59

FILE

Miami Valley Communications Council

Technology for local governments

Centerville Germantown Kettering Miamisburg Moraine Oakwood Springboro West Carrollton

March 29, 2016

Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
13th Floor
Columbus, OH 43266-0573

Re: *In the Matter of the Application of the Miami Valley Communications Council, for Re-Certification as a Governmental Aggregator Case No. 04-0145-GA-GAG*

To Whom It May Concern:

Enclosed please find Miami Valley Communications Council's completed **RE-CERTIFICATION APPLICATION FOR GOVERNMENTAL AGGREGATORS**. We have enclosed an original application, notarized and signed by an authorized official and ten conformed copies, including all exhibits, and other attachments.

The material provided includes the following:

1) Authorizing ordinance reflecting voter authorization;
2) Plan of Operation and Governance;
3) Copy of Automatic Aggregation Disclosures;
4) Copy of Opt-out Notification;
5) Experience statement

Should you have any questions or need additional information, please contact our aggregation program manager, Chris Easton of AMPO, Inc., at ceaston@amppartners.org.

Respectfully submitted,

Brian Humphress

Brian Humphress
Executive Director

PUCO USE ONLY - Version 1.07		
Date Received	Renewal Certification Number	ORIGINAL GAG Case Number
		04 - 0145 - GA-GAG

RENEWAL CERTIFICATION APPLICATION
OHIO NATURAL GAS GOVERNMENTAL AGGREGATORS

Please **type or print** all required information. Identify all attachments with an exhibit label and title (***Example: Exhibit B-1 – Authorizing Ordinance***). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division, 13th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

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

SECTION A - APPLICANT INFORMATION

A-1 Renewal Applicant information:

Legal Name Miami Valley Communications Council

Address 1195 East Alex-Bell Road, Centerville, OH 45459

Telephone No. 937-424-1660 Web site address www.mvcc.net

Current PUCO Certificate Number 04-073G(6) Effective Dates April 1, 2014 - April 1, 2016

A-2 Contact person for regulatory or emergency matters:

Name Brian Humphress Title Executive Director

Business Address 1195 East Alex-Bell Road, Centerville, OH 45459

Telephone No. 937-424-1660 Fax No. 937-438-8569 Email Address BHumphress@mvcc.net

A-3 Contact person for Commission Staff use in investigating customer complaints:

Name Brian Humphress Title Executive Director

Business address 1195 East Alex-Bell Road, Centerville, OH 45459

Telephone No. 937-424-1660 Fax No. 937-438-8569 Email Address BHumphress@mvcc.net

A-4 Applicant's address and toll-free number for customer service and complaints:

Customer service address 1195 East Alex-Bell Road, Centerville, OH 45459

Toll-Free Telephone No. 937-424-1660 Fax No. 937-438-8569 Email Address BHumphress@mvcc.net

SECTION B - APPLICANT AUTHORITY AND AGGREGATION PROGRAM INFORMATION

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

B-1 **<u>Exhibit B-1 "Authorizing Ordinance,"</u>** provide a copy of the adopted ordinance or resolution that reflects voter authorization to form a governmental aggregation program pursuant to Sections 4929.26 and 4929.27 of the Ohio Revised Code.

B-2 **<u>Exhibit B-2 "Operation and Governance Plan,"</u>** provide a copy of the applicant's plan for operation and governance of its aggregation program adopted pursuant to Sections 4929.26(C) or 4929.27(B) of the Revised Code. The Operation and Governance Plan should include all information pursuant to Rule 4901:1-28-03 of the Ohio Administrative Code.

B-3 **<u>Exhibit B-3 "Automatic Aggregation Disclosure Notification,"</u>** if the aggregation program provides for automatic aggregation in accordance with Section 4929.26(A) of the Revised Code, provide a copy of the disclosure notification required by Section 4929.26(D) of the Revised Code,

B-4 **<u>Exhibit B-4 "Opt-Out Notice,"</u>** provide a draft copy of the applicant's opt out notice that comports with the Opt-Out disclosure requirements pursuant to Rule 4901:1-28-04 of the Ohio Administrative Code. (***Ten days prior to public dissemination, the applicant shall docket with the Commission, the finalized Opt-Out notice that provides or offers natural gas aggregation service.***)

B-5 **<u>Exhibit B-5 "Experience,"</u>** provide a detailed description of the applicant's experience and plan for: providing aggregation services (***including contracting with consultants, broker/aggregators, retail natural gas suppliers***); providing billing statements; responding to customer inquiries and complaints; and complying with all applicable provisions of Commission rules adopted pursuant to Section 4929.22 of the Ohio Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.

Applicant Signature and Title [signature], Executive Director

Sworn and subscribed before me this 30th **day of** MARCH **Month** 2016 **Year**

BRIAN HUMPHRESS, EXECUTIVE DIRECTOR

Signature of official administering oath Emily Pedro

Print Name and Title Emily Pedro, Notary Public

My commission expires on July 2, 2019

NOTARY PUBLIC STATE OF OHIO

EMILY PEDRO
Notary Public, State of Ohio
My Commission Expires
July 2, 2019

The Public Utilities Commission of Ohio

Ohio Natural Gas Governmental Aggregation
Affidavit Form
(Version 1.07)

In the Matter of the Application of Miami Valley Communications Council **for a Certificate or Renewal Certificate to Provide Natural Gas Governmental Aggregation Service in Ohio.**	))))	**Case No.** 04-145 **-GA-GAG**

County of Montgomery
State of Ohio

Brian Humphress, Executive Director [Affiant], being duly sworn/affirmed, hereby states that:

(1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.

(2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.

(3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.

(4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.

(5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.

(6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.

(7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.

(8) Affiant further sayeth naught.

Affiant Signature & Title Brian Humphress, Executive Director

Sworn and subscribed before me this 30th **day of** MARCH **Month** 2016 **Year**

BRIAN HUMPHRESS, EXECUTIVE DIRECTOR

Signature of Official Administering Oath Emily Pedro

Print Name and Title Emily Pedro, Notary Public

My commission expires on July 2, 2019

NOTARY PUBLIC STATE OF OHIO

EMILY PEDRO
Notary Public, State of Ohio
My Commission Expires
July 2, 2019

EXHIBIT 1

AUTHORIZING ORDINANCE

Exhibit [illegible] B-1 Authorizing Ordinance Operation & Governance Plan

RECORD OF RESOLUTIONS

4

Resolution No. 2005-T   Passed November [illegible] 2005

MUNICIPALITY OF BELLBROOK, OHIO

RESOLUTION NO. 2005-T

A RESOLUTION ADOPTING THE MIAMI VALLEY COMMUNICATIONS COUNCIL ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE AND NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE.

WHEREAS, the Ohio Legislature has enacted deregulation legislation ("Am.Sub. S.B. No. 3 and H.B. No. 9") which authorizes the legislative authorities of municipal corporations to aggregate the retail electric and natural gas loads located in the respective jurisdictions; and

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

WHEREAS, the ballot question, authorized by Ordinance No. 2005-1 and Ordinance No. 2005-2, has received at least a majority of the vote cast at the May 6, 2005 election; and

WHEREAS, this Council seeks to adopt the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance, attached hereto and incorporated herein as if fully rewritten, pursuant to sections 4928.20 and 4929.26, Ohio Revised Code, for the residents, businesses and other energy users in the municipality and in conjunction with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

NOW, THEREFORE, THE MUNICIPALITY OF BELLBROOK HEREBY RESOLVES:

Section 1. This Council finds and determines that it is in the best interest of the city, its residents, businesses and other electricity and natural gas consumers located within the corporation limits of the City of Bellbrook and who receive commodity sales service and distribution service from Dayton Power & Light and/or Vectren Energy Delivery of Ohio to establish an opt-out Aggregation Program in accordance with law in the City of Bellbrook.

Section 2. This Council finds and determines that it is in the best interest of the City of Bellbrook, its residents, businesses and other electricity and natural gas consumers located within the corporate limits of the City of Bellbrook to adopt the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operations and Governance and the Miami Valley Communications Council Electric Aggregation Program Plan of Operations and Governance attached hereto and incorporated herein as if fully rewritten, pursuant to Sections 4929.26 and 4928.20, Ohio Revised Code.

5

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

Section 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Mary C. Graves

MARY C. GRAVES, MAYOR

ATTEST: Jill D. Robinette

JILL D. ROBINETTE, CLERK OF COUNCIL

Passed this 16th day of November 2003.

Exhibit E1 Operating & Governance Plan

6

RESOLUTION NO. [illegible]
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James E. Singer ON THE 15th DAY OF December, 2003.

A RESOLUTION ADOPTING THE MIAMI VALLEY COMMUNICATION COUNCIL ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE AND NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE.

WHEREAS, the Ohio Legislature has enacted deregulation legislation ("Am. Sub. S.B. No. 3 and H.B. No. 9") which authorizes the legislative authorities of municipal corporations to aggregate the retail electric and natural gas loads located in the respective jurisdictions; and

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

WHEREAS, the ballot questions, authorized by Ordinance 04-03 for electric aggregation and Ordinance 05-03 for gas aggregation, have received at least a majority of the vote cast at the May 6, 2003 election; and

WHEREAS, this Council seeks to adopt the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance, attached hereto and incorporated herein as if fully rewritten, pursuant to sections 4928.20 and 4929.26, Ohio Revised Code, for the residents, businesses and other energy users in the municipality and in conjunction with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. This Council finds and determines that it is in the best interest of the city, its residents, businesses and other natural gas consumers located within the corporation limits of the City of Centerville and who receive commodity sales service and distribution service from Dayton Power & Light and/or Vectren Energy Delivery of Ohio to establish an opt-out Aggregation Program in accordance with law in the City of Centerville.

