

NC



"The small city out
in the middle of
everywhere!"

City of Bucyrus

500 S. SANDUSKY AVENUE
BUCYRUS, OHIO 44820
(419) 562-6767 FAX (419) 562-4013
www.cityofbucyrusoh.us

31
ROGER A. MOORE, MAYOR
JEFFREY A. WAGNER
SERVICE-SAFETY DIRECTOR

March 27, 2013

RECEIVED-DOCKETING DIV
2013 MAR 28 PM 12:58
PUCO

Ms. Barcy F. McNeal, Secretary
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

RE: In the Matter of the Application of the City of Bucyrus for
Certification as an Electric Governmental Aggregator
Case No. 13-760 -EL-GAG

Dear Ms. McNeal:

Attached for filing is an original and three (3) copies of the City of Bucyrus's application and required exhibits for certification as an electric governmental aggregator.

Please contact me directly at ssd@cityofbucyrusoh.us or (419) 562-6767 with any questions regarding the application and related attachments.

Respectfully submitted,


Jeffrey A. Wagner
Service/Safety Director

COLUMBUS/1669162v.2

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business
Technician AMW Date Processed 3/28/13



The Public Utilities Commission of Ohio

PUCO USE ONLY		
Date Received	Case Number	Version
	-EL-GAG	August 2004

CERTIFICATION APPLICATION FOR GOVERNMENTAL AGGREGATORS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-5 Experience). All attachments should bear the legal name of the Applicant and should be included on the electronic copy provided. Applicants should file completed applications and all related correspondence with: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, OH 43215-3793.

**This PDF form is designed so that you may input information directly onto the form.
You may also download the form, by saving it to your local disk, for later use.**

A. APPLICANT INFORMATION

A-1 Applicant's name, address, telephone number, and web site address

Name City of Bucyrus

Address 500 S. Sandusky Avenue

Telephone Number (419) 562-6767

Web site address (if any) www.cityofbucyrusoh.us

A-2 Exhibit A-2 "Authorizing Ordinance" provide a copy of the ordinance or resolution authorizing the formation of a governmental aggregation program adopted pursuant to Section 4928.20(A) of the Revised Code.

A-3 Exhibit A-3 "Operation and Governance Plan" provide a copy of the applicant's plan for operation and governance of its aggregation program adopted pursuant to Section 4928.20(C) of the Revised Code. The Operation and Governance Plan explained in Exhibit A-3 should include:

- Terms and conditions of enrollment including:
 - Rates
 - Charges
 - Switching fees, if any
- Policies associated with customers moving into/out of aggregation area
- Billing procedures
- Procedures for handling complaints and disputes including the toll-free telephone number and address for customer contacts

A-4 **Exhibit A-4 "Automatic Aggregation Disclosure"** provide a copy of the disclosures required by Section 4928.20(D) of the Revised Code, if its aggregation program provides for automatic aggregation in accordance with Section 4928.20(A) of the Revised Code

A-5 **Exhibit A-5 "Experience"** provide a detailed description of the applicant's experience and plan for providing aggregation services, including contracting with retail generation providers, providing billing statements, responding to customer inquiries and complaints, and complying with all applicable provisions of commission rules adopted pursuant to section 4928.10 of the Revised Code.

A-6 **Contact person for regulatory or emergency matters**

Name Jeffrey A. Wagner

Title Service/Safety Director

Business address 500 S. Sandusky Avenue, Bucyrus, Ohio 44820

Telephone number (419) - 562 - 6767 Fax # (419) - 562 - 4013

E-mail address ssd@cityofbucyrusoh.us

A-7 **Contact person for Commission Staff use in investigating customer complaints**

Name Jeffrey A. Wagner

Title Service/Safety Director

Business address 500 S. Sandusky Avenue, Bucyrus, Ohio 44820

Telephone number (419) 562 - 6767 Fax # (419) - 562 - 4013

E-mail address ssd@cityofbucyrusoh.us

A-8 **Applicant's address and toll-free number for customer service and complaints**

Address 500 S. Sandusky Avenue

Bucyrus, Ohio 44820

Toll-free telephone number (419) - 562 - 6767

Fax # (419) - 562 - 4013

Jeff A. Wagner SSD
Signature of Applicant & Title



Sworn and subscribed before me this 11th day of March, 2013
Month Year

Eunice A. Collene
Signature of official administering oath

Eunice A. Collene, Notary Public
Print Name and Title

My commission expires on 9-28-13

AFFIDAVIT

State of Ohio :

Bucyrus ss.
(Town)

County of Crawford :

Jeffrey A. Wagner, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the Service/Safety Dir. (Office of Affiant) of The City of Bucyrus (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant,

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.
12. The Applicant herein, attests that it will docket with the Commission's Docketing Division the final opt-out and any supplemental opt-outs (including beginning and ending dates of the 21-day opt-out period and the selected CRES supplier) at a minimum 10 days prior to sending the opt-outs to customers.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Jeff A. Wayne SSD
Signature of Affiant & Title

