

FILE

FirstEnergy
Solutions

RECEIVED-DOCKETING DIV

341 White Pond Dr., Bldg B-3
Akron, OH 44320

31

2011 MAY -4 AM 10:48

PUCO

May 3, 2011

Ms. Renee Jenkins
Public Utilities Commission of Ohio
180 East Broad St.
Columbus, OH 43215

Subject: Renewal Application for Burton Township; Case Number: 03-0695-EL-GAG

Dear Ms. Jenkins:

Please find enclosed the original and ten copies of the Renewal Application for Governmental Aggregators for Burton Township. FirstEnergy Solutions is providing aggregation service to Burton Township and are filing these on their behalf.

Should there be any questions and/or additional information needs, please contact Emily Ochsenhirt, Governmental Aggregation Representative, FirstEnergy Solutions, 330-315-6733 or via email at eoachsenhirt@fes.com.

Thank You,

Emily Ochsenhirt
Government Aggregation
FirstEnergy Solutions
330-315-6733

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician DP Date Processed 5-4-11



The Public Utilities Commission of Ohio

Original GAG Case Number	Version
03-0695-EL-GAG	July 2002

RENEWAL APPLICATION FOR GOVERNMENTAL AGGREGATORS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-4 Opt-Out Form). All attachments should bear the legal name of the Applicant and should be included on the electronic copy provided. Applicants should file completed applications and all related correspondence with: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, OH 43215-3793.

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

A. RENEWAL INFORMATION

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

Legal Name Burton Township
Address P.O. Box 355, Burton, Ohio 44021
PUCO Certificate # and Date Certified 03-098E (4) issued April 12, 2009
Telephone # (440) 834-1500 Web site address (if any) N/A

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

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

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

A-4 Exhibit A-4 Automatic Aggregation Disclosure-"Opt-out Form" provide a copy of the disclosures/"opt-out" required by Section 4928.20(D) of the Revised Code, if its aggregation program provides for automatic aggregation in accordance with Section 4928.20(A) of the Revised Code. If the opt-out is in draft form, docket the final opt-out (including beginning and ending dates of the 21-day -out period and the selected CRES supplier) with the Commission within 10 days prior to providing or offering service. See #12 in the attached Affidavit .

A-5 **Contact person for regulatory or emergency matters**

Name Brenda Fargo

Title Governmental Agg. Manager, FirstEnergy Solutions

Business address 341 White Pond Dr., Bldg. B-3, Akron, Oh 44320

Telephone # (330) 315-6898

Fax # (330) 777-6529

E-mail address (if any) fargob@fes.com

A-6 **Contact person for Commission Staff use in investigating customer complaints**

Name Arland Smith

Title Customer Care Manager, FirstEnergy Solutions

Business address 341 White Pond Dr., Bldg. B-3, Akron, Oh 44320

Telephone # (330) 436-1000

Fax # (888) 820-1416

E-mail address (if any) smithaj@fes.com

A-7 **Applicant's address and toll-free number for customer service and complaints**

Customer Service address FES, 341 White Pond Dr., Bldg. B-3, Akron, Oh 44320

Toll-free Telephone # (866) 636-3749

Fax # (888) 820-1416

E-mail address (if any) firstchoice@fes.com

Jana W. Dvorak, Burton Township Trustee
Signature of Applicant & Title

Sworn and subscribed before me this 29 day of APRIL, 2011
Month Year

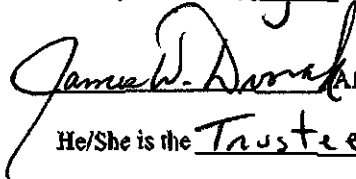
Brian Atkinson
Signature of official administering oath

BRIAN ATKINSON, ASSISTANT BRANCH
Print Name and Title MANAGER

My commission expires on _____

Brian Atkinson
Notary Public, State of Ohio
Commission Expires
December 5, 2011

AFFIDAVIT

State of Ohio :Burton ss.
(Town)County of Geauga :

Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the Trustee (Office of Affiant) of Burton Twp. (Name of Applicant);

