

FILE



KELLER J. BLACKBURN
Athens County Prosecuting Attorney

34
Athens County Courthouse
1 South Court Street
Athens, Ohio 45701
Phone: 740-592-3208
Fax: 740-592-3291

May 22, 2014

14-936-EL-GAG

Chairman Tom Johnson
Public Utilities Commission of Ohio
c/o Docketing Department
180 East Broad Street
Columbus, Ohio 43215-3793

Dear Chairman Johnson:

Please find enclosed an original and three (3) copies of the Southeastern Ohio Public Energy Aggregation Certification Application for filing with your office.

If your staff should have any questions about this filing, they can contact John Haseley in my office.

Thank you for your assistance in this matter.

Sincerely,

Keller J. Blackburn
Athens County Prosecutor

2014 MAY 22 PM 2:29
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Date Received	Case Number	Version
8/1/09	00000000	August 2009

The Public Utilities Commission of Ohio

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: Athens County
Address: 15 South Court Street, Second Floor, Athens, Ohio 45701
Telephone Number: 740-592-3219
Web site address (if any): www.co.athensoh.org/Commissioners

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.

See Exhibit A-2 (attached)

A-3 Exhibit A-3 "Operation and Governance Plan" provide a copy of the applicant's plan or 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:

See Exhibit A-3 (attached)

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

See Exhibit A-4 (attached)

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.

See Exhibit A-5 (attached)

A-6 Contact person for regulatory or emergency matters

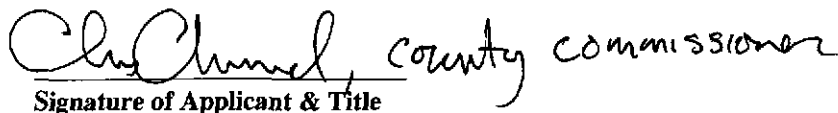
Name: Roger Wilkens
Title: Aggregation Administrator
Business address: 94 Columbus Road, Athens, Ohio 45701
Telephone number: (740) -541-5340 Fax # (740) 593-5451
E-mail address: athensaggregation@gmail.com

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

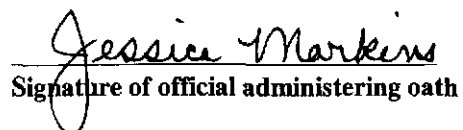
Name: Roger Wilkens
Title: Aggregation Administrator
Business address: 94 Columbus Road, Athens, Ohio 45701
Telephone number: (740) -541-5340 Fax # (740) 593-5451
E-mail address: athensaggregation@gmail.com

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

Address: 94 Columbus Road, Athens, Ohio 45701
Toll-free telephone number: (740)-541-5340
Fax #: (740) -593-5451


Signature of Applicant & Title

Sworn and subscribed before me this 21 day of May, 2014
Month Year


Signature of official administering oath

Jessica Markins, Notary Public
Print Name and Title

My commission expires on Feb. 11, 2018

Exhibit A-2

Authorizing Ordinance

- Certification of Athens County Election Results
- Athens County Resolution
- Certification of Athens City Election Results
- Athens City Ordinance
- Public Hearing Notifications

Southeastern Ohio Public Energy Council
Aggregation Certification Application

CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 3501.11

State of Ohio
County of ATHENS }

The Board of Elections of ATHENS County hereby
certifies that at the election held in the COUNTY OF ATHENS
(Name of Subdivision)

on the 5TH day of NOVEMBER, 2013, the vote cast on the following issue was
as follows:

Issue Shall the County of Athens have the authority to aggregate the retail electric loads
located in the County of Athens, and for that purpose, enter into service agreements to facilitate for those
(Tax levy, bond issue, miscellaneous question, etc.-describe fully)
loads the sale and purchase of electricity, such aggregation to occur automatically except where
any person elects to opt out?

Votes <u>YES</u> (For, yes, etc.-as on ballot)	<u>2,342</u> (Number)
Votes <u>NO</u> (No, against, etc.-as on ballot)	<u>2,149</u> (Number)
Total vote cast on issue:	<u>4,491</u> (Number)

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at ATHENS
Ohio, this 21st day NOVEMBER, 2013.

Aileen Walker
Andrew Carpenter-Cole
Kynthia E. Bann
Kate M. Quakenbush

Attest: Debra Prineas
Director

BOARD OF ELECTIONS

ATHENS County, Ohio

Athens County Commissioners



Charlie Adkins
cadkins@athensoh.org
Chris Chmiel
cchmiel@athensoh.org
Lenny Eliason, MPA
leliason@athensoh.org

15 South Court St.
Athens, Ohio 45701
(740) 592-3219
Visit us at our website:
co.athensoh.org

JoAnn Sikorski
Clerk/Admin. Assistant
jsikorski@athensoh.org
Telephone (740) 592-3292
Fax (740) 594-8010

This is a resolution authorizing the Board of Athens County Commissioners to execute an agreement with the Southeast Ohio Public Energy Council for the purpose of jointly establishing and implementing an electricity aggregation program, pursuant to the Ohio Revised Code section 4928.20.

Whereas, by joining the Southeast Ohio Public Energy Council, Athens County will be able to act jointly with other political subdivisions that have authorized the Electricity Aggregation Program in their respective jurisdictions and thereby maximize the potential benefits of the electricity sourcing and economic development through group purchasing efforts.

Whereas, by resolution of the Board of the Athens County Commissioners, directed the Athens County Board of Elections to submit a ballot question to the electors effecting a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20 of the Ohio Revised Code; and

Whereas, on November 5, 2013, the electors of the unincorporated areas of Athens County voted in the affirmative, giving the County of Athens the authority to aggregate the retail electric loads located within the unincorporated areas of Athens County to 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.

Signed the 14th day of May, 2014.

A handwritten signature in cursive script, reading "Lenny Eliason".

Lenny Eliason, President

A handwritten signature in cursive script, reading "Chris Chmiel".

Chris Chmiel

A handwritten signature in cursive script, reading "Charlie Adkins".

Charlie Adkins



CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 3501.11

State of Ohio

County of ATHENS }The Board of Elections of ATHENS County herebycertifies that at the election held in the CITY OF ATHENS

(Name of Subdivision)

on the 5TH day of NOVEMBER, 2013, the vote cast on the following issue was as follows:

Issue Shall the City of Athens have the authority to aggregate the retail electric loadslocated in the City of Athens, and for that purpose, enter into service agreements to facilitate for those

(Tax levy, bond issue, miscellaneous question, etc -describe fully)

loads the sale and purchase of electricity, such aggregation to occur automatically except whereany person elects to opt out?Votes YES

(For, yes, etc -as on ballot)

1,067

(Number)

Votes NO

(No, against, etc. -as on ballot)

206

(Number)

Total vote cast on issue:

1,273

(Number)

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at ATHENSOhio, this 21st day NOVEMBER, 2013.

Sharon Wacker Chair
Lyndee Carpenter-Colvin
Kynthia E. Bann
Kate M. Lusk

Attest:

Debra J. J. J.
 Director

BOARD OF ELECTIONS

ATHENS

County, Ohio

RECORD OF ORDINANCES

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6220

Ordinance No. **0-30-14**

Passed **May 5, 2014**

Introduced by All Members of Council

15th
4/17

2nd
4/21

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ATHENS TO EXECUTE AN AGREEMENT WITH THE SOUTHEAST OHIO PUBLIC ENERGY COUNCIL FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN ELECTRICITY AGGREGATION PROGRAM, PURSUANT TO OHIO REVISED CODE SECTION 4928.20; AND DECLARING AN EMERGENCY.

WHEREAS, by joining the Southeast Ohio Public Energy Council, the City will be able to act jointly with other political subdivisions that have authorized the Electricity Aggregation Program in their respective jurisdictions and thereby maximize the potential benefits of the electricity sourcing and economic development through group purchasing efforts; and


WHEREAS, Ordinance 99-13, adopted on July 15, 2013, directed the Athens County Board of Elections to submit a ballot question to the electors effecting a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20 of the Ohio Revised Code; and

WHEREAS, on November 5, 2013 the electors of the City voted in the affirmative, giving the City of Athens the authority to aggregate the retail electric loads located within the City and to 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;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The Mayor is hereby authorized to execute an agreement with the Southeast Ohio Public Energy Council for the purpose of jointly establishing and implementing an Electricity Aggregation Program, pursuant to Ohio Revised Code Section 4928.20.

SECTION II: This Ordinance shall be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Athens, Ohio, in order to maximize the potential benefits of energy and economic development, and the advancement of sustainability goals as well as reduced electricity rates, and it shall be in full force and effect upon its passage and approval by the Mayor.


President of Council

ATTEST:


Clerk of Council

APPROVED:


Mayor

TO PLACE A CLASSIFIED AD:

ONLINE: www.classifieds.athensnews.com

BY PHONE: 740-594-8219 • Fax 740-592-5695

IN PERSON: Come to 14 N. Court St., 2nd floor

BY MAIL: Use this coupon

OR E-MAIL US AT classifieds@athensnews.com

RATES: Based on 22 words (additional words: 20¢ per word/issue) (2 issues/week).

1 week—\$31.00

2 weeks—\$58.00

3 weeks—\$81.00

4 weeks—\$98.00

Not Applicable on 900 #s & Telephone Service Ads

Sell My Ride Cars, Trucks, Vans, Motorcycles, SUV's, ATV's (25 words)—\$38.00

Asking price must be in Ad. One item per Ad.

Not applicable on Real Estate. 104 issue limit.

FREQUENCY DISCOUNT RATES AVAILABLE

Free Classified Categories are: Rides, Free/Giveaway, Lost & Found, and Personals (Paid Personals are those which contain: last names, phone #s, address, or conditional reply other than The Athens NEWS Personals). **MUST BE 16 WORDS OR LESS.** Must be hand-delivered, mailed or e-mailed to classifieds@athensnews.com (no phone-ins). Limit one per issue.

DEADLINES: Friday at 5:00pm for Monday Issue
Wednesday at 12:00 noon for Thursday Issue

CLASSIFIEDS INDEX

NOTICES ANNOUNCEMENTS, IN MEMORIAM, LEGAL NOTICES, LOST AND FOUND, PERSONALS, RIDES AVAILABLE, RIDES NEEDED

EMPLOYMENT BUSINESS OPPORTUNITIES, EMPLOYMENT SERVICES, HELP WANTED, SCHOOL/INSTRUCTION, SITUATIONS WANTED

RENTALS APARTMENTS, COMMERCIAL, HOUSEMATES, HOUSES FOR RENT, LOTS, MOBILE HOMES FOR RENT, OFFICE SPACE, PARKING, ROOMS, STORAGE, SUBLEASING, WANTED TO RENT

REAL ESTATE COMMERCIAL, HOMES FOR SALE, INVESTMENT PROPERTY, LAND TRANSFERS, LOTS/ACREAGE, MOBILE HOMES FOR SALE, REAL ESTATE WANTED

SUPPLIES & SERVICES AUTOMOTIVE REPAIR, BEAUTY & IMAGE, BUILDING MATERIALS, CHILD CARE SERVICES, CLEANING SERVICES, COMPUTER SERVICES, ELECTRICAL SERVICES, FINANCIAL SERVICES, FIREWOOD/COAL, GREENHOUSES, HAULING, HEALTHCARE, HOME IMPROVEMENT, INSURANCE, LANDSCAPING, LAWN/GARDEN, PETS & SUPPLIES, PHOTOGRAPHY, PROFESSIONAL SERVICES, REPAIR SERVICES

MERCHANDISE APPLIANCES, ARTS & CRAFTS, AUCTION, AUTO PARTS/ACCESSORIES, COMPUTERS, FARM EQUIPMENT, FREE GIVEAWAY, GARAGE SALES, HOME FURNISHINGS, LIVESTOCK, MISCELLANEOUS, MOVING SALES, MUSICAL INSTRUMENTS, WANTED TO BUY, YARD SALES

HEALTHY LIVING LOCALLY GROWN, FARM TO FORK, ALTERNATIVE HEALING, BEAUTY & IMAGE, BODY & SOUL, COUNSELING & THERAPY, FITNESS, HEALTH & WELLNESS, LICENSED MASSAGE, SPAS

VEHICLES AUTOMOBILES, BICYCLES, BOATS, CAMPER/MOTOR HOMES, MOTORCYCLES/ATV'S, SPORT UTILITY VEHICLES, TRUCKS, VANS

Please indicate ☐ CHECK ENCLOSED
form of payment ☐ ☐ ☐ ☐

Name _____

Phone _____

Address _____

City _____ State _____ Zip _____

Credit Card # _____

Exp. Date _____ Signature _____

NO REFUNDS - A 120-DAY CREDIT WILL BE GIVEN FOR FUTURE CLASSIFIED ADVERTISEMENTS

Type or print your ad clearly:

NOTICES

ANNOUNCEMENTS

CHECK YOUR AD!