Section 2. This Council finds and determines that it is in the best interest of the City of Centerville, its residents, businesses and other natural gas consumers located within the corporate limits of the City of Centerville to adopt the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operations and Governance and the Miami Valley Communications Council Electric Aggregation Program Plan of Operations and Governance attached hereto and incorporated herein as if fully reappearing, pursuant to Sections 4929.26 and 4928.20, Ohio Revised Code and, therefore, the same is hereby adopted.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

PASSED THIS 15th day of December, 2003.

Mayor of the City of
Centerville, Ohio

ATTEST:

Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 68-03, passed by the Council of the City of Centerville, Ohio on the 15th day of December, 2003.

Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

[illegible]

Exhibit B-1
Operating & Governance Plan

8

RESOLUTION NO. 03-07

A RESOLUTION ADOPTING THE MIAMI VALLEY COMMUNICATIONS COUNCIL ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE AND NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE.

WHEREAS, the Ohio Legislature has enacted deregulation legislation (Am. Sub. S.B. No. 3 and H.B. No. 9) which authorizes the legislative authorities of municipal corporations to aggregate the retail electric and natural gas loads located in the respective jurisdictions; and

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

WHEREAS, the ballot question, authorized by Ordinance No. 03-16 and 03-17, has received at least the majority of the vote cast at the May 6, 2003 election; and

WHEREAS, this Council seeks to adopt the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance, attached hereto and incorporated herein as if fully rewritten, pursuant to Section 4928.20 and 4929.26, Ohio Revised Code, for the residents, businesses and other energy users in the municipality and in conjunction with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, HEREBY RESOLVES THAT:

SECTION 1: This Council finds and determines that it is in the best interest of the village, its residents, businesses and other electricity and natural gas consumers located within the corporation limits of the Village of Germantown and who receive commodity sales service and distribution service from Dayton Power & Light and/or Vectren Energy Delivery of Ohio to establish and opt-out Aggregation Program in accordance with law in the Village of Germantown.

SECTION 2: This Council finds and determines that it is in the best interest of the Village of Germantown, its residents, businesses and other electricity and natural gas consumers located within the corporate limits of the Village of Germantown to adopt the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance attached hereto and incorporated herein as if fully rewritten, pursuant to Sections 4929.26 and 4928.20, Ohio Revised Code.

9

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

SECTION 4: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: November 17, 200[illegible]

ATTEST:

[illegible] R. Warner
Clerk of Council

APPROVED:

Theodore E. Landis
Mayor

First Reading: November 3, 200[illegible]
Public Hearing: November 17, 200[illegible]

Exhibit [illegible] B1 3[illegible] 10
Operating +
Governance Plan

CITY OF KETTERING, OHIO

A RESOLUTION

By: Mr. [illegible] and Mr. [illegible] No. [illegible]-04

ADOPTING AN ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, AND ADOPTING A NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE.

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. This Council finds and determines that it is in the best interest of the City of Kettering, its residents, businesses and other retail [illegible] customers located within the corporate limits of the City of Kettering to adopt the Natural Gas Aggregation Program Plan of Operations and Governance and the Electric Aggregation Program Plan of Operations and Governance, attached hereto as Exhibit 1 and Exhibit 2 and incorporated herein as if fully rewritten, pursuant to Sections 4929.26 and 4928.20, Ohio Revised Code.

Section 2. This Council's adoption of the plans referred to in Section 1 of this Resolution is conditioned upon and shall require this Council to approve, in advance and by resolution, any contract with any electric supplier, electric light company, electric services company, electric utility, natural gas supplier, natural gas utility or natural gas company for any aggregation pursuant to the provisions of O.R.C. Chapter 4928 and/or O.R.C. Chapter 4929.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall be effective immediately upon its adoption pursuant to Section 4-2 of the City Charter.

Passed by Council this 13th day of January 2004.

[illegible], Mayor

ATTEST: CERTIFICATE OF APPROVAL

[illegible], Clerk of Council

[illegible], Law Director

(Requested by: City Manager's Office)

[illegible]

Exhibit B-1 11
Operating +
Governance Plan

RESOLUTION NO. 2552

A RESOLUTION ADOPTING THE MIAMI VALLEY COMMUNICATION COUNCIL ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE AND NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Legislature has enacted deregulation legislation ("Am. Sub. S.B. No. 3 and H.B. No. 9") which authorizes the legislative authorities of municipal corporations to aggregate the retail electric and natural gas loads located in the respective jurisdictions; and

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

WHEREAS, the ballot question, authorized by Ordinances No. 5679 & 5686, has received at least a majority of the vote cast at the May 6, 2003 election; and

WHEREAS, this Council seeks to adopt the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance, attached hereto and incorporated herein as if fully reappearing, pursuant to sections 4928.20 and 4929.26, Ohio Revised Code, for the residents, businesses and other energy users in the municipality and in conjunction with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, ALL THE MEMBERS THERETO CONCURRING THAT:

Section 1.

This Council finds and determines that it is in the best interest of the city, its residents, businesses and other natural gas and electric consumers located within the corporation limits of the City of Miamisburg and who receive commodity sales service and distribution service from Dayton Power & Light and/or Vectren Energy Delivery of Ohio to establish an opt-out Aggregation Program in accordance with law in the City of Miamisburg.

Section 2.

This Council finds and determines that it is in the best interest of the City of Miamisburg, its residents, businesses and other natural gas and electric consumers located within the corporate limits of the City of Miamisburg to adopt the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operations and Governance and the Miami Valley Communications Council Electric Aggregation Program Plan of Operations and Governance attached hereto and incorporated herein as if fully reappearing, pursuant to Sections 4929.26 and 4928.20, Ohio Revised Code.

Section 3.

Any contract award for electric generation services or natural gas supply for the opt-out aggregation program must be reviewed and approved by City Council.

Section 4.

That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

Section 5.

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that Council wishes to proceed with the opt-out electric and gas opt-out aggregation plans at the earliest possible date; therefore, this measure shall take effect and be in force from and after its passage.

Passed: January 6, 2004 Attested: Judith E. Barney

Judith E. Barney, Clerk of Council

Approved: Richard C. Church Jr.

Richard C. Church, Jr., Mayor

Exhibit B-1 Authorizing Ordinance
Operating + Governance Plan

#13

RECORD OF RESOLUTIONS

Resolution No. [illegible] Passed [illegible]

A RESOLUTION ADOPTING THE MIAMI VALLEY COMMUNICATIONS COUNCIL ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION [illegible], OHIO REVISED CODE, AND NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION [illegible], OHIO REVISED CODE

WHEREAS, the Ohio Legislature has enacted deregulation legislation (Am. Sub. S.B. No. 3 and H.B. No. 9) which authorizes the legislative authorities of municipal corporations to aggregate the retail electric and natural gas loads located in the respective jurisdictions; and

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

WHEREAS, the ballot question, authorized by Ordinance Nos. [illegible] and [illegible], has received a [illegible] majority of the vote cast at the [illegible] election; and

WHEREAS, this Council seeks to adopt the Miami Valley Communications Council Electric Aggregation Program Plan of Operation and Governance and the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operation and Governance, attached hereto and incorporated herein as if fully rewritten, pursuant to sections [illegible] and [illegible], Ohio Revised Code, for the residents, businesses and other energy users in the municipality and in conjunction with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of [illegible], State of Ohio:

Section 1. This Council finds and determines that it is in the best interest of the City, its residents, businesses and other natural gas [illegible] within the corporation limits of the City of [illegible] [illegible] [illegible] [illegible] from Dayton Power & Light [illegible] of Ohio to [illegible] Aggregation Program [illegible] the City of [illegible].

Section 2. This Council finds and determines that it is in the best interest of the City of [illegible], its residents, businesses and other natural gas consumers located within the corporate limits of the City of [illegible] to adopt the Miami Valley Communications Council Natural Gas Aggregation Program Plan of Operations and Governance and the Miami Valley Communications Council Electric Aggregation Program Plan of Operations and Governance attached hereto and incorporated herein as if fully rewritten, pursuant to Sections [illegible] and [illegible], Ohio Revised Code.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted 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 including Section 121.22 of the Ohio Revised Code.

Section 4. That this Resolution shall take effect and be in force from and after the date of its passage.

#14

RECORD OF RESOLUTIONS

[illegible]

[illegible]

[illegible]

ATTEST:

[illegible]

APPROVED AS TO FORM:

[illegible]

CERTIFICATION OF THE CLERK

I, [illegible], Clerk of the City of [illegible], [illegible], do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. [illegible], passed by the [illegible] City Council on the 5th day of January, 2004.

IN TESTIMONY WHEREOF, I have set my hand and affixed [illegible] day of January, 2004.

[illegible]

Clerk of Council

AN ORDINANCE

BY [illegible] NO. [illegible]

AN ORDINANCE TO FACILITATE COMPETITIVE RETAIL NATURAL GAS SERVICE TO PROMOTE NATURAL GAS SAVINGS, LOWER COST NATURAL GAS SUPPLIES AND OTHER BENEFITS FOR CERTAIN NATURAL GAS CONSUMERS, AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT AN OPT-OUT NATURAL GAS AGGREGATION PROGRAM PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE AND ARTICLE XVIII SECTION 4 OF THE OHIO CONSTITUTION; DIRECTING THE MONTGOMERY COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AND AUTHORIZING AN AGREEMENT WITH AN AGENT FOR SUCH PURPOSES.

WHEREAS, Article XVIII Section 4 of the Ohio Constitution grants the City of Oakwood (the "Municipality") certain authority related to utility services; and

WHEREAS, Pursuant to Chapter 4929 of the Ohio Revised Code, to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, certain governmental entities may aggregate certain natural gas consumers within their jurisdictions; and

WHEREAS, Pursuant to Section 4929.26, Revised Code, the Municipality is authorized to establish an opt-out natural gas aggregation program ("Gas Aggregation") for the benefit of certain natural gas consumers within the Municipality so that the consumers may realize lower cost natural gas supplies and other benefits from the aggregation and collective purchasing of natural gas supplies; and

WHEREAS, Gas Aggregation provides an opportunity for natural gas consumers collectively to realize natural gas savings, lower cost natural gas supplies, and other benefits that the consumers may not otherwise be able to realize individually; and

WHEREAS, The Municipality desires to submit to the electors of the Municipality the question of whether the Municipality should create a Gas Aggregation program to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits in accordance with Section 4929.26, Revised Code; and

WHEREAS, The Municipality has adopted this Ordinance pursuant to the authority conferred by Article XVIII Section 4 of the Ohio Constitution and Section 4929.26, Revised Code.

