investments, new products, and new behaviors that make the overall system more resilient in the face of extreme weather, rapid demand growth, and evolving generation portfolios.
Let me bring this closer to home. Just in the St. Louis, Missouri border region, we work with over 30 communities that are already benefiting from competitive energy markets. Those communities have used competition to insulate themselves and effectively "safe-harbor" their energy rates from ever-increasing energy costs. They are not at the mercy of a single rate trajectory. Instead, they can proactively lock in pricing structures, hedge their exposure, and choose products that align with their risk tolerance and policy goals.
For municipalities, small villages and Towns who struggle to guard their small budgets, that optionality for their municipal facilities, is not an abstract concept; it is the difference between having a predictable budget and getting blindsided by volatility. Like a manufacturer, a Town or a school district that can see its energy costs several years out can make better decisions about hiring, investment, and services. Budget security is, in many ways, the fundamental value that competitive energy markets bring: the ability to choose, to hedge, and to align energy buying with local priorities.
At the residential level, particularly for low- and moderate-income households, the benefits go beyond price alone. Properly structured aggregation programs can secure discounts relative to default service, can embed consumer protections and clear disclosure standards, and can layer in resilience-enhancing offerings—like peak-time rebates or smart-thermostat programs—that customers might never access on their own. When communities aggregate demand and then go to the competitive market, they gain bargaining power and the ability to negotiate terms that prioritize vulnerable customers and grid needs together.
To be clear, competitive markets are not a silver bullet. They require thoughtful design, strong oversight, and clear standards of conduct—which is why organizations like The Energy Professionals Association exist and why I've dedicated much of my career to codifying best practices. But when you combine robust rules of the road with the innovation and flexibility that competition delivers, you get an energy system that is more resilient, more affordable, and more responsive to community needs than a pure monopoly model can provide.
In closing, my experience—with hundreds of aggregation programs across the country and with dozens of communities in and around St. Louis—tells me that competitive markets, done right, can be a core part of how Missouri strengthens its grid, protects its most vulnerable customers, and gives municipalities and small businesses the budget certainty they need. They allow communities to harness the power of the market, in partnership with utilities and government, to solve real capacity and resilience challenges instead of just reacting to them.
Thank you for your time and consideration.

Respectfully,

Javier Barrios
Managing Partner
Good Energy

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **JOSIAH NEELEY**	PHONE NUMBER: **512-415-2012**	
BUSINESS/ORGANIZATION NAME: **R STREET INSTITUTE**	TITLE: **SENIOR FELLOW**	
ADDRESS: **8716 ESCABOSA DR.**		
CITY: **AUSTIN**	STATE: **TX**	ZIP: **78748**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **JUDITH MOOREFIELD**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:59 PM**

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **JUDY SOFKA**		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: **MRA CD2 CHAPTER; MISSOURI PRECINCT PROJECT**		TITLE:	
ADDRESS: **15 ELIZABETH ERIN COURT**			
CITY: **O'FALLON**		STATE: **MO**	ZIP: **63368**
EMAIL: **jsofka@yahoo.com**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 11:04 PM**	

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WITNESS APPEARANCE FORM

BILL NUMBER: **HB 2233**	DATE: **4/1/2026**
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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **KAREN BERGEON**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 9:36 PM**

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COMMITTEE: **General Laws**	

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **KIMBERLY KUHNS**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **3/31/2026 5:01 PM**

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Right now, many Missouri families are stuck with a single electric provider and no ability to choose. That lack of competition is contributing to rising costs with little relief in sight.

Electricity is not a luxury it's a necessity. Yet many residents are facing continuous rate increases with no alternative provider.
When consumers have no choice, there is no market pressure to control costs or improve service. Even though utilities are regulated by the Missouri Public Service Commission, the current system still leaves ratepayers feeling powerless.

Competition will introduce accountability since providers must earn and keep customers.
It creates downward pressure on prices and slows unchecked rate increases. It gives families the ability to choose plans that fit their needs and budgets. Other industries, telecommunications being one, have shown that competition leads to better service and innovation.