Sworn and subscribed before me this 11th day of March, 2013
Month Year



EUNICE A. COLLENE
Notary Public, State of Ohio
My Commission Expires 9-28-13

Eunice A. Collene
Signature of official administering oath

Eunice A. Collene, Notary Public
Print Name and Title

My commission expires on 9-28-13

EXHIBIT A-2

AUTHORIZING ORDINANCE

ORDINANCE NO. 44-2004

AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF BUCYRUS ELECTRIC AGGREGATION PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Chapter 4928 of the Ohio Revised Code, to facilitate competitive retail electric service to promote electric savings, lower cost of electric supplies, and other benefits, certain governmental entities may aggregate certain electric consumers within their jurisdiction; and

WHEREAS, on November 6, 2001, the electors of the City of Bucyrus approved of the City's plan to create an aggregation program for customers located within the boundaries of the City; and

WHEREAS, Revised Code 4928.20(C) requires a governmental entity interested in the automatic registration of customers under governmental aggregation, subject to customer rights to "opt-out" of such an aggregation, to adopt a plan of operation and governance for its aggregation program; and

NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUCYRUS, STATE OF OHIO, two-thirds of all members elected thereto concurring:-

SECTION 1. That this Council hereby adopts the City of Bucyrus Plan of Operation and Governance, attached hereto and incorporated herein by reference as Exhibit "A" for the implementation and administration of the City's municipal electric aggregation program in accordance with Revised Code 4928.20(C).

SECTION 2. That this Ordinance is hereby declared to be an emergency measure in that opportunities to coordinate aggregation activities with certain suppliers of electric services may become limited, same being deemed necessary for the preservation of the health, safety and welfare of the citizens of the City of Bucyrus, and it shall therefore be in full force and effect from and after its passage.

Passed this 21st day of September 2004.

ATTEST:

Regina H. Zornes
Regina H. Zornes,
Clerk of the Council

Randy J. Tidaback
Randy J. Tidaback,
President of Council

Approved this 21st day of September, 2004.

Daniel F. Ross
Daniel F. Ross - MAYOR

CERTIFICATION

I, Regina H. Zornes, duly appointed and qualified Clerk of the Bucyrus City Council, do hereby certify that the foregoing Ordinance No. 44-2004 is a true, accurate and correct copy as adopted by the Bucyrus City Council on the 21st day of September of 2004, and recorded in Ordinance and Resolution Volume 32, Page 44, of the City of Bucyrus, Ohio.

Regina H. Zornes
Regina H. Zornes,
Clerk of Bucyrus City Council

ORDINANCE NO. 37-2001

Page 1 of 3

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE, DIRECTING THE CRAWFORD COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

WHEREAS, the Ohio legislature has enacted electric deregulation legislation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

WHEREAS, such legislative authorities may exercise such authority jointly with any other legislative authorities; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, this council seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20 of the Ohio Revised Code (the "Aggregation Program"), for the residents, businesses and other electric consumers in the City and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BUCYRUS, State of Ohio, a majority of all members elected thereto concurring:-

SECTION 1. This Council finds and determines that it is in the best interest of the

City, its residents, businesses and other electric consumers located within the corporate limits of the City to establish the Aggregation Program in the City.

Provided that this Ordinance and the Aggregation Program are approved by the electors of the City pursuant to Section 2 of this Ordinance, the City is hereby authorized to aggregate in accordance with Section 4928.20 of the Ohio Revised Code, the retail electrical loads located within the City, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The City may exercise such authority jointly with any other municipal corporation, township, county or other political subdivision of the

ORDINANCE NO. 37-2001

Page 2 of 3

State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Ordinance.

SECTION 2. The Board of Elections of Crawford County is hereby directed to submit the following question to the electors of the City at the general election on November 6, 2001:

Shall the City of Bucyrus have the authority to aggregate the retail electric loads located in the City, and for that purpose enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt-out, all in accordance with Section 4928.28 of the Ohio Revised Code and Ordinance No. 37-2001 adopted by the City Council?

The Clerk of this Council is instructed to file a certified copy of this Ordinance and the proposed form of the ballot question with the Crawford County Board of Elections not less than seventy-five (75) days prior to November 6, 2001. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4928.20 of the Ohio Revised Code.

SECTION 3. Upon the approval of a majority of the electors voting at the General election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such a plan, this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan and state the date, time and location of each hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the City unless it in advance clearly discloses to the person

ORDINANCE NO. 37-2001

Page 3 of 3

owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges and other terms and conditions of enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt-out of the program every two years, without paying a switching fee. Any such person that opts-out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under division (a) of Section 4928.14 or division (d) of Section 4928.35 of the Ohio Revised Code until the person chooses an alternative supplier.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. That this Ordinance shall be and remain in full force and effect from and after its passage, legal publication and the earliest period allowed by law.

Passed this 19th day of June, 2001.

ATTEST: Regina H. Zornes
Regina H. Zornes,
Clerk of the Council

Robert D. Koons
Robert D. Koons,
President of Council

Approved this 19th day of June, 2001.

Glenn T. Achtermann
Glenn T. Achtermann - MAYOR

CERTIFICATION

I, Regina H. Zornes, duly appointed and qualfield Clerk of the Bucyrus City Council, do hereby certify that the foregoing Ordinance No. 37-2001, is a true, accurate and correct copy as adopted by the Bucyrus City Council on the 19th day of June of 2001, and recorded in Ordinance and Resolution Volume 31, Page 490, of the City of Bucyrus, Ohio.