NOW THEREFORE, THE MUNICIPALITY OF OAKWOOD HEREBY ORDAINS THAT:

SECTION 1. This Council finds and determines that to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, it is in the best interest of the Municipality and certain natural gas consumers within the jurisdiction of the Municipality to establish an opt-out natural Gas Aggregation program in the Municipality pursuant to Section 4929.26, Revised Code. *Provided* that this Ordinance and Gas Aggregation program is approved by the electors of the Municipality in accordance with this Ordinance, the Municipality is hereby authorized to take all actions necessary to effect a Gas Aggregation program pursuant to Section 4929.26, Revised Code. The Municipality may exercise this authority jointly with other entities to the full extent permitted by law and, for such purposes, the City Manager of the Municipality is hereby authorized to execute and deliver an agreement with a to be named agent ("Agent") to assist the Municipality as its consultant and agent to effect the Gas Aggregation program. Actions necessary to effect the Gas Aggregation program include determining and entering into service agreement(s) with natural gas suppliers to facilitate the sale and purchase of all natural gas commodity and services to serve the enrolled natural gas consumers. The Municipality shall be authorized by the electors to be the only entity authorized to act for and on behalf of the enrolled natural gas consumers to determine and select the natural gas supplier(s) to provide the commodity and all other services for the Gas Aggregation program and the enrolled consumers.

SECTION 2. The Gas Aggregation program shall not apply to persons meeting any of the following criteria, as more specifically described in Section 4929.26(A)(2), Revised Code: (i) the person is both a distribution service customer and a mercantile customer, (ii) the person has an existing commodity sales service contract with a retail natural gas supplier, (iii) the person has an existing commodity sales service as part of a retail natural gas aggregation pursuant to Rules and Orders of the Public Utilities Commission of Ohio ("Commission"), or (iv) such other persons that are not eligible pursuant to Rules and Orders of the Commission or the plan of operations and governance (the "Plan") for the Gas Aggregation program.

SECTION 3. The Board of Elections of Montgomery County is hereby directed to submit the following question to the electors of the Municipality at the election on November 4, 2003:

> To facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, shall the City of Oakwood have the authority to aggregate retail natural gas loads and enter into service agreements for the sale and purchase of natural gas commodity and other services, such aggregation to occur automatically except where any person affirmatively elects not to be enrolled by a stated procedure?
>
> FOR, the City of Oakwood to facilitate competitive retail natural gas service to promote natural gas savings and other benefits by acting as an aggregator.
>
> NOT FOR, the City of Oakwood to facilitate competitive retail natural gas service to promote natural gas savings and other benefits by acting as an aggregator.

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 Montgomery County Board of Elections not later than August 21, 2003, which is seventy-five (75) days prior to November 4, 2003. The Gas Aggregation program shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held in accordance with this Ordinance and Section 4929.26, Revised Code. Upon approval, the Gas Aggregation shall take effect at the earliest permissible point in time and continue thereafter in accordance with Section 4929.26, Revised Code, and other requirements of Chapter 4929, Revised Code.

SECTION 4. Upon approval by a majority of the electors voting at the election provided for in this Ordinance, the Municipality shall develop and adopt a Plan of operations and governance for the Gas Aggregation program. Consumers enrolled in the Gas Aggregation program shall be supplied their natural gas requirements and other services in accordance with supply agreement(s) determined and arranged by the Municipality, as opportunities become available to provide benefits on behalf of the natural gas consumers enrolled in the Gas Aggregation program and the consumers located within the jurisdiction of the Municipality. The Municipality shall be authorized by the electors to be the only entity authorized to act for and on behalf of the natural gas consumers that have enrolled in the Gas Aggregation program to determine and select the natural gas supplier(s) to provide the commodity and all other services for the Gas Aggregation program and the enrolled consumers. Before adopting such Plan, at least two public hearings on the Plan shall be held. Before the first hearing, notice of the first hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Municipality. The notice shall summarize the Plan and state the date, time, and location of each hearing.

SECTION 5. The adopted Plan shall not aggregate any retail natural gas load within the Municipality, unless the person whose retail natural gas load is to be so aggregated is notified in advance that the person will be enrolled automatically in the Gas Aggregation program and shall remain so enrolled, unless the person affirmatively elects not to be so enrolled by a stated procedure. The disclosure shall state the rates, charges, and other terms and conditions of the enrollment. Once enrolled the consumer may only opt-out of the Gas Aggregation program every two years without paying a switching fee. Any such person that opts-out of the Gas Aggregation program shall default to the natural gas company providing distribution service for the person's retail natural gas load, until the person chooses an alternative supplier.

SECTION 6. That the Montgomery County Board of Elections shall cause an appropriate notice to be duly given of the election to be held on November 4, 2003 on the foregoing proposal and otherwise to provide for such election in the manner provided by the laws of the State of Ohio.

SECTION 7. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in compliance with the law.

SECTION 8. This Ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public health, safety and welfare is declared to exist by virtue of the fact that in order for the issue to be on the ballot for the election next November, it must be certified to the Board of Elections no later than 75 days before the date of election. Therefore, the normal thirty day delay for regular ordinances would make the effective date beyond the 75 day certification period.

PASSED BY COUNCIL this 28 day of July, 2003.

Jackie Cook
MAYOR

ATTEST:

Cathy Blum
CLERK OF COUNCIL

TO THE CLERK:

Publish the foregoing ordinance in the summary form set forth below:

[illegible]
CITY ATTORNEY, ASSISTANT

LEGAL NOTICE

Ordinance No. 4532 of the Council of the City of Oakwood, Ohio entitled " AN ORDINANCE TO FACILITATE COMPETITIVE RETAIL NATURAL GAS SERVICE TO PROMOTE NATURAL GAS SAVINGS, LOWER COST NATURAL GAS SUPPLIES AND OTHER BENEFITS FOR CERTAIN NATURAL GAS CONSUMERS, AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT AN OPT-OUT NATURAL GAS AGGREGATION PROGRAM PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE AND ARTICLE XVIII SECTION 4 OF THE OHIO CONSTITUTION; DIRECTING THE MONTGOMERY COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AND AUTHORIZING AN AGREEMENT WITH AN AGENT FOR SUCH PURPOSES. ", was passed the 28 day of July, 2003. This ordinance was declared to be an emergency measure and as such became effective immediately.

By Order of the Council of the City of Oakwood,

Cathy D. Blum
CATHY D. BLUM, CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

I, Cathy D. Blum, Clerk of Council of the City of Oakwood, do hereby certify that the foregoing summary of the foregoing ordinance was published in The Times, Kettering-Oakwood Edition on the following date: ______________

____
CATHY D. BLUM, CLERK OF COUNCIL

I, the undersigned, Clerk of Council [illegible] Montgomery County, [illegible] certify that the foregoing is a true and correct [illegible] of [illegible] passed [illegible] the Council of the City of Oakwood, [illegible] 28th day of July 2003.

Cathy D. Blum
CLERK OF COUNCIL

RECORD OF ORDINANCES

Ordinance No. 3416 Passed February 10, 20[illegible]

AN ORDINANCE TO FACILITATE COMPETITIVE RETAIL NATURAL GAS SERVICE TO PROMOTE NATURAL GAS SAVINGS, LOWER COST NATURAL GAS SUPPLIES AND OTHER BENEFITS FOR CERTAIN NATURAL GAS CONSUMERS, AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT AN OPT-OUT NATURAL GAS AGGREGATION PROGRAM PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE AND ARTICLE XVIII SECTION 4 OF THE OHIO CONSTITUTION; DIRECTING THE MONTGOMEERY COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AUTHORIZING AN AGREEMENT WITH AMPO, INC. ("AMPO") FOR SUCH PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, Article XVIII Section 4 of the Ohio Constitution grants the City of West Carrollton (the "Municipality") certain authority related to utility service; and

WHEREAS, pursuant to Chapter 4929 of the Ohio Revised Code, to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, certain governmental entities may aggregate certain natural gas consumers within their jurisdiction; and

WHEREAS, pursuant to Section 4929.26, Revised Code, the Municipality is authorized to establish an opt-out natural gas aggregation program ("Gas Aggregation") for the benefit of certain natural gas consumers within the Municipality so that the consumers may realize lower cost natural gas supplies and other benefits from the aggregation and collective purchasing of natural gas supplies; and

WHEREAS, Gas Aggregation provides an opportunity for natural gas consumers collectively to realize natural gas savings, lower cost natural gas supplies, and other benefits that the consumers may not otherwise be able to realize individually; and

WHEREAS, the Municipality desires to submit to the electors of the Municipality the question of whether the Municipality should create a Gas Aggregation program to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits in accordance with Section 4929.26, Revised Code; and

WHEREAS, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety, in that opportunities to coordinate aggregation activities with certain suppliers of natural gas may become limited; and

WHEREAS, the Municipality has adopted this Ordinance pursuant to the authority conferred by Article XVIII Section 4 of the Ohio Constitution and Section 4929.26, Revised Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON THAT:

RECORD OF ORDINANCES

Ordinance No. 3416 Passed February 19, 2009

Section 1: This Council finds and determines that to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, it is in the best interest of the Municipality and certain natural gas consumers within the jurisdiction of the Municipality to establish an opt-out natural Gas Aggregation program in the Municipality pursuant to Section 4929.26, Revised Code. Provided that this Ordinance and the Gas Aggregation program is approved by the electors of the Municipality in accordance with this Ordinance, the Municipality is hereby authorized to take all actions necessary to effect a Gas Aggregation program pursuant to Section 4929.26, Revised Code. The Municipality may exercise this authority jointly with other entities to the full extent permitted by law, and for such purposes, the City Manager of the Municipality is hereby authorized to execute and deliver an agreement with AMPO Inc. ("AMPO") to assist the Municipality as its consultant and agent to effect the Gas Aggregation program. Actions necessary to effect the Gas Aggregation program include determining and entering into service agreement(s) with natural gas suppliers to facilitate the sale and purchase of all natural gas commodity and services to serve the enrolled natural gas consumers. The Municipality shall be authorized by the electors to be the only entity authorized to act for and on behalf of the enrolled natural gas consumers to determine and select the natural gas supplier(s) to provide the commodity and all other services for the Gas Aggregation program and the enrolled consumers.

Section 2: The Gas Aggregation program shall not apply to persons meeting any of the following criteria, as more specifically described in Section 4929.26(A)(2), Revised Code: (i) the person is both a distribution service customer and a mercantile customer, (ii) the person has an existing commodity sales service contract with a retail natural gas supplier, (iii) the person has an existing commodity sales service as part of a retail natural gas aggregation pursuant to Rules and Orders of the Public Utilities Commission of Ohio ("Commission"), or (iv) such other persons that are not eligible pursuant to Rules and Orders of the Commission or the plan of operations and governance (the "Plan") for the Gas Aggregation program.

Section 3: The Board of Elections of Montgomery County is hereby directed to submit the following question to the electors of the Municipality at the general election on May 5, 2009:

To facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, shall the City of West Carrollton have the authority to aggregate retail natural gas loads located in the City of West Carrollton and enter into service agreements for the sale and purchase of natural gas commodity and other services, such aggregation to occur automatically, except where any person affirmatively elects not to be so enrolled by a stated procedure?

FOR, the City of West Carrollton to facilitate competitive retail natural gas service to promote natural gas savings and other benefits by acting as an aggregator.

NOT FOR, the City of West Carrollton to facilitate competitive retail natural gas service to promote natural gas savings and other benefits by acting as an aggregator.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Ordinance No. 3416 Passed February 10, 2009

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 Montgomery County Board of Elections no later than February 19, 2009, which is seventy-five (75) days prior to May 5, 2009. The Gas Aggregation program shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held in accordance with this Ordinance and Sections 4929.26, Revised Code. Upon approval, the Gas Aggregation shall take effect at the earliest permissible point in time and continue thereafter in accordance with Section 4929.26, Revised Code, and other requirements of Chapter 4929, Revised Code.

Section 4: Upon approval by a majority of the electors voting at the election provided for in this Ordinance, the Municipality shall develop and adopt a Plan of Operations and Governance for the Gas Aggregation program. Consumers enrolled in the Gas Aggregation program shall be supplied their natural gas requirements and other services in accordance with supply agreement(s) determined and arranged by the Municipality, as opportunities become available to provide benefits on behalf of the natural gas consumers enrolled in the Gas Aggregation program and the consumers located within the jurisdiction of the Municipality. The Municipality shall be authorized by the electors to be the only entity authorized to act for and on behalf of the natural gas consumers that have enrolled in the Gas Aggregation program to determine and select the natural gas supplier(s) to provide the commodity and all other services for the Gas Aggregation program and the enrolled consumers. Before adopting such Plan, at least two public hearings on the Plan shall be held. Before the first hearing, notice of the first hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Municipality. The notice shall summarize the Plan and state the date, time, and location of each hearing.

Section 5: The adopted Plan shall not aggregate any retail natural gas load within the Municipality, unless the person whose retail natural gas load is to be so aggregated is notified in advance that the person will be enrolled automatically in the Gas Aggregation program and shall remain so enrolled, unless the person affirmatively elects not to be so enrolled by a stated procedure. The disclosure shall state the rates, charges, and other terms and conditions of the enrollment. Once enrolled the consumer may only opt-out of the Gas Aggregation program every two years without paying a switching fee. Any such person that opts-out of the Gas Aggregation program shall default to the natural gas company providing distribution service for the person's retail natural gas load, until the person chooses an alternative supplier.

Section 6: That the Montgomery County Board of Elections shall cause an appropriate notice to be duly given of the election to be held on May 5, 2009 on the foregoing proposal and otherwise to provide for such election in the manner provided by the laws of the State of Ohio.

Section 7: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal action were in compliance with the Law.

RECORD OF ORDINANCES

Ordinance No. 3416 Passed February 18, 20 09

Section 8: That this Ordinance is hereby declared to be an emergency measure, and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately and continuing thereafter upon its passage and approval by the City Manager; otherwise, it shall take effect and be in force from and continuing thereafter upon the earliest time allowed by law.

Passed: February 18, 2009

Mayor

Attest: Clerk of Council

Effective Date: February 18, 2009

EXHIBIT 2

OPERATION AND GOVERNANCE PLAN

MVCC Certification Application For Governmental Aggregation

Exhibit B-3 "Operation and Governance Plan"

MVCC
Miami Valley
Communications Council

NATURAL GAS AGGREGATION PROGRAM OPERATION AND GOVERNANCE PLAN

Buckeye Energy Brokers, Inc.

For additional information contact Buckeye Energy Brokers, Inc.:

Thomas M. Bellish
Chief Sales Engineer
Ph: (330) 730-4336

16.

MVCC Certification Application For Governmental Aggregation

Table of Contents

(A) Introduction

This Operation and Governance Plan ("Plan") has been developed in compliance with Ohio Revised Code, Section 4929.26 regarding governmental automatic aggregation of Natural Gas service. The Miami Valley Communications Council ("MVCC") Aggregation Program ("Program") seeks to aggregate the retail natural gas loads of consumers located in program member municipalities to negotiate the best rates.

The Program will be undertaken at two levels. At the customer level, eligible residents and small businesses can participate automatically in the program by utilizing the Program Supplier. At the local government level, Miami Valley municipalities wishing to proceed jointly have authorized the MVCC to perform as their agent for development and administration of the Program. Current Program members are the municipalities of Centerville, Germantown, Kettering, Moraine, Miamisburg and Bellbrook. It has the potential to combine approximately 45,000 residential and small commercial customers into a buying pool that will be attractive to third party suppliers ("Suppliers").

MVCC was formed in 1975 as a council of governments to monitor, regulate, and administer common cable television franchise agreements, manage the operation of the council's cable access television channels, and develop and implement intergovernmental projects. The council is governed by a policy-making body consisting of delegates representing member cities. The Miami Valley Cable Council is a municipal communications organization representing the eight member cities of Centerville, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Springboro and West Carrollton. The council also has affiliate agreements with 18 other Miami Valley cities.

Participation in the Program is voluntary. Any individual customer ("Member") has the opportunity to decline to be a Member of the aggregation program and to return to Vectren Energy Delivery of Ohio ("Local Utility") standard offer of service or to enter into a service contract with any competitive retail natural gas supplier.

The Miami Valley Communications Council Program member municipalities have passed the necessary ordinance to place the issue of governmental aggregation of natural gas on the May 2003 ballot. The issue passed and the MVCC will follow the Plan outlined below. This Plan will not be adopted until two public hearings are held in accordance with section 4929.26 (C) of the Ohio Revised Code.

(B) Operation and Governance Plan Detail

(I) Purpose of the Natural Gas Municipal Aggregation Program

The purpose of the MVCC Program is to provide customer choice and savings to residents and small businesses that would not otherwise benefit from energy deregulation. Additional goals that guide the Executive Director of the MVCC in decision-making are listed below:

- To acquire the best energy pricing available, including government-owned accounts;
- To provide timely communication on the Program;
- To protect consumers from rapidly increasing energy prices;
- To improve quality and reliability of service;
- To utilize and encourage any mandated renewable energy requirements;
- To advance specific community goals that may be selected, and;
- To utilize local government authority to achieve these goals.

(2) Description of Services and Professional Assistance

The process of governmental aggregation is set forth in Ohio Revised Code Chapter 4929. The chapter 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 natural gas consumer. That is, the consumer must give its consent to be included in the Program. Under the opt-out aggregation provisions, all natural gas consumers within the boundaries of MVCC municipalities will be automatically included in the Program. However, 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 two years during which Members can leave the MVCC's aggregation pool without paying a switching fee. Distribution services (metering, billing, maintenance of the gas pipelines) will continue as a function of the Local Utility. The Local Utility shall also be the "provider of last resort" for customers not participating in the Program who have no other competitive supplier.

Due to the complexity of deregulation of the natural gas utility industry, the MVCC will consult with and obtain the necessary expertise to represent and help administer the Program. The MVCC has passed an ordinance to contract with Buckeye Energy Brokers, Inc. (Buckeye Energy Brokers), a Public Utility Commission of Ohio (PUCO) certified electric and natural gas broker and aggregator with mailing address of 8870 Darrow Road #F106 Twinsburg, Ohio 44087. Buckeye Energy Brokers has advised numerous municipalities on energy aggregation programs and will provide the following energy-consulting services to the MVCC:

- Handle day-to-day administration of program (problem resolution, press releases, PUCO compliance, supplier & local utility liaison, tariff analysis, contract review, etc.)
- File for PUCO Certification so the MVCC can work with any supplier
- Administer the Request for Proposal process, analyze responses and provide deal structuring services
- Write and maintain the Operation and Governance Plan
- Hold the required Public Hearings and attend Council meetings
- Review customer data from Local Utility
- Write reports on a quarterly basis to the MVCC and annually to the PUCO

The MVCC through its consultants will seek bids and negotiate with Certified Natural Gas Suppliers. The MVCC will not assume title to natural gas. It will not buy and resell natural gas to the participants of the program. Instead, the MVCC will competitively bid and negotiate a contract with a competitive retail natural gas supplier to provide natural gas supply to the Members of the aggregation program. Similarly, the MVCC will not handle billing or scheduling of natural gas. Those responsibilities rest with the selected Supplier and *Local Utility*.

Only Suppliers meeting strict criteria will be considered. Suppliers will need to be certified by the Public Utilities Commission of Ohio and registered with the *Local Utility* to do business in their service territory. Both the certification and registration ensure that Suppliers are managerially, technically, and financially competent to perform the services they offer.

The successful bidder shall also demonstrate its creditworthiness by possessing an investment grade long-term bond ratings from at least two of the following rating agencies:

Standard & Poors	BBB or Higher
Moody's Investors' Services	Baa3 or Higher
Fitch ICBA	BBB or Higher

If the bidder is unable to demonstrate its creditworthiness, the bidder will provide: a Letter of Credit; or a Parental Guaranty from a company that is deemed creditworthy or a Surety Bond. *Details of the credit type and amount will be subject to negotiation.*

If for any reason the selected supplier discontinues service or announces plans to discontinue service, the MVCC will attempt to contract with an alternate supplier. If this attempt fails, customers will default to Local Utility service and tariff rates. In no case will participants be without natural gas as a result of the Program Supplier failure to provide uninterrupted service.

The MVCC will rely on its consultant, Buckeye Energy Brokers, to monitor and report on a quarterly basis. Buckeye Energy Brokers will track the performance of the selected Supplier, report on estimated savings and provide an analysis of current and future market conditions. Reports will be provided to the administration of each Program member municipality. Members wishing to view the reports should make arrangements to do so by contacting the MVCC during normal working hours.

The MVCC and/or its consultants will assist municipalities wishing to establish a governmental aggregation program through the following process:

- Local governing body passes ordinance authorizing a natural gas "opt-out" aggregation program for customers utilizing the MVCC;
- The ordinance is submitted to the local Board of Elections not less than 75 days before the day of a special election or the next primary or general election;
- Adopt and submit a natural gas Operation and Governance Plan to the PUCO

20

- Insert a public hearing notice on the Operation and Governance Plan once a week for two consecutive weeks before the first public hearing, providing a summary of the Plan and the date, time, and location of each hearing;
- Hold two public hearings on the natural gas Plan;
- Adopt Operation and Governance Plan;
- Draft and distribute a natural gas request for proposal to potential Suppliers;
- Negotiate and select natural gas Supplier to enter into service agreement;
- Obtain the necessary electronic list from the Local Utility;
- Notify eligible customers, as outlined in Section B.4., of automatic enrollment, rates, terms, conditions and opt-out period prior to service under the Program through U.S. mail
- Customers participating in the Program will have the opportunity to opt-out of the Program every two years, without paying a switching fee;
- Monitor Supplier service agreement for compliance;
- Report any required information to the PUCO and file to renew municipal aggregator certification every two years.

(3) Determination of Rates

The MVCC shall receive proposals from Natural Gas suppliers using a competitive selection process. The Request For Proposal ("RFP") shall require the suppliers to offer a natural gas rate for each customer class, load grouping or other appropriate category. It is the responsibility of each Member to compare the rate with others and decide accordingly. The prices to be charged to Members in the Program will be set by the MVCC after negotiations with the selected Supplier. Members will be notified of the rates and terms of the Program as part of the opt-out process, through a direct mailing sent to each resident and business within the MVCC member municipality limits. The following rate comparison will be completed once the Municipality has selected a supplier.

Customer Class	Rate Class	Supplier Offer ($/Mcf)	Term
Resid./Commercial	"Energy Choice"		
Resid./Commercial	"Energy Choice"		

Members will be responsible for all other billable charges, such as, taxes, transportation charges, monthly service charge, etc. The contract negotiated with the selected supplier will fall somewhere in the range of 1-4 years commencing in the first possible billing month.

The MVCC offers its participating municipalities the opportunity to gain market leverage, share resources and to reduce administrative and other costs for developing, implementing and providing communication services for the Program. Funding for these activities is anticipated to be provided by the selected Supplier(s) with an appropriate administrative fee to cover the costs of the Program. Such funds will be collected by the

Supplier and paid to the MVCC. In the event additional funding for the MVCC Program is required, each participating municipality may be assessed an annual fee pursuant to the agreement with the MVCC. The funding will be utilized for all Program operations activities.

(4) Plan for Providing Opt-out Notice

The Opt-out notice will be drafted in conjunction with the MVCC, the selected Supplier and Buckeye Energy Brokers. Buckeye Energy Brokers will also verify the accuracy of the list by using several means, such as, maps, 9-1-1 records, MVCC records, electric service lists, etc. Members will have a 21-day period to opt-out by returning a post card to the selected Program Supplier or calling their toll-free number.

(5) Process for Determining the Pool of Customers

The MVCC will provide a letter to the supplier authorizing the supplier to obtain the list of Eligible Customers from the Local Utility and will be relying on the Local Utility to provide an accurate list of eligible customers. Buckeye Energy Brokers and the selected supplier will use that list and remove customer records that have returned opt-out forms or are PIPP customers or are non-"Energy Choice" customers. This data would be the final basis for the MVCC's pool of customers and would be turned over to the selected supplier to facilitate switching.

The Local Utility shall notify each affected Member of the pending transfer through a 7-day right of rescission letter. Service under the new Supplier shall begin at the start of the billing period following the transfer. Service under the Program shall include all customer classes in adherence with universal service principles and requirements, and the traditional non-discriminatory practices of local government. Contracts with all Suppliers shall contain provisions to maintain these principles and equitable treatment of all customer classes. Existing customers in the MVCC currently receiving natural gas through an alternate supplier will become eligible upon contract expiration only.

Customers who meet the following criteria will be considered "eligible" and become members of the aggregation program:

- Are up to date with their bill payment;
- Have not opted-out of the program;
- Are currently with the Local Utility;
- Are classified as non-mercantile;
- Have not exercised their right of rescission;
- Are not on the Percentage of Income Payment Plan (PIPP); and
- New Members may opt-in to the Program upon contract expiration with an alternate supplier. These Members will need to contact the Program Supplier for enrollment information. The Program Supplier has a right of refusal in accordance with Section 8 of this plan.

(6) Customer Billing Procedures

The MVCC will utilize the coordinated billing services of the Local Utility and the selected Supplier. It is anticipated that all Members will receive a single bill from the Local Utility. Members will maintain or choose options that include: budget billing, automatic payments and Internet payment.

(7) Credit and Deposit Policies

Collection and credit procedures remain the responsibility of the Local Utility, the selected Supplier and the individual Member. Members are required to remit and comply with the payment terms of the Local Utility. This Program will not be responsible for late or no payment on the part of any of its members. The MVCC will have no separate credit or deposit policy.

(8) Governmental Aggregator's Customer Service Procedures & Dispute Resolution

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability and billing should be directed to the Local Utility. They continue to read meters, handle billing and generally have the most information about a customer's account. Questions regarding the Program administration should go to Buckeye Energy Brokers, and any unresolved disputes should be directed to the Public Utilities Commission of Ohio. Listed below is a table of toll-free numbers for members to call for assistance.

Nature of Complaint	Contact	Phone Number
Service interruptions or emergencies; Service turn on/off; Billing disputes	Vectren Energy Delivery of Ohio	1-800-227-1376
Joining/Leaving Program	(Program Supplier)	TBA
Aggregation Program Questions	Buckeye Energy Brokers	1-866-302-2237
Unresolved Disputes	Public Utilities Commission	1-800-686-7826 1-800-686-1570 TDD/TTY

If a dispute cannot be resolved, legal action involving any and all disputes arising under or relating to this Program may be brought in a court of the State of Ohio or a Federal District Court. This program shall be interpreted according to the laws of the State of Ohio.

(9) Members Moving Into/Within the Aggregation (New Account Number)

Residents and/or businesses that move into a MVCC Program member municipality will not be automatically included in the program. If this policy changes, residents and/or businesses will be provided an opportunity to opt-out. They may also contact the MVCC or its Supplier at any time to obtain enrollment information. There is however, no

23

guarantee that customers opting-in at a later date will receive the same price, terms and conditions as did the initial participants. Suppliers are unable to hold price offerings for an unlimited amount of time.

Members moving within the aggregation area with new account numbers may cancel the agreement. If the member does not cancel the agreement, the supplier, is required to automatically continue the offer under a new account number. In addition, Members should request that the Local Utility transfer their same supplier and offer to their new address.

(10) Members Moving Within the Aggregation (Same Account Number)

Members moving within the aggregation area with the same account number may cancel the agreement without penalty, pursuant to the procedures set forth in rule 4901:1-28-04 of the Administrative Code. If the member does not cancel the agreement, the supplier shall automatically continue the offer under the same account number.

(11) Joining the Program at a Later Date (Opting-in)

Customers desiring to join the program at a later date will be treated similar to customers moving into a MVCC Program member municipality. They will need to contact the MVCC or its Program Supplier to obtain enrollment information. They will follow an opt-in approach. There is, however, no guarantee that customers opting-in at a later date will receive the same price, terms and conditions as did the initial participants. Suppliers are unable to hold price offerings for an unlimited amount of time, and if the MVCC asks for such a requirement, the price offering received from suppliers will be higher to reflect the greater risk. Customers opting-in to the Program will be responsible for knowing if there is a switching fee for leaving their current supplier.

(C) Availability of Plan of Operation and Governance

This Plan shall be kept available for public inspection and shall, upon request, be copied for any existing or potential customers of the aggregation.

(D) Altering the Plan of Operation and Governance

A governmental aggregator shall not alter its operation and governance plan in any way that would materially affect the customers of the aggregation without first providing notice to all affected customers and providing those customers the opportunity to opt-out of the aggregation according to the procedures established for the initial opt-out disclosure notice set forth in rule 4901:1-28-04 of the Administrative Code. The notice shall set forth the changes to the plan, inform customers of their right to opt-out of the aggregation without penalty, and identify the method and time frame for the customer to opt-out.