Consumers benefit when they have a choice between providers. It means they can have fixed-rate vs. variable-rate plans, renewable energy options, better customer service because when customers can leave, companies have to listen and respond.

This is not about eliminating oversight, it's about improving and modernizing it. We can design a system that includes strong consumer protections and transparent pricing and safeguards against deceptive practices. We can learn from other states to see what worked and what didn't work to avoid mistakes in Missouri.

Missouri businesses and families, especially families on fixed incomes, are being squeezed by rising utility costs. Small businesses are also impacted, making it harder to grow and create jobs. Giving consumers options can provide real, everyday financial relief.

At the end of the day, this is about fairness. No Missourian should be locked into one option with no recourse simply because the State won't allow it!

Competition doesn't guarantee that prices will suddenly be reasonable and affordable for all but it does guarantee accountability and choice and right now, that's what's missing. Competition works in every other part of our economy and energy shouldn't be the exception.

MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **LINDA SCHUBERT**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:51 PM**

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I’m in full support of HB 2233

MISSOURI HOUSE OF REPRESENTATIVES

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COMMITTEE: **General Laws**	

TESTIFYING: ☑ IN SUPPORT OF ☐ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **SHANNON MCGRIFF**	PHONE NUMBER: **832-498-4903**	
BUSINESS/ORGANIZATION NAME: **THE ENERGY PROFESSIONALS ASSOCIATION-TEPA**	TITLE: **EXECUTIVE DIRECTOR**	
ADDRESS: **5535 MEMORIAL DRIVE, SUITE F 1166**		
CITY: **HOUSTON**	STATE: **TX**	ZIP: **77007**
EMAIL: **shannon@tepausa.org**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 7:49 PM**

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Written Testimony of The Energy Professionals Association (TEPA)
Before the Missouri Legislature – In Support of HB 2233

Chair and members of the committee:

Established in 2005, The Energy Professionals Association (TEPA) is a not-for-profit, membership-based organization of professionals dedicated to advancing competitive energy markets across the country. TEPA provides professional development, advocacy, a certification program, and access to a network of respected industry leaders, all focused on making competition deliver real value and protection for end-use customers.
TEPA operates as a self-governing association to promote professionalism and collaboration among market participants. We strive to provide our members with suggested best practices for transacting in the marketplace, always with the best interests of the energy consumer in mind.
Today, TEPA has more than 150 member organizations, representing over 10,000 energy professionals nationwide. Our Aggregator, Broker, and Consultant members offer energy procurement and related services for a wide range of end users; Retail Energy Providers make up our Associate membership base; and organizations that offer products, technology, or services that support the competitive energy industry are Affiliate members. Collectively, TEPA members are estimated to represent approximately 82 percent of brokered power transactions in the United States, and they have experience working in every competitive market, specializing in procurement, structuring, pricing, demand response, risk management, renewable energy, and emerging energy technologies.
On behalf of this broad and experienced membership, TEPA supports HB 2233 and Missouri's efforts to establish a robust competitive retail electricity framework. By separating monopoly delivery service from competitive supply, requiring appropriate licensing of retail electric suppliers, and embedding strong consumer-protection, HB 2233 is directionally aligned with the standards and practices TEPA has long advocated in other competitive markets. A framework that combines customer choice with balanced rules helps ensure that competition leads to innovation, better procurement options, and improved risk management—not confusion or abuse.
TEPA believes that competitive retail markets can provide Missouri residents, businesses, and communities with meaningful benefits—greater choice of products and terms, the ability to stabilize energy costs, and a platform for innovative offerings that can support grid reliability and resilience. These outcomes are most durable when paired with strong professional standards and codes of conduct such as those TEPA promotes among its members.
For these reasons, The Energy Professionals Association respectfully submits this testimony in

support of HB 2233 and stands ready to be a resource as Missouri develops and implements a competitive market framework for electricity.

