



January 23, 2024

Virginia House of Delegates
Committee on Labor and Commerce
Subcommittee #3

RE: In support of HB403 by Del. Ware regarding electric utilities and temporary power purchases agreements.

Dear Chairman Sullivan,

Bloom Energy appreciates the opportunity to offer the following comments in support of House Bill 403 regarding electric utilities and temporary power purchase agreements. House Bill 403 is intended to address a limited set of situations where an electric utility is unable to provide service to a customer utilizing traditional wires infrastructure in a timely way.

Bloom Energy is a manufacturer of solid oxide fuel cell technology that utilizes an electro-chemical process to power non-combustion microgrids as well as high efficiency electrolyzer systems designed to convert renewable electricity into renewable "green hydrogen." The company has installed over one thousand of its solid oxide fuel cell systems for customers in thirteen U.S. states as well as in Japan, South Korea, India and Italy. Bloom Energy fuel cells have proven resilient through outages caused by hurricanes, winter storms, and other extreme weather and are used by some of the world's most reliability conscious customers to guard against the risk of power outages while simultaneously reducing greenhouse gas and air pollutant emissions.

HB 403 would allow for temporary power purchase agreements in situations where an electric distribution utility has advised a customer that they will be unable to provide new or expanded service for a period longer than six (6) months. The power purchase agreements authorized by proposed HB403 would require an advance determination by the State Corporation Commission (SCC), would be limited in duration, and would require five (5) years notice to the involved utility before the customer can again seek utility service. In light of the very limited circumstances in which the provision would apply, as well as the short duration and utility notice protections built into the bill, HB403 represents a targeted measure that is designed to address an existing threat to economic development in Virginia without adversely impacting the state's electric distribution utilities.

We support HB 403 and are hopeful that the Committee on Labor and Commerce will look favorably upon this important proposed legislation.

Very truly yours,

/s/

Charles Fox
Vice President
Bloom Energy Corporation