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

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

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

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

James W. Dorak, Burton Township Trustee
Signature of Affiant & Title

Sworn and subscribed before me this 29 day of APRIL, 2011
Month Year

Brian Atkinson
Signature of official administering oath

BRIAN ATKINSON, ASSISTANT BRANCH
Print Name and Title
MANAGER

My commission expires on Brian Atkinson
Notary Public, State of Ohio
Commission Expires
December 5, 2011

**Submitted to:
The Public Utilities Commission of Ohio**

**CERTIFICATION APPLICATION
FOR A GOVERNMENTAL
AGGREGATOR**

Burton Township, Ohio

**P.O. Box 355
Burton, OH 44021**

**440-834-1500
440-834-0422 (fax)**

April 29, 2011

Exhibit A-2

Authorizing Ordinance

CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 507.11

State of Ohio

County of Geauga

The Board of Elections of Geauga County hereby

certifies that at the election held in Burton Township

(Municipality)

in said county on November 6, 2001 the

(Date of Election)

vote cast on the following issue was as follows:

Issue: Electricity Aggregation Program

(For law, local law, local option, etc. — describe fully)

Votes Yes
(For, yes, etc.—as on ballot)

459

(Number)

Votes No
(No, against, etc.—as on ballot)

410

(Number)

Total vote cast on issue:

(Number)

Witness our official signatures at Chardon, Ohio on

said county, this 21st day of November, 2001

Joseph A. Weiss Jr. Chairman

Gary Cobley

Dorothy M. Stange

Michael J. Mann

Attest: Catherine White Clerk

BOARD OF ELECTIONS

Geauga

County, Ohio

INSTRUCTIONS TO VOTER

1. To vote you must completely darken the oval (●) to the left of the candidate or answer of your choice.
2. To cast a write-in vote, blacken the oval (●) to the left of the line provided and write in the candidate's name.
3. If you make an error, return ballot to precinct official and obtain another one.
4. Use pencil only.

BURTON TOWNSHIP

For Township Trustees
(Vote For Not More Than Two)

- ☐ KIT A. LUCMA
- ☐ LOUIS A. MUCCI
- ☐ DANIEL WHITING

PROPOSED TAX LEVY (RENEWAL) GEAUGA COUNTY

A Majority Affirmative Vote Is Necessary For Passage.

A renewal of a tax for the benefit of Geauga County for the purpose of THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES at a rate not exceeding 2.5 mills for each one dollar of valuation, which amounts to \$0.25 for each one hundred dollars of valuation, for five years, commencing in 2001, first due in calendar year 2002.

- ☐ FOR THE TAX LEVY
- ☐ AGAINST THE TAX LEVY

PROPOSED TAX LEVY GEAUGA COUNTY (MENTAL HEALTH)

A Majority Affirmative Vote Is Necessary For Passage.

An additional tax for the benefit of Geauga County for the purpose of THE OPERATION OF ALCOHOL AND DRUG ADDICTION PROGRAMS AND MENTAL HEALTH PROGRAMS AND THE ACQUISITION, CONSTRUCTION, RENOVATION, FINANCING, MAINTENANCE, AND OPERATION OF ALCOHOL AND DRUG ADDICTION FACILITIES AND MENTAL HEALTH FACILITIES at a rate not exceeding 0.7 mill for each one dollar of valuation, which amounts to \$0.07 for each one hundred dollars of valuation, for five years, commencing in 2001, first due in calendar year 2002.

- ☐ FOR THE TAX LEVY
- ☐ AGAINST THE TAX LEVY

2

PROPOSED TAX LEVY BRADON COUNTY (METZENBAUM CENTER)

A Majority Affirmative Vote Is Necessary For Passage.

An additional tax for the benefit of Geauga County for the purpose of PROVIDING THE BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES (METZENBAUM CENTER), WITH SUFFICIENT FUNDS FOR THE OPERATION OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES PROGRAMS AND SERVICES, AND FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, FINANCIAL, MAINTENANCE, AND OPERATION OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES FACILITIES at a rate not exceeding 1 mill for each one dollar of valuation, which amounts to \$0.10 for each one hundred dollars of valuation, for three years, commencing in 2001, first due in calendar year 2002.

