

FILE**Hunter, Donielle**

From: ContactThePUCO@puc.state.oh.us
Sent: Thursday, December 18, 2008 10:31 AM
To: Docketing
Subject: Docketing
Attachments: SALA121608CB 3818707.pdf

Public Utilities Commission of Ohio
Investigation and Audit Division

Memorandum

Date: 12/18/2008

Re: Samuel Alai

Docketing Case No.: 08-935-EL-SSO

Notes:

Please docket the attached in the case number above.

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SALE PUCO 808

CITY OF BROADVIEW HEIGHTS, OHIO

RESOLUTION NO. 08-75

INTRODUCED BY MAYOR AND ENTIRE COUNCIL

A RESOLUTION URGING PUCO TO ORDER FIRST ENERGY
TO CONTINUE AND/OR EXTEND THE
ELECTRIC DISCOUNT GIVEN TO NOPEC
AND DECLARING AN EMERGENCY

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; and

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 First Energy 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 First Energy; and

WHEREAS, this community is a member of NOPEC; and

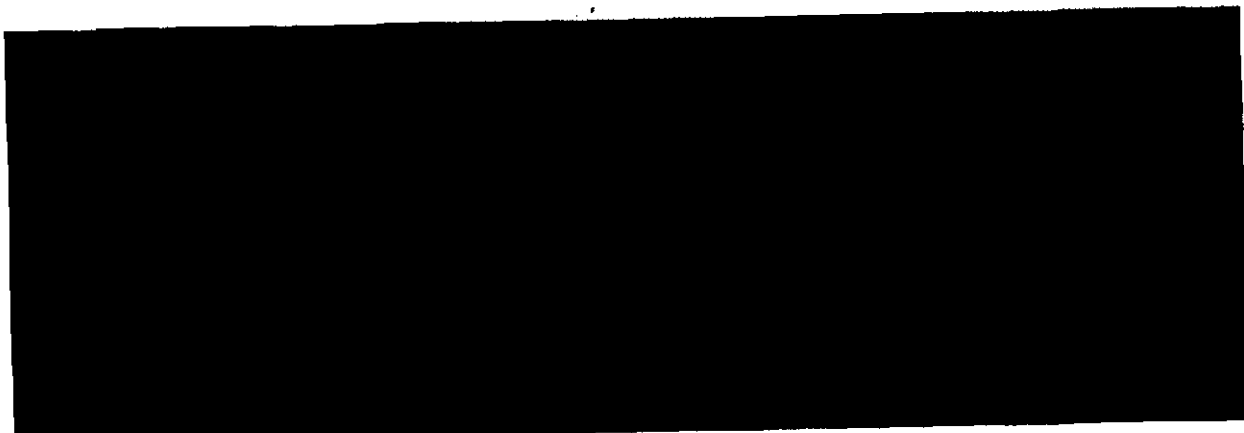
WHEREAS, First Energy has filed applications with the Public Utilities Commission of Ohio (PUCO) to establish an electric security plan or market rate offer as provided for in Amended Substitute Senate Bill 221; and

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; and

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 five percent (5%) NOPEC generation discount beginning January 1, 2009; and

WHEREAS, losing the current five percent (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 BROADVIEW HEIGHTS, COUNTY OF CUYAHOGA AND STATE OF OHIO:



SECTION 1. That the PUCO order First Energy to continue and/or extend NOPEC generation discount from December 31, 2008 until First Energy's permanent rate plan is approved.

SECTION 2. That the PUCO adopt NOPEC's recommendations in the First Energy Electric Security Plan case to eliminate the 1 cent/kwh minimum default service rider for NOPEC customers.

SECTION 3. 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

SECTION 4. That the PUCO prevent First Energy from making excessive profits at the expense of economically-challenged, hard-working Ohioans.

SECTION 5. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason stated in the Preamble hereof, and provided it receives the affirmative vote of five (5) or more of the members of Council and the signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Dec. 15-2008

Don S. Sykes
PRESIDENT OF COUNCIL

DATE FILED
WITH MAYOR: Dec. 16-08

APPROVED: Samuel J. Allen
SAMUEL J. ALLEN, MAYOR

ATTEST: Sandra Hudack
CLERK OF COUNCIL

DATE APPROVED: 12-16-08