Regina H. Zornes
Regina H. Zornes,
Clerk of Bucyrus City Council

EXHIBIT A-3

**OPERATION AND GOVERNANCE
PLAN**

CITY OF BUCYRUS

**PLAN OF OPERATION
AND GOVERNANCE FOR
MUNICIPAL OPT-OUT
ELECTRIC
AGGREGATION**

ADOPTED BY CITY COUNCIL

SEPTEMBER 21, 2004

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Overview

At the November 6, 2001 general election, local residents authorized the City of Bucyrus ("the City") to create a municipal opt-out electric aggregation program ("the Aggregation Program") as provided under Section 4928.20 of the Ohio Revised Code. Under the opt-out electric aggregation program, all eligible electric consumers within the City's corporation limits will be automatically included in the Aggregation Program initially. However, all consumers will also be given the opportunity to opt out of or decline participation in the Aggregation Program as detailed herein.

The City's purpose in creating the Aggregation Program is to represent local consumer interests in emerging competitive electricity markets by aggregating electric loads within the City's corporation limits (including municipal facilities) and negotiating affordable, reliable electric supplies and other related services on behalf of local consumers. The City may pursue this purpose individually or in cooperation with other entities.

Many small commercial and residential electric consumers lack the knowledge and leverage to effectively negotiate power supply rates and services. A governmental aggregation program provides them with an option for professional representation and the bargaining power of a larger, more diverse consumer group that may be more attractive to suppliers, allowing them to effectively participate in the competitive process and potentially achieve benefits.

1. Description of Services

The Aggregation Program is designed to reduce the amount a consumer pays for electric energy, and to gain other favorable economic and non-economic terms in service contracts. The City will not buy and resell power, but will represent collective consumer interests to set terms and conditions for service. Through a negotiation process, the City will develop a contract with a Competitive Retail Electric Services Provider (CRES Provider) or Providers for firm full-requirements electric service. The contract will run for a fixed term (i.e., one to five years). Once the contract has been finalized, it will be submitted to the Bucyrus City Council for approval.

Initially, each eligible consumer within the City's corporation limits will be automatically included in the Aggregation Program. However, prior to actual enrollment, each consumer will receive a notice detailing the rates, terms and conditions that will apply to that consumer.

Each consumer will then have a 21-day period to opt out of, or decline to participate in, the Aggregation Program without charge. Consumers opting out of the program will remain on the

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Standard Offer Generation Service of either Ohio Power or Ohio Edison, as appropriate, until such time as they select an approved CRES Provider. A similar opt-out period will be offered every two years during which time consumers can leave the Aggregation Program without paying an early termination fee.

Participants who leave the Aggregation Program and wish to return, as well as consumers who move into the City after the initial opt-out period will be afforded the opportunity to enroll in the Aggregation Program. However, the City cannot guarantee rates, terms and conditions to consumers enrolling in the Aggregation Program after the initial 21-day opt-out period.

Participants who relocate within the City limits and retain the same Ohio Edison or Ohio Power account number will be allowed to continue in the Aggregation Program at their new location under the same terms and conditions as at their former location, provided the Ohio Power or Ohio Edison rate classification is the same at both locations, and subject to any switching fees imposed by Ohio Power or Ohio Edison.

The City will contract with a CRES Provider to implement and operate the Aggregation Program. Contracts for power supply and other related services will be negotiated, recommended, and monitored for compliance by the City on behalf of local consumers.

The Aggregation Program covers the power supply or generation portion only of a participant's electric bill. Ohio Power or Ohio Edison will continue to deliver electricity to Aggregation Program participants' homes and businesses through its electric transmission and distribution system as a monopoly function regulated by the Public Utilities Commission of Ohio (PUCO). Ohio Power or Ohio Edison will also continue to install, operate and maintain its system of poles, wires, transformers and other electric distribution components. Aggregation Program participants will continue to call Ohio Power or Ohio Edison if their power goes out or if they have billing questions. The PUCO will continue to oversee electric safety and reliability service standards of Ohio Power and Ohio Edison.

The City developed this Plan of Operation and Governance in compliance with Ohio law regarding municipal opt-out aggregation of electric consumers, including at least two public hearings prior to its adoption.

Plan of Operation and Governance

The Bucyrus City Council shall approve through resolution or ordinance the Aggregation Program's Plan of Operation and Governance in accordance with Ohio Revised Code Section

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

4928.20. Amendments to the Plan of Operation and Governance may be subject to Bucyrus City Council approval and filing with the PUCO.

After adoption of the Plan of Operation and Governance, the City will file with the PUCO for governmental aggregator certification and also register as a governmental aggregator with Ohio Power and Ohio Edison.

Aggregation Program Management

Oversight of the Aggregation Program will be the responsibility of the Safety-Service Director, or his assignee, which reports to the City Council. The Safety-Service Director, or his assignee, will have the authority to develop specifications for the Aggregation Program, to appoint an Aggregation Program Manager, and to select, hire and manage the CRES Provider. The CRES Provider and the Safety Service Director, or his assignee, will work under the direction of the City Council with the advice and counsel of the City Attorney.

