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FILE



IntegrYS Energy Services, Inc.
Suite 314
6797 North High Street
Worthington, OH 43085
www.integrYSenergy.com

June 25, 2009

Public Utilities Commission of Ohio
Docketing Division
13th Floor
180 East Broad Street
Columbus, OH 43215

Re: City of Wyoming
Case No. 09-0528 -GA-GAG

Dear Sir/Madam:

Enclosed please find a Certification Application, Ohio Natural Gas Governmental Aggregation to Provide Natural Gas Governmental Aggregation Service to the City of Wyoming, Ohio. Attached please find a copy of the e-mail notification from City of Wyoming City Manager, Robert Harrison, dated 6/10/2009, requesting that IntegrYS Energy Services, Inc. submit this application for certification on the City's behalf. Please file these documents and return a time-stamped copy of the application in the enclosed self-addressed stamped envelope. You are requested to direct all future correspondence in this matter to Brenda Coffey at the address indicated above or at bgcoffey@integrYSenergy.com.

Thank you in advance for your assistance in this regard. Please feel free to call me if you have any questions.

Very truly yours,


Brenda G. Coffey
IntegrYS Energy Services, Inc.

cc: Robert W. Harrison, City Manager

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CITY OF WYOMING • 800 OAK AVENUE • WYOMING, OHIO 45215
(513) 821-7600
FAX (513) 821-7952

June 10, 2009

Mr. Alan Schriber, Chairman
Public Utilities Commission of Ohio
160 E. Broad St.
Columbus, Ohio 43215

Dear Mr. Schriber:

We are requesting Integrys Energy Services, Inc. to file the application for certification as a natural gas aggregator with the P.U.C.O. on behalf of the City of Wyoming, Ohio.

Sincerely,

Robert W. Harrison
City Manager



PUCO USE ONLY - Version 1.07		
Date Received	Case Number	Certification Number
	01-038 GA-GAG	

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 Applicant information:

Legal Name City of Wyoming, OH
Address 800 Oak Avenue, Wyoming, OH 45215
Telephone No. 513-821-7600 Web site address www.wyoming.oh.us
Current PUCO Certificate Number Effective Dates

A-2 Contact person for regulatory or emergency matters:

Name Mr. Robert Harrison Title City Manager
Business Address 800 Oak Avenue, Wyoming, OH 45215
Telephone No. 513-821-7600 Fax No. Email Address rharrison@wyoming-ohio.com

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

Name Virginia Reiff Title Account Manager
Business address Integrys Energy Services, Inc. 300 West Wilson Bridge Rd., Suite 350, Worthington, OH 43085
Telephone No. 614-844-4311 Fax No. 614-844-4306 Email Address voreiff@integrysenergy.com

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

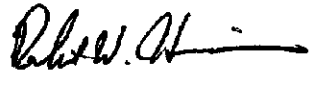
Customer service address Integrys Energy Services, Inc., 300 West Wilson Bridge Rd., Suite 350, Worthington, OH 43085
Toll-Free Telephone No. 877-778-9937 Fax No. 614-844-4306 Email Address voreiff@integrysenergy.com

SECTION B - APPLICANT AUTHORITY AND AGGREGATION PROGRAM INFORMATION

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

- B-1 Exhibit B-1 "Authorizing Ordinance,"** 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 Exhibit B-2 "Operation and Governance Plan,"** 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 Exhibit B-3 "Automatic Aggregation Disclosure Notification,"** 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 Exhibit B-4 "Opt-Out Notice,"** 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 Exhibit B-5 "Experience,"** 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

 City Manager

Sworn and subscribed before me this

16th

day of

June 2009

Month

Year


Signature of official administering oath

Debra L. Martin Notary Public
Print Name and Title

Debra L. Martin
Notary Public-State of Ohio
My Commission Expires April 5, 2014

My commission expires on April 5, 2014



The Public Utilities Commission of Ohio

Ohio Natural Gas Governmental Aggregation
Affidavit Form
(Version 1.07)

In the Matter of the Application of)
City of Wyoming, OH)
for a Certificate or Renewal Certificate to Provide)
Natural Gas Governmental Aggregation Service in)
Ohio.)

Case No. -GA-GAG

County of Hamilton
State of Ohio

Mr. Robert Harrison

[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

[Signature]

City Manager

Sworn and subscribed before me this 16th day of

June Month 2009 Year

[Signature]

Signature of Official Administering Oath

Debra L. Martin, Notary Public

Print Name and Title

Debra L. Martin
Notary Public-State of Ohio
My Commission Expires April 5, 2014

My commission expires on

April 5, 2014

EXHIBIT B-1
AUTHORIZING ORDINANCE

AUTHORIZING ORDINANCE 2
BALLOT LANGUAGE 1
CERTIFICATE OF RESULT OF THE ELECTION 1

4 PAGES

ORDINANCE NO. 15 -2008

**ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO
EFFECT A NATURAL GAS AGGREGATION PROGRAM WITH OPT-
OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO
REVISED CODE, DIRECTING THE HAMILTON COUNTY BOARD
OF ELECTION TO SUBMIT A BALLOT QUESTION TO THE
ELECTORS AND DECLARING AN EMERGENCY**

WHEREAS, the Ohio Legislature has enacted natural gas deregulation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, pursuant to Section 4929.26 of the Ohio Revised Code, subject to opt-out provisions, competitive retail natural gas service for the retail gas loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the natural gas loads; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26 of the Ohio Revised Code (the "Aggregation Program"), for the residents, businesses and other natural gas consumers in the City of Wyoming and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, council desires to proceed with the submission of the question to the electors of the City of Wyoming;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WYOMING, HAMILTON COUNTY, OHIO:

SECTION 1. This Council finds and determines that it is in the best interest of the City of Wyoming, its residents, businesses and other natural gas consumers located within the corporate limits of the City of Wyoming to establish the Aggregation Program in the City of Wyoming. Provided that this Ordinance and the Aggregation Program is approved by the electors of the City of Wyoming pursuant to Section 2 of this Ordinance, the City of Wyoming is hereby authorized to aggregate automatically in accordance with Section 4929.26, Ohio Revised Code, and subject to the opt-out requirements of Division (D) of Section 4929.26, competitive retail natural gas service for the retail natural gas loads located within the City of Wyoming, and,

for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of service for the natural gas loads. The City of Wyoming may exercise such authority jointly with any other municipal corporation, township or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using a natural gas load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Ordinance.

SECTION 2. The Board of Elections of Hamilton County is hereby directed to submit the following question to the electors of the City of Wyoming at the general election on November 4, 2008.

Shall the City of Wyoming have the authority to aggregate automatically in accordance with Section 4929.26 of the Ohio Revised Code, and subject to the opt-out requirements of Division (D) of Section 4929.26, competitive retail natural gas service for the retail natural gas loads located in the City of Wyoming, and for that purpose, enter into service agreements to facilitate the sale and purchase of the service for the retail natural gas loads, such aggregation to occur automatically except where any person elects to opt out all in accordance with Section 4929.26 of the Ohio Revised Code and Ordinance No. 15-2008 adopted by the City of Wyoming?

YES

NO

SECTION 3. Upon the approval of a majority of the electors voting at the general election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate any natural gas load located within the City unless it in advance clearly discloses to the person owning, occupying, controlling, or using the natural gas load that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the natural gas company providing distribution service for the person's retail gas load, until the person chooses an alternative supplier.

SECTION 4. Upon passage of this ordinance, the Clerk of this Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to November 4, 2008. The Aggregation Program shall not take effect unless approved by a

STATE OF OHIO

COUNTY OF HAMILTON

)
) SS:
)

I, Clerk of Council of the City of Wyoming, Ohio, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be set, do hereby certify that the foregoing is taken and copies from the original Ordinance now on file, that the foregoing has been compared by me with said original document and that the same is a true and correct copy thereof.

WITNESS my signature this 18th day of August, 2008.

Patricia Calvin
Clerk of Council

APPROVED AS TO FORM:

Franklin A. Klaine, Jr.
Franklin A. Klaine, Jr., City Solicitor

Form No. 127 Prescribed by Secretary of State, Rev. 9-82

Dayton Legal Blank, Inc., Form No. 61181

CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 3501.11

State of Ohio

County of HamiltonThe Board of Elections of Hamilton County herebycertifies that at the election held in City of Wyoming

(Printed name)

in said county on November 4th, 2008 the

(Date of election)

vote cast on the following issue was as follows:

Issue Shall the City of Wyoming, have the authority to aggregate the retail natural gas loads located in the City of Wyoming, and enter into service agreements to facilitate for those loads the sale and purchase of natural

(The levy, bond issue, local option, etc., describe fully)

gas, such aggregation to occur automatically except where any person elects to opt out?

Votes thirty nine hundred forty eight

(For, yes, etc.—as on ballot)

3,948

(Number)

Votes eight hundred fifty four

(No, against, etc.—as on ballot)

854

(Number)

Total votes cast on issue: forty eight hundred and two4,802

(Number)

Witness our official signatures at Cincinnati, Ohio insaid county, this 25th day of November, 2008

(Year)

Chairman

Alexander
Mary M. Donnell
Charles H. Burkhardt
V. Daniel Radford

Attest: Kathleen Meyer Clerk

Attn:
Webster Martin
City of Wyoming

BOARD OF ELECTIONS

Hamilton

County, Ohio

EXHIBIT B-2
OPERATION AND GOVERNANCE PLAN

RESOLUTION TO ADOPT PLAN 2
AFFAIDAVIT OF PUBLICATION 1
COPY OF PLAN 19

ORDINANCE NO. 12 -2009

**ORDINANCE ADOPTING THE PLAN OF OPERATION
AND GOVERNANCE FOR THE NATURAL GAS AGGREGATION
PROGRAM FOR THE CITY OF WYOMING
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Wyoming and the electors of this City have authorized establishing an opt-out natural gas aggregation program for the residents and other natural gas consumers in the City all pursuant to Section 4929.26, Ohio Revised Code, as permitted by law; and

WHEREAS, the City of Wyoming has held two public hearings on and developed a Plan of Operation and Governance for the aggregation program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WYOMING, HAMILTON COUNTY, OHIO:

Section 1. The City Council of the City of Wyoming ("Council") finds and determines that the City of Wyoming has developed this Natural Gas Aggregation Program Plan of Operation and Governance in accordance with the governmental aggregation provisions of Amended House Bill 9 as provided in Sections 4901 and 4929.26 of the Ohio Revised Code for formation and Operation of Natural Gas Governmental Aggregations and hereby adopts, the Plan of Operation and Governance (attached hereto).

Section 2. The Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations of this Council and any committees that results in those formal actions were in meetings open to the public in compliance with the law.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the residents of the City of Wyoming and for further reason this Ordinance is required to be immediately effective in order to maximize the potential benefit of natural gas deregulation through the Natural Gas Program and the Ordinance shall take effect immediately upon its passage by the affirmative vote of five of the seven members elected to Council in accordance with the Charter of the City of Wyoming, Ohio.