Resepctfully,

Shannon McGriff
Executive Director
The Energy Professionals Association (TEPA)

MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **STEPHANIE MARSHALL**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 9:23 PM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **JARED HANKINSON**	PHONE NUMBER:	
REPRESENTING: **MO CHAMBER OF COMMERCE**	TITLE:	
ADDRESS:		
CITY:	STATE: **MO**	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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MISSOURI HOUSE OF REPRESENTATIVES

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COMMITTEE: General Laws	

TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: JEREMY POUR	PHONE NUMBER: 314-520-1128	
BUSINESS/ORGANIZATION NAME: IBEW LOCAL 1439	TITLE: BUSINESS MANAGER	
ADDRESS: 2121 59TH ST		
CITY: SAINT LOUIS	STATE: MO	ZIP: 63110
EMAIL: Jeremyp@ibew1439.com	ATTENDANCE: Written	SUBMIT DATE: 4/1/2026 1:13 PM

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IBEW Local 1439 represents the skilled electrical workers who build, operate, and maintain the power grid that keeps the lights on for families and businesses across the St. Louis metropolitan area and throughout Missouri. We know this industry from the inside — from the linemen responding to outages at 3 a.m. to the technicians performing preventive maintenance that Missourians never see but absolutely depend on. It is from that perspective that we urge this body to oppose HB 2207 in the strongest possible terms.

Proponents call this legislation the "Electrical Choice and Competition Act," but the history of electric deregulation across the United States tells a far less flattering story. States that have restructured their electricity markets have not consistently delivered lower rates — in fact, data shows that electricity prices in many deregulated states have risen at or above the national average. The promise of competition has too often meant confusion for residential customers and higher bills for the families who can least afford them.

We don't have to look far for a cautionary tale. Texas deregulated its electricity market decades ago, and what happened during the 2021 winter storm — widespread power outages and a failure of the competitive grid to deliver reliable power when Missourians' neighbors needed it most — stands as a stark warning about what deregulation does to grid reliability. Missouri families deserve better than that experiment.

IBEW Local 1439's members have spent careers — in many cases, decades — mastering the skills required to safely install, repair, and operate complex electrical infrastructure. These are not interchangeable jobs that some out-of-state energy trader can replicate with a spreadsheet. Across states that have already restructured their energy markets, utility industry jobs have been cut dramatically, with reductions hitting generating plants and line maintenance workers hardest — the very workers responsible for keeping the grid safe and reliable.

When investor-owned utilities are forced to divest their generation assets to satisfy deregulation schemes, those assets do not stay in Missouri communities — they are sold to out-of-state companies and hedge funds with zero relationship to Missouri and only one interest: maximizing returns for their investors. The well-paying, benefit-carrying union jobs that sustain Missouri families go with them.

Missouri's current regulatory structure is working.

Missouri's regulated utility model, overseen by the Public Service Commission, provides a framework that balances investment, reliability, and consumer protection. Ameren Missouri's rates are 27% below Midwest and national averages, and Missouri ranks among the lowest states in the nation for rate increases. That is not an accident — it is the result of a regulated model that keeps a Missouri governing body accountable for outcomes. Under deregulation, Missourians would lose their state oversight body, and any recourse would have to be sought from the federal government. That is not

accountability — that is abandonment.
We are not here to say the current system is perfect. Missouri's working families have real concerns about rising utility bills, and IBEW Local 1439 shares those concerns. But the answer is stronger regulatory oversight, not tearing down the system that has kept Missouri rates among the most competitive in the region.
Let's be direct about who benefits if this legislation passes. The winners are energy marketers, hedge funds, and out-of-state corporations looking to capture generation assets and profit from Missouri ratepayers without the accountability of state regulation. The losers are the Missouri families who will face volatile, market-driven electricity prices, the workers whose jobs and benefits will be stripped away in the name of "competition," and the communities that depend on stable utility employment as an economic anchor.
IBEW Local 1439 has represented Missouri's electrical workers for decades. We have seen our members respond to ice storms, tornado damage, and equipment failures under dangerous conditions — not because a market algorithm sent them, but because they are part of the communities they serve and they are trained and staffed to get the job done. That commitment does not survive deregulation intact.
We urge a NO vote on HB 2233.
On behalf of the men and women of IBEW Local 1439, and IBEW workers across Missouri, we call on the members of this body to reject HB 2207. The Electrical Choice and Competition Act is a solution in search of a problem that will create new and serious problems of its own — higher rates, less reliability, and the elimination of the good union jobs that power Missouri's middle class.
Missouri's workers and families deserve an energy policy that puts them first. This bill does not do that.