Due to the complexity of the electric utility industry and the uncertainties of its associated restructuring activities, the Safety Service Director, or his assignee, may contract with a consultant or consultants to provide the necessary expertise to represent the City's interest in legislative and regulatory matters and/or to serve as the Aggregation Program Manager. Such services may include, but are not limited to, facilitating consumer enrollment and opt-out, assisting with consumer education, addressing consumer questions and concerns, providing reports on program operation, enrollment and savings, negotiating future CRES Provider contracts, and representing the City in dealings with CRES Providers, Ohio Power, Ohio Edison, the Ohio Legislature, the PUCO and the OCC.

The CRES Provider's rates may include an administrative fee, which shall (if implemented) be collected on behalf of the City to fund the implementation and administration of the City's Aggregation Program. The administrative fee may be adjusted annually to cover the City's cost of administering the program. The fee will be reviewed annually to ensure that the amounts collected do not exceed the cost of administering the aggregation program.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Selection of a CRES Provider

The City will not buy and resell power to Aggregation Program participants. The City will negotiate with potential CRES Providers to provide affordable, reliable electric supplies and other electric related services on behalf of local consumers. The City will consider cooperating with other governmental aggregators if it appears beneficial to do so.

Through a negotiation process, the City will develop a contract with a CRES Provider or Providers for firm, all-requirements service. The City will contract only with a CRES Provider or Providers that meet at a minimum the following criteria:

1. Certified CRES Provider by the PUCO
2. Registered with Ohio Power or Ohio Edison
3. Have a service agreement under Ohio Power or Ohio Edison or their successor organization's Open Access Transmission Tariff
4. Successfully completed Electronic Data Interchange (EDI) computer system testing with Ohio Power or Ohio Edison, and that CRES Provider's EDI computer system must be capable of effectively processing Aggregation Program EDI transactions in a timely manner
5. Meet standards of creditworthiness established by the City, Ohio Power or Ohio Edison and the PUCO.
6. Have a toll-free customer call center and Internet web site capable of effectively handling participants' questions, concerns and disputes in a timely manner
7. Hold the City harmless from any financial obligations arising from offering electricity and/or energy-related services to Aggregation Program participants

The CRES Provider's contract will run for a fixed term (i.e., one to five years) and contain all pricing, charges, switching fees, etc. in clear and easily understood terms.

The City will require any CRES Provider to disclose any subcontractors that it uses in fulfillment of the services described herein.

The Bucyrus City Council will approve through resolution or ordinance, the contracts entered into by the City with the CRES Provider.

Electric Supply Charges

The City will aggregate electric loads within the City's corporation limits (including municipal facilities) and negotiate mutually agreeable price terms with CRES Providers for affordable,

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

reliable electric supplies and other related services on behalf of local consumers. The City may pursue this purpose individually or in cooperation with other entities. CRES Providers will supply information on electric supply charges by Ohio Power or Ohio Edison customer rate classification or other appropriate pricing category as approved by the City. All electric supply charges will be fully and prominently disclosed in consumer enrollment materials and will be subject to approval by the Bucyrus City Council.

Ohio Power's and Ohio Edison's Regulated Customer Classifications and Rates

Ohio Power or Ohio Edison assigns customer rate classifications; character of service and associated regulated rates subject to PUCO approved tariffs. In addition to the CRES Provider's generation charges, consumers will continue to be billed for Ohio Power or Ohio Edison's service and delivery charges. Although the City may participate in regulatory proceedings and represent the interests of consumers regarding these regulated rates, it cannot assign or alter customer rate classifications.

It is the intention of the city to offer its aggregation program to eligible customers in any and all customer classifications, and in all rate categories, for which the CRES Provider can offer a savings compared to Ohio Power or Ohio Edison's generation cost.

Developing the Pool of Eligible Accounts

The City shall request Ohio Power and Ohio Edison to provide current customer information for all customers within the municipal boundaries. The provided information shall include:

- Customer name;
- Customer service address;
- Customer billing address;
- Ohio Power or Ohio Edison customer account number;
- Ohio Power or Ohio Edison rate code;
- Ohio Power or Ohio Edison PIPP code;
- Customer load data;
- Whether or not a customer has a present contract with a CRES Provider;
- Whether or not a customer has a special service contract with Ohio Power or Ohio Edison.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

From this information, the City and the CRES Provider will develop the pool of customers eligible to participate in the aggregation program, for which the CRES Provider can offer savings.

Initial Consumer Notification and Enrollment

After contract approval by the Bucyrus City Council, the CRES Provider will work with the City and Ohio Power or Ohio Edison to identify all eligible consumers within the City's corporation limits.

All eligible consumers will be notified in writing of the rates, charges and other terms and conditions of participation in the Aggregation Program and that they will be automatically enrolled in the Aggregation Program unless they opt out of, or decline participation in, the program. Consumers will be given twenty-one (21) days from the postmark date of the opt out letter in which to notify the City that they wish to opt out of, or decline participation in, the Aggregation Program. Consumers opting out of the program will remain on Ohio Power or Ohio Edison's Standard Offer Generation Service, until such time as they select an approved CRES Provider.

Consumers may use one or more of the following methods to opt out of the program:

- 1) Returning a post card or other form provided in the opt-out letter
- 2) Telephone
- 3) Internet

After the initial 21-day opt out period has elapsed, all eligible consumers who have not notified the City of their desire to opt out of the Aggregation Program will be enrolled by the CRES Provider at the earliest date practicable.