STATE OF OHIO

COUNTY OF HAMILTON

)
) SS:
)

I, Clerk of Council of the City of Wyoming, Ohio, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be set, do hereby certify that the foregoing is taken and copies from the original Ordinance now on file, that the foregoing has been compared by me with said original document and that the same is a true and correct copy thereof.

WITNESS my signature this 15th day of June, 2009.

Patricia A. Colvin

Clerk of Council

1892014_1.DOC

Affidavit of Publication

Publisher's Fee 1,138.80 Affidavit Charge 10.00

State of Ohio

}
}
} SS.
}
}

Hamilton County

Rose Marie Wendling

Personally appeared

Of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 2 times, once in each issue as follows:

4/27/09 5/04/09

- ☒ Cincinnati Enquirer
☐ Kentucky Enquirer
☒ Cincinnati.Com

WYANDING CITY COUNCIL WILL HOLD TWO PUBLIC HEARINGS ON WYANDING'S NATURAL GAS AGGREGATION PROGRAM OF OPERATION AND DISPOSITION. The hearings will be held at 7:30 a.m. on May 12, 2009 and at 7:30 p.m. on May 14, 2009, both hearings to be held at 800 Oak Avenue, Wyandling, Ohio 45396.

On December 22, 2008, the City of Wyandling entered into a Natural Gas Aggregation Supply Agreement with Duke Energy Services, Inc. (Duke Energy) for the purchase of natural gas for the City's existing residents. This City of Wyandling and Duke Energy's aggregation agreement is subject to the City Council's approval. The City of Wyandling is now seeking approval from the City Council to enter into a Natural Gas Aggregation Supply Agreement with Duke Energy. The City Council will hold two public hearings on the proposed agreement and the proposed rate of service. The proposed rate of service is \$1.00 per therm, which is the same as the rate currently offered by Duke Energy. The offer is estimated to begin in September 2009 and will be for a 1 or 2 year term.

Eligible customers (Duke Energy customers) to be included in the City's aggregate will be included unless they opt-out. All customers eligible to be included in the City's aggregate will receive a mailing notifying them of their right to opt-out. The Notice will explain the rules, terms and conditions and general information regarding the Program. If a customer does not wish to be included in the program, the customer will have 21 days to opt-out of the program free of charge by returning an enclosed post card or calling a toll free telephone number.

New customers moving in the City will be included in the aggregate unless they exercise their right to opt-out of the aggregate. Customers moving within the City will retain their status at the original rate.

Aggregate customers will continue to receive gas from Duke Energy. 1000/45396

Rose Marie Wendling

AFFIANT
Sworn to before me, this

5/2/09

Crystal Williams

Notary Public of Ohio



CRYSTAL WILLIAMS
Notary Public, State of Ohio
My Commission Expires
August 9, 2010

CITY OF WYOMING, OHIO

**NATURAL GAS AGGREGATION
PROGRAM**

PLAN OF OPERATION AND GOVERNANCE

For Additional Information Contact:

Ms. Lynn Tetley
Assistant City Manager
City of Wyoming, Ohio
800 Oak Avenue
Wyoming, OH 45215
513-821-7600

(Resolution 12-09 Adopted 6/15/09)

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INTRODUCTION

The City of Wyoming, Ohio has developed this Natural Gas Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Amended House Bill 9 as provided in Sections 4901 and 4929.26 of the Ohio Revised Code and the Rules for Formation and Operation of Natural Gas Governmental Aggregations. The Amended Bill authorized governmental aggregation, the combining of multiple retail natural gas loads within and by a municipality, an unincorporated township or the unincorporated areas of the county by a board of county commissioners for the purpose of purchasing competitive retail natural gas service in Ohio's competitive retail natural gas market. The legislation also provided the Public Utilities Commission of Ohio ("PUCO") with authority to promulgate and adopt rules regarding governmental aggregation in Ohio. The City of Wyoming's Plan of Operation complies with the requirements of the governmental aggregation rules as issued by the PUCO. The Plan of Operation provides, in detail, the services provided under the aggregate, customer rights, terms and conditions of service, rate setting, and aggregate structure and formation.

The City of Wyoming's ("the City") Natural Gas Aggregation Program ("Program" or "Aggregation Program") will aggregate the retail natural gas load of residents and businesses that are eligible to participate in the Duke Energy-Ohio ("Duke") Energy Choice program for the purpose of negotiating for competitive retail natural gas supply at favorable rates. It has the potential to combine almost five thousand (2,500) residential, commercial and industrial customers into a buying pool that will be attractive to third party Retail Natural Gas Suppliers ("Suppliers"). Participation in the Program is voluntary. Any individual customer ("Member") has the opportunity to decline participation.

The City will not buy or resell the natural gas for the participants of the Program. Instead, the City of Wyoming will serve as the purchasing agent for the Program and will negotiate a contract with a competitive Retail Natural Gas Supplier to provide firm, all-requirements service to the members of its Aggregation Program. The contract will offer Eligible Customers a retail natural gas rate option other than the local utility's rate. Customer rights and terms of service are discussed in detail in this Plan of Operation and Governance.

A majority of the City of Wyoming's residents approved a ballot issue in November of 2008 authorizing the City to form an aggregation whereby eligible retail natural gas customers would be automatically included in a large buying group unless, subject to prior notice, they followed a stated procedure to opt-out. Any eligible retail natural gas customer within the boundaries of The City of Wyoming has the ability to decline service, opt-out of the aggregate, and choose the incumbent supplier or any other alternative competitive Retail Natural Gas Supplier. The State of Ohio allows the Director of the Ohio Department of Development to aggregate retail natural gas customers that participate in the Percentage of Income Payment Plan ("PIPP") throughout Ohio. Accordingly, customers participating in the PIPP Program at the time of the Opt-out mailing will not be automatically included in The City of Wyoming's Natural Gas Aggregation Program.

I. GOVERNMENTAL AGGREGATION FORMATION PROCESS

1.1 Statutory Requirements

The City of Wyoming shall develop and institute an opt-out aggregation. The process of governmental aggregation is set out in Ohio Revised Code Section 4929. The section defines automatic aggregation or opt-out aggregation for retail natural gas customers. Under the opt-out aggregation provisions, all eligible retail natural gas customers within the municipality or township may be automatically included in the Aggregation Program. See the Plan of Operations' Definitions Section, definition 1.8 of this Plan of Operation and Governance for description of Eligible Customers according to Rule 4901:1-28-01 of the PUCO Natural Gas Governmental Aggregation Rules.

Opt-out aggregation may only occur after the majority of voters within a municipality, an unincorporated township, or other unincorporated areas of the county authorize the formation of the governmental aggregation. The governmental entity must adopt an ordinance or a resolution placing the issue on the ballot and voters must decide the issue in a general or special election. After obtaining majority voter approval, but prior to inclusion in the aggregate, affected customers must be given notice entitling them to affirmatively elect not to be part of the Aggregation Program. These customers can opt-out during a 21-day period.

The City of Wyoming obtained the support of the majority of its voters and shall automatically include all eligible retail natural gas customers receiving the City's offer within the City's corporate limits in its aggregate, unless such consumers follow a prescribed procedure for opting out. The City of Wyoming's opt-out notice, procedure and period are discussed in Section VIII below.

1.2 PUCO Certification

In addition to requiring the support of the majority of voters within a municipality, an unincorporated township, or the other unincorporated areas of the county, Section 4929.20 of the Ohio Revised Code requires PUCO certification of Governmental Aggregators. In order to obtain PUCO certification, governmental entities are required to complete and file a certification application. To maintain their certified status, governmental aggregators must comply with the PUCO's Formation and Operation of Natural Gas Governmental Aggregations Rules. The City of Wyoming will file for certification as a Governmental Aggregator after adoption of its Plan of Operation and Governance as required by the Ohio Revised Code and the Governmental Aggregation Rules. The City developed this Plan of Operation and Governance in compliance with the PUCO's rules regarding governmental aggregation. With the assistance of its Retail Natural Gas Supplier the City of Wyoming shall comply with the PUCO's governmental aggregation rules.

II. RETAIL NATURAL GAS SUPPLIER

On November 4, 2008, the residents of The City of Wyoming passed an issue allowing the City to aggregate retail natural gas load centers within the City with the goal of offering residents a choice in an energy supplier committed to competitive pricing that brings price certainty and stability and program simplicity. To this end, the City negotiated with Integrys Energy Services, the

City's Retail Natural Gas Supplier. The City will not assume title to natural gas; it will not buy and resell the natural gas to the participants of the Aggregation Program. Instead, the City intends to enter into a contract with Integrys Energy Services, Inc. for the provision of competitive retail natural gas service to the members of the Aggregation Program. Similarly, the City will not handle billing or scheduling of natural gas. Those responsibilities rest with the selected supplier and Duke Energy-Ohio.

The City of Wyoming shall serve as the purchasing agent for the City's Aggregation Program and has delegated to Integrys Energy Services the responsibility of implementing the City of Wyoming Aggregation Program. Integrys Energy Services is a certified Competitive Retail Natural Gas Supplier by the PUCO. Integrys Energy Services is registered to serve and participate on Duke Energy-Ohio's retail natural gas program; has the corporate structure to sell both wholesale and competitive retail natural gas; has demonstrated that its Electronic Data Interchange ("EDI") computer network is fully functional and capable of handling the requirements of the retail natural gas customers in The City of Wyoming; has the marketing ability to reach the retail natural gas customers in the City and the ability to educate them on the City's Aggregation Program; has a fully staffed and trained call center capable of handling customer calls related to the City's Program; has establish a toll-free number as required by the PUCO for customer service and complaints related to the City's Aggregation Program; and shall assist the City in fulfilling requirements imposed on the City of Wyoming's Aggregation Program by the PUCO.

III. AGGREGATION SERVICES

Integrys Energy Services shall serve as The City of Wyoming's Retail Natural Gas Supplier and, with the assistance of the City, Integrys Energy Services shall perform the following functions regarding The City of Wyoming's Aggregation Program: assist the City in fulfilling PUCO requirements including the filing of certification application, required reports and the compliance of this Plan of Operation with PUCO rules; analyze customer information provided by Duke Energy-Ohio to identify Eligible Customers within the City's corporate limits; develop the Program's rates, terms and conditions of service and opt-out notices; distribute required notices to eligible retail natural gas consumers in The City of Wyoming; conduct the opt-out process; notify Duke Energy-Ohio of the participating customers in the City's aggregate; notify customers of service start dates; undertake all EDI responsibilities and interact with Duke Energy-Ohio regarding the same; provide customer service and support as discussed herein; develop consumer education materials; inform customers that move into the City after Program start-up of the Program and of their ability to opt-out; address all customer complaints as discussed herein; provide new Program rates at the end of the rate periods; notify participating and or eligible customers of the Program's new rates, terms and conditions of service and of their ability to opt-out at no charge at the end of each rate period; and otherwise implement this Plan of Operation and Governance.

IV. NATURAL GAS AGGREGATION SUPPLY AGREEMENT

4.1 Retail Natural Gas Services

Upon certification, The City of Wyoming and Integrys Energy Services shall enter into a Natural Gas Aggregation Supply Agreement for the provision of natural gas aggregation services to

the Aggregation Group. The City of Wyoming's Resolution No. _____ authorizes the City's entering such Agreement. The terms and conditions of the Agreement govern the implementation and administration of the City's Aggregation Program. A copy of the Agreement is attached hereto as Attachment A. A copy of Resolution No. _____ is attached hereto as Attachment B.

4.2 Reliability of Natural Gas Supply

The Program will only affect the actual cost of the natural gas commodity portion of a customer's bill. Duke Energy-Ohio will continue to deliver the natural gas through their transportation and delivery systems. Responsibility for maintaining system reliability continues to rest with Duke Energy-Ohio. If Members have service, reliability, or delivery related problems they should contact Duke Energy-Ohio. The PUCO has established "Minimum Reliability Standards" for all utilities operating distribution systems in Ohio. Duke Energy-Ohio is expected to comply with those standards.

In addition to maintaining the "pipeline" delivery system, Duke Energy-Ohio is required to be the "Provider of Last Resort." This means, should Integrys Energy Services fail for any reason to deliver any or all of the natural gas needed to serve the Members' needs, Duke Energy-Ohio will immediately provide for the shortfall. Duke Energy-Ohio would then bill the supplier for the natural gas provided on their behalf. Customers will see no disruption to their natural gas service.

4.3 Integrys Energy Services Consulting Services

Integrys Energy Services shall assist the City in performing the City's obligations provided herein and as otherwise required by the City to assist in the administration of the City's aggregation efforts.

Integrys Energy Services, in cooperation with the City and Duke Energy-Ohio, shall identify the eligible Duke Energy-Ohio customers in the City of Wyoming.

Integrys Energy Services will assist the City in submitting the PUCO Annual monitoring and report information. Integrys Energy Services will assist the City in completing and filing the PUCO required reports. Integrys Energy Services will provide the required customer enrollment information to the City, for the PUCO Reports.

V. RATE SETTING

5.1 Rate Determination Process

The prices to be charged to Members in the Program will be provided in the Natural Gas Aggregation Supply Agreement executed by the City and Integrys Energy Services. Pricing shall be based on the New York Mercantile Exchange ("NYMEX") forward prices. Program rates will be determined when the City agrees on the price as provided in Exhibit A of the Natural Gas Aggregation Supply Agreement (sometimes referred to as the "Agreement"). 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 City limits that meets the eligibility criteria at the time the mailing list is created.

5.2 Integrys Energy Services Rate

The City and Integrys Energy Services will negotiate a rate plan option for eligible customers. The rate plan option will be as described in the customer's opt-out notice and will not exceed a twenty-four (24) month period without offering the customer an opportunity to opt-out. The below listed products are the general products to be offered to participants in the City of Wyoming Natural Gas Aggregation Program. The City and Integrys Energy Services may negotiate a different product type including but not limited to variable and less than yearly rates in the future depending on market conditions. Any new product offering will be detailed in a Natural Gas Supply Agreement signed by the City of Wyoming and in the opt-out notice mailed to residents. Residents should refer to their most recent opt-out notice terms and conditions for the rate option specific to their account.

The City and Integrys Energy Services may offer more than one of the below listed rate options to the customer during an opt-out period. Typically one option will be the automatic default and the secondary option will be a sign-up rate. If the City offers more than one rate option and a customer wishes to switch from one rate option to another rate option outside of the twenty-one (21) day Opt-Out Period, they may be subject to a \$25 exit fee.

Per PUCO rules, for a fixed price rate plan, and to the extent an exact formula may be provided to determine the applicable rate for a variable rate plan, an exit fee may apply for customers exiting the program outside of the twenty-one (21) day Opt-Out Period.

Fixed Rate Plan: This rate option provides a fixed rate for two separate twelve (12) month periods. Each twelve (12) month fixed rate will be determined based on an adder plus New York Mercantile Exchange (NYMEX) market pricing formula. The City will fix the price of the Year One Fixed Rate with Integrys Energy Services as provided in the Natural Gas Aggregation Supply Agreement. The price of the Year One Fixed Rate will be determined prior to starting the Opt-Out Period. The Year Two Fixed Rate will be determined in the same manner prior to the end of year one. Newly eligible residents and residents currently enrolled in the Aggregation Program will be mailed a Year Two Fixed Rate Notice no later than thirty (30) days prior to the start of service on the Year Two Fixed Rate. Residents who opted out of the Year One Rate will not receive the Year Two Fixed Rate Notice. Those residents may contact Integrys Energy Services for enrollment information.

Locked-In Price with Flex Down OpportunitySM Rate Plan: This rate option provides a maximum price for two separate twelve (12) month periods with the ability of a monthly rate decrease in the event NYMEX prices decline. Each twelve (12) month maximum rate will be determined based on an adder plus New York Mercantile Exchange (NYMEX) market pricing formula. The city will lock in the maximum price of the Yearly Flex Down Rate with Integrys Energy Services as provided in the Natural Gas Aggregation Supply Agreement. The price offered under this plan may change each month but will never exceed the maximum price initially locked-in for the twelve (12) month period. Participating customers may see their rates increase or decrease with the market each month but will never exceed the maximum rate determined by the City and offered in the initial opt-out notice. The first twelve (12) month rate maximum or Year One Locked-In Price with Flex Down OpportunitySM Rate will be determined prior to starting the Opt-Out Period. The second twelve (12) month rate maximum or Year Two Locked-In Price with Flex Down OpportunitySM Rate will be determined in the same manner prior to the end of year one.

Customers who are participating in the Aggregation Program and newly eligible residents at the end of year one will be mailed a Year Two Locked-In Price with Flex Down OpportunitySM Rate Notice no later than thirty (30) days prior to the start of service on the Year Two Locked-In Price with Flex Down OpportunitySM Rate. The Year Two Locked-In Price with Flex Down OpportunitySM Rate Review Period will be the twenty-one (21) days from the postmark of the notice in which customers may review the new rate for Year Two and switch out of the Aggregation Program. Customers that choose not to accept the Year Two Locked-In Price with Flex Down OpportunitySM Rate must contact Integrys Energy Services on or before the 21st day as provided in the notice. Customers that contact Integrys Energy Services to switch after the 21st day may be charged a \$25 exit fee. Customers that do not notify Integrys Energy Services of their desire to switch out of the Program will automatically continue service in the City's Natural Gas Aggregation Program at the Year Two Locked-In Price with Flex Down OpportunitySM Rate. Residents who initially opted out of the Year One Locked-In Price with Flex Down OpportunitySM Rate will not be automatically included in the Year Two Locked-In Price with Flex Down OpportunitySM Rate. Those residents may contact Integrys Energy Services for enrollment information.

Changes to the Yearly Locked-In Price with Flex Down OpportunitySM Rate may not be mailed to participating customers outside of the opt-out periods. Rates will appear on the customer's bill and will be posted on the Integrys Energy Services website at www.integrysenergy.com or residents may call the toll-free telephone number.

Summer Variable/Winter Fixed Rate Plan: This pricing option will be for two separate twelve (12) month pricing periods. The rate plan offers a fixed rate during the winter service months of (Oct-March) and a monthly variable rate for the summer service months of (April – Sept). The City will fix the Yearly Winter Fixed portion of this rate plan as provided in the Natural Gas Aggregation Supply Agreement. The Year One Winter Fixed Rate will be determined based on an adder plus NYMEX pricing formula and will remain the same for the winter months. The Winter Fixed Rate for Year Two will be determined in the same manner prior to the end of year one. The Summer Variable Rate will be determined each month based on an adder plus NYMEX pricing formula. The Summer Variable Rate will change each month on the customer's bill and may increase or decrease depending on the market.

All eligible residents will be mailed an opt-out notice prior to the start of the Year One Rate Plan. Prior to the Year Two Rate Plan only customers participating in the Aggregation Program and newly eligible residents will be mailed a Year Two Summer Variable/Winter Fixed Rate Notice. The Year Two Notice will be mailed no later than thirty (30) days prior to the start of service on the Year Two Summer Variable/Winter Fixed Rate. The Year Two Summer Variable/Winter Fixed Rate Review Period will be the twenty-one (21) days following the postmark of the notice mailed to customers in which customers may review the new rate for Year Two and switch out of the Aggregation Program. Customers that choose not to accept the Year Two Summer Variable/Winter Fixed Rate must contact Integrys Energy Services on or before the 21st day as provided in the notice. Customers that contact Integrys Energy Services to switch after the 21st day may be charged a \$25 exit fee. Customers that do not notify Integrys Energy Services of their desire to switch out of the Program will automatically continue service in the City's Natural Gas Aggregation Program at the Year Two Summer Variable/Winter Fixed Rate.

Quarterly Fixed Rate Plan: This pricing option is for either a twelve (12) or a twenty-four (24) month period. The price will change on a quarterly basis. The City will fix each Quarter's Fixed Price as provided in the Natural Gas Aggregation Supply Agreement. Each new Quarterly Fixed Rate will be determined the last month of the prior quarter based on an adder plus NYMEX pricing formula. The First Quarterly Fixed Rate will be determined prior to starting the Opt-out Period based on an adder plus NYMEX pricing formula.

Eligible customers may choose the Quarterly Fixed Rate during the 21 day Opt-Out Period. Ineligible customers or newly eligible customers after the opt-out period may request the Quarterly Fixed Rate by calling the Integrys Energy Services toll-free telephone number or by signing up through the website.

Changes to the Quarterly Fixed Rate may not be mailed to participating customers outside of the opt-out periods. Rates will appear on the customer's bill and will be posted on the Integrys Energy Services website at www.integrysenergy.com or residents may call the toll-free telephone number.

Variable Rate Plan: This pricing option is for either a twelve (12) or a twenty-four (24) month period. The rate plan offers a monthly variable rate which will be determined each month based on an adder plus NYMEX pricing formula. The rate will change each month on the customer's bill and may increase or decrease depending on the market.

Eligible customers may choose the Variable Rate Plan during the 21 day Opt-Out Period. Ineligible customers or newly eligible customers after the opt-out period may request the Variable Rate Plan by calling the Integrys Energy Services toll-free telephone number or by signing up through the website.

Rates will appear on the customer's bill and will be posted on the Integrys Energy Services website at www.integrysenergy.com or residents may call the toll-free telephone number.

5.3 **Sales Tax**

Customer bills will include Hamilton County sales tax. Tax exempt customers wishing to participate in the Program must provide Integrys Energy Services a current certificate of exemption prior to start of service. Integrys Energy Services will not charge sales tax starting with the date the certificate is received. Integrys Energy Services is not liable for sales tax charged prior to receipt of the exemption certificate.

5.4 **Duke Energy-Ohio Charges**

Duke Energy-Ohio will continue to bill for transportation and distribution services. All customers choosing service under a competitive retail natural gas program are charged by Duke Energy-Ohio a Balancing Adjustment, Actual Adjustment, or Reconciliation Adjustment component of the GCR ("GCR Adjustments") for the initial 12 months of their service in the Program. Customers on the Duke Energy-Ohio GCR rate at the time of enrollment in the Aggregation Program that had not been served by a Retail Natural Gas Supplier at least 60 days prior to service under the Aggregation Program will be charged by Duke Energy-Ohio a Balancing Adjustment, Actual Adjustment, or Reconciliation Adjustment component of the GCR for the initial 12 months of

the Program. Customers on the Duke Energy-Ohio GCR rate that were served by a Retail Natural Gas Supplier within the 60 days prior to service under the Aggregation Program will only be charged the GCR adjustments by Duke Energy-Ohio for the remaining number of months left in their initial twelve-month period. Customers served by another supplier that switch to the Aggregation Program and not served on the Duke Energy-Ohio GCR rate for 12 months prior to requesting service under the Aggregation Program will not be charged the GCR adjustments by Duke Energy-Ohio.

5.5 Switching Fees

Integrus Energy Services will be responsible for any switching fee imposed by Duke Energy-Ohio. Customers currently served by a competitive Retail Natural Gas Supplier that choose to join the Aggregation Program are responsible for any exit fees or switching fees charged by that supplier.

VI. CREDIT AND COLLECTION POLICY

6.1 Billing

Customers will receive Consolidating Billing, meaning the customers will continue to receive a single, monthly bill from Duke Energy-Ohio, which will include charges from Integrus Energy Services for the retail natural gas portion of their bill. The bill will show the Integrus Energy Services' rate, multiplied by the CCF used per month, plus any applicable sales tax. Customers are billed according to their Duke Energy-Ohio bill cycle. Customers are still eligible and able to participate in budget billing.

6.2 Payment Terms

Customers are required to pay their entire Duke Energy-Ohio bill by the bill due date to avoid late charges and to maintain good standing in the program. Duke Energy-Ohio is authorized to disconnect a customer's gas service in accordance with its tariffs for past due charges owed to an alternate supplier. Should Integrus Energy Services initiate contract termination for non-payment, customers will receive 14 days notice prior to end of service.

6.3 Collection Process

Duke Energy-Ohio's credit and collection policy will apply to the Aggregation Program. For more information on the Duke Energy-Ohio collection policy customers should contact Duke Energy-Ohio customer service at 1-800-362-7557.

VII. PROGRAM ENROLLMENT

The City of Wyoming's natural gas aggregation is an "opt-out" Aggregation Program. Accordingly, Eligible Customers will be automatically included in the City's Aggregation Program unless they comply with the Program's opt-out procedure discussed in Section VIII below. Eligible customers who wish to participate and remain in the City's aggregate need not take any action. Participating customers will be automatically enrolled in The City of Wyoming's Program. Enrollment shall commence with the start of service and shall continue for a twenty-four (24) month service period. Eligible customers who choose to opt-out will not receive another automatic

enrollment opportunity until the twenty-four (24) month service period has expired. Integrys Energy Services will notify customers when service under the Program will begin which shall coincide with the switch from their current supplier.

Customers who meet all of the following criteria will automatically become members of the Aggregation Program:

- Do not opt-out and therefore remain in the Program after the designated 21-day Opt-Out Period;
- Residents of The City of Wyoming whose service address is within the boundaries of The City of Wyoming; and
- Is an Eligible Customer and not otherwise deemed ineligible to participate in the City's Program.

Customers rejected by Duke Energy-Ohio upon enrollment will be mailed a letter from Integrys Energy Services stating the reason for their rejection within three (3) days of Integrys Energy Services receipt of the rejection file by Duke Energy-Ohio.

VIII. OPT-OUT PROCEDURE AND TERMS

8.1 Opt-out Process

The City will develop an Opt-out or automatic governmental aggregation pursuant to section 4929 of the Ohio Revised Code. As the Retail Natural Gas Supplier to the City's Program, Integrys Energy Services shall disclose to the person owning, occupying or using the natural gas load center that the person will be enrolled in the City's Program unless they affirmatively elect not to be enrolled. That person must opt-out by following the Aggregation Program's stated opt-out procedure. Integrys Energy Services shall draft and City shall approve the opt-out notice and docket the same with the PUCO at least ten (10) days prior to mailing it to Eligible Customers.

Using the Duke Energy-Ohio customer list, Integrys Energy Services with the assistance of the City shall on a best efforts basis identify all Eligible Customers within the City limits. Per PUCO natural gas aggregation rules, Duke Energy-Ohio will remove PIPP customers and customers that do not meet the eligibility criteria outlined in section VII above from the list of Eligible Customers prior to giving the data to the City or Integrys Energy Services.

Integrys Energy Services will implement the opt-out process on behalf of the City of Wyoming. Prior to commencement of service, Integrys Energy Services will utilize customer information provided by Duke Energy-Ohio to notify all eligible retail natural gas customers in the City of their right to opt-out of The City of Wyoming's Natural Gas Aggregation Program. Residents must be an eligible customer as of the date the customer list was created by Duke Energy-Ohio to receive an opt-out notice. Eligible customers will be mailed an opt-out notice within thirty (30) days of Integrys Energy Services' receipt of the Duke Energy-Ohio list. Eligible customers for automatic enrollment shall be residential and/or commercial customers in the City that are not otherwise designated by Duke Energy-Ohio or the PUCO as ineligible at the time the mailing list is created or are otherwise deemed ineligible to participate in the City's Aggregation Program.

Eligible Customers will receive by mail a notice disclosing: the Program's rates; terms and conditions of service; and general information related to the Program. The notice shall clearly provide instructions on how to opt-out of the program, which shall be by returning a postcard to Integrys Energy Services or calling a designated number at Integrys Energy Services. The Opt-Out Period shall be a twenty-one (21) day period. Eligible Consumers shall have twenty-one (21) days from the date of the postmark on the notice to indicate their intent to opt-out. Eligible Customers that do not follow the prescribed opt-out procedure shall be automatically enrolled in the program. The customer should immediately notify Integrys Energy Services if they are inadvertently switched and are not an eligible Duke Energy-Ohio customer in the City of Wyoming. Integrys Energy Services shall notify Duke Energy-Ohio of The City of Wyoming's Eligible Customers to be switched to service under the Program.

8.2 No Fee Opt-out Privileges

The City of Wyoming's Duke Energy-Ohio customers may only return to the utility or switch to another retail natural gas supplier during City's Aggregation Program service period or switch between the available aggregation rate offers during a service period at no charge under the following circumstances: a) during the Opt-Out Period; b) during the Rate Review Period as discussed in Section 5.2 above; or c) if they move out of The City of Wyoming. Per PUCO rules, for a fixed price rate plan, and to the extent an exact formula may be provided to determine the applicable rate for a variable rate plan, an exit fee may apply for customers that switch out of the program for any other reason.

8.3 Duke Energy-Ohio Confirmation/Rescission Letter

A final means of leaving the Program, and an added defense mechanism against "customer slamming", comes in the form of written notification from Duke Energy-Ohio. This notice will inform the customer that they are about to be switched to Integrys Energy Services and have seven (7) days if they wish to rescind the contract. Customers must rescind by contacting Duke Energy-Ohio within the seven 7 day period.

8.4 Process for Determining the Pool of Customers

Integrys Energy Services will mail Opt-out Notices which include the Program terms and conditions along with instructions on how to opt-out to each eligible customer. Integrys Energy Services and the City will work together as described in Section 4.3 above to ensure that only eligible residents of the City of Wyoming are included in the mailing.

A customer may opt-out by returning a postcard to Integrys Energy Services or by calling Integrys Energy Services customer service at a designated phone number. Integrys Energy Services will remove customers who have returned opt-out forms, called to opt-out and any customers that are otherwise no longer eligible for the Program from the pool for enrollment.

Customers who have switched away from Duke Energy-Ohio to another supplier and wish to join The City of Wyoming's Aggregation Program and sign-up with Integrys Energy Services would first have to terminate their existing contract and contact Integrys Energy Services during the initial Opt-Out Period to receive the group rate. Those customers would be responsible for any early termination fees assessed by their current supplier.

8.5 Return to Duke Energy-Ohio Service

Customers that opt-out of The City of Wyoming's Aggregation Program after the initial 21-day Opt-Out Period will remain on Duke Energy-Ohio's commodity service and pay the applicable Standard Offer Service rate while taking such service, or if the consumer selects an alternate Retail Natural Gas Supplier that supplier's rate. Customers that voluntarily return to Duke Energy-Ohio during service under the Aggregation Program may be charged a price other than Duke Energy-Ohio's Standard Offer Service rate.

8.6 Switching to Other Suppliers

Aggregation Program participants that switch to a different Retail Natural Gas Supplier after the expiration of the Opt-out Period will be allowed to do so in correlation with the customer's next scheduled meter read date. Per PUCO rules, for a fixed price rate plan, and to the extent an exact formula may be provided to determine the applicable rate for a variable rate plan, an exit fee may apply for customers choosing to switch outside of the Opt-Out Period or Year Two Rate Review Period. Notification of intent to opt-out of the Aggregation Group may be made by contacting Integrys Energy Services Customer Service by telephone or in writing.

IX. JOINING THE PROGRAM AFTER START-UP

9.1 New City of Wyoming Residents

Eligible Customers that move into The City of Wyoming after the conclusion of the initial Opt-Out Period shall have the opportunity to join the City's Aggregation Program at the rates provided in the Natural Gas Aggregation Supply Agreement. These customers may call Integrys Energy Services for information on joining the Aggregation Program. Integrys Energy Services may conduct a periodic Opt-Out Period refresh for new residents subject to receipt of new customer information from Duke Energy-Ohio. In the refresh, or if directly contacted, Integrys Energy Services will inform new residents of the City's automatic Aggregation Program and of their right to opt-out of the Program. The Opt-Out Period shall be twenty-one (21) days. The enrollment term of new customers will conclude with that of the initial pool. Rates offered to new residents may be that of the initial pool or a market based rate agreed to by the City and Integrys Energy Services.

9.2 Customer Movement within the City or out of the City

The Aggregation Program participants that move from one location to another within the corporate limits of the City shall retain their participant status at the Natural Gas Aggregation Supply Agreement price associated with that status. These customers may be dropped from the Program by Duke Energy-Ohio in which case they will not incur an exit fee and may re-enroll in the Program through the periodic refresh process or by contacting Integrys Energy Services. Customers enrolled in The City of Wyoming's program that move out of the City limits will no longer be eligible to participate in the program and will lose their offer but will not incur an early termination fee.

9.3 Previously Opted-Out or Otherwise Not Enrolled Customers

Duke Energy-Ohio customers in the City of Wyoming may join the City's Aggregation Program after the expiration of the initial Opt-Out Period by contacting Integrys Energy Services. Enrollment and service activation shall be subject to the written policies of Integrys Energy Services. Rates for such customers shall be at the Agreement price, or at a market-based price, subject to the policies of Integrys Energy Services.

