

FILE



Village of Fairport Harbor

220 THIRD STREET
FAIRPORT HARBOR, OHIO 44077

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December 3, 2008

Public Utilities Commission of Ohio
Attn: Docketing Division
180 E. Broad Street
Columbus, OH 43215

Re: Case # 08-935-EL-SSO (Electric Security Plan) and 08-936-EL-SSO (Market Rate Option)

Gentlemen:

Enclosed please find a certified copy of Resolution No. 2008-142 passed by Fairport Harbor Village Council on December 2, 2008.

Thank You,

Billie K. Geyer
Fiscal Officer

BKG/las

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PUCO

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RESOLUTION

2008-142

WHEREAS, the Northeast Ohio Public Energy Council ("NOPEC") is a regional council* of governments under Ohio law comprised of 126 member Ohio municipalities, counties and townships in eight (8) Northeast Ohio counties;

WHEREAS, NOPEC currently operates governmental energy aggregation purchasing programs for electricity and natural gas and has arranged for the electric generation supply for about 450,000 retail electricity consumers whose distribution service is provided by The Cleveland Illuminating Company and Ohio Edison Company, both FirstEnergy Corporation companies;

WHEREAS, NOPEC's customers currently all take SSO service from the Ohio Edison Company and Cleveland Electric Illuminating Company, and are captive customers of FirstEnergy;

WHEREAS, this community is a member of NOPEC;

WHEREAS, First Energy has filed applications with the Public Utilities Commission of Ohio (PUCO) to establish an electric security plan or market rate offer as provided for in Amended Substitute Senate Bill 221;

WHEREAS, First Energy refuses to extend the current NOPEC generation discount from December 31, 2008 until First Energy's permanent electric rate plan is approved by the PUCO;

WHEREAS, First Energy's refusal to extend the current NOPEC generation discount until First Energy's permanent electric rate plan is approved by the PUCO means that our residents will lose the current 5% NOPEC generation discount beginning January 1, 2009; and

WHEREAS, losing the current 5% NOPEC generation discount in these troubling and unstable financial times will result in undue hardship for our residents.

NOW, THEREFORE,

RESOLVED: That the PUCO order FirstEnergy to continue and/or extend the NOPEC generation discount from December 31, 2008 until First Energy's permanent rate plan is approved; and

RESOLVED: That the PUCO adopt NOPEC's recommendations in the FirstEnergy Electric Security Plan case to eliminate the 1 cent/kwh minimum default service rider for NOPEC customers; and

RESOLVED: That the PUCO eliminate or establish a credit for NOPEC customers for the proposed generation deferral to allow NOPEC to provide generation services to our residents after January 1, 2009; and

RESOLVED: That the PUCO prevent FirstEnergy from making excessive profits at the expense of economically-challenged, hard-working Ohioans.

PASSED, this 2nd day of December, 2008.

NOPEC MEMBER COMMUNITY

Signed: John J. Sca
Name/Title MAYOR
Community: FAIRPORT
Date: 12/2/08