Consumers ineligible to participate in the Aggregation Program include those customer accounts that are located outside the City's municipal boundaries, customers who are in contract with a CRES provider, or customers in a "special rate" contract with Ohio Power or Ohio Edison.

Consumers enrolled in the Aggregation Program by the CRES Provider will receive a letter from Ohio Power or Ohio Edison notifying them of their enrollment. Consumers will have seven

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

calendar days to notify the electric utility of any objection to their enrollment in the Aggregation Program. Ohio Power or Ohio Edison will notify the CRES Provider of consumer objections or any reason that a consumer was not enrolled in the Aggregation Program and CRES Provider will maintain a list of customers who have opted out under the program rules. The CRES Provider will report to the City the status of Aggregation Program enrollment on at least a monthly basis.

Leaving the Aggregation Program

Participants who wish to leave the Aggregation Program may do so:

- During the initial 21-day opt-out period
- During subsequent opt-out period offered by the City at least every two years
- At any other time; however an early termination fee may be assessed

In addition to the initial 21-day opt-out period described above, each participant will be given an opportunity to opt out of the Aggregation Program every two years without paying an early termination fee. Consumers who choose to opt out of the Aggregation Program at any time other than during the initial 21-day opt-out period or during subsequent opt-out periods offered by the City may be subject to an early termination fee.

Any consumer who opts out of the Aggregation Program will be returned to Ohio Power's or Ohio Edison's Standard Offer Generation Service until such time as the consumer selects another approved CRES Provider.

CRES Provider Responsibilities

The CRES Provider will build and maintain a database of all Aggregation Program participants. The database will include the name, address and Ohio Power or Ohio Edison service delivery identification (SDI) number and may include other pertinent information as agreed upon by the City and the CRES Provider. Such information may include the CRES Provider's account number (if different from Ohio Power or Ohio Edison's SDI number), rate code, rider code (if applicable), most recent 12 months of kWh consumption and kW demand, and meter reading cycle. The Aggregation Program database will be updated at least quarterly. The City will have the right to access information in the database for purposes of auditing.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

The CRES Provider will provide and maintain the required Electronic Data Interchange (EDI) computer system to effectively process Aggregation Program enrollments, opt outs, billing, etc, with Ohio Power or Ohio Edison.

The CRES Provider will provide a local or toll free telephone number and Internet web site for participant questions and concerns about enrollment, opt-out provisions, billing and other Aggregation Program issues.

The CRES Provider will develop internal controls and processes to help ensure that the City remains in good standing as a governmental aggregator that complies with all laws, rules and regulations regarding the same as they may be periodically amended.

New and Returning Participants

Participants who leave the Aggregation Program and wish to return, participants who initially opt out of the program and later wish to join, and consumers who move into the City after the initial opt-out period will be afforded the opportunity to enroll in the Aggregation Program. However, the City cannot guarantee rates, terms and conditions to consumers enrolling in the Aggregation Program after the initial 21-day opt-out period. Consumers may contact the CRES Provider to obtain current enrollment information.

Participants who relocate within the City limits and retain the same Ohio Edison or Ohio Power account number will be allowed to continue in the Aggregation Program at their new location under the same terms and conditions as at their former location, provided the Ohio Power or Ohio Edison rate classification is the same at both locations, and subject to any switching fees imposed by Ohio Power or Ohio Edison.

The CRES Provider will comply with all local, state and federal rules and regulations regarding discontinuing service to Aggregation Program participants.

Billing

The City initially plans to utilize Ohio Power or Ohio Edison's consolidated billing service in which each consumer account receives one bill itemizing the CRES Provider's electric supply charges and Ohio Power or Ohio Edison's delivery, transition and other PUCO-approved charges. The billing statement will be consistent with applicable PUCO rules and regulations.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

The City will consider other billing options, including CRES Provider consolidated billing, if and when they become available and if it appears advantageous to do so.

Questions and Concerns

The Aggregation Program only impacts the source of generation or power supply. Ohio Power or Ohio Edison will continue to deliver the electricity purchased through the Aggregation Program to participants' homes and businesses through its electric transmission and distribution system. Participants with question or concerns regarding service delivery or safety, such as a power outage, a downed power line, sparking power lines or equipment, low voltage, etc. should continue to contact Ohio Power at 800-277-2177 or Ohio Edison at 888-544-4877, as appropriate. Meter reading or other billing questions should also be directed to Ohio Power at 888-237-5566, or Ohio Edison at 800-633-4766. Questions regarding Aggregation Program enrollment, opting out, and operation should be directed to the CRES Provider.

Question or Concern	Contact	Phone Number
Power outage or interruption	Ohio Power Ohio Edison	800-277-2177 888-544-4877
Turn power on or off	Ohio Power Ohio Edison	800-277-2177 800-633-4766
Meter reading/billing	Ohio Power Ohio Edison	800-277-2177 800-633-4766
To enroll in or opt out of the Aggregation Program	CRES Provider Hours:	800-XXX-XXXX
Aggregation Program Questions or concerns	Service-Safety Director Hours:	419 562-6767
Unresolved disputes (residential customers)	Ohio Consumer's Counsel	877-742-5622 (toll free) www.pickocc.org
Unresolved disputes (all customers)	Public Utilities Commission of Ohio	(800)-686-7826 (voice) (800)-686-1570 (TDD) www.puco.ohio.gov

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Reliability and Indemnification of Consumers

Electric service reliability is essential to Aggregation Program participants. The City will strive to provide high-quality service and reliability through provisions of the CRES Provider contract, through traditional proceedings related to Ohio Power and Ohio Edison's regulated transmission and distribution services; and through direct discussions with Ohio Power or Ohio Edison concerning specific or general problems related to quality and reliability of its transmission and distribution system.