X. RELIABILITY OF NATURAL GAS SERVICE

For the protection of retail natural gas consumers in Ohio, the PUCO has adopted rules governing the minimum service, quality, safety, and reliability practices for local utilities like Duke Energy-Ohio. The rules provide standards for inspection, maintenance, repair, and replacement of the transportation and distribution system of each local utility. The rules also impose standards on utilities such as Duke Energy-Ohio for system operation, reliability, and safety during emergencies and disasters. Duke Energy-Ohio will continue to maintain and service natural gas meters, and its transportation and distribution facilities in the City of Wyoming. The only thing that changes for the Duke Energy-Ohio customers in The City of Wyoming that participate in the Aggregation Group is the Retail Natural Gas Supplier. This is the company that purchases the actual natural gas and supplies it to Duke Energy-Ohio. For the members in the City's Natural Gas Aggregation Program, the Retail Natural Gas Supplier is Integrys Energy Services.

If the Retail Natural Gas Supplier does not provide sufficient gas to supply its customers the gas supply will be supplemented by Duke Energy-Ohio.

XI. CUSTOMER SERVICE

Integrys Energy Services shall provide a fully staffed, 24 hour a day 7 day a week, customer service staff. The staff will address questions or concerns related to the Program. City of Wyoming customers may call toll free to: 1-877-778-9937. Customers may contact Integrys Energy Services in writing at its Worthington, Ohio office at: Integrys Energy Services, Inc., 300 W. Wilson Bridge Rd., Suite 350, Worthington, Ohio 43085.

XII. CONSUMER EDUCATION

The City and Integrys Energy Services will, where practicable, provide consumer education messages that are consistent with the messages of Duke Energy-Ohio's campaign, and the statewide consumer education program.

XIII. DISPUTE RESOLUTION

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability and billing should be directed to Duke Energy-Ohio. 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 the City, and any unresolved disputes

should be directed to the Public Utilities Commission of Ohio and/or the Ohio Consumers Council. Below is a list of toll-free numbers for members to call for assistance.

<u>Nature of Complaint</u>	<u>Contact</u>	<u>Phone Number</u>
Gas Odor/Leaks-Fire-Explosions	Duke Energy-Ohio	1-800-634-4300
Service turn on/off	Duke Energy-Ohio	1-800-544-6900
Billing Disputes	Duke Energy-Ohio	1-800-544-6900
Joining/Leaving Program	Integrys Customer Service	1-877-778-9937
Program Regulatory Questions	Integrys Customer Service	1-877-778-9937
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622

Integrys Energy Services will attempt to resolve all customer complaints in a timely and good faith manner. Integrys Energy Services shall investigate and provide a status report to the customer when the complaint is made directly to Integrys Energy Services and/or the City within three (3) business days following receipt of the complaint. Or in the case of a Public Utilities Commission of Ohio ("PUCO") complaint Integrys Energy Services shall investigate and provide a status report to the customer and PUCO staff within three (3) business days following receipt of the complaint. If an investigation into a complaint received from the customer or a complaint referred by the PUCO is not completed within ten (10) business days, then a status report will be given to the customer, and, if applicable, the PUCO. These status reports will be given every three (3) business days until the investigation is complete, unless the action that must be taken takes longer than three (3) business days and the customer has been notified. Final results of a Commission-referred complaint will be provided to the PUCO either orally (phone) or in writing (e-mail, written correspondence), no later than three (3) business days after the investigation is completed. The final results will be provided in writing to the customer no later than three (3) business days after the investigation is completed. Customers retain the right to contact the PUCO regarding complaints and disputes. All customers have the right to contact the PUCO by writing to Public Utilities Commission of Ohio, ATTN: IAD, 180 E. Broad St., Columbus, OH 43215-3793 by fax to (614) 752-8351 through their website at www.puc.state.oh.us or by calling toll free (800) 686-7826 (VOICE) or (800) 686-1570 (TTY-TDD). Records of customer complaints will be retained for two (2) years after the occurrence of the complaint. A copy of the complaint record will be provided to the PUCO within three (3) business days, if requested.

XIV. GENERAL PROVISIONS

14.1 Governing Law

Service under the Aggregation Program shall be governed by the provisions of the City's Natural Gas Aggregation Program Plan of Operation and Governance, the City of Wyoming-Integrys Natural Gas Aggregation Supply Agreement, the Codified Ordinances of the City of Wyoming, Ohio, the Ohio Revised Code and the rules and regulations of the Public Utilities Commission of Ohio.

14.2 Taxes and Fees

Any taxes, duties, fees or charges levied against Integrys Energy Services by any governmental or regulatory entity or passed through to Integrys Energy Services by capacity or energy suppliers shall be passed through by Integrys Energy Services and paid by the customer. Integrys Energy Services shall provide the customer written notice and detailed description of such charges if such information has not been included in previous communications.

14.3 Additional Equipment

If additional metering or monitoring equipment is required by Duke Energy-Ohio, such metering or monitoring equipment shall be installed at customer's expense. If Integrys Energy Services requires additional metering or monitoring equipment, Integrys Energy Services shall be responsible for all related expenses.

14.4 Customer Information

Participating customers will be protected from unwanted solicitations by a prohibition that Integrys Energy Services and/or the City may not sell/exchange or otherwise release an Aggregation Program participant's social security number, account number, name, address or other identifying information to third parties for purposes of solicitation without the Aggregation Program participant's written consent. Integrys Energy Services shall not release information on customers that have opted out of the Aggregation Program without the prior written consent of the customer.

14.5 Payment History

Aggregation Program customers shall have the right to request, without charge, from Integrys Energy Services the customer's payment history for a period of up to twenty-four (24) months.

XV. ADOPTION OF PLAN OF OPERATION AND GOVERNANCE

This Plan of Operation and Governance shall be subject to the adoption of The City of Wyoming City Council. A copy of the City's Resolution No. _____ adopting this Plan of Operation is attached hereto as Attachment C.

Further modifications to the Plan of Operation and Governance after adoption will require approval of The City of Wyoming City Councils, and, if any modifications materially affect Members, the City shall first provide notice to all affected Members and provide the same the opportunity to opt out of the Program.

PLAN OF OPERATIONS DEFINITIONS

1.1 **"Aggregation"** means combining the retail natural gas loads of multiple customers for the purpose of supplying or arranging for the supply of competitive retail natural gas service to those customers.

1.2 **"Aggregation Group"** means those eligible retail natural gas customers of Duke Energy-Ohio within the corporate limits of the City of Wyoming, excluding PIPP customers, defined as Eligible Customers in 1.8 and who do not "opt-out" of the City's Aggregation Program.

1.3 **"Aggregation Program" or "Program"** means the provision of competitive retail natural gas aggregation services to the Aggregation Group of the City of Wyoming and pursuant to the City's Plan of Operation and Governance.

1.4 **"Aggregation Services"** means services provided to the Aggregation Group pursuant to the Natural Gas Supply Agreement executed by the City and Integrys Energy Services.

1.5 **"Competitive Retail Natural Gas Service"** means retail natural gas service that is deemed competitive pursuant to Section 4929.01(J) of the Ohio Revised Code which states J) "Competitive retail natural gas service" means any retail natural gas service that may be competitively offered to consumers in this state as a result of revised schedules approved under division © of section 4929.29 of the Revised Code, a rule or order adopted or issued by the public utilities commission under Chapter 4905 of the Revised Code, or an exemption granted by the commission under sections 4929.04 to 4929.08 of the Revised Code.

1.6 **"Consolidated Billing"** means combining the incumbent natural gas company's charges and the Retail Natural Gas Supplier's charges on one billing statement.

1.7 **"Electronic Data Interchange" ("EDI")** means the computer system used by Integrys Energy Services and Duke Energy-Ohio to transmit enrollment, supply and billing information.

1.8 **"Eligible Customer"** includes customers of Duke Energy-Ohio who are not: a person that is both a distribution service customer and a mercantile customer on the date of commencement of service to the governmental aggregation, or the person becomes a distribution service customer after the service commencement date and is also a mercantile customer; a person that is supplied with commodity sales service pursuant to a contract with a Retail Natural Gas Supplier that is in effect on the effective date of the ordinance or resolution authorizing the aggregation; a person that is supplied with commodity sales service as part of the percentage of income payment plan program or similar or successor program adopted by the commission under chapters 4905 or 4929. of the revised code; or, a customer that has failed to discharge, or enter into a plan to discharge, all existing arrearages owed to or being billed by a natural gas company from which the person is receiving service.

1.9 **"Governmental Aggregator"** means a county, municipality or township that provides aggregation services.

1.10 **"Natural Gas Aggregation Supply Agreement" or "Agreement"** means the contract agreed to between the City of Wyoming and its Retail Natural Gas Supplier for the provision of competitive retail natural gas service to the City's Aggregation Program.

1.11 **"Opt-Out Period"** means the twenty-one day (21) day period in which eligible Duke Energy-Ohio customers in The City of Wyoming must opt-out of the City of Wyoming's Aggregation Program or they will be automatically enrolled in the Program.

1.12 **"PIPP"** means Percentage of Income Payment Plan Program as prescribed in PUCO Rules 4901:1-18-02(B)-(G) and 4901:1-18-04(B) of the *Ohio Administrative Code*.

1.13 **"Plan of Operation and Governance"** means the City of Wyoming's Plan of Operation and Governance which details the services provided under the Aggregation Program. The Plan of Operation and Governance shall become effective upon passage of City Ordinance or at a time otherwise provided in said legislation.

1.14 **"PUCO"** means the Public Utilities Commission of Ohio.


1.15 **"Purchasing Agent"** means the City of Wyoming as a municipality or township that provides Competitive Retail Natural Gas Service by contracting with a Retail Natural Gas Supplier.

1.16 **"Retail Natural Gas Service"** means commodity sales service, ancillary service, natural gas aggregation service, natural gas marketing service, or natural gas brokerage service. Pursuant to 4929.01 (M) of the Ohio Revised Code

1.17 **"Retail Natural Gas Supplier"** means a Retail Natural Gas Supplier that has been certified by the PUCO to provide competitive retail natural gas service to consumers in Ohio that are not mercantile customers including marketers, brokers, or aggregators, but excludes a natural gas company, a governmental aggregator, a billing or collection agent, and a producer or gatherer of gas that is not a natural gas company.


1.18 **"Seller"** means Integrys Energy Services, Inc., the Retail Natural Gas Supplier for the City of Wyoming Aggregation.

PASSED IN THE COUNCIL CHAMBERS OF THE CITY OF WYOMING,
OHIO, THIS 15th DAY OF JUNE, 2009.




Barry S. Porter, Mayor

ATTEST:



Patricia A. Colvin
Clerk of Council

APPROVED AS TO FORM:



Franklin A. Klaine, Jr., City Solicitor

**A SUPPLY AGREEMENT SHALL BE NEGOTIATED AND ENTERED INTO
AFTER CERTIFICATION.**

EXHIBIT B-3
AUTOMATIC AGGREGATION DISCLOSURE NOTIFICATION

LETTER AND OPT-OUT NOTICE

6 PAGES

Township Logo

CITY OF WYOMING
Natural Gas Aggregation Program

EXHIBIT B-3
Automatic Disclosure
Integrys Logo

DATE

Dear Resident or Small Commercial Customer,

Welcome to the City of Wyoming Natural Gas Aggregation Program.