Please check your ad on the first day it appears in the paper to make sure everything is correct. Sometimes instructions over the phone are misunderstood and an error can occur in your ad. If this happens please contact us the first day your ad appears and we will be happy to fix it as soon as possible. We appreciate your business. The Athens NEWS.

GETTING MARRIED?

Go to www.athensnews.com to view our online **BRIDAL DIRECTORY**. Your complete list at your fingertips!

The Athens NEWS wants to help **PREVENT COSTLY SCAMS** involving take checks and money orders.

YOU CAN LEARN MORE AT

www.lookstoogoodtobetrue.com

Federal law enforcement agencies and corporate partners help educate consumers on how to avoid internet frauds, including those that involve counterfeit cashier's checks and money orders. If you are unable to access the internet and have questions concerning advertising scams, please contact Marcey at 594-8219.

PERSONALS

CRYSTAL, I felt betrayed; I thought I was your one and only sugar-daddy. Pay it forward.

FREE/GIVEAWAY Ceramics Monthly magazines; back issues: contact kalisa@eurakanel.com

MEET SINGLES RIGHT NOW! No paid operators, just real people like you. Browse greetings, exchange messages and connect live. Try it free. Call now 1-888-909-9905.

NOTHING CHANGED In my life since Feb. 16 except I lost my best friend. Call me.

PEARLS FOR CHRISTMAS meant friendship for life. I miss my friend. Call before it's too late.

PUBLIC NOTICES

Notice of a Public Meeting to Solicit Community Input On the Formation of an Aggregation Council
Thursday, May 1, 6:30 - 8:30 PM
At the Athens Community Center

Summary of the Proposed Plan of Operations and Governance

1. The council will be called the Southeast Ohio Public Energy Council (SOPEC).
2. The initial members will be Athens City and Athens County. When other incorporated areas of the county pass aggregation measures, they will be invited to join SOPEC.
3. The primary goals of SOPEC are as follows:

- Reasonably priced energy supply;
- Maximum investment of energy generation dollars in local projects and energy options;
- Clean and sustainable energy sources as significant portions of community energy supply;
- Investments in local energy efficiency investments;
- Assurance of community economic and energy development goals.

4. Steps in the process:
 - Establishment of the Aggregation Council;
 - Completion of the plan of Operations and Governance for the Council;
 - Bringing the Plan to the public for comment;
 - Submission of the Plan to the PUCO for approval and certification of the Council;
 - Draft of a Request for Proposals (RFP) for energy suppliers to provide the energy and other services to implement the aggregation program;
 - Issuance of the RFP to all interested potential suppliers;
 - Selection a supplier and negotiate final terms;
 - Notification to residents via newspapers and internet of the new electric supplier, electric rate and other services;
 - Assurance that eligible residents receive Opt-Out letters from new supplier, allowing 21 days to choose to opt-out of the program;
 - Assurance that all eligible residential and small commercial customers who do not opt-out are switched from AEP to the new supplier.

5. Participation in the program is voluntary however, residents must take the necessary steps to opt-out within 21 days if they do not want to participate. Opt-out notices will be provided via mail to all eligible residential and small business customers of AEP in the county before the start of the program.

6. All residential and non-residential customers who are not on a Percentage of Income Payment Plan (PIPP), currently not with a different supplier than AEP, and who use less than 700,000 kilowatt-hours per year located within county or city limits are eligible.

7. The supplier selected by SOPEC will be responsible for customer service; however, SOPEC will monitor the level and quality of service provided.

8. AEP will continue to be responsible for billing. The only difference on the electric bill will be the cost for electric supply services, which is the first charge listed at the top of the bill. Delivery service charges, taxes, and other charges will still apply. A contact number for questions of the aggregation program's electric supplier will be included on every bill.

9. AEP will continue to be responsible for all power related issues, including power outages.

10. Every three years, during a 21-day period customers will be permitted to opt-out of the aggregation at no fee. At other times a small opt-out fee may be charged.

11. A council composed of representatives appointed by the legislative bodies of the members will develop policy, oversee operations, and hire staff and consultants to implement the aggregation program.

12. Funding for SOPEC activities will be provided by the selected supplier with an appropriate kilowatt hour charge to all participating consumers to cover costs of the program. This charge will be a fraction of a mill (less than one tenth of one cent) per kilowatt hour.

The complete text of the SOPEC Plan is available on the Athens County and Athens City web sites. Please contact the Aggregation Administrator, Roger Wilkins, at 740-541-6340 or athensaggregation@gmail.com for more information.

EMPLOYMENT



HELP WANTED

ANNUAL JOB FAIR at the Athens Community Center, Wednesday, April 30, 10am-2pm. Please refer to The Athens NEWS page 2 Career Classifieds section of today's paper for further details.

Athens County Board of Developmental Disabilities is currently accepting applications for a **HABILITATION SPECIALIST**. Please refer to The Athens NEWS page 2 Career Classifieds section of today's paper for further details.

CLASSIFIEDS

BAKER/PREP MANAGER POSITION

Avalanche Pizza is currently seeking a hard-working, clean-cut, self motivated individual to join our management team. Applicant must be available odd hours and weekends, possess great organizational skills, and be fanatical about pizza! Prior experience a plus.

Get in on the ground floor with our award-winning company!

Send resumes to:

Avalanche Pizza
Attn: Director of Human Resources
329 E. State St. Athens, OH 45701
No phone calls, please.

Career Connections is currently accepting resumes for **MULTIPLE POSITIONS**. Please refer to The Athens NEWS Career Classifieds section of today's paper for further details.

CARPET CLEANERS- No experience necessary. Background check required. Full time. Call 614-849-8795.

CLEANERS NEEDED May 3 - May 10 2014. Please apply in person at Nice & Neal 1005 E. State St. Suite 4. **NO PHONE CALLS PLEASE**

CLEANING HELP WANTED, Beginning May 5, 2014. 3-5 days cleaning rentals. Apply in person at HousingHotLink.com & N Court St. Suite 101.

EXPERIENCED CONCRETE FINISHERS, LABORERS & ESTIMATORS needed. 2 years minimum experience required for Finishers & Laborers. 740-698-4317 or info@stumpdayconcrete.com

EXPERIENCED PAINTERS AND CLEANERS WANTED for first part of summer to paint and clean student rentals. Email Scott at scottbeach200@aol.com for information.

The Athens NEWS

General Assignment Reporter

Looking for a talented, aggressive news reporter, with investigative reporting skills and/or background to join our team. This is a general assignment news position that mainly focuses on cops and courts, but also will require the versatility to cover various local and state government issues, higher education and feature stories. The focus is on hard-hitting local news that engages readers in our community. Social media, web writing, and page layout experience (Adobe InDesign) preferred.