If for any reason a CRES Provider fails to provide uninterrupted service, the City will attempt to acquire an alternative power supply. If this attempt fails, participants will default to Ohio Power or Ohio Edison's Standard Offer Generation Service. In no case will participants be without power as the result of the CRES Provider's failure to provide uninterrupted service. The City will seek to minimize this risk by contracting only with reputable CRES Providers that demonstrate reliable service. The City also intends to include conditions in its CRES Provider contract that will indemnify participants against risks or problems with power supply service and price.

Participant Rights

All Aggregation Program participants shall enjoy the protections of law afforded to consumers as they currently exist or as they may be amended from time to time. These include rights to question billings or service quality or service practices. All program participants shall also enjoy the individual right to decline participation in the Aggregation Program subject to the terms and conditions contained herein.

All Aggregation Program participants will be treated equitably. They will be guaranteed the right to raise and resolve disputes with the CRES Provider, be provided all required notices and information; and always retain the right to opt out of the Aggregation Program or switch suppliers subject to the terms and conditions contained herein.

All consumers within the City's corporation limits shall be eligible to participate in the Aggregation Program on a non-discriminatory basis subject to the terms and conditions described herein, Ohio law, PUCO rules and regulation governing electric service, and Ohio Power's or Ohio Edison's approved tariffs.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Service under the Aggregation Program shall include all eligible customer classes in adherence with universal service principles and requirements, and the traditional non-discriminatory practices of local government. CRES Provider contracts shall contain provisions to maintain these principles and equitable treatment of all customer classes.

Low-income consumers shall remain subject to all provisions of Ohio law and PUCO rules and regulations as they may be amended from time to time regarding their rights to return to Ohio Power's or Ohio Edison's Standard Offer Generation Service and participation in the Aggregation Program.

Participant Responsibilities

Aggregation Program participants are subject to the same standards and responsibilities as other electric consumers, including payment of billings and access to metering and other equipment necessary to carry out utility operations.

Termination of the Aggregation Program

The Aggregation Program may be discontinued upon the termination or expiration of the CRES Provider contract without any extension, renewal or subsequent contract being executed. In the event of Aggregation Program termination, each participant will receive notification at least 90 days prior to such program termination and could return to Ohio Power or Ohio Edison's Standard Generation Offer Service or select another approved CRES Provider.

Definitions

Aggregation

Combining the electric loads of multiple customers for the purposes of supplying or arranging for the supply of competitive retail electric service to those customers.

Aggregation Program Manager

The person or entity designated by the Service-Safety Director, or his assignee to oversee the operation and management of the City of Bucyrus' Municipal Electric Aggregation Program.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Competitive Retail Electric Service (CRES)

A component of retail electric service that is deemed competitive under the Ohio Revised Code or pursuant to an order of the PUCO. This includes but is not limited to the services provided by competitive retail electric service providers, power marketers, aggregators and governmental aggregators.

Competitive Retail Electric Service Provider (CRES Provider)

A person or entity certified by the PUCO and registered with Ohio Power or Ohio Edison who supplies or offers to supply a competitive retail electric service over Ohio Power or Ohio Edison's electric transmission and/or distribution system. This term does not apply to Ohio Power or Ohio Edison in its provision of standard offer generation service.

Consumer

Any person or entity that is an end user of electricity and is connected to any part of Ohio Power or Ohio Edison's electric transmission or distribution system within the City of Bucyrus's corporation limits.

Delivery Charge

Charge imposed by Ohio Power or Ohio Edison for delivering electricity to a consumer's home or business. The charge includes meter reading, billing, transition costs, maintaining electric system reliability and responding during emergencies and outages (also called the distribution charge).

Distribution

The delivery of electricity to a consumer's home or business over Ohio Power or Ohio Edison's local poles, wires, transformers, substations, and other equipment. Ohio Power or Ohio Edison's distribution system operations will remain regulated by the PUCO.

Electric Related Service

A service directly related to the consumption of electricity at a consumer's home or business. This may include, but is not limited to, the installation of demand side

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

management measures at a consumer's premises, the maintenance, repair or replacement of appliances, lighting, motors or other energy-consuming devices at a consumer's premises, and the provision of energy consumption measurement and billing services.

Electric Supply Charge

All charges related to the generation of electricity by the CRES Provider.

Governmental Aggregator

An incorporated village or city, township or county acting as an aggregator for the provision of a CRES under authority conferred under Section 4928.20 of the Ohio Revised Code.

Kilowatt (kW)

A kilowatt is 1,000 watts

Kilowatt-hour (kWh)

A kilowatt-hour is 1,000 watts of electricity used for one hour. For example, a 1,000-watt appliance operating for one hour or a 100-watt light bulb operating for ten hours will consume one kilowatt-hour of electricity. Consumers are charged for electricity in cents per kilowatt-hour.

Ohio Consumers' Counsel (OCC)

The Ohio Legislature established the Ohio Consumers' Counsel (OCC) in 1976 to represent the interests of Ohio's four million residential utility customers served by investor-owned utilities in proceedings before the PUCO, other regulatory agencies and in the courts. The OCC also educates consumers about utility issues and resolves complaints individuals have with investor-owned utility companies.

Participant

A consumer enrolled in the City of Bucyrus' Municipal Electric Aggregation Program.

FINAL PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC AGGREGATION

Public Utilities Commission of Ohio (PUCO)

The state agency charged with assuring all consumers (residential commercial and industrial) served by investor-owned utilities have access to adequate, safe, and reliable utility services at fair prices. The PUCO regulates a wide variety of investor-owned utilities, including electric, natural gas, pipeline, heating/cooling, local telephone, long distance telephone, waterworks, wastewater, railroad, household goods carriers, water transportation, hazardous materials carriers, and commercial transportation carriers.

Standard Offer Generation Service

The electric generation service a consumer will receive from Ohio Power or Ohio Edison (the default electric service provider) if the customer does not choose a CRES Provider.

EXHIBIT A-4

**AUTOMATIC AGGREGATION
DISCLOSURE**



Your Experts in Electricity Savings®

<First> <Last>
<Mailing address>
<Mailing City>, <Mailing State> <Mailing Zip>

IMPORTANT INFORMATION FROM
The City of Bucyrus and AEP Energy
regarding your electricity service at
<S Address>

Dear <First> <Last>:

The City of Bucyrus sets an electric price of [X] cents per kWh for a savings of up to [%] off the current AEP Ohio utility rate.

We are pleased to announce that the City of Bucyrus is providing you with an opportunity to save money on your electricity supply. Under this arrangement, AEP Energy has been selected as the City of Bucyrus' preferred electricity supply provider. This special offer is exclusive for eligible residents and businesses of the City because through the power of volume buying, AEP Energy is able to secure electricity at competitive prices. AEP Energy is an Ohio-based company and a subsidiary of American Electric Power Company, Inc. (AEP).

Through the new City Electric Aggregation Program, eligible residents and businesses will receive [Price] through the period of [Date], starting with the [Date] billing cycle.

You will be automatically enrolled in the program unless you choose NOT to participate by "opting-out" by [Date]. If you do NOT wish to participate in this program, you must follow the "opt-out" instructions.

The City Electric Aggregation Program is a Smart Choice:

- **It's Easy to Participate.** You don't have to do anything to enroll. All eligible residents and businesses will be automatically enrolled in the program unless you choose to "opt-out."
- **Save Money with a Low Price.** The City of Bucyrus has ensured that you will receive a price of [%] through the period of [Date], for your electricity service beginning with the [Date] billing cycle. There is no cost to enroll in this exclusive program.
- **Continue to Receive One Bill.** Your local utility will continue to send you one monthly electricity bill. You can continue to remit one payment to your local utility for AEP Energy charges. Also, your local utility will continue to provide service for any emergency or maintenance issues.
- **Enroll in a Budget Billing Plan.** Simply call the number below to sign up for AEP Energy's Budget Billing Plan.

If you do not wish to participate in this program, you must "opt-out" by calling the AEP Energy Customer Care Team at 1-877-726-0214, Monday – Friday from 8:00 am to 7:00 pm EST and Saturday from 9:00 am to 1:00 pm EST or completing the Electric Aggregation "Opt-Out" Election Form below. Your "Opt-Out" Election Form must be returned by [Date].

You will find additional details of this program in the Frequently Asked Questions and Terms & Conditions within this packet. Thank you.

Respectfully,

[Signature]

Roger A. Moore
Mayor
City of Bucyrus

Jason M. Beck
Managing Director, Residential Business
AEP Energy



The City of Bucyrus Electric Aggregation Opt-Out Election Form

Please print clearly.

<First> <Last>
<Service Address>
<Service City>, <Service State> <Service Zip>

Account Number: <Account Number>

☒ I elect **not** to participate in the City Electric Aggregation Program with AEP Energy.
Promo Code <Promo Code>

Account Holder's Name: (Print)

Phone: (____) _____

Account Holder's Signature: _____

Date: _____

Email Address: _____

This form must be postmarked no later than [Date] for your "opt-out" to be effective.

[Terms & Conditions version:]
[Marketing Code]

IMPORTANT NOTICE: By returning this signed form, I affirmatively elect NOT to participate in the City Electric Aggregation Program. By electing not to participate, I understand from the accompanying materials that I will forego the benefits of this program. I understand that if I choose to "opt-out" of the City Electric Aggregation Program, I must complete this form and mail it to AEP Energy or call AEP Energy at 1-877-726-0214, to "opt-out" no later than [Date]. If this form is not postmarked or I do not call by the specified date, I understand that I will be automatically enrolled in the City Electric Aggregation Program. I assume all responsibility to send the "Opt-Out" Election Form or to call AEP Energy.

Complete form and mail to:
AEP Energy
Attn: City Electric Aggregation Program
PO Box 3489
Chicago, IL 60654

Frequently Asked Questions

What is the City Electric Aggregation Program?

Under the City Electric Aggregation Program, the City acted on behalf of its electricity consumers to select an electricity provider who, through the power of volume buying, is able to secure electricity at competitive prices. The Public Utilities Commission of Ohio ("PUCO") has taken steps to ensure that Ohio's competitive electricity environment is consumer-friendly. Voters in the City approved this aggregation program and the City Council passed an ordinance adopting this Electric Aggregation program.

The City has selected AEP Energy as their preferred electricity supply provider to serve their residents and businesses beginning with the [Date] billing cycle through the period of [Date].

Who is AEP Energy?

AEP Energy is a certified Competitive Retail Electric Service (CRES) provider and a subsidiary of American Electric Power Company, Inc. (AEP). With an office located in Columbus, Ohio, AEP Energy sells electricity supply to customers at market-based prices rather than regulated rates offered by your local utility.

How do I enroll?

You don't have to do anything to enroll. All eligible customers will be automatically included in the program unless you choose to "opt-out." If you "opt-out," you will continue to be served by your local electric utility's standard service offer or until you choose an alternative electric service provider. However, if you do not respond to this letter, the utility will complete the enrollment process. Once the utility completes your enrollment, you will be mailed an enrollment confirmation notice that your electric service will be provided by AEP Energy. No deposits are required to enroll.

When will this program start?

The City Electric Aggregation Program will begin with the [Date] billing cycle through the period of [Date].

What is my price?

The City of Bucyrus has ensured that you will receive an electricity generation and transmission price of [price] beginning with [date] billing cycle.

How do I estimate my savings?

To estimate what your savings per kilowatt-hour (kWh) will be through this program, locate your 'Price to Compare' on your electricity bill. This is the price you pay for electric generation service from the utility, which is made up of both generation and transmission services. Divide your Price to Compare by 100, then multiply by .09 (9%) to determine your savings per kWh. Multiply that number by your total monthly usage and you should see your savings for that month.

Unless you affirmatively "opt-out" by [Date], you will be automatically enrolled if you: a) have an eligible residence or business located in the specified city receiving electric service from AEP Ohio or AEP Energy and b) are not enrolled in the PIPP program. Participation in the program is subject to the Terms & Conditions of the Agreement between the City and AEP Energy. Estimated savings apply to the generation and transmission (if bypassable) service portions of your electricity bill and are based on an average residential customer using 750 kWh of electricity on a monthly basis with a weighted average AEP Ohio Price to Compare (PTC) rate of [price] as of [date] compared to our price of [price] cents per kWh. AEP Energy's price excludes utility distribution charges and other utility charges and fees. Some business customers may be required to install an interval meter depending on peak demand if applicable. For more information, call 1-877-726-0214, write to: AEP Energy, PO Box 3489, Chicago, IL 60654, or visit AEPenergy.com.

AEP Energy is a competitive retail electric service provider. While it is an affiliate of AEP Ohio, AEP Energy is not soliciting on behalf of and is not an agent for AEP Ohio. AEP Ohio customers do not need to purchase any competitive retail electric service from AEP Energy to receive or to continue to receive non-competitive retail electric service from AEP Ohio.

Where do I send payment?

You will continue to receive one bill each month from your local utility. The amount that you owe to AEP Energy will be stated separately on your bill and you will continue to send payments to your local utility only.

Is Budget Billing available?

A Budget Billing Plan is now available for AEP Energy's charges (Generation and Transmission charges). The Budget Billing Plan levels your monthly payments to even out the seasonal highs and lows of your monthly bills. You'll have more certainty and can better manage your electricity expenses. Please visit www.aepretailenergy.com/bbplan for more information.

Can I cancel at any time?

Yes, you may cancel without penalty and switch to another provider or revert back to AEP Ohio, the local utility. Should you cancel your service with AEP Energy and return to standard offer service with your local utility, you may not be served under the same rates, terms, and conditions that apply to other utility customers.

What happens at the end of the program?

As the program draws to a close, the City can choose to seek bids from electricity providers in order to negotiate a new contract on behalf of eligible households. If at that time, the program has not produced the savings originally anticipated for customers, the City can also choose to end the program, at which time participants would be notified of their options for continuing in a different program with AEP Energy, switching to another provider, or reverting back to AEP Ohio, the local utility.

Why is this an "opt-out" program?

It enables AEP Energy to offer a lower group rate based on the community's size.

Why did the City select AEP Energy as its provider?

The City selected AEP Energy as its provider following a competitive bidding process. AEP Energy was able to propose a program that represented the best overall value for eligible households and businesses.

If I opt-out initially, can I choose to join the program at a later date?

If you opt-out initially, unfortunately, you will not be able to join the program at a later date.

What happens if my family moves to another home or I move my business location?

If you move to another home or business location within the City of Bucyrus, you will be able to continue participating in the program. If you leave the City of Bucyrus, you will no longer be eligible to participate.

If you have any additional questions, please contact the AEP Energy Customer Care Team at 1-877-726-0214, Monday – Friday from 8:00 am to 7:00 pm EST and Saturday from 9:00 am to 1:00 pm EST.

EXHIBIT A-5

EXPERIENCE

City of Bucyrus Experience

The City of Bucyrus has experience in negotiating, contracting and providing for common services for residents of the City. Some examples of experience as a service provider are:

- Water and Sewer Service
- Police and Fire Service
- Parks and Recreation

The Mayor, City Council and City Staff routinely negotiate for services and supplies that benefit the residents of Bucyrus.