In November 2008, City of Wyoming voters authorized the township's creation of a natural gas aggregation program. **The City of Wyoming Aggregation Program is an automatic aggregation whereby residential and small commercial customers who are eligible Duke Energy-Ohio customers will be automatically enrolled unless they opt-out. As a resident of City of Wyoming you will automatically receive this offer. If you do not wish to enroll in the program and wish to opt-out of the City of Wyoming Program you must complete and return the enclosed Opt-out Post Card to Integrys Energy Services, Inc. ("Integrys Energy Services") postmarked no later than _____.** Or you may simply call Customer Service at 1-877-778-9937, 24 hours a day, 7 days a week, on or before _____ to opt-out and decline the offer. Telephonic opt-outs will be recorded to comply with the Public Utilities Commission of Ohio's verification requirement. City of Wyoming's Natural Gas Aggregation Program is supplied by Integrys Energy Services.

With this letter, Integrys Energy Services is offering eligible residents and small commercial customers a monthly rate for at least the first month of the program. Your rate for the remaining months of the first year of the program will be either a Monthly Variable Rate or a Locked-In Price with Flex Down OpportunitySM Rate, as determined by City of Wyoming and Integrys Energy Services. Please refer to the attached contract for a more detailed calculation of the rates. The Locked-in Price with Flex Down OpportunitySM Rate may be obtained by contacting Integrys Energy Services' customer service at 1-877-778-9937 or by logging onto the Program's website at www.integrysenergy.com/wyoming. The Locked-in Price with Flex Down OpportunitySM Rate includes a locked-in price for natural gas, however, if the natural gas market shows a downward trend over the winter months and into the spring and summer, your gas rate will be reduced. On the other hand, if the natural gas market should rise, your gas rate will never exceed the locked-in price (during the remaining months of the first year of the program - through the _____ 2010 meter read) regardless of how much the market increases. The Locked-in Price with Flex Down OpportunitySM Rate not only provides residents and small commercial customers with protection from rising natural gas prices but also the benefit of lower prices in a falling market. All customers should review the details of this option on the following Terms and Conditions pages to make sure this choice is best for them. **Eligible Residents and Small Commercial Customers who do not contact Integrys Energy Services and do not opt-out will automatically be placed in the Program.**

In order to receive the Aggregation Program Rate, do nothing! Unless you opt-out, you will automatically be enrolled in the Program effective with your _____ 2009 meter read (or _____, 20__ meter read, depending on your meter read cycle). All Eligible Residents and small commercial customers will be automatically enrolled in the Aggregation Program unless they opt-out during the 21 day Opt-out Period. **The City of Wyoming's Program is an opt-out aggregation program, at the risk of being repetitious, we again emphasize that you are automatically in the Aggregation Program unless you choose to opt-out.**

To take advantage of the Aggregation Program Rate you need to do nothing! If you choose to opt-out within the 21 day Opt-out Period, there will be no charge.

It is our pleasure to serve you. For more information, please call 1-877-778-9937, 24 hours a day, and 7 days a week. You may also visit our website at www.integrysenergy.com/wyoming

Sincerely,

Integrys Energy Services, Inc.

Enclosure

***See Page 2 of enclosed Program Terms and Conditions for a further explanation of eligibility.**

Township Logo

Integrlys Logo

**City of Wyoming
Natural Gas Aggregation Program**

THE CITY OF WYOMING NATURAL GAS AGGREGATION PROGRAM TERMS AND CONDITIONS

In November 2008, City of Wyoming residents approved an opt-out aggregation program for natural gas service by a majority vote. The result of this vote is the City of Wyoming Natural Gas Aggregation Program. Through this Program the City of Wyoming Board of Trustees and Integrlys Energy Services, Inc. ("Integrlys Energy Services") offer you a choice for your natural gas pricing. All customers that remain in the Program will be placed on the Monthly Variable Rate for at least the first month of the program unless they contact Integrlys Energy Services by calling 1-877-778-9937 to opt-out of the Program. Your rate for the remaining months of the first year of the program (through _____ 2010 meter reads) will be either a Monthly Variable Rate or a Locked-In Price with Flex Down OpportunitySM Rate, as determined by the City of Wyoming Board of Trustees and Integrlys Energy Services. If it is determined by City of Wyoming Board of Trustees and Integrlys Energy Services that the rate is the Locked-In Price with Flex Down OpportunitySM Rate, Integrlys Energy Services will send the customer notification of that fact. Please carefully read the rate description below to make sure this rate offer is best for you.

Residents and small commercial customers who opt-out of the program at this time will be opted out for two-years. Residents and small commercial customers who remain in the Program will be enrolled for one-year participation in City of Wyoming's Natural Gas Aggregation Program. Participating and newly eligible residents and small commercial customers will receive an opt-out notice for the year two rate prior to the expiration of the one-year period. Eligible customers who opt-out during this Enrollment Period will not receive the year two rate notice.

Term

As a resident or small commercial customer of City of Wyoming, Ohio you are being offered special natural gas pricing through the City of Wyoming Aggregation Program. This letter is your opportunity to join the Program by doing nothing or to opt-out by returning the enclosed postcard or calling toll-free 1-877-778-9937 on or before _____, 2009. This enrollment opportunity is for service with Integrlys Energy Services, the Township's chosen natural gas supplier. Residents and small commercial customers who choose to remain in the Program will start service with Integrlys Energy Services effective with their _____ 2009 through _____ 2010 meter reads (or _____ 2009 through _____ 2010 meter read, depending on their meter read cycle). The actual start date will depend on the customer's individual meter read date as determined by Duke Energy-Ohio.

Aggregation Program Rates

The Board of Trustees of City of Wyoming and Integrlys Energy Services determine the rates by purchasing gas on the NYMEX gas market and adding the Integrlys Energy Services fixed delivery adder of \$ _____/CCF plus any applicable utility charges.

The Integrlys Energy Services' rate excludes all applicable state and local taxes and Duke Energy-Ohio service and delivery charges. It should be noted that the Duke Energy-Ohio rate is variable and changes monthly.

SERVICE PERIOD	RATE
_____ or _____ 2009 meter reads (depending on your meter read cycle) through _____ 2010 meter reads	<p><u>Monthly Variable Rate</u> – determined by the below described method.</p> <p>Monthly Variable Rate = Fixed Delivery Adder + monthly NYMEX price (See * below for more information)</p> <p><u>Locked-In Price with Flex Down OpportunitySM Rate</u> will be locked-in based on the NYMEX and a fixed delivery adder, as determined by the below described method. Further, if the market falls significantly, then it presents an opportunity for a lower rate to be provided on a month-to-month basis.</p> <p>Locked-In Price with Flex Down OpportunitySM Rate = See ** below for more information.</p>

_____ 2009 Meter Read (_____ 2009 Billing) will be billed at the monthly variable rate.

Monthly Variable Rate: The Monthly Variable rate will be calculated based on a formula including a fixed delivery adder of \$ ____/CCF and NYMEX Market prices for the period to be served. This rate will change each month. If you have chosen to remain in the program, you can learn what the Monthly Variable Rate is prior to each billing month by contacting Integrys Energy Services' customer service at 1-877-778-9937 or by logging onto the Program's website at www.integrysenergy.com/wyoming.

*The Monthly Variable Rate will be calculated each billing cycle by taking the applicable weighted NYMEX price(s) determined and agreed to by the Board of Trustees of City of Wyoming and Integrys Energy Services plus the Delivery Adder for the month. The Delivery Adder is fixed at \$ ____/CCF. In the event the NYMEX price is not otherwise determined by City of Wyoming and Integrys Energy Services, the NYMEX price to which the adder shall apply will automatically be determined by the closing price on the New York Mercantile Exchange for natural gas futures contracts for delivery at the Henry Hub for the month of delivery on the last day on which futures contracts for that month are traded.

Locked-In Price with Flex Down OpportunitySM Rate: When a Locked-In Price with Flex Down OpportunitySM Rate is established it includes a locked-in price for natural gas which will never be exceeded. However, if the natural gas market shows a downward trend over the winter months and into the spring and summer, your gas rate will be reduced. On the other hand, if the natural gas market should rise, your gas rate will never exceed the locked-in price, regardless of how much the market increases. The Locked-In Price with Flex Down OpportunitySM Rate not only provides residents and small commercial customers with protection from rising natural gas prices but also the benefit of lower prices in a falling market. Once the locked-in portion of this rate is established, the rate can be obtained by calling 1-877-778-9937. The locked-in price will be calculated based on a formula including a fixed delivery adder of \$ ____/CCF and NYMEX Market prices for the period to be served. This rate may or may not vary each month depending on market conditions. The locked-in price and any monthly variations will be posted by the first working day of the month of gas flow. Residents and small commercial customers will be able to view the locked-in price and any monthly variations online at www.integrysenergy.com/wyoming or by calling customer service at 1-877-778-9937.

** Integrys Energy Services, Inc. will monitor the NYMEX Natural Gas market for strategic buying opportunity(s) utilizing the expertise of its energy trading department, and when the natural gas market provides favorable conditions, will purchase the natural gas for City of Wyoming. The final rate will be the sum of the weighted average NYMEX costs ("NYMEX-based price") plus Delivery Adder for the remaining month(s) of the first year of the program. The Delivery Adder is fixed at \$ ____/CCF. Accordingly the Locked-In Price with Flex Down OpportunitySM Rate will be the sum of the NYMEX-based price plus the Delivery Adder. If you would like specific details regarding the purchase(s) you may call 1-877-778-9937.

Terms and Conditions

Enrollment in the Aggregation Program is automatic. **If you want to remain in City of Wyoming's Program and receive the Aggregation Program Rate, do nothing.** With this mailing, City of Wyoming is offering a 21 day Opt-out Period. The Opt-out Period coincides with the Program's Enrollment Period. There will be no charge from City of Wyoming or Integrys Energy Services for opting out during the 21 day Opt-out Period. **If you do not wish to be part of City of Wyoming's Program, you must opt-out of the Program by either completing and returning the enclosed Opt-out Postcard to Integrys Energy Services, Inc. postmarked no later than _____, 2009 or by calling our toll-free number, 1-877-778-9937, on or before _____, 2009.** Telephonic opt-outs will be recorded for verification purposes. The Public Utilities Commission of Ohio requires that all Aggregation Program Participants be given the opportunity to opt-out at least every two years, without paying an exit fee. Participating customers may switch (out of the Program) at the end of the 12-month period at no charge.

Service under the Aggregation Program is subject to the rules and regulations established by Resolution No. 2009-08 of City of Wyoming and provided in City of Wyoming's Natural Gas Aggregation Plan of Operation and Governance.

Integrys Energy Services will begin serving all customers that do not opt-out of the Aggregation Program with _____ 2009 meter reads (_____ 2009 billing) or _____, 2009 meter read (_____ 2009 billing) depending on your meter read cycle. Customers that do not opt-out of the Program will be automatically enrolled and placed on the Aggregation Program Rate unless they contact Integrys Energy Services by calling 1-877-778-9937.