Successful candidate will have experience researching, reporting and writing investigative news stories in a professional environment. However, we will consider recent college grads with solid internship experience.

Benefits package available for full-time employees.

Please send cover letter, resume with at least three professional references, and three published samples of your writing.

news@athensnews.com

Supportive and enjoyable working atmosphere.
No phone calls please.
Non smokers only • EOE

GRAPHIC DESIGNER Part Time

Are you knowledgeable with Adobe Creative Suite with strong InDesign skills? Athens County's largest circulation and only locally owned newspaper is looking for a fast, confident, detail oriented individual. Non-smokers only. 12-20 hours/week, starting at \$8.10/hour, with a performance and wage review after 90 days.

Submit resume, cover letter, work references and 5 design samples to: Laura Ziernski, Graphics Editor, laura@athensnews.com or "Graphics Editor" P.O. Box 545 Athens, OH 45701

Notice of a Public Meeting to Solicit Community Input On the Formation of an Aggregation Council

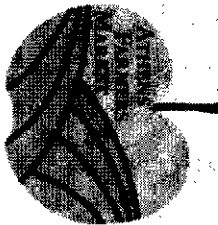
For Athens City and County

Thursday, May 8th from 7 -9 PM
at the Amesville Grange Hall

The complete text of the plan is available on the
Athens County and Athens City websites.

Please contact the Aggregation Administrator, Roger Wilkens, at 740-541-5340
or athensaggregation@gmail.com for more information.

Choose fresh. Choose local.



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9-12

Farmers, bakers,
and so much more!

1000 E. State Street

www.athensfarmermarket.org

OPINION

Thursday, May 8, 2014

OU and its students should be ashamed by trash left behind

To the Editor:

There is absolutely NO excuse for the mess left behind by student renters leaving Athens for the summer. North Congress in my neighborhood looks like a cross between a war zone and a junk yard, with

YOUR LETTERS



mountainous heaps of trash – much of it not even in trash bags – and discarded furniture

Notice of a Public Meeting to Solicit Community Input
On the Formation of an Aggregation Council

For Athens City and County

Thursday, May 8, 7:00-9:00 PM

At the Amesville Grange Hall

- The council will be called the **Southeast Ohio Public Energy Council** (SOPEC).
- The initial members will be Athens City and Athens County. When other incorporated areas of the county pass aggregation measures, they will be invited to join SOPEC.

The complete text of the SOPEC Plan is available on the Athens County and Athens City web sites. Please contact the Aggregation Administrator, Roger Wilkens, at 740-541-5340 or athensaggregation@gmail.com for more information.

Exhibit A-3
Operation and Governance Plan

**Southeastern Ohio Public Energy Council
Aggregation Certification Application**

Southeast Ohio Public Energy Council

**Electric Plan of Operation
& Governance**

For Member Communities

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Introduction

On November 5, 2013 the voters of Athens City and Athens County approved ballot measures that authorized government electrical aggregation. The City has agreed to be part of the County Aggregation program as permitted under Ohio Revised Code 4928.20(a). Both measures called for “opt-out” programs, which means that all AEP residential and certain business customers are included in the program unless they explicitly opt-out. As required by Ohio Law, the county commissioners and city council passed legislation that authorized submitting the selection of opt-out electrical aggregation to the voters.

To comply with PUCO regulations Athens City and Athens County are joining together to form an “aggregation council”, which will file with the PUCO for certification as a Government Aggregator. The following Plan of Operations and Governance, which Athens City and Athens County developed, constitutes a portion of that application to the PUCO. As required by PUCO regulations the two hearings to solicit public input on the plan were held on May 1, 2014 and May 8, 2014. Announcement of the hearings and a summary of the Plan were published in the Athens News on April 17, 2014 and April 24, 2014. Additional advertisements of the hearings were published in the Athens News and Athens Messenger prior to the hearings.

Objectives for the Program:

This Plan of Operation and Governance has been developed for the Southeast Ohio Public Aggregation Council (SOPEC) on behalf of its two current members, Athens County and Athens City, and future members with plans to join the program. This plan includes all details related to operations of the collaborations between members, the procurement of energy supply, and the expectations of members for suppliers. This plan includes all information necessary for the certification of SOPEC by the Public Utilities Commission of Ohio as a Governmental Aggregator under Ohio Revised Code 4928.21. This plan will not be adopted until public hearings are held in accordance with Section (C) of the above code provision.

The specific goals of this governmental aggregation effort are as follows:

1. To pursue reasonably price cost energy supply through the bargaining power of pooled customer aggregation purchases;
2. To ensure maximum investment of energy generation dollars in local projects and energy options;
3. To secure clean and sustainable energy sources as significant portions of community energy supply;

4. To include in generation supply purchases investments in local energy efficiency investments;
5. To provide an option for aggregation of all eligible consumers on a non-discriminatory basis;
6. To allow the eligible consumers who do not participate to opt-out;
7. To ensure that suppliers provide quality, reliable service and customer service;
8. To include to the extent possible government accounts into the aggregation;
9. To advance community economic and energy development goals; and
10. To utilize local government powers and authorities to achieve these goals.

The process of governmental aggregation under ORC 4928.21 defines two different types of aggregation that may be enacted by a governmental entity opt-in aggregation and opt-out aggregation. Opt-in aggregation can occur only with the prior consent of each electric customer. At this stage, SOPEC's founding members have both passed opt-out aggregation options. Under the opt-out aggregation provision, all electric customers within the boundaries of current SOPEC member boundaries will be automatically included in the Program. Such customers will be given prior notice entitling them to affirmatively elect not to be part of the Program. These customers can opt-out during a 21-day period. A similar opt-out period will be offered at least every three years during which Members can leave SOPEC's aggregation pool without paying a switching fee. Distribution services will continue as a function of the local utility; but SOPEC may request suppliers to take on billing responsibilities for customers participating in supplier led energy efficiency or distributed generation programs. The local utility will continue to own, furnish, install, calibrate, test and maintain all meters and associated equipment used for customer billing and retail energy settlement purposes. The local utility shall be the "provider of last resort" for customers not participating in the Program who have no other competitive Supplier.

SOPEC will not assume title to electric generation. It will not buy and resell electric generation to the participants of the program. Instead SOPEC will negotiate a contract with a competitive retail electric Supplier to provide electric supply to the Members of the aggregation program. Billing and scheduling of electric loads shall be handled by the supplier or local utility.

Rates

Under PUCO orders, the local distribution company assigns the customer classification and corresponding character of service and associated regulated rates. These rates include a monthly customer charge, a distribution charge, a transmission charge, and an access charge. Although SOPEC may participate in regulatory proceedings and represent the interests of consumers regarding these

regulated rates, it will not assign or alter existing customer classifications without the approval of the PUCO.

The focus of the SOPEC Aggregation Program, as noted above, will be acquisition of competitive prices and terms for power supply. The prices will be set through a competitive request for proposals and contract and negotiation process, and will be indicated on the consumer bill as the “generation charge.” Ohio law requires that a government aggregator separately price competitive retail electric services and that the prices be itemized on the bill of a customer or otherwise disclosed to the customer. The generation charge for each customer class, or any customer grouping by load factor or other appropriate pricing category, is expected to be lower than the utility’s standard offer generation charge. All Supplier charges to the customer will be fully and prominently disclosed under the notification process.

Steps for Communities in the Process

SOPEC will administer the following steps to ensure a legally effective aggregation and power supply from the competitive market. SOPEC will take these steps on behalf of member communities, and suppliers shall react as follows:

1. SOPEC shall develop and release a Request for Proposals that incorporates and addresses all of the goals expressed in section two of the Plan of Operation & Governance
2. Suppliers will respond to the SOPEC issued Request for Proposals; SOPEC and its agents will engage in direct negotiations with Suppliers
3. SOPEC shall select suppliers and execute supply contracts with suppliers
4. The local distribution utility for each member community shall supply its electronic list of eligible customers for those communities
5. Notification of opt-out process described below will be undertaken by SOPEC in conjunction with the Supplier via U.S. mail and utilizing the customer list addresses;
6. The Customer list will be revised by the SOPEC and the Supplier based upon the responses to the opt-out notice; which will then be transmitted to the appropriate distribution utility;
7. The appropriate distribution utility for each member community will complete the administrative transfer of participating customers to the chosen supplier
8. SOPEC will ensure the firm delivery of electric supply based on the terms and conditions of the supply contract
9. SOPEC acts to protect the interests of member communities

Customer Involvement in the Program

An “eligible consumer” in the program shall be a consumer as to whom a competitive rate is available and is not already enrolled in a State of Ohio sponsored Aggregation Program for residential customers or is otherwise ineligible under utility or PUCO rules. Eligible consumers shall be notified of the Aggregation Program and terms and conditions of participation prior to initiation of services and be provided an opportunity to “opt-out” at no cost during a 21-day period specified in the terms and conditions of the Supply Contracts.

Customers that shall not be included in a governmental aggregation program pursuant to utility or PUCO rules include the following:

- A customer located in the certified territory of a non-profit electric supplier;
- A customer served by transmission or distribution facilities of a municipal electric utility;
- A customer that affirmatively chooses to be included on the PUCO’s “do not aggregate” list;
- A “mercantile customer” (defined as a commercial or industrial customer that consumes more than seven hundred thousand kilowatt hours per year or is part of a national account involving multiple facilities in one or more states) that fails to affirmatively elect to participate in an aggregation program;
- A customer already in contract with another competitive retail electric service supplier;
- A customer that has opted out of the governmental aggregation program;
- A customer enrolled in the percentage of income payment plan (PIPP);
- A customer that has a special arrangement with the distribution utility; and
- A customer not located within the boundaries of the governmental aggregator’s member communities.

Opt-Out Process

During this 21-day period consumers may choose another competing supplier or other service offer from their local distribution company. Participating consumers will be given the opportunity every three years after the initiation of service to opt-out. Participating consumers who choose to opt-out of the Aggregation Program after the initial 21-day period, but prior to the next three-year opt-out opportunity, may face an exit charge, which will be described in the opt-out notification.

Consumers who relocate to a SOPEC member community (including those who move from a member community) and are new electric customers may participate in the program at the existing price and terms offered for that customer class, or other terms specified under the supply contract. Such new electric consumer can also choose to opt-out of the Aggregation Program at no charge during the initial 21-day period after relocation and at subsequent opt-out periods every three years.

Prior to initiation of service, all eligible consumers shall be notified of the opt-out terms. The process of notification shall be as follows:

1. A separate mailing
2. Newspaper notices
3. Public service announcements
4. Posting of prominent notice in the local government office building in each member community

Prior to enrollment, notification shall be mailed in a timely manner for receipt by consumers prior to their start of service day. The opt-out period is 21 days. The notification shall include the following elements:

1. Information regarding the consumers right to decline and opt out service without penalty
2. Information regarding the consumer right to opt-out of the program and return to Standard Offer service or competitive service with another supplier without penalty every three years;
3. All charges to be made and a comparison of the primary terms of SOPEC's selected contract compared to the Standard Offer;
4. Information about eligible energy efficiency and distributed energy customer options; and
5. A consumer-friendly form to check off, sign and return to indicate a decision to opt-out of the program.

Consumers that do not return the opt-out form within 21 days shall be automatically included in the Aggregation Program.

To effectively activate the program, the local distribution shall provide an eligible customer list; this list shall not be inclusive of customers whom have already selected a competitive supplier. This information must also include applicable meter numbers and other appropriate codes. Following the opt-out process, the supplier shall eliminate all customers who chose to opt-out from the electronic customer list. The revised electronic customer list shall be transmitted back to the local distribution utility for a customer transfer to the selected suppliers. Eligible

customers on all billing cycles will be enrolled with the selected supplier with the beginning of a new billing cycle.

Eligible customers who relocate to a SOPEC member community shall be included in the Aggregation Program, subject to their opportunity to opt-out. New customers shall be informed of this opportunity by the local distribution utility when they sign up for service. The supplier shall be notified of these eligible customers by the local distribution utility; and the supplier shall be responsible for any opt-out notice.

Every three years, customers may be permitted to opt-out of the aggregation program at no fee.

Consistent with the requirements of Ohio law and the regulations of the PUCO, termination of service may take place for non-payment of bills. Customers whose power supply is terminated by a selected Supplier will receive electric supply from their local distribution company. Customers may be considered for re-enrollment in the Aggregation Program once they have met the requirements of law and are current on bill payment.

Customer Service

Regarding all issues of consumer protection (including provisions relating to slamming and blocking), SOPEC will ensure that the selected Supplier comply all statutes, rules and regulations currently in place and as may be amended from time to time. SOPEC will provide on-going consumer education in member communities through public service announcements, posting of information, media press releases, advertising, and direct mailing depending on the subject and appropriate venue. SOPEC will also assist member communities with all required notifications, information, and public hearings.

