

FILE**Hunter, Donielle**

From: ContactThePUCO@puc.state.oh.us
Sent: Thursday, December 11, 2008 9:11 AM
To: Docketing
Subject: Docketing
Attachments: KPAT12090878 3813803.pdf

Public Utilities Commission of Ohio
Investigation and Audit Division

Memorandum

Date: 12/11/2008

Re: Kenneth Patton
7619 Memphis Ave
Brooklyn, OH 44144

Docketing Case No.:

08-935-EL-SSO

Notes:

Please docket the attached in the case number above.

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KPAT12090818

**FAX
COVER**7619 Memphis Ave
44144**The City of
Brooklyn Ohio**

Founded 1867

Mayor - Kenneth E. Patton

Phone 216-351-2133 Fax 216-351-7601

DATE:	12/9/08
TO:	DOCKING DIVISION
COMPANY:	PUCO
FAX NUMBER:	614-466-7366
FROM:	MARY-JO BANISH
DEPARTMENT:	CITY COUNCIL
No. of Pages (including cover)	3
REGARDING:	RESOLUTION ADOPTED 12/8/08

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CITY OF BROOKLYN, OHIO

RESOLUTION NO. 2008 - 30 Amended

INTRODUCED BY: Patton, Magray, Barbier, Preece, Claussen, Gallagher

**TO SUPPORT NOPEC'S EFFORTS TO HAVE FIRST ENERGY
EXTEND THE CURRENT GENERATION DISCOUNT PLAN**

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 Northeast Ohio counties; and

WHEREAS, NOPEC currently operates governmental energy aggregation purchasing programs for electricity and natural gas and has arranged for the electric general 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; and

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; and

WHEREAS, this community is a member of NOPEC; and

WHEREAS, FirstEnergy 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; and

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

WHEREAS, FirstEnergy's refusal to extend the current NOPEC generation discount until FirstEnergy'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, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROOKLYN, COUNTY OF CUYAHOGA AND STATE OF OHIO:

SECTION 1. The Brooklyn City Council urges that the PUCO order FirstEnergy to continue and/or extend the NOPEC general discount from December 31, 2008 until FirstEnergy's permanent rate plan is approved.

SECTION 2. The Brooklyn City Council further urges 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.

SECTION 3. The Brooklyn City Council further urges that the PUCO eliminate First Energy's proposed generation deferral or, in the alternative, apply any such generation credit universally to include NOPEC customers, after January 1, 2009.

SECTION 4. The Brooklyn City Council further urges that the PUCO prevent FirstEnergy from making excessive profits at the expense of economically-challenged, hard-working Ohioans.

SECTION 5. That the Clerk of Council be, and hereby is, directed to forward a copy of this Resolution to the PUCO and Governor Ted Strickland.

SECTION 6. That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare; and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: 12/8/08

ATTESTED:

APPROVED:

Mary Jo Barish
Asst. CLERK OF COUNCIL

Kenneth E. Fenton
MAYOR

Filed with the Mayor: 12/9/08