Individuals seeking to join the City of Wyoming Aggregation Program after the enrollment period will be allowed to do so at the above listed rate, or at a market-based price, subject to the written policies of Integrys Energy Services. Participants seeking to switch out of the Program after the enrollment period, but planning to continue natural gas service at the same address with a supplier other than Integrys Energy Services may be subject to a \$25 early termination fee assessed by Integrys Energy Services and may be subject to a switching fee from Duke Energy. Participants that move within or out of City of Wyoming will not be assessed an early termination fee. To the extent applicable, participants of the Program may terminate their participation without penalty under the following circumstances: (1) the customer relocates; (2) the contract allows Integrys Energy Services such a right for reasons other than non-payment; participants in the program will be automatically terminated without penalty if (3) the participant's service location is no longer within the Duke Energy service territory; (4) the customer moves outside of the boundaries of City of Wyoming; (5) if Integrys Energy Services returns the customer to Duke Energy under these terms and conditions or under provisions in the agreement between Integrys Energy Services and the Township and/or the Plan of Operation and Governance.

Integrys Energy Services does not disclose or use customer account numbers for matters other than operation and maintenance of the Program or collection matters without the customers' affirmative written consent or PUCO or court order. Integrys Energy Services will not disclose a customer's social security number without the customer's affirmative written consent or court order.

Billing/Credit Policy

Customers will continue to receive one monthly bill from the utility Duke Energy-Ohio (Duke). The only change will be that Integrys Energy Services' charges will appear as a special line item. The charges will appear on your bill under Integrys Energy Services. Special billing options with Duke, such as budget payment plan, Check-Free automatic bank account withdrawal, Heat-Share, HEAP Credits, etc., will remain available. Duke is authorized to disconnect a customer's gas service in accordance with its tariffs for past due charges owed to an alternate supplier. Should Integrys Energy Services initiate contract termination for non-payment, customers will receive 14 days notice prior to end of service. Participants in the Program may request from Integrys Energy Services up to 24 months of the participants payment history for services rendered by Integrys Energy Services at no charge.

Enrollment

To take advantage of the aggregation offering you do not need to do anything; enrollment is automatic. The Program was developed with the intent to bring you price certainty and stability. If you opt-out you may miss this opportunity. Service will begin with your _____ 2009 meter read or _____, 2009 meter read, depending on your meter read cycle. You will not see any difference or change in the way you receive your natural gas.

After the opt-out period has ended customers will receive a notice from Duke Energy offering an additional seven day rescission period to cancel enrollment in the Program without penalty. Customers who wish to remain in the Program and receive the Program rate should do nothing in response to this letter.

Eligibility

Only eligible residents and small commercial customers within City of Wyoming receiving natural gas from the utility Duke Energy-Ohio are eligible for automatic enrollment in this Program. Residents not in good credit standing with Duke Energy-Ohio or currently served by another supplier (outside of the Aggregation Program) will not be automatically enrolled in the Program. Percentage of Income Payment Plan (PIPP) customers are not eligible to participate in City of Wyoming's Program. Customers that are mercantile customers are not eligible.

If you are presently a Choice customer under contract with a supplier other than the utility Duke Energy-Ohio and would like to join the City of Wyoming Aggregation Program, you should contact your supplier and read your contract to make sure there are no applicable exit fees. If, after you have contacted your supplier, you want to join the Aggregation Program contact Integrys Energy Services at 1-877-778-9937 to accept the Program's rate.

Integrys Energy Services makes every effort to send notices to only eligible customers within City of Wyoming. Occasionally, an ineligible customer may receive this notice by mistake. If you receive this notice and are not eligible to participate, or are inadvertently switched and are not a Duke Energy-Ohio customer residing in City of Wyoming, we urge you to please contact Integrys Energy Services immediately.

Service

To report any problems with your natural gas service, report a gas leak, billing problems, meter reading, estimated readings, and budget payment plan amounts you should still call Duke Energy-Ohio. However, if you have a question concerning the Integrys Energy Services rate you are being charged on your monthly utility bill you will need to contact Integrys Energy Services at 1-877-778-9937.

Sales Tax

Customer bills will include Claremont County sales tax on all Integrys Energy Services charges. Tax-exempt customers wishing to participate are requested to please send their most recent tax-exempt certificate on or before _____, 2009. Integrys Energy Services will not charge sales tax starting with the date the certificate is received. Integrys Energy Services is not liable for sales tax charged prior to receipt of the exemption certificate. Send certificates to: Integrys Energy Services, 300 West Wilson Bridge Road, Suite 350, Worthington, OH 43085 or fax to 1-614-844-4306. Be sure to note the City of Wyoming Aggregation Program on the fax.

Dispute Resolution Policy

Integrys Energy Services will attempt to resolve all customer complaints within 3 days after receipt of complaint. Residents may contact Integrys Energy Services by calling 1-877-778-9937, on our website at www.integrysenergy.com/wyoming, or via mail at 300 West Wilson Bridge Road, Suite 350, Worthington, OH 43085. If your complaint is not resolved after you have called Integrys Energy Services or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov. Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org.

EXHIBIT B-4
OPT-OUT NOTICE

4 PAGES

Township Logo

EXHIBIT-B-4
OPT-OUT

Integrlys Logo

**City of Wyoming
Natural Gas Aggregation Program**

THE CITY OF WYOMING NATURAL GAS AGGREGATION PROGRAM TERMS AND CONDITIONS

In November 2008, City of Wyoming residents approved an opt-out aggregation program for natural gas service by a majority vote. The result of this vote is the City of Wyoming Natural Gas Aggregation Program. Through this Program the City of Wyoming Board of Trustees and Integrlys Energy Services, Inc. ("Integrlys Energy Services") offer you a choice for your natural gas pricing. All customers that remain in the Program will be placed on the Monthly Variable Rate for at least the first month of the program unless they contact Integrlys Energy Services by calling 1-877-778-9937 to opt-out of the Program. Your rate for the remaining months of the first year of the program (through _____ 2010 meter reads) will be either a Monthly Variable Rate or a Locked-In Price with Flex Down OpportunitySM Rate, as determined by the City of Wyoming Board of Trustees and Integrlys Energy Services. If it is determined by City of Wyoming Board of Trustees and Integrlys Energy Services that the rate is the Locked-In Price with Flex Down OpportunitySM Rate, Integrlys Energy Services will send the customer notification of that fact. Please carefully read the rate description below to make sure this rate offer is best for you.

Residents and small commercial customers who opt-out of the program at this time will be opted out for two-years. Residents and small commercial customers who remain in the Program will be enrolled for one-year participation in City of Wyoming's Natural Gas Aggregation Program. Participating and newly eligible residents and small commercial customers will receive an opt-out notice for the year two rate prior to the expiration of the one-year period. Eligible customers who opt-out during this Enrollment Period will not receive the year two rate notice.

Term

As a resident or small commercial customer of City of Wyoming, Ohio you are being offered special natural gas pricing through the City of Wyoming Aggregation Program. This letter is your opportunity to join the Program by doing nothing or to opt-out by returning the enclosed postcard or calling toll-free 1-877-778-9937 on or before _____, 2009. This enrollment opportunity is for service with Integrlys Energy Services, the Township's chosen natural gas supplier. Residents and small commercial customers who choose to remain in the Program will start service with Integrlys Energy Services effective with their _____ 2009 through _____ 2010 meter reads (or _____ 2009 through _____ 2010 meter read, depending on their meter read cycle). The actual start date will depend on the customer's individual meter read date as determined by Duke Energy-Ohio.

Aggregation Program Rates

The Board of Trustees of City of Wyoming and Integrlys Energy Services determine the rates by purchasing gas on the NYMEX gas market and adding the Integrlys Energy Services fixed delivery adder of \$ _____/CCF plus any applicable utility charges.

The Integrlys Energy Services' rate excludes all applicable state and local taxes and Duke Energy-Ohio service and delivery charges. It should be noted that the Duke Energy-Ohio rate is variable and changes monthly.

SERVICE PERIOD	RATE
_____ or _____ 2009 meter reads (depending on your meter read cycle) through _____ 2010 meter reads	<p><u>Monthly Variable Rate</u> – determined by the below described method.</p> <p>Monthly Variable Rate = Fixed Delivery Adder + monthly NYMEX price (See * below for more information)</p> <p><u>Locked-In Price with Flex Down OpportunitySM Rate</u> will be locked-in based on the NYMEX and a fixed delivery adder, as determined by the below described method. Further, if the market falls significantly, then it presents an opportunity for a lower rate to be provided on a month-to-month basis.</p> <p>Locked-In Price with Flex Down OpportunitySM Rate = See ** below for more information.</p>

_____ 2009 Meter Read (_____ 2009 Billing) will be billed at the monthly variable rate.

Monthly Variable Rate: The Monthly Variable rate will be calculated based on a formula including a fixed delivery adder of \$ ____ /CCF and NYMEX Market prices for the period to be served. This rate will change each month. If you have chosen to remain in the program, you can learn what the Monthly Variable Rate is prior to each billing month by contacting Integrys Energy Services' customer service at 1-877-778-9937 or by logging onto the Program's website at www.integrysenergy.com/wyoming.

*The Monthly Variable Rate will be calculated each billing cycle by taking the applicable weighted NYMEX price(s) determined and agreed to by the Board of Trustees of City of Wyoming and Integrys Energy Services plus the Delivery Adder for the month. The Delivery Adder is fixed at \$ ____ /CCF. In the event the NYMEX price is not otherwise determined by City of Wyoming and Integrys Energy Services, the NYMEX price to which the adder shall apply will automatically be determined by the closing price on the New York Mercantile Exchange for natural gas futures contracts for delivery at the Henry Hub for the month of delivery on the last day on which futures contracts for that month are traded.

Locked-In Price with Flex Down OpportunitySM Rate: When a Locked-In Price with Flex Down OpportunitySM Rate is established it includes a locked-in price for natural gas which will never be exceeded. However, if the natural gas market shows a downward trend over the winter months and into the spring and summer, your gas rate will be reduced. On the other hand, if the natural gas market should rise, your gas rate will never exceed the locked-in price, regardless of how much the market increases. The Locked-In Price with Flex Down OpportunitySM Rate not only provides residents and small commercial customers with protection from rising natural gas prices but also the benefit of lower prices in a falling market. Once the locked-in portion of this rate is established, the rate can be obtained by calling 1-877-778-9937. The locked-in price will be calculated based on a formula including a fixed delivery adder of \$ ____ /CCF and NYMEX Market prices for the period to be served. This rate may or may not vary each month depending on market conditions. The locked-in price and any monthly variations will be posted by the first working day of the month of gas flow. Residents and small commercial customers will be able to view the locked-in price and any monthly variations online at www.integrysenergy.com/wyoming or by calling customer service at 1-877-778-9937.

** Integrys Energy Services, Inc. will monitor the NYMEX Natural Gas market for strategic buying opportunity(s) utilizing the expertise of its energy trading department, and when the natural gas market provides favorable conditions, will purchase the natural gas for City of Wyoming. The final rate will be the sum of the weighted average NYMEX costs ("NYMEX-based price") plus Delivery Adder for the remaining month(s) of the first year of the program. The Delivery Adder is fixed at \$ ____ /CCF. Accordingly the Locked-In Price with Flex Down OpportunitySM Rate will be the sum of the NYMEX-based price plus the Delivery Adder. If you would like specific details regarding the purchase(s) you may call 1-877-778-9937.

Terms and Conditions

Enrollment in the Aggregation Program is automatic. **If you want to remain in City of Wyoming's Program and receive the Aggregation Program Rate, do nothing.** With this mailing, City of Wyoming is offering a 21 day Opt-out Period. The Opt-out Period coincides with the Program's Enrollment Period. There will be no charge from City of Wyoming or Integrys Energy Services for opting out during the 21 day Opt-out Period. **If you do not wish to be part of City of Wyoming's Program, you must opt-out of the Program by either completing and returning the enclosed Opt-out Postcard to Integrys Energy Services, Inc. postmarked no later than _____, 2009 or by calling our toll-free number, 1-877-778-9937, on or before _____, 2009.** Telephonic opt-outs will be recorded for verification purposes. The Public Utilities Commission of Ohio requires that all Aggregation Program Participants be given the opportunity to opt-out at least every two years, without paying an exit fee. Participating customers may switch (out of the Program) at the end of the 12-month period at no charge.

Service under the Aggregation Program is subject to the rules and regulations established by Resolution No. 2009-08 of City of Wyoming and provided in City of Wyoming's Natural Gas Aggregation Plan of Operation and Governance.

Integrys Energy Services will begin serving all customers that do not opt-out of the Aggregation Program with _____ 2009 meter reads (_____ 2009 billing) or _____, 2009 meter read (_____ 2009 billing) depending on your meter read cycle. Customers that do not opt-out of the Program will be automatically enrolled and placed on the Aggregation Program Rate unless they contact Integrys Energy Services by calling 1-877-778-9937.

Individuals seeking to join the City of Wyoming Aggregation Program after the enrollment period will be allowed to do so at the above listed rate, or at a market-based price, subject to the written policies of Integrys Energy Services. Participants seeking to switch out of the Program after the enrollment period, but planning to continue natural gas service at the same address with a supplier other than Integrys Energy Services may be subject to a \$25 early termination fee assessed by Integrys Energy Services and may be subject to a switching fee from Duke Energy. Participants that move within or out of City of Wyoming will not be assessed an early termination fee. To the extent applicable, participants of the Program may terminate their participation without penalty under the following circumstances: (1) the customer relocates; (2) the contract allows Integrys Energy Services such a right for reasons other than non-payment; participants in the program will be automatically terminated without penalty if (3) the participant's service location is no longer within the Duke Energy service territory; (4) the customer moves outside of the boundaries of City of Wyoming; (5) if Integrys Energy Services returns the customer to Duke Energy under these terms and conditions or under provisions in the agreement between Integrys Energy Services and the Township and/or the Plan of Operation and Governance.

Integrys Energy Services does not disclose or use customer account numbers for matters other than operation and maintenance of the Program or collection matters without the customers' affirmative written consent or PUCO or court order. Integrys Energy Services will not disclose a customer's social security number without the customer's affirmative written consent or court order.

Billing/Credit Policy

Customers will continue to receive one monthly bill from the utility Duke Energy-Ohio (Duke). The only change will be that Integrys Energy Services' charges will appear as a special line item. The charges will appear on your bill under Integrys Energy Services. Special billing options with Duke, such as budget payment plan, Check-Free automatic bank account withdrawal, Heat-Share, HEAP Credits, etc., will remain available. Duke is authorized to disconnect a customer's gas service in accordance with its tariffs for past due charges owed to an alternate supplier. Should Integrys Energy Services initiate contract termination for non-payment, customers will receive 14 days notice prior to end of service. Participants in the Program may request from Integrys Energy Services up to 24 months of the participants payment history for services rendered by Integrys Energy Services at no charge.

Enrollment

To take advantage of the aggregation offering you do not need to do anything; enrollment is automatic. The Program was developed with the intent to bring you price certainty and stability. If you opt-out you may miss this opportunity. Service will begin with your _____ 2009 meter read or _____, 2009 meter read, depending on your meter read cycle. You will not see any difference or change in the way you receive your natural gas.

After the opt-out period has ended customers will receive a notice from Duke Energy offering an additional seven day rescission period to cancel enrollment in the Program without penalty. Customers who wish to remain in the Program and receive the Program rate should do nothing in response to this letter.

Eligibility

Only eligible residents and small commercial customers within City of Wyoming receiving natural gas from the utility Duke Energy-Ohio are eligible for automatic enrollment in this Program. Residents not in good credit standing with Duke Energy-Ohio or currently served by another supplier (outside of the Aggregation Program) will not be automatically enrolled in the Program. Percentage of Income Payment Plan (PIPP) customers are not eligible to participate in City of Wyoming's Program. Customers that are mercantile customers are not eligible.

If you are presently a Choice customer under contract with a supplier other than the utility Duke Energy-Ohio and would like to join the City of Wyoming Aggregation Program, you should contact your supplier and read your contract to make sure there are no applicable exit fees. If, after you have contacted your supplier, you want to join the Aggregation Program contact Integrys Energy Services at 1-877-778-9937 to accept the Program's rate.

Integrys Energy Services makes every effort to send notices to only eligible customers within City of Wyoming. Occasionally, an ineligible customer may receive this notice by mistake. If you receive this notice and are not eligible to participate, or are inadvertently switched and are not a Duke Energy-Ohio customer residing in City of Wyoming, we urge you to please contact Integrys Energy Services immediately.

Service

To report any problems with your natural gas service, report a gas leak, billing problems, meter reading, estimated readings, and budget payment plan amounts you should still call Duke Energy-Ohio. However, if you have a question concerning the Integrys Energy Services rate you are being charged on your monthly utility bill you will need to contact Integrys Energy Services at 1-877-778-9937.

Sales Tax

Customer bills will include Claremont County sales tax on all Integrys Energy Services charges. Tax-exempt customers wishing to participate are requested to please send their most recent tax-exempt certificate on or before _____, 2009. Integrys Energy Services will not charge sales tax starting with the date the certificate is received. Integrys Energy Services is not liable for sales tax charged prior to receipt of the exemption certificate. Send certificates to: Integrys Energy Services, 300 West Wilson Bridge Road, Suite 350, Worthington, OH 43085 or fax to 1-614-844-4306. Be sure to note the City of Wyoming Aggregation Program on the fax.

Dispute Resolution Policy

Integrys Energy Services will attempt to resolve all customer complaints within 3 days after receipt of complaint. Residents may contact Integrys Energy Services by calling 1-877-778-9937, on our website at www.integrysenergy.com/wyoming, or via mail at 300 West Wilson Bridge Road, Suite 350, Worthington, OH 43085. If your complaint is not resolved after you have called Integrys Energy Services or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov. Residential customers may also contact the Ohio Consumers' Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org.

**EXHIBIT B-5
EXPERIENCE**

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EXHIBIT B-5 EXPERIENCE

Integrys Energy Services, Inc.'s ("Integrys Energy") ability to successfully serve as a CRNGS Provider is amply demonstrated through our past and current performance as both a retail electric and natural gas provider. We have been successful to date in the Ohio retail electric and gas markets. Our efforts comply with the requirements of Commission rules adopted pursuant to the Ohio Revised Code. This includes such activities as telephone solicitation of customers, customer enrollment methods, customer service activities and response to customer concerns.

Integrys Energy, through our office in Worthington, OH has participated in Ohio Choice Programs since 1986 as Fuel Services Group, since 1994 under WPS Energy Services, Inc. and since February 2007 as Integrys Energy Services, Inc. Integrys Energy currently serves over 94,180 Ohio customers and delivers approximately 57,000 dekatherms of gas a day for both Choice and non-Choice customers. Integrys Energy Services is currently the supplier to: (1) the City of Cleveland Heights Natural Gas Aggregation Program, serving approximately 7150 residential and small commercial customers; (2) the City of Cheviot Natural Gas Aggregation Program, serving approximately 2060 residential and small commercial customers; (3) Green Township Natural Gas Aggregation Program, serving approximately 12,000 residential and small commercial customers; (4) Champion Township Natural Gas Aggregation Program, serving approximately 1,600 residential and small commercial customers; (5) the endorsed supplier for the Village of Indian Hill, serving approximately 550 residential and small commercial customers; (6) the endorsed supplier for the Village of Fairfax, serving approximately 90 residential and small commercial customers; the endorsed supplier for Bazetta Township, serving approximately 650 residential and small commercial customers; and (7) served approximately 59,000 residential, 11,000 small commercial and a couple dozen larger commercial accounts as the supplier to the City of Cleveland Electric Aggregation Program through December 2005. Typical load served for these customers was around 100 MW with summer peaks in the 150 to 200 MW range. We were also the CRES provider for the Northwest Ohio Aggregation Coalition ("NOAC") Electric Aggregation program from 2001-2003, serving over 24,000 residential accounts in six NOAC communities. Integrys Energy Services supplied the City of Euclid Electric Aggregation Program from 2002 through 2005. This program served approximately 16,000 residential customers. In addition, we were the supplier to over 3,700 residential and small commercial direct sign-up customers in the Toledo Edison area through December 2005.

A key element of our success in Ohio has been following our "regional office business model". This model involves establishing a local office and hiring local talent to coordinate the gas or electric supply, delivery and customer service functions. Billing is accomplished with a combination of billing through the local distribution utility and billing using our own proprietary billing system. Utilizing our aggregation experience through our electric programs, along with our experience in Ohio Choice Programs, Integrys Energy is able to effectively serve Natural Gas Aggregation Programs throughout Ohio.

Our operations in Ohio follow the regional office business approach. Integrys Energy Services, Inc. opened a regional office in Cleveland, Ohio in the spring of 2001. For our local presence in the retail gas area we have built upon our existing Worthington office and staff. The Cleveland office supports our regulatory, electric aggregation and retail electric efforts along with the Company's natural gas aggregation efforts in the state. We have added customer service support provided through local and/or toll free phone access. Integrys Energy Services has established a fully staffed and trained 24/7 call center to handle all customer questions and needs. Customer complaints are handled first through normal customer service channels, but appropriately raised for management attention when circumstances dictate. An established internet site provides customer education content, program information and customer service access. This site contains links to specific information regarding the various communities we serve. Secure internet and telephone based enrollment options are available. Additional internet-based services include online access to consumption data, energy consulting and accounting services, and energy efficiency product sales. We plan, over time, to provide a variety of billing services and options such as budget billing, summary billing and specialized billing services.

Integrys Energy's performance in the natural gas market, including our significant Ohio operations, shows our dedication to reliable service, our commitment to customer satisfaction, and our overall quality of energy supply service. This is quantitatively demonstrated by our many recognitions, including our performance in the 2001 Mastio survey of gas marketer customer satisfaction in which we were named the top ranked gas marketer. Our overall performance was ranked first among industrial respondents and second among Mid-tier Marketers.

In 2006 our parent company, Integrys Energy Group, Inc. (formerly WPS Resources), was ranked #1 by Fortune magazine as "America's Most-Admired Company" and in December 2005 Forbes magazine named our parent company as one of the "Best Managed Companies in America".