SOPEC will ensure that consumers are provided with adequate, accurate and understandable pricing and terms and conditions of service, including any fees, opt-out opportunities, including the conditions under which a consumer may rescind a contract without penalty.

The selected supplier shall utilize the billing services of the local distribution company to render timely billings to each participating customer; except where bills will be directly managed by the Supplier for the purposes of providing energy efficiency, distributed generation or other options as specified under contract.

All bills shall comply with PUCO rules, regulations, and requirements regarding the essential components and formats. Credit and collection processes concerning

billing will remain the sole responsibility of the selected Supplier and the local distribution company as provided by state law. Under no circumstances shall SOPEC have any responsibility for payment of any bills.

Unless otherwise specified in the Supply Contract, all billing shall be based on the meter readings generated by meters of the distribution company at the consumer facilities. Consumer bill shall be rendered monthly. Customers are required to remit and comply with the payment terms of the distribution company and/or the Supplier. Billing may take place through the distribution company at the Supplier's option. In the event that necessary billing data is not received from the distribution company in time to prepare monthly bills, the Supplier reserves the right to issue a bill based on an estimate of the participating consumer's usage for that billing period. Any over-charge or under-charge will be accounted for in the next billing period for which actual meter data is available.

Consumer Protections

The following consumer protection provisions are anticipated to be contained in a Supply Contract:

1. Title to and risk of loss with respect to the electric energy will transfer from the Supplier to participating consumers at the Point-of-Sale, which is the customer's side of the meter.
2. Energy delivered pursuant to the Supply Contract will begin on the first meter reading date following the scheduled initiation of service date for each rate class or customer group, or individual customer as described in the Supply Contract, or as soon as necessary arrangements can be made with the distribution company thereafter and will end on the last meter reading date prior to the expiration date. The Supplier has the right to request a "special" meter reading by the distribution company to initiate energy delivery and agrees to accept all costs (if any) for such meter reading. The participating customer also has such a right, and similarly would bear the costs (if any) of such special meter reading.
3. Recognizing that electricity provided under the Supply Contract shall be ultimately delivered by the distribution company, to the extent permitted by law, the Supplier shall not be liable for any damage to a participating consumer's equipment or facilities, or any economic losses, resulting directly or indirectly from any service interruption, power outage, voltage or amperage fluctuations, discontinuance of service, reversal of service, irregular service or similar problems beyond the Supplier's reasonable control. To the extent permitted by law, except as expressly stated in the Supply Contract, the Supplier will make no representation or warranty, express or implied (including warranty of merchantability or of fitness for a

particular purpose), with respect to the provision of services and electric energy.

4. Given the increasing interest in and need for high levels of reliability, the Supply Contract will help assure that participating consumers in SOPEC member communities receive power supply with reliability equal to that of native load customers for the distribution company. The Supplier is providing generation and transmission services, and participating consumers must rely upon the distribution company for regional transmission, and local transmission and distribution services for ultimate delivery of electricity where reliability problems occur. However, within the scope of electric energy supplier obligations, the Supplier shall take or adopt all reasonable steps or measures to avoid any unnecessary outages, service interruptions, capacity shortages, curtailments of power supply, voltage reductions, and any other interference or disruption of electric supply to Point-of-Delivery, and shall give the highest priority of supply to the electricity made available under the Supply Contract consistent with the requirements of law and equivalent to network service available to native load customers.

Consumer Complaints

It is important that consumer complaints be directed to the proper party. The selected Supplier shall ensure that each participating consumer receives a printed copy of a toll-free number to call regarding service problems or billing questions. The Supplier shall refer reliability, line repair, or service interruption, and billing issues to the local distribution company. The Supplier shall handle all complaints in accordance with applicable laws and regulations. Problems regarding the selected Supplier can be directed to SOPEC or the PUCO. SOPEC will continue to monitor the selected Supplier for compliance with consumer protection provisions in the Supply Contract and timely resolution of consumer problems. Problems regarding the selected Supplier(s) can be directed to SOPEC or the PUCO. Customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.PUCO.ohio.gov. Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org. SOPEC can be contacted at athensaggregation@gmail.com or 740-541-5340.

At the request of SOPEC, the selected Supplier shall provide a periodic summary of the number and types of customer service issues and complaints that arose to date, and the status of resolution of those issues and complaints. If such reports

indicate problem in the selected Supplier's service, SOPEC will pursue timely remedial action or consider the Supplier in breach of the Supply Contract terms.

Altering or Amending the Plan

The SOPEC Aggregation Program may be terminated for participating consumers in two ways:

1. Upon the termination or expiration of the power supply contract for all member communities without any extension, renewal, or subsequent supply contract being negotiated; or
2. At the decision of an individual member community to cancel its membership in SOPEC.

In the event of termination, each customer receiving power supply services under the Aggregation Program will receive notification of termination of the program, ninety days prior. SOPEC shall utilize appropriate processes for entering, modifying, enforcing, and terminating agreements pertinent to the Aggregation Program consistent with the requirements of local ordinances or resolutions, state and federal law. Other agreements shall be entered, modified, or terminated in compliance with the law and according to the express provision of any negotiated agreements.

Organizational Structure

Each SOPEC member community shall have one representative in the SOPEC Assembly; which will serve as the legislative body for the organization. Members shall elect a Board of Directors. The Board of Directors of SOPEC shall oversee the implementation and operation of the Aggregation Program consistent with the provisions of the Ohio Revised Code 4928.21 and the Bylaws of the SOPEC organization.