24

(E) Certification Prior To Sending Opt-out Notices

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 4901:1-27 of the Ohio Administrative Code and Section 4929.26 of the Ohio Revised Code. Section 4929.26 of the Ohio Revised Code allows municipalities to join together and combine their resources for development and implementation of a natural gas aggregation program.

(F) Opt-out Disclosure Policies

(1) Prior to including a customer's natural gas account or accounts in an aggregation, the MVCC with the assistance of the selected Supplier shall provide each eligible customer written notice that the customer's account(s) will be automatically included in the aggregation unless the customer affirmatively opts out of the aggregation. The notice shall, at a minimum, include:

(A) A summary of the actions that the MVCC took to authorize the aggregation.

(B) A description of the services that the MVCC will be provide under the aggregation.

(C) Disclosure of the price that the Supplier will charge customers for competitive retail natural gas service. The price shall be expressed in dollars and/or cents per hundred cubic feet of gas ("Ccf") or thousand cubic feet of gas ("Mcf"), depending on the unit that is used by the natural gas company that serves the customer. If a variable rate is offered, it shall be accompanied by an understandable description of the factors that will cause the price to vary (including any associated indices) and disclosure of how frequently the rate will change.. If different rates will be charged to different rate classes within the aggregation, the MVCC shall disclose the applicable rate(s) to customers within the various rate classes.

(D) An itemized list and explanation of all fees and charges that are not incorporated into the rates charged for natural gas that the MVCC or Supplier will charge the customer for participating in the aggregation, including any applicable switching fees or early termination penalties. These switching fees and/or early termination penalties shall not apply to a customer that moves out of the governmental aggregator's territory.

(E) Disclosure of the dates covered by the aggregation, including an estimated service commencement date and notice that the customer may opt-out of the aggregation at least every two years without penalty.

(F) Disclosure of any credit and/or deposit policies and requirements.

(G) Disclosure of any limitations or conditions on customer acceptance into the aggregation.

(H) A description of the process and associated time period for customers to opt-out of the aggregation. The process shall include provisions for customers to return a post card or similar notice to the governmental aggregator or its agent. The process may include, in addition, other opt-out methods, such as telephonic or Internet notice, provided that these methods provide for verification of a customer's election to opt-out of the aggregation. The time period for a customer to choose to opt-out of the aggregation shall extend at least twenty-one days from the date of the post mark on the written notice. A customer's return post card or notice that is post marked before the opt-out deadline has elapsed shall be deemed to have opted out.

(I) A local or toll-free telephone number that customers can call with questions regarding the formation or operation of the aggregation, including associated calling hours.

(2) At least every two years from the establishment of its initial aggregation pool, a governmental aggregator shall provide notice to all customers served by the aggregation of their right to opt-out of the aggregation without penalty. This notice shall follow the procedures established for the initial opt-out notice set forth in this rule and shall prominently disclose to customers all changes to the terms and conditions associated with the aggregation.

(3) No governmental aggregator or retail natural gas supplier serving a governmental aggregation shall impose any terms, conditions, fees, or charges on any customer served by a governmental aggregation unless the particular term, condition, fee, or charge was clearly disclosed to the customer at the time the customer chose not to opt-out of the aggregation.

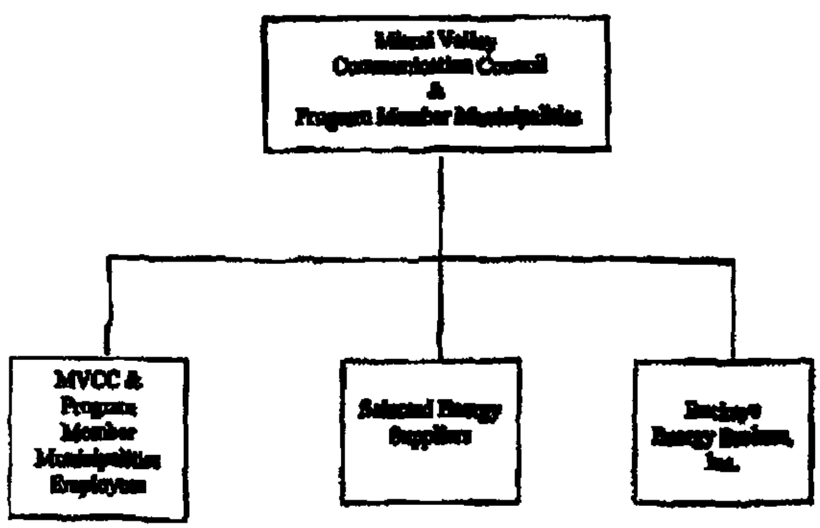
(4) To assist its preparation and dissemination of required opt-out notices, the MVCC will provide a letter to the supplier authorizing the supplier to obtain the list of Eligible Customers from the Local Utility and will be relying on the Local Utility to provide an accurate list of eligible customers consistent with division (A) of rule 4901:1-28-05 of the Administrative Code. The governmental aggregator shall not, without the customer's express written consent, disclose or use for any purpose other than formation and operation of its aggregation a customer's account number or social security number or any customer information regarding customers who had opted-off of a natural gas company's pre-enrollment list. Before a governmental aggregator releases any customer account number, social security number, or any information related to a customer who has opted off of a natural gas company's pre-enrollment list, the governmental aggregator shall obtain the customer's signature on a release. The release shall be on a separate piece of paper. The release shall be clearly identified on its face as a release of personal information and all text on the release shall be in at least 16-point type. The following statements shall appear prominently on the release, just prior to the signature, in type larger and darker than the type in the surrounding sentences: **I realize that, under the rules and regulations of the Public Utilities Commission of Ohio, I may refuse to allow (name of aggregator) to release the information set forth above. By my signature, I freely give (name of aggregator) permission to release the information designated above.** The information that the governmental aggregator seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.

(5) The MVCC shall use its best efforts to ensure that only eligible customer accounts within its governmental boundaries and customers who have not opted-out are included in its

aggregation. If ineligible accounts, accounts from outside of the governmental aggregator's governmental boundaries, or accounts for customers who opted-out of the aggregation are switched to the governmental aggregation, the governmental aggregator upon notification of such a switch shall promptly contact the natural gas company to have the customer switched back to the customer's former supplier. The governmental aggregator shall reimburse the customer for any switching fees that were paid by the customer as a result of the switch. In addition, if the customer's former rate was less than the rate charged by the governmental aggregator, then the governmental aggregator shall reimburse the customer the difference between the customer's former rate and the governmental aggregator's rate multiplied by the customer's usage during the time that the customer was served by the governmental aggregator.

(G) Organizational Structure of the MVCC Energy Aggregation Program

The MVCC will act as agent to the participating Program member municipalities pursuant to prior agreement to provide communication, technical and financial resources. The MVCC is a firmly based council of governments that will utilize its own employees as well as experienced and highly reputable firms to undertake service acquisition. The following chart represents the organization structure of the MVCC energy aggregation Program:



(H) Cooperation Between Natural Gas Companies and Governmental Aggregators

(1) *Pursuant* to O.A.C. section *4901:1-28-05, it* is expected natural gas company shall cooperate with governmental aggregators to facilitate the proper formation and functioning of governmental aggregations. To assist a certified governmental aggregator's compliance with

the opt-out disclosure notice requirements established in division (D) of section 4929.26 of the Revised Code, upon request, the natural gas company shall provide, on a best efforts basis, an updated list of names, account numbers, service and mailing address, rate schedules (class and subclass), applicable riders, load profile reference category, meter type, interval meter data indicator, budget bill indicator, meter read date or schedule, and historical consumption data for each of the most recent twelve months for all customers residing within the governmental aggregator's boundaries. Except for inclusion of information for customers who have opted-off and account numbers, the customer information contained in such list shall be consistent with any pre-enrollment list that is provided to retail natural gas suppliers.

(2) Charges and/or fees for services and information provided to governmental aggregators by natural gas companies shall be published in an approved tariff filed with the commission.

Unless the customer notifies the natural gas company of the customer's intent to not join a governmental aggregation by returning a confirmation notice or providing some other notice as provided by the natural gas company's tariffs, a natural gas company shall switch customer accounts to or from a governmental aggregation under the same processes and time frames provided in published tariffs for switching other customer accounts.

EXHIBIT 3

AUTOMATIC AGGREGATION DISCLOSURE

Exhibit B-3 "Automatic Aggregation Disclosure"

The Opt-out notice will be drafted in conjunction with the MVCC, the selected Program Supplier and Buckeye Energy Brokers. Buckeye Energy Brokers will also verify the accuracy of the list by using several means, such as, maps, 9-1-1 records, MVCC records, electric service lists, etc. Members will have a 21-day period to opt-out by returning a post card to the selected supplier or calling their toll-free number.

The MVCC will provide a letter to the supplier authorizing the supplier to obtain the list of Eligible Customers from the Local Utility and will be relying on the Local Utility to provide an accurate list of eligible customers. Buckeye Energy Brokers and the selected Program Supplier will use that list and remove customer records that have returned opt-out forms or are PIPP customers or are non-"Energy Choice" customers. This data would be the final basis for the MVCC's pool of customers and would be turned over to the selected Program Supplier to facilitate switching.

The Local Utility shall notify each affected Member of the pending transfer through a 7-day right of rescission letter. Service under the new Program Supplier shall begin at the start of the billing period following the transfer. Service under the Program shall include all customer classes in adherence with universal service principles and requirements, and the traditional non-discriminatory practices of local government. Contracts with all Suppliers shall contain provisions to maintain these principles and equitable treatment of all customer classes. Existing customers in the MVCC member municipalities currently receiving natural gas through an alternate supplier will become eligible upon contract expiration only.