- ☐ FOR THE TAX LEVY
- ☐ AGAINST THE TAX LEVY

GEAUGA COUNTY EDUCATIONAL SERVICE CENTER

For Member of
Governing Board of
Educational Service Center
(Vote For Not More Than Two)

- ☐ DENNIS A. BATTLES
- ☐ ROBERT L. GILSON
- ☐ JANICE MARIE KUSTER

BRUSH CLOCAL SCHOOL DISTRICT

For Member of
Board of Education
(Vote For Not More Than Two)

- ☐ MICHAEL J. STONE
- ☐ SCOTT T. WERER
- ☐ ROBERT A. JOHNSON, JR.
- ☐ TIMOTHY M. BRYDEN

11

PROPOSED RESOLUTION NO. D1-108 Electric Aggregation BURTON TOWNSHIP

A Majority Affirmative Vote Is Necessary For Passage.

SHALL THE TOWNSHIP OF BURTON HAVE THE AUTHORITY TO AGGREGATE THE RETAIL ELECTRIC LOADS LOCATED IN THE TOWNSHIP, AND FOR THAT PURPOSE, ENTER INTO SERVICE AGREEMENTS TO FACILITATE FOR THOSE LOADS THE SALE AND PURCHASE OF ELECTRICITY, SUCH AGGREGATION TO OCCUR AUTOMATICALLY EXCEPT WHERE ANY PERSON ELECTS TO OPT OUT?

- ☐ YES
- ☐ NO

Exhibit A-3

Operation

and

Governance

Plan

**Burton Township Board of Trustees
Resolution**

Number 2009-3

A RESOLUTION AUTHORIZING THE ADOPTION OF AN ELECTRIC POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE BURTON TOWNSHIP, GEauga COUNTY, OHIO

WHEREAS, the electorate of Burton Township has previously authorized the Township to determine the best policy for the community's residents relating to electric power aggregation; and

WHEREAS, the Board of Trustees of Burton Township has previously authorized an agreement with First Energy Solutions to provide a contract for electric services and has held two public hearings on the Plan of Operation and Governance;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Burton Township, Geauga County, Ohio, that:

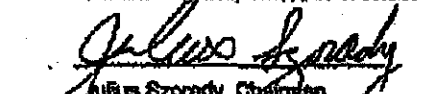
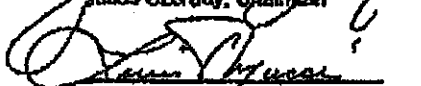
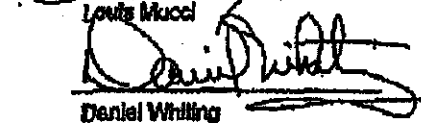
Section 1: The Board of Trustees of Burton Township hereby adopts an Electric Power Aggregation Plan of Operation and Governance for the Township of Burton pursuant to PUCO regulations.

Section 2: A copy of said Plan is hereby attached and marked as "Exhibit A" and is made part of this resolution.

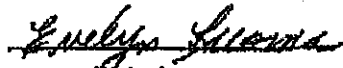
Section 3: This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare for the reason that immediately adopting the Burton Township Power Aggregation Plan of Operation and Governance for the Burton Township electric aggregation program will allow consumers to reduce their electric bills at the earliest possible time, and provided the resolution receives the affirmative vote of two-thirds of the members elected to the Board of Trustees, it shall take effect and be in force from and after the earliest time allowed by law.

Burton Township Board of Trustees

Date: March 3, 2009


Julius Szorady, Chairman

Louis Mucci

Daniel Whiting

I, Evelyn Luoma, Clerk of the Burton Township Board of Trustees, Geauga County, Ohio, certify that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Trustees held on March 3, 2003.


Evelyn Luoma

Burton Township

Electric Power Aggregation Plan of Operation and Governance

January 7, 2003

Burton Township Electric Power Aggregation Plan of Operation and Governance

I. INTRODUCTION

Amended Substitute Senate Bill 3 ("S.B. 3") opened Ohio's retail electric market as of January 1, 2001. S.B. 3 authorizes customer choice in the selection of suppliers of retail electric generation and declares electric generation service, aggregation service, power marketing, and power brokering as competitive retail electric services. The legislation gave the Public Utilities Commission of Ohio ("PUCO") authority to adopt rules regarding the development of a competitive retail electric market in Ohio and authority to promulgate rules on governmental aggregation.

Large industrial and commercial consumers with sophisticated electric operations use their size and expertise to obtain lower electric power rates. Individual residential and small commercial consumers are typically unable to obtain significant price reductions since they lack the bargaining power, expertise and the economies of scale enjoyed by larger consumers. Aggregation, the combining of multiple electric loads, provides the benefits of retail electric competition for consumers with lower electric demands.

Government aggregation, the combining of multiple electric loads by a municipality, provides the means through which the Burton Township residential and small commercial consumers may obtain the economic benefits of Ohio's competitive retail electric market. Burton Township's Aggregation Program combines the electric loads of residential and small commercial customers to form a buying group ("Aggregation Group"). Burton Township will act as Purchasing Agent for the Aggregation Group. This means that Burton Township will be a Governmental Aggregator, as defined by Ohio law and the rules established by the PUCO, and shall act on behalf of The Illuminating Company (CEI) customers in the Township to obtain the best electric generation rate for consumers who participate in the Aggregation Group.

II. PROCESS

On November 6, 2001, Burton Township voters approved the development of a form of government electric aggregation known as "opt-out" aggregation. Under the opt-out program, all CEI residential and business customers in the Township are automatically included as participants in the program unless they opt-out of the program by providing written notice of their intention not to participate. As required by state law, the Township Trustees passed an Ordinance, which authorized submitting the selection of opt-out aggregation to the Township's voters.

In addition to obtaining necessary Township Trustee approval, the Township is also required to comply with various PUCO regulations. The Township will file an application with the PUCO for certification as a Government Aggregator and the Township Trustees will approve the Plan, on or about March 10, 2003. As required by the regulations, the Township developed this Aggregation Plan of Operation and Governance ("Plan"). On February 1, 2003, and February 4, 2003, the Township advertised the Public hearing dates to discuss the Plan in the News Herald. As required by the PUCO's regulations, two hearings were conducted on February 25 and 27. The Opt-out notice for the Township's Program will be sent to all eligible electric customers in the Township upon approval of this Plan, setting forth the rates, terms and conditions of the program, and giving 21 days to opt out of the Program.

By vote of the Township Trustees of Burton Township on March 3, 2003, the Township selected FirstEnergy Solutions, Corp. (FES), a subsidiary of FirstEnergy Corp., as its Retail Electric Generation Provider, to provide the electric power for the Burton Township Aggregation Program at this time. Under this program, The Illuminating Company (CEI) will still deliver the electricity purchased from the Township's provider, FES, to customers, customers will receive only one bill (from CEI), and all metering, repairs and emergency service will continue to be provided by CEI.

III. DEFINITIONS

In order to clarify certain terminology, the following terms shall have the meanings set forth below:

"Aggregation Program" means the program developed by Burton Township, as a Government Aggregator under Section 4928.20 Ohio Revised Code, to provide CEI customers in the Township with retail electric generation services.

"Government Aggregator" means the Township and its legislative authority acting as an aggregator for the provision of a competitive retail electric service under the authority conferred under Section 4928.20 of the Ohio Revised Code.

"Member" means a person enrolled in the Burton Township government Aggregation Group for competitive retail electric services.

"Retail Electric Generation Provider" ("Provider") means an entity certified by the Public Utilities Commission of Ohio ("PUCO") to provide competitive retail electric service(s), and which is chosen by the Township to be the entity responsible to provide the required service related to "Government Aggregation" as defined in Section 4928.20 of the Ohio Revised Code and applicable provisions of the rules of the PUCO.

"Competitive Retail Electric Service" ("CRES") means a component of electric retail service that is deemed competitive pursuant to the Ohio Revised Code or pursuant to an order of the PUCO.

IV. OPERATIONAL PLAN:

A. Aggregation Services

1. **Provider:** Burton Township will use a contractor ("Retail Electric Generation Provider") to perform and manage aggregation services for its Members. The Township has selected FES to be its Provider at this time. The Provider shall provide adequate, accurate, and understandable pricing terms and conditions of service, including any switching fees and the conditions under which a Member may rescind a contract without penalty. The Provider must provide the Township, if requested, an electronic file containing the Members usage, and charges. The Provider must have a local Burton Township phone number or a toll free number for Members to call.
2. **Database:** The Retail Electric Generation Provider will build and maintain a database of all Members. The database will include the name, address, The Illuminating Company account number, and Retail Electric Generation Provider's account number of the Member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage and demand, and meter read cycle. The Retail Electric Generation Provider will develop a process to be implemented that will be able to accommodate at a minimum Members who (i) leave the program due to relocation, opting out, etc. (ii) decide to enter the Program; (iii) relocate within the Township, and (iv) move into the Township and desire to enter the Program. This database shall also be capable of eliminating PIPP customers from the Program, should that be necessary, and those who have opted out.
3. **Member Education:** The Retail Electric Generation Provider will develop, with the assistance of the Township, an educational program that generally explains the Aggregation Program to Members, provides updates and disclosures mandated by Ohio law and PUCO rules, and implements a process to deal with allowing any person enrolled in the Aggregation Program the opportunity to opt out of the program at least every two years, without paying a switching fee to the Township or the Provider. See Appendix A for a detailed description of the Education Process.
4. **Customer Service:** The Retail Electric Generation Provider will develop and administer a customer service process, that at a minimum will be able to accommodate (i) Member inquiries and complaints about billing; and (ii) answer questions regarding the program in general. This process will include at a minimum a description of how telephone inquiries will be handled, either internally or externally, how invoices will be prepared, how remittance of payment will be dealt with, and how collections for delinquent accounts will be addressed. See Appendix B for a detailed description of the Customer Service Plan.
5. **Billing:** Burton Township will use the Retail Electric Generation Provider, or it's designated agent, to provide billing services to each Member for the Competitive Retail Electric Services, with no additional administrative fee. At this time, The Illuminating Company will render the billing statement, which should be consistent with all applicable guidelines issued by the PUCO. As this market develops, Burton Township

may, at its option and in consultation with the Provider, change this function to the Retail Electric Generation Provider or a billing agency.

6. **Compliance Process:** The Retail Electric Generation Provider will develop internal controls and processes to ensure that the Township remains in good standing as a Government Aggregator that complies with all laws, rules and regulations surrounding the same, as they may be amended from time to time. It will be the Retail Electric Generation Provider's responsibility to deliver periodic reports that will include at a minimum (i) the number of Members participating in the Program. The Retail Electric Generation Provider will also develop a process to monitor and provide notification of any changes in laws, rules or regulations.

7. **Notification to The Illuminating Company:** The Township's CEI consumers that do not opt-out of the Township's Aggregation Group will be enrolled automatically in the Aggregation Program. Participants in the Township's Aggregation Group will not be asked to take other affirmative steps in order to be included in the Group. To the extent that CEI requires notification of participation, the Township will coordinate with its Provider to provide such notice to CEI. The Provider will inform CEI of any individuals who may have been permitted to join the Aggregation Group after the expiration of the enrollment period.

B. Power Supply Agreement

The Power Supply Agreement will provide for the Provider to serve the Township's Government Aggregation Group. Under the Agreement, the term for power supply to Members will be for four years from the beginning of service.

C. Burton Township's Retail Electric Generation Provider - FirstEnergy Solutions Corp. (FES)

FES satisfies each of the following requirements:

- Has sufficient sources of power to provide retail firm power to the residents and businesses in the unincorporated area of Burton Township.
- Is a licensed Federal Power Marketer with the Federal Energy Regulatory Commission.
- Is certified as a CRES by the PUCO.
- Is registered as a generation supplier with CEI.
- Has a Service Agreement for Network Integration Transmission Service under FirstEnergy's Open Access Transmission Tariff.
- Has a Service Agreement under FirstEnergy's Market-based Rate Tariff.
- Has the corporate structure to sell retail firm power to the CEI customers in the Township.
- Its Electronic Data Interchange computer network is fully functional and capable of handling the CEI retail electric customers in Burton Township.
- Has the marketing ability to reach all CEI retail electric customers to educate them on the Township's Aggregation Program.

- Has a call center capable of handling the Township's Aggregation Group customer calls.
- Has a toll-free number as required by the PUCO for customer service and complaints related to the Township's aggregation program.
- Will hold the Township financially harmless from any financial obligations arising from supplying power to the CEI retail electric customers in the Township.
- Satisfies the State of Ohio's, FirstEnergy's and the Township's credit requirements.
- Will execute the Power Supply Agreement.
- Will assist the Township in filing the annual reports required by the PUCO and Section 4805.10(A), Section 4911.18(A) and Section 4928.06(F) of the Ohio Revised Code.
- Will assist the Township in developing a Consumer Education Plan.

D. Activation of Service

After a notice is sent out to all electric customers in the Township providing 21 days to opt out of the Program, all customers who do not opt out will be automatically enrolled in the Program. Generation service activation will occur thereafter without consumer action beginning on the customer's normal meter read date within the month when power deliveries begin under the Aggregation Program.

E. Changes, Extension or Renewal of Service

The current Agreement for power supply service with FES will provide service for four years beginning upon activation of service. If the Agreement is extended or renewed, Members will be notified as required by law and the rules of the PUCO as to any change in rates or service conditions. At least every two years all CEI customers in the Township will be given an opportunity to opt into or out of the Program, and reasonable notice will be provided as required by law and PUCO rules. Participants will also be notified of their right to select an alternate generation supplier and of their ability to return to CEI's Standard Service Offer.

F. Termination of Service

In the event that the Power Supply Agreement is terminated prior to the end of the term, each individual Member of the Aggregation Group will receive written notification of the termination of the Program at least sixty (60) days prior to termination of service. If the Agreement is not extended or renewed, Members will be notified as required by law and the CRES rules of the PUCO in advance of the end of service. Members will also be notified of their right to select an alternate generation supplier and of their ability to return to CEI's Standard Service Offer upon termination.

G. Opt-In Procedures

CEI customers will be automatically enrolled in the Program after a 21 day opt out period, unless they return the form to be provided, notifying the Provider that they do not want to participate. CEI consumers in the Township may request to join the

Aggregation Group after the expiration of the enrollment period by contacting the Provider, who shall determine whether to accept them into the Program, and at what rate, subject to written policies mutually agreed upon by the Township and the Provider. The agreed upon policy shall be consistent with CEI's service activation requirements. Aggregation Group participants who move from one location to another within the corporate limits of the Township shall retain their participant status.

H. Opt-out Procedures

CEI consumers may opt-out of the Township's Aggregation Group at any time during the opt-out period without additional fees charged by the Provider or the Township. Residential Aggregation Group participants who switch to a different generation supplier after the expiration of the Opt-out period will be allowed to do so in correlation with the consumer's next scheduled meter read date but will be charged a \$25.00 switching fee to be billed on their final bill from the Provider. Commercial participants choosing a different generation supplier after the expiration of the opt-out period will be charged a default fee based upon the term remaining on the contract. Switching to a different generation supplier on the next meter read date, however, will occur when the next meter read date is twelve (12) business days or more from the date of the consumer's notice of intent to opt-out of the Aggregation Group. Notification of intent to opt-out of the Aggregation Group may be made by contacting the Provider by telephone or in writing. Consumers who opt-out of the Aggregation Group will default to CEI's Standard Service Offer, until the consumer selects an alternate generation supplier.

I. Rates

The Provider's rates shall be as follows for the generation charge:

The following rates will apply for the initial two-years of Burton Township's Aggregation Program. The following years' pricing will be a minimum of these discounts and an opt-out notification sent to all residents in accordance with PUCO guidelines.

Residential Rates

Residential (Rates 50 – 89) = 6% off Generation Shopping Credit

Optional Electrically Heated Apartment with & w/o Water Heating (Rates 30,31,40,41) – “Non-shoppable” rates (customers would have to switch to a “fall back” rate in order to shop – potentially losing the discount they currently receive)

Governmental Facilities' Rates

All eligible government facilities = 6% off Generation Shopping Credit

Commercial Rates

The commercial members, with usage of 299 kWd and below, in the Burton program are guaranteed to save 4 percent on electric supply. This percentage discount will be taken off the

"generation shopping credit," which appears on the electric bill after enrollment in the Township's program.

General Service (Rate 105)	= 4 % off Generation Shopping Credit
Small School/Large School (Rates 115,116,135)	= 4 % off Generation Shopping Credit
Small General Service (Rates 125)	= 4 % off Generation Shopping Credit
All Electric General Service (Rates 130)	= 4 % off Generation Shopping Credit
Medium General Service (Rates 145)	= 4 % off Generation Shopping Credit

- If FE does not require additional metering for customers above 299 kWd, FES may raise the eligibility limit of commercial/industrial customers.
- All other commercial/industrial rates are considered "non-shoppable"
- These rates are for the electric generation portion of the bill only and are expressed in cents per kilowatt-hour. Transmission and Distribution charges will also apply.
- These rates assume participants will receive a single bill from CEI for all electric services.

J. Other Costs

Commercial Government Aggregation Members will be required by CEI to pay a one-time \$5.00 switching fee. Provider will pay the fee on behalf of the residential members.

K. Universal Service and Low Income Customer Assistance

The Ohio Department of Development (ODOD), under the electric restructuring law, will provide one-stop shopping for low-income assistance programs. There are five low-income assistance programs: 1) Percentage of Income Payment Plan (PIPP); 2) the Home Energy Assistance Program; 3) the Home Weatherization Assistance Program; 4) the Ohio Energy Credit Program; and 5) the Targeted Energy Efficiency and Weatherization Program. Ohio law allows the Director of the Ohio Department of Development to aggregate consumers that participate in PIPP and to competitively auction the generation supply for PIPP customers. Accordingly, PIPP customers may be included in the State's PIPP customer aggregation. To the extent permitted by Ohio law and the PUCO, PIPP customers will be included in the Township's aggregation unless they choose to opt out.

V. MISCELLANEOUS GOVERNANCE GUIDELINES

- A. Township Trustees shall approve through Resolution the Plan of Operation and Governance for the Aggregation program and any Amendments thereto.
- B. The Township shall contract with only Retail Electric Generation Providers certified by the Public Utilities Commission of Ohio for the provision of Competitive Retail Electric Service to the Aggregation Program Members.
- C. The Township will require any Provider to disclose any subcontractors that it uses in fulfillment of the services described above.

- D. The Township will require the Provider to maintain either a toll free telephone number, or a telephone number that is local to Township residents who are Members.
- E. Any costs of the Aggregation Program development/administration will be paid either through the general fund and/or through the inclusion of a percentage adder that will be added to Member bills.

VI. LIABILITY

THE TOWNSHIP SHALL NOT BE LIABLE TO PARTICIPANTS IN THE AGGREGATION GROUP FOR ANY CLAIMS, HOWEVER STYLED, ARISING OUT OF THE AGGREGATION PROGRAM OR THE PROVISION OF AGGREGATION SERVICES BY THE TOWNSHIP OR THE PROVIDER. PARTICIPANTS IN THE AGGREGATION GROUP SHALL ASSERT ANY SUCH CLAIMS SOLELY AGAINST THE PROVIDER PURSUANT TO THE POWER SUPPLY AGREEMENT, UNDER WHICH SUCH PARTICIPANTS ARE EXPRESS THIRD-PARTY BENEFICIARIES.

VII. INFORMATION AND COMPLAINT NUMBERS

Copies of this Plan are available from Burton Township free of charge. Call the Clerk's Office at 440-834-1500 for a copy or for more information.

Any electric customer, including any participant in the Township's Aggregation Program, may contact the Public Utilities Commission of Ohio (PUCO) for information, