

RESOLUTION NO. 18-2019
(As Amended)

To Authorize the City Manager to Enter into an Agreement for the Provision of Competitive Retail Electric Aggregation Services and Electric Power Supply for Eligible Customers Within the City of Worthington.

WHEREAS, Ohio Revised Code § 4928.20 permits a municipality to aggregate customers within their jurisdiction for the purpose of negotiating for competitive retail electric supply at favorable rates and conditions; and,

WHEREAS, on November 6, 2018 the electors of the City of Worthington approved a ballot issue authorizing the City to establish an opt-out electric governmental aggregation program; and,

WHEREAS, on January 22, 2019 City Council adopted a plan of operation and governance for the implementation of the City's electric aggregation program in accordance with Ohio Revised Code § 4928.20 (the Governance Plan"); and,

WHEREAS, on March 7, 2019 the Public Utilities Commission of Ohio granted the City a certificate to provide governmental aggregation services; and,

WHEREAS, Energy Alliances, the City's electric aggregation consultant, has evaluated the responses to its request for proposals and has recommended Dynege and AEP Energy as two Competitive Retail Electric Service Providers that it believes would best meet City Council's objectives for the electric aggregation program.

NOW THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, Franklin County, State of Ohio:

SECTION 1. That Council hereby authorizes the City Manager to enter into an agreement with AEP Energy (the "Provider") for the provision of competitive electric aggregation services ("Agreement"). The Agreement shall, at a minimum include the following terms and conditions:

(a) The Provider shall provide power and related services to customers of the City's electric aggregation program at the rate approved by the City Manager upon consultation of Energy Alliances.

(b) The Provider shall purchase renewable energy certificates representing one hundred percent of the total kWh supplied to customers.

(c) The Provider shall permit customers to leave the program at any time with no termination fee or other charges for leaving the program.

(d) The Provider shall allow eligible customers to enter the program at any time at the same rate per kWh and terms as other customers already in the program and to not

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charge any application fee or other charges for entering the program.

(e) The Provider shall be responsible for providing opt-out notifications to all eligible customers.

(f) The Provider shall be responsible for developing the initial customer list and ongoing maintenance of the list.

(g) The Provider shall provide a customer call center with a toll-free number staffed by knowledgeable service representatives specifically trained as to the City's electric aggregation program.

(h) The Agreement shall not be transferred or assigned by the Provider without the prior authorization of City Council.

(i) All actions of the Provider shall be in full compliance with Ohio Revised Code § 4928.20, the regulations of the Public Utilities Commission of Ohio, and the City's Governance Plan.

SECTION 2. That the City Manager, Finance Director, and Law Director are each hereby authorized, acting singly or jointly, to take all actions, including the execution of the Agreement and any amendments, notifications and forms required by the State of Ohio, or any other documents, necessary to implement the City's electric aggregation program consistent with this Ordinance, Ohio Revised Code § 4928.20, the regulations of the Public Utilities Commission of Ohio, and the City's Governance Plan.

SECTION 3. That all formal actions of this Council concerning and related to the adoption of this Ordinance were taken in an open meeting of said Council, and that all deliberations of this Council that resulted in such formal action were made in meetings open to the public, when required by law, in full compliance with all legal requirements, including without limitation, provisions of the Charter of the City of Worthington, Chapter 109 of the Codified Ordinances of the City and Section 121.22 of the Ohio Revised Code.

SECTION 4. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted April 8, 2019

/s/ Bonnie D. Michael
President of Council

Attest

/s/ D. Kay Thress
Clerk of Council