Customers who meet the following criteria will become members of the aggregation program:

- Are up to date with their bill payment;
- Have not opted-out of the program;
- Are currently with the Local Utility;
- Are classified as non-mercantile;
- Have not exercised their right of rescission;
- Are not on the Percentage of Income Payment Plan (PIPP); and
- New Members may opt-in to the Program upon contract expiration with an alternate supplier. These Members will need to contact the Program Supplier for enrollment information. The Program Supplier has a right of refusal in accordance with Section 8 of this plan.

EXHIBIT 4

OPT-OUT NOTIFICATION

Exhibit B-4 "Opt Out Notice"

The Miami Valley Communications Council ("MVCC") aggregation program provides for automatic aggregation for the provision of competitive retail natural gas services in accordance with Section 4929.26(A), Ohio Revised Code. The MVCC will file with the Public Utilities Commission of Ohio a copy of the "Opt Out Notice" that conforms with the opt-out disclosure requirements of Rule 4901:1-28-04, Ohio Administrative Code, at least ten (10) business days prior to offering or providing natural gas service to a customer in this state, as provided in the affidavit contained in Exhibit A-5.

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4839 IGSenergy.com

MVCC

MIAMISBURG

SAMPLE

John Doe
7501 Abbie Pl Apt 2
Miamisburg OH 46257

[illegible]

Dear City of Miamisburg Resident:

The City of Miamisburg would like to invite you to participate with other Miamisburg residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Miamisburg is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Miamisburg officials passed resolution 2522 adopting the program on January 6, 2004. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of Miamisburg has negotiated a price for you that will provide a *GUARANTEED SAVINGS* compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.049 per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August 26, 2008. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of Miamisburg, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice

19 digit account number as it appears on your current default gas bill:

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Check box to opt out)

☐

Name (Please Print) ______________________

Address ______________________

City, State, Zip ______________________

Phone Number ______________________

Email Address ______________________

Signature (REQUIRED) ______________________

OOVSC01

SAMPLE

My Natural Gas Supply Agreement with IGS Energy®

[illegible] — Keep for [illegible]

Terms: The community's opt-out government aggregation program ("the Program") and my service with Interstate Gas Supply, Inc. [illegible] "IGS Energy" and the consumer will be referred to [illegible] [illegible] [illegible] July 2011 [illegible] [illegible] [illegible] [illegible] 1-[illegible], by fax at 614-[illegible], in writing at P.O. Box [illegible], Dublin, OH 43017, or through their web site at [illegible].

Regulatory: The [illegible] choice program and the government aggregation for my community (with Miami Valley Communications Council) are subject to ongoing Public Utilities Commission of Ohio (PUCO) jurisdiction, and I understand that if the choice program or the Program is terminated, this Agreement may be terminated without penalty to either party.

Price: My price through the March [illegible] billing period shall be determined each month by the applicable New York Mercantile Exchange (NYMEX) [illegible] [illegible] [illegible] [illegible] [illegible] July 2011 billing cycle. If the Program does not continue after the March [illegible] billing period, then I will be returned to standard service or [illegible]

Renewal: [illegible]

Rescission Period: [illegible]

Cancellation: [illegible]

Contact and Dispute Resolution: [illegible]

Billing: [illegible]

Assignment: [illegible]

Moving/Termination: [illegible]

Eligibility / Limitation of Liability / Jurisdiction: [illegible]

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the MVCC Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program

PO Box [illegible]

Dublin, Ohio 43017-[illegible]

IGS ENERGY

PO Box 9060 Dublin, OH 43017   Phone: 800 280 4474   Fax: 800 584 4839   IGSenergy.com

MVCC

CITY OF OAKWOOD 1908

SAMPLE

John Doe
19 Lanier Rd Apt [illegible]
Oakwood OH [illegible]

[illegible]

Dear City of Oakwood Resident:

The City of Oakwood would like to invite you to participate with other Oakwood residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Oakwood is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Oakwood officials passed resolution 1885 adopting the program on July 30, 2008. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of Oakwood has negotiated a price for you that will provide a GUARANTEED SAVINGS compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.045 per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August [illegible]. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of Oakwood, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your *Natural* Gas Choice.

[illegible] digit account number as it appears on your current natural gas bill:

Name (Please Print)________________________

Address________________________

City, State, Zip________________________

Phone Number________________________

Email Address________________________

Signature (REQUIRED)________________________

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Check box to opt out)

☐

OOVBC01

SAMPLE

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] choice of law provisions.

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the [illegible] Natural Gas Aggregation Program.

Mail by August 26, 20[illegible] to:

Natural Gas Aggregation Program

PO Box 9060

Dublin, Ohio 43017-0960

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4839 IGSenergy.com

MVCC

WEST CARROLLTON

SAMPLE

John Doe
6281 Betts Ave Fl 1n
West Carrollton OH [illegible]

[redacted]

Dear City of West Carrollton Resident:

The City of West Carrollton would like to invite you to participate with other West Carrollton residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which West Carrollton is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and West Carrollton officials passed resolution 3416 adopting the program on February 10, 2009. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of West Carrollton has negotiated a price for you that will provide a *GUARANTEED SAVINGS* compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.046 per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August 28, 2009. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of West Carrollton, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice

18 digit account number as it appears on your current natural gas bill

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Check box to opt out.)

☐

Name (Please Print)______________________________

Address______________________________

City, State, Zip______________________________

Phone Number______________________________

Email Address______________________________

Signature (REQUIRED)______________________________

OOVE2IH

SAMPLE

My Natural Gas Supply Agreement with IGS Energy®

[illegible]

Terms: [illegible]

Regulations: [illegible]

Price: [illegible]

Renewal: [illegible]

Rescission Period: [illegible]

Cancellation: [illegible]

Contact and Dispute Resolution: [illegible]

Billing: [illegible]

Assignment: [illegible]

Moving/Termination: [illegible]

Eligibility / Limitation of Liability / Jurisdiction: [illegible]

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the MVCC Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program
PO Box 8060
Dublin, Ohio 43017-[illegible]

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4839 IGSenergy.com

SAMPLE

John Doe
9830 Hamilton Ave Apt 1
Centerville OH 45231

[illegible]

Dear City of Centerville Resident:

The City of Centerville would like to invite you to participate with other Centerville residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Centerville is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Centerville officials passed resolution [illegible] adopting the program on December 16, 2008. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of Centerville has negotiated a price for you that will provide a GUARANTEED SAVINGS compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.0[illegible] per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August 2[illegible], 2008. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of Centerville, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice

[illegible] digit account number as it appears on your current natural gas bill:

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Mark box to opt-out)

☐

Name (Please Print) ____________________

Address ____________________

City, State, Zip ____________________

Phone Number ____________________

Email Address ____________________

Signature (REQUIRED) ____________________

COMEC01

SAMPLE

My Natural Gas Supply Agreement with IGS Energy"

[illegible]

Terms: [illegible]

Regulations: [illegible]

Price: [illegible]

Renewals: [illegible]

Rescission Period: [illegible]

Cancellation: [illegible]

Contact and Dispute Resolution: [illegible]

Billing: [illegible]

Assignments: [illegible]

Moving/Termination: [illegible]

Eligibility / Limitation of Liability / Jurisdiction: [illegible]

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the MVCC Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program

PO Box 9060

Dublin, Ohio 43017-0960

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4639 IGSenergy.com

SAMPLE

John Doe
1458 Sherwood Dr Apt J
Germantown OH 45014

[redacted]

Dear Village of Germantown Resident:

The Village of Germantown would like to invite you to participate with other Germantown residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Germantown is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Germantown officials passed resolution 05-07 adopting the program on November 17, 2005. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The Village of Germantown has negotiated a price for you that will provide a *GUARANTEED SAVINGS* compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.046 per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August 28, 2008. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the Village limits of Germantown, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice

10 digit account number as it appears on your current natural gas bill:

Name (Please Print) ______________________

Address ______________________

City, State, Zip ______________________

Phone Number ______________________

Email Address ______________________

Signature (REQUIRED) ______________________

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(check box to cancel)

☐

OOVBC01

SAMPLE

My Natural Gas Supply Agreement with IGS Energy®

[illegible] Keep for your records

Terms: The community's opt-out government aggregation program ("the Program") and my service with Interstate Gas Supply, Inc. [illegible]

Regulatory: [illegible] without penalty to either party.

Prices: [illegible] Program will be provided.

Renewal: [illegible] I will be continued in the Program.

Rescission Period: [illegible]

Cancellation: [illegible]

Contact and Dispute Resolution: [illegible]

Billing: [illegible] history from the NGDC.

Assignment: [illegible]

Moving/Termination: [illegible] without penalty to me.

Eligibility / Limitation of Liability / Jurisdiction: [illegible] choice of law provisions.

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the MVCC Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program

PO Box [illegible]

Dublin, Ohio 43017-[illegible]

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4839 IGSenergy.com

MVCC

SAMPLE

[redacted]

John Doe
10985 Reed Hartman Hwy Ste 200
Moraine OH [illegible]

[redacted]

Dear City of Moraine Resident:

The City of Moraine would like to invite you to participate with other Moraine residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Moraine is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Moraine officials passed resolution [illegible] adopting the program on June [illegible], 2009. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of Moraine has negotiated a price for you that will provide a *GUARANTEED SAVINGS* compared to the utility rate for natural gas through March 2010. *Your price is guaranteed to be $0.[illegible] per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge.* Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August [illegible], 2009. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of Moraine, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice

[illegible] digit account number as it appears on your current natural gas bill:

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Check box to opt-out)

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Name (Please Print)________________________

Address________________________

City, State, Zip________________________

Phone Number________________________

Email Address________________________

Signature (REQUIRED)________________________

DOVEC01

SAMPLE

My Natural Gas Supply Agreement with [illegible] Energy

[illegible] [illegible]

Term: [illegible]

Regulatory: [illegible]

Price: [illegible]

Renewal: [illegible]

Rescission Periods: [illegible]

Cancellation: [illegible]

Contact and Dispute Resolution: [illegible]

Billing: [illegible]

Assignment: [illegible]

Moving/Termination: [illegible]

Eligibility / Limitation of Liability / Jurisdiction: [illegible]

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the [illegible] Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program
PO Box [illegible]
Dublin, Ohio 43017-[illegible]

IGS ENERGY

PO Box 9060 Dublin, OH 43017 Phone: 800 280 4474 Fax: 800 584 4839 IGSenergy.com

MVCC SAMPLE CITY OF KETTERING

John Doe
112 Towne Commons Way Apt 24
Kettering OH 45215

[redacted]

Dear City of Kettering Resident:

The City of Kettering would like to invite you to participate with other Kettering residents in an opt-out natural gas aggregation program. This program is being offered through the Miami Valley Communications Council (MVCC), a council of governments which Kettering is a member of, along with IGS Energy of Dublin, Ohio as the supplier of natural gas to the program.