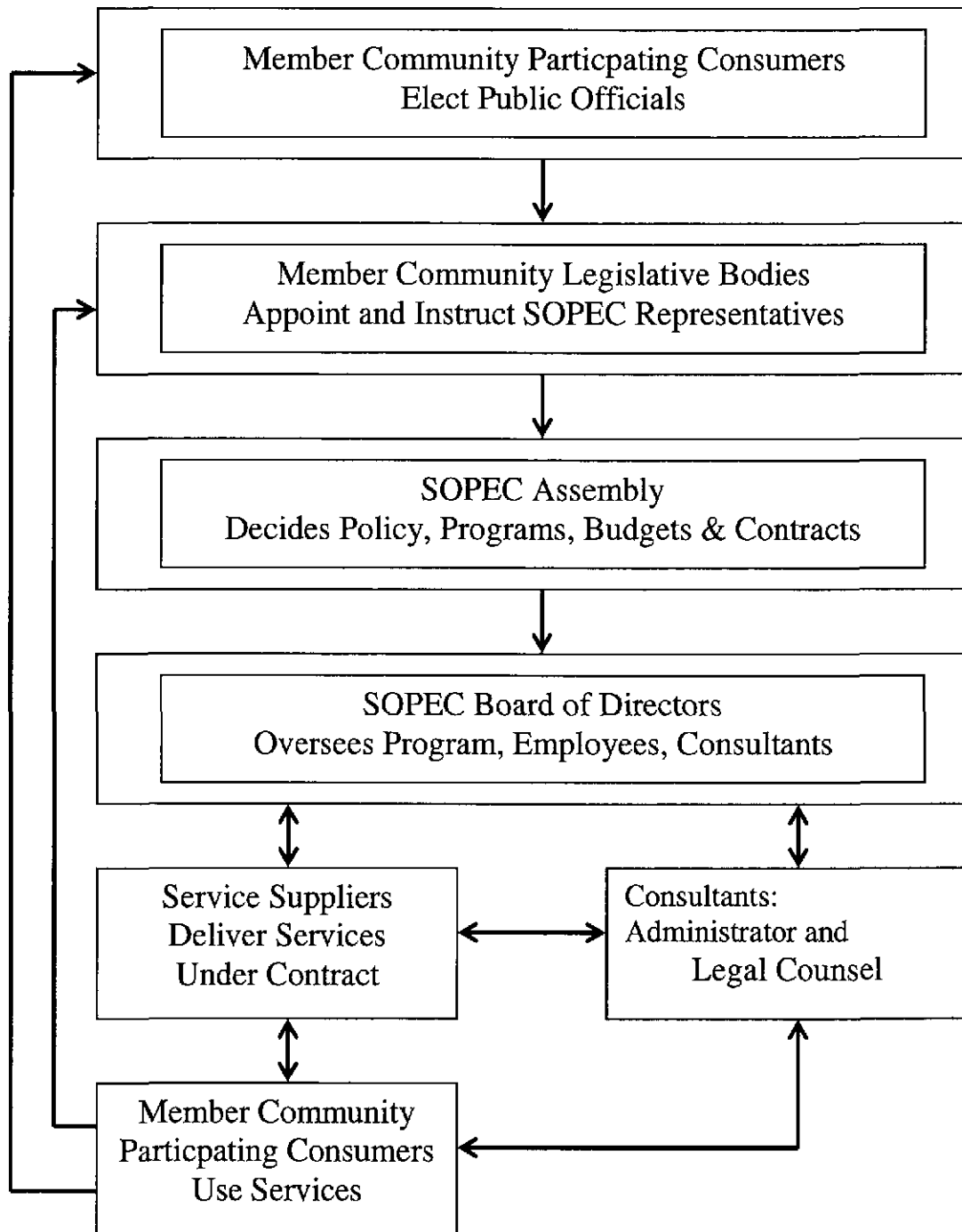
SOPEC shall act as agent for member communities to establish the Aggregation Program in accordance with law and to provide managerial, technical, and financial resources to acquire service and other guarantees sufficient to protect consumers and the electric distribution utility. SOPEC may contract with service providers to achieve this purpose.

Outline of Structure:

1. Community Citizens: Consumers can influence the program through elections that put in place officials that will appoint and control the assembly members.

2. Member Communities Legislative Bodies: Local officials appoint and control the votes and actions of assembly members.
3. SOPEC Assembly: This is the legislative body of the organization, reviews its policies and contracts, and votes in the Board of Directors.
4. SOPEC Board of Directors: The Board of Directors shall manage the day-to-day operations of SOPEC, and may appoint agents and contract for services, and shall keep the Assembly informed of such actions.
5. Service Suppliers: Suppliers will contract with SOPEC to provide retail electric supply, energy efficiency, and local energy as part of contracts; and will report to SOPEC in carrying out these responsibilities.
6. Member Community Participating Consumers: Participants will benefit from negotiation leverage, opportunity to participate in energy efficiency programs, and local economic development through increased deployment of energy dollars in the local community

SOPEC Member Electric Aggregation Program Organizational Structure



Certification

No governmental aggregator shall send an opt-out disclosure notice to potential customers of an aggregation prior to the governmental aggregator being certified by the commission. The certification of governmental aggregators is governed by Chapter 4901:1-21-16 of the Ohio Administrative Code and Section 4928.20 of the Ohio Revised Code. Section 4928.20 of the Ohio Revised Code allows municipalities to join together and combine their resources for development and implementation of a electric aggregation program.

Aggregation Program Funding

SOPEC offers member communities the opportunity to gain market leverage, share resources, and reduce administrative and other costs for developing, implementing and providing oversight for the Aggregation Program. Funding for these activities is anticipated to be provided by the selected Supplier(s) with an appropriate kilowatt hour charge to all participating consumers to cover costs of the program. This charge will be a fraction of a mill (less than one tenth of one cent) per kilowatt hour. Such funds will be collected by the Supplier and paid to SOPEC. In the event additional funding for SOPEC is required, each SOPEC member may be assessed an annual fee pursuant to the agreement establishing SOPEC. The funding will be utilized for all Aggregation Program Operations.

Exhibit A-4
Automatic Aggregation
Disclosure

**Southeastern Ohio Public Energy Council
Aggregation Certification Application**

DRAFT

[CRES Supplier Name & Address]

[Date]

Dear Athens County Resident:

Athens County, working through its Governmental Aggregation Program, called the Southeast Ohio Public Energy Council (SOPEC), has selected [CRES Supplier] as its supplier of electric service. SOPEC has negotiated a [TBD/Kwh] price for residents of Athens County for the period of [TBD]. More information is contained in the accompanying terms and conditions. This letter informs you that, pursuant to Ohio Revised Code Section 4928.20, you have the right to opt-out of the program without charge.

At this time you have the following three options concerning your electric supply:

- Option 1. You can participate in Athens County's aggregation program, and enjoy the favorable rates and other electric services we have negotiated for you. ***If you wish to participate in the program, there is no need to take any action.*** There is no charge for enrollment and you will not be charged a switching fee.
- Option 2. You can opt-out of the program and shop for and negotiate a contract on your own; or
- Option 3. You can opt-out of the program and return to AEP as your supplier of electric.

Athens County officials have negotiated an electric supply contract with [CRES Supplier] on behalf of all Athens County residents who wish to participate in the aggregation program. Both Athens County and [CRES Supplier] are certified by the Public Utilities Commission of Ohio to provide this service. This program has been authorized by the Athens County Commissioners through an ordinance and subsequent voter approval. This phase of the aggregation program will begin with your [Month Year] billing cycle and end with your [Month Year] billing cycle.

The terms and conditions of the offer we have negotiated on your behalf are included in this mailing. If you have any questions about the Athens County electric supply program or your options, please contact [CRES Supplier] at 1-XXX-XXX-XXXX. They are standing by to answer any questions you may have.

You will be automatically enrolled in Athens County's Electric Aggregation Program unless you choose to "opt out" – that is, not participate. There is no cost for enrollment and you do not need to do anything to be included. If you choose to opt-out of this program, you will revert to service by AEP, unless and until you choose another supplier.

If you want to be excluded from the Athens County Electric Aggregation Program, you must return the enclosed "Opt-Out" form to the [CRES Supplier]. The return form must be postmarked no later than 21 days from the postmark on this notice. You may also opt-out by calling [CRES Supplier]; toll free at 1-XXX-XXX-XXXX. If you do not opt out at this time, you will be enrolled in the program until it expires in [Month Year]. At that time, you will again have the chance to opt out of the program with no penalty. Every participant will be allowed to leave the program at least once every three years without incurring any penalty.

Please note that if you remain in the aggregation group, you will receive a letter from AEP advising you of your impending transfer to [CRES Supplier] and advising you to contact them if you do not want to be in the Program. Unless you have decided not to participate in the aggregation program, you do not need to do anything with that letter or take any other action.

Exhibit A-5 Experience

**Southeastern Ohio Public Energy Council
Aggregation Certification Application**

Experience

Athens County routinely negotiates for services and supplies that benefit residents and has vast experience in negotiating contracts, contracting procedures and providing common services to Athens County residents. Some examples of services provided include:

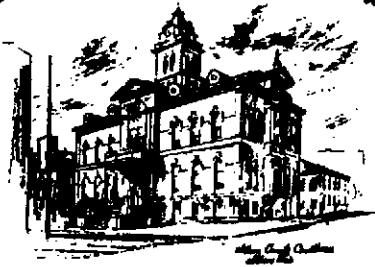
- Solid Waste
- Water and Sewer
- Health
- Emergency Medical
- Emergency Management
- Tourism
- Veterans
- Human Services

Because of the importance of energy aggregation to Athens County, the County has hired an Aggregation Administrator to:

- Assist in drafting and implementing the plan of operation and governance;
- Help to lead the public hearing process;
- Coordinate efforts of Athens County, the City of Athens, and local governments interested in participating in the County's aggregation plan;
- Assist in day-to-day administration of the program;
- Assist in designing and issuing the Request for Proposals, analyze supplier responses and provide recommendations for final agreements; and
- Write and prepare regular reports as required by the County, the City of Athens, other participating local governments, the PUCO and the Ohio Consumer's Council.

AFFIDAVITS

Athens County Commissioners



15 South Court St.
Athens, Ohio 45701
(740) 592-3219

Visit us at our website:
co.athensoh.org

Charlie Adkins
cadkins@athensoh.org
Chris Chmiel
cchmiel@athensoh.org
Lenny Eliason, MPA
leliason@athensoh.org

JoAnn Sikorski
Clerk/Admin. Assistant
jsikorski@athensoh.org
Telephone (740) 592-3292
Fax (740) 594-8010

AFFIDAVIT STATE OF OHIO COUNTY OF ATHENS

I Chris Chmiel, having been duly cautioned and sworn, states that the following facts are true based on his personal knowledge.

1. I am a Commissioner of the County of Athens, Ohio and serve as Agent for the Southeast Ohio Public Energy Council ("SOPEC").
2. I executed and caused to be filed with the Public Utilities Commission of Ohio on May 14, 2014, SOPEC's application for certification as a governmental aggregator ("Application").
3. To assist in providing services as a governmental aggregator for the communities that form SOPEC's membership, SOPEC will contract with a certified retail electric generation supplier ("Supplier") for electricity supply, development, and management services.
4. SOPEC will file with the Commission, at least ten business days prior to providing retail electric generation service to a customer in this state, the following:
 - a. Information as to Supplier, including:
 - i. The legal name of Supplier;
 - ii. A statement that a valid contract exists between SOPEC and Supplier;
 - iii. A detailed summary of the contract, including all services provided thereunder; and
 - iv. Documentation and evidence to demonstrate Supplier's capability to meet the application certification requirements where appropriate.
 - b. A copy of the automatic aggregation disclosure required by Section 4928.20(D) of the Revised Code.
5. SOPEC is unable to provide such information at this time because it has not entered a final contract with Supplier.

Chris Chmiel
(Name)

Sworn before me and subscribed in my presence this 14th day of May 2014.

JoAnn Sikorski
Signature of official administering oath

JoAnn Sikorski, Clerk
Print Name and Title

My Commission Expires on 8/3/2015
(For Notary Publics Only)



JoAnn Sikorski
Notary Public
In and for the State of Ohio
My Commission Expires on
August 3, 2015



AFFIDAVIT

STATE OF OHIO

COUNTY OF ATHENS

Paul Wiehl, having been duly cautioned and sworn, states that the following facts are true based on his personal knowledge.

1. I am the Mayor of the City of Athens, Ohio and serve as Agent for the Southeast Ohio Public Energy Council ("SOPEC").
2. I executed and caused to be filed with the Public Utilities Commission of Ohio on May 15, 2014, SOPEC's application for certification as a governmental aggregator ("Application").
3. To assist in providing services as a governmental aggregator for the communities that form SOPEC's membership, SOPEC will contract with a certified retail electric generation supplier ("Supplier") for electricity supply, development, and management services.
4. SOPEC will file with the Commission, at least ten business days prior to providing retail electric generation service to a customer in this state, the following:
 - a. Information as to Supplier, including:
 - i. The legal name of Supplier;
 - ii. A statement that a valid contract exists between SOPEC and Supplier;
 - iii. A detailed summary of the contract, including all services provided thereunder; and
 - iv. Documentation and evidence to demonstrate Supplier's capability to meet the application certification requirements where appropriate.
 - b. A copy of the automatic aggregation disclosure required by Section 4928.20(D) of the Revised Code.
5. SOPEC is unable to provide such information at this time because it has not entered a final contract with Supplier.

Paul Wiehl
(Name)

Sworn before me and subscribed in my presence this 13th day of May 2014.

Sharlene Bails
Signature of official administering oath

Sharlene Bails, Notary
Print Name and Title

My Commission Expires on 9/30/18
(For Notary Publics Only)



Sharlene Bails
Notary Public Ohio
My Commission Exp 09/30/18