MISSOURI HOUSE OF REPRESENTATIVES

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **JON HENSLEY**	PHONE NUMBER: **314-477-6859**	
REPRESENTING: **MISSOURI ENERGY DEVELOPMENT ASSOCIATION**	TITLE:	
ADDRESS: **125 E. HIGH, #200**		
CITY: **JEFFERSON CITY**	STATE: **MO**	ZIP: **65101**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **JORGEN SCHLEMEIER**	PHONE NUMBER:	
REPRESENTING: **GREATER ST. LOUIS INC**	TITLE:	
ADDRESS: **213 E CAPITOL AVE**		
CITY: **JC**	STATE: **MO**	ZIP: **65101**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **KEVIN GUNN**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: **EVERGY**	TITLE: **VP REGULATORY & GOVT. AFFAIRS**	
ADDRESS: **1200 MAIN ST., SUITE 3100**		
CITY: **KANSAS CITY**	STATE: **MO**	ZIP: **64105**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **MATT THOMPSON**	PHONE NUMBER:	
REPRESENTING: **LIBERTY UTILITIES, SUMMIT UTILITIES**	TITLE:	
ADDRESS: **124 E HIGH STREET**		
CITY: **JEFFERSON CITY**	STATE: **MO**	ZIP: **65101**
EMAIL: **matt@wintonpolicygroup.com**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 5:03 PM**

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WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **ROB DIXON**	PHONE NUMBER: **573-256-9418**	
REPRESENTING: **AMEREN MISSOURI**	TITLE:	
ADDRESS: **101 MADISON ST**		
CITY: **JEFF CITY**	STATE: **MO**	ZIP: **65101**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

INDIVIDUAL:

WITNESS NAME: **SARAH BERRY**	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:16 AM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

HB 2233 establishes the "Electric Choice and Competition Law," creating a comprehensive restructuring of Missouri's electric market that raises significant constitutional concerns regarding compelled participation, unlawful delegation of authority, due process, and unequal regulatory burdens.

While framed as expanding consumer "choice," the bill constructs a system in which all retail customers are transitioned into a state-designed market structure while being subjected to nonbypassable charges, including competitive transition costs, regardless of whether they elect to participate in or benefit from the system. This raises serious concerns regarding compelled financial participation, as individuals are required to subsidize market restructuring and private-sector cost recovery without a meaningful ability to opt out.

The bill further vests expansive authority in the Public Service Commission to design, implement, and enforce the operational framework of the market, including pricing structures, participation rules, licensing requirements, and enforcement mechanisms.

The breadth of this authority—combined with language invalidating conflicting laws—raises concerns regarding unlawful delegation of legislative power, where core policy decisions are effectively transferred to an administrative body without sufficiently defined limiting standards.

HB 2233 also introduces coercive mechanisms within energy assistance structures. Although framed as optional, participation in aggregation programs is tied to the retention of financial assistance, effectively conditioning essential benefits on compliance with a state-directed system. This raises due process and equal protection concerns, particularly for low-income individuals who may not have a realistic ability to refuse participation without suffering material harm.

Additionally, the bill mandates the sharing of detailed customer data with retail electric suppliers upon consent, while simultaneously directing that consent procedures not be "onerous." This creates tension with principles of informed consent and data privacy, as streamlined authorization mechanisms may undermine the voluntariness and clarity required for meaningful consumer protection.

The creation of new licensing regimes, financial surety requirements, and regulatory oversight structures further imposes substantial barriers to market entry, raising concerns that the system may favor certain entities while disadvantaging others. Such structural imbalances implicate principles of

equal protection and fair competition, particularly where access to participation is conditioned on significant financial and regulatory thresholds.

Taken together, the bill's framework—mandatory cost allocation, conditional benefits, expansive administrative authority, and structural market design—creates a system that may operate as compelled participation under the appearance of choice, particularly in the context of an essential service such as electricity.

Bottom line:
HB 2233 establishes a state-directed market structure that imposes mandatory financial obligations, concentrates regulatory authority, and conditions access to essential services and benefits in ways that raise serious constitutional concerns.

The General Assembly is hereby placed on notice that enactment of this provision may give rise to constitutional challenges, including but not limited to violations of due process, unlawful delegation of legislative authority, compelled financial participation, and unequal treatment under the law.

MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: **HB 2233**	DATE: **4/1/2026**
COMMITTEE: **General Laws**	

TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **SHANNON COOPER**	PHONE NUMBER: **660-890-1432**	
REPRESENTING: **GREATER KANSAS CITY CHAMBER OF COMMERCE**	TITLE:	
ADDRESS: **208 MADISON**		
CITY: **JEFFERSON CITY**	STATE: **MO**	ZIP: **65101**
EMAIL:	ATTENDANCE:	SUBMIT DATE: **4/1/2026 12:00 AM**

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MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: **HB 2233**	DATE: **4/1/2026**
COMMITTEE: **General Laws**	

TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

REGISTERED LOBBYIST:

WITNESS NAME: **TIMOTHY GREEN**	PHONE NUMBER: **314-420-5318**	
REPRESENTING: **ST. LOUIS ELECTRICAL CONNECTION IBEW/NECA**	TITLE: **EXECUTIVE VIVE PRESIDENT**	
ADDRESS: **5735 ELIZABETH AVE**		
CITY: **ST. LOUIS**	STATE: **MO**	ZIP: **63110**
EMAIL: **tgreen@ibew1-stlneca.org**	ATTENDANCE: **Written**	SUBMIT DATE: **4/1/2026 8:13 AM**

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Deregulation of the Electrical Utility Industry has been tried in other States and has failed. Electrical Connection represents 150 IBEW Electrical Contractors and 4000 IBEW Members working for those Contractors, and support the current State Regulation of the Electrical Generation and Distribution of Electricity in the State of Missouri.

MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: HB 2233	DATE: 4/1/2026
COMMITTEE: General Laws	

TESTIFYING: ☐ IN SUPPORT OF ☑ IN OPPOSITION TO ☐ FOR INFORMATIONAL PURPOSES

WITNESS NAME

BUSINESS/ORGANIZATION:

WITNESS NAME: **WADE KIEFER**	PHONE NUMBER: **816-489-6706**	
BUSINESS/ORGANIZATION NAME: **IBEW 124**	TITLE: **BUSINESS REPRESENTATIVE**	
ADDRESS: **301 E 103RD TERRACE**		
CITY: **KANSAS CITY**	STATE: **MO**	ZIP: **64114**
EMAIL: **wkiefer@ibewlocal124.org**	ATTENDANCE: **Written**	SUBMIT DATE: **3/31/2026 1:38 PM**

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Chairman and Members of the Committee,

On behalf of the hardworking men and women of IBEW 124, I am testifying in strong opposition to HB 2233. While these bills are framed as "consumer choice," for Missouri's energy workforce, they represent a dangerous step toward deregulation that threatens middle-class jobs and public safety. Our opposition is rooted in the following labor and safety concerns: erosion of high-quality jobs, safety and training risks, and loss of local accountability.

The current regulated model ensures that Missouri utilities remain stable employers with a long-term commitment to a skilled, local workforce. HB 2233 would force the divestiture of generation assets, likely leading to "cost-cutting" measures by new, out-of-state owners. This puts downward pressure on wages, benefits, and the retirement security of thousands of Missourians.

Maintenance of our electrical grid is high-stakes work. Fragmenting the industry leads to a fragmented workforce. When companies prioritize short-term retail profits over long-term infrastructure, they often skimp on the rigorous training and safety protocols that our members depend on to go home safe every night.

Currently, Missouri workers and regulators have a direct seat at the table with utilities. By unbundling these services, we invite a "race to the bottom" where the cheapest labor—often non-local and less experienced—is used to maintain critical infrastructure, increasing the risk of prolonged outages and workplace accidents.

Missouri's energy workers are the backbone of our state's reliability. We cannot support legislation that treats our careers and our electrical grid like a volatile commodity market.

We urge the Committee to protect Missouri jobs and vote NO on HB 2233.

Sincerely,