Under this program, MVCC acts on behalf of natural gas consumers in your community to negotiate a gas supply contract for all eligible residents. Both MVCC and IGS Energy have been certified by the Public Utilities Commission of Ohio. Voters approved the program and Kettering officials passed resolution XXX adopting the program on XXXXXXXX. Your enrollment in the MVCC aggregation program will begin within one to two billing periods after submission of your account to Vectren Energy Delivery of Ohio (Vectren) and end with your July 2011 billing period.

The City of Kettering has negotiated a price for you that will provide a GUARANTEED SAVINGS compared to the utility rate for natural gas through March 2010. Your price is guaranteed to be $0.040 per ccf below Vectren's Standard Service Offer (SSO), which is the comparable gas commodity rate that you currently pay. In addition, if you are ever unsatisfied with the program, you may cancel any time free of charge. Please refer to the enclosed Terms and Conditions for full details.

There is no cost to enroll. You will automatically be included in the MVCC natural gas program unless you choose to "opt-out" – that is, to not participate.

If you want to "opt-out" or be excluded from the MVCC natural gas aggregation program, you must return the enclosed "Opt-Out" Form or contact IGS Energy at 1-800-280-4474 by August 26, 2009. If you do not cancel or opt-out at this time, you will be enrolled in the program until it expires with your July 2011 billing period. If you do nothing, you will soon receive a letter from Vectren notifying you of your transfer to the MVCC program with IGS Energy as your supplier. If you wish to remain in the program, simply ignore that letter.

Under this aggregation program, Vectren will continue to maintain the pipeline system that delivers natural gas to your home or business. You will continue to receive a single bill from Vectren for your natural gas service that will include a gas supply charge from IGS Energy plus sales tax in place of the SSO charge and gross receipts tax from Vectren. You will still contact Vectren regarding loss of gas service, odor of gas, or for any other concerns or issues having to do with your local service. Budget billing and automatic billing options will continue to be available through Vectren.

If you have any questions please call IGS Energy at 1-800-280-4474, weekdays, from 8:00 a.m. to 7:00 p.m. EST. For general information on natural gas deregulation in Ohio, you can also visit the Web Site of the Public Utilities Commission of Ohio at www.PUCO.ohio.gov.

Sincerely,
Miami Valley Communications Council and IGS Energy

Remember to return the "Opt-Out" form only if you do not want to participate in the MVCC natural gas aggregation program. If the home or small business for which you have received this letter is not located within the City limits of Kettering, you have received this letter in error. Please contact IGS Energy at 1-800-280-4474 to be removed from the aggregation list.

IGS ENERGY
Your Natural Gas Choice.

10 digit account number as it appears on your current natural gas bill

I wish to opt-out of the MVCC Natural Gas Aggregation Program.

(Check box to opt-out)

☐

Name (Please Print)__________

Address__________

City, State, Zip__________

Phone Number__________

Email Address__________

Signature (REQUIRED)__________

COVEC01

SAMPLE

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

NOTICE

Return the "Opt-Out" form only if you do not want to participate in the [illegible] Natural Gas Aggregation Program.

Mail by [illegible] to:

Natural Gas Aggregation Program

PO Box [illegible]

Dublin, Ohio [illegible]

EXHIBIT 5

EXPERIENCE STATEMENT

Miami Valley Communications Council has experience in negotiating, contracting and providing for common services for residents of the Council. Some examples of experience as a service provider are:

- Natural Gas Power purchase, generation and distribution
- Water and Sewer Service
- Police and Fire Service
- Parks and Recreation

The Executive Director, Council and Council Staff routinely negotiate for services and supplies that benefit the residents of Miami Valley Communications Council.

However, due to the complexity of municipal opt-out aggregation, the Council has chosen to retain the services of a consultant to assist them in designing, implementing and maintaining their Natural Gas aggregation program.

Contractual Arrangements for Capability Standards

Miami Valley Communications Council states that a valid contract exists with:

AMPO, Inc., a Subsidiary of AMP
1111 Schrock Road, Suite 100
Columbus, Ohio 43229

for the purpose of providing consulting services on municipal opt-out Natural Gas aggregation.

Detailed summary of the services being provided:

- Assist with developing model ordinances to create opt-in or opt-out Natural Gas aggregation programs.
- Coordinate and work with municipal local officials and staff to develop a procurement strategy for reliable and competitive Natural Gas supplies and related services for the Natural Gas aggregation program.
- Assist with the preparation of a Plan of Operation and Governance for the Natural Gas aggregation program.
- Coordinate and assist with the preparation and filing of the required aggregation certification documents with the Public Utilities Commission of Ohio ("PUCO").
- Assist with performing the PUCO requirements for governmental aggregation programs.
- Provide consulting services and administer the process of negotiating with certified Natural Gas suppliers, developing and soliciting requests for quotations ("RFQ") or requests for proposals ("RFP").
- Evaluate and manage the ongoing negotiations and/or RFQ or RFP.
- Analyze the negotiations and/or RFQ or RFP's from certified retail Natural Gas suppliers and make recommendations to local officials and staff.
- Assist with developing and negotiating the contract with the certified retail Natural Gas supplier to serve the aggregation program.
- Assist the municipality in executing and administering agreements with the selected certified retail Natural Gas supplier.

- Coordinate the PUCO customer notifications and other requirements for enrolling residents in the municipal Natural Gas aggregation program.
- Work with and assist the municipality, the certified retail Natural Gas supplier, and the Natural Gas local distribution company to facilitate the enrollment of customers in the municipal Natural Gas aggregation program at the earliest date practicable.
- Work with the certified retail Natural Gas supplier to coordinate and communicate with the municipality regarding enrollments in the municipal Natural Gas aggregation program, cost savings to participants, and other related matters.
- Assist the municipality in developing effective consumer education materials to explain the aggregation program and make community presentations as needed.
- Assist with monitoring proceedings of applicable legislative and regulatory bodies and provide analysis and updates on changes that may impact the municipal Natural Gas aggregation program, its participants, or the municipality.
- Represent the interests of the municipality at meetings with the certified retail Natural Gas supplier and the local distribution company concerning the municipal Natural Gas aggregation program rates, terms and conditions of service, customer concerns, etc.
- Assist and work with the municipality to prepare and file annual reports required by the PUCO and Section 4905.10(A) and Section 4911.18(A), Ohio Revised Code.
- Coordinate with municipal legal counsels to facilitate legal reviews and/or opinions that may be needed in connection with the aggregation program. Please note that the performance of any legal work, including but not limited to the legal reviews and/or opinions, are beyond the scope of AMPO's services.
- As the initial term of the certified retail Natural Gas supplier contract agreement nears its end, repeat Phase I activities to secure ongoing competitive Natural Gas supplies and related services for the municipal Natural Gas aggregation program.

Documentation of Contracting Party's Experience in Energy Aggregation:

AMP, Inc.

Founded in 1971, Columbus based American Municipal Power (AMP) was organized as a nonprofit corporation for the purpose of owning and operating electric facilities or otherwise providing for the generation, transmission and/or distribution of electric power and energy to its member communities. Members include 80 of Ohio's 86 municipally owned electric systems, three in Kentucky, seven in Michigan, 29 in Pennsylvania, five in Virginia and two West Virginia public power communities, ranging in size from 116 customers to more than 80,000 customers. Collectively, AMP member communities serve approximately 364,000 customers.

AMP coordinates, negotiates and develops power supply options and interchange agreements on behalf of its members. AMP also owns and operates the Richard H. Gorsuch Generating Station, a 213-megawatt coal-fired facility located in Marietta, Ohio, that provides power to 48 participating communities, and has undertaken an ambitious program of siting distributed generation in member communities throughout Ohio. In addition, AMP serves as an independent project manager for Ohio members participating in joint ventures to share ownership of power generation and transmission facilities, including the OMEGA JV5 project, a 42 MW run-of-the-river hydroelectric power station completed on the Ohio River in 1999.

AMP also operates a sophisticated 24-hour energy control center that monitors electric loads and transmission availability, dispatches, buys and sells power and energy and controls AMP and member-owned generation. A competent in-house engineering, operations, safety, power supply, key accounts, economic development, rate and environmental staff is available at AMP's headquarters to assist member communities in addition to performing AMP duties and providing support to the joint ventures.

AMP's knowledgeable, experienced staff understands the unique challenges faced by local government staff and elected officials. AMP is governed by a 16-member Board of Trustees, all of who are local government representatives, and a number of AMP staff members—including its president—once worked for local governments.

AMPO, Inc.

Formed in 1998, AMPO, Inc. is a wholly owned, taxable subsidiary of AMP whose purpose is to provide direction and service to local governments and other energy consumers in evolving energy markets. This includes the development and implementation of local electric and electric aggregation programs, review and negotiation of energy contracts, and the evaluation and implementation of energy supply alternatives for local business, industry and government. AMPO, Inc. has been an approved supplier in the Columbia Gas of Ohio CHOICE^{sm} and Dominion East Ohio Energy Choice programs and currently works with over 40 Ohio communities to offer natural gas and/or electric aggregation programs to residential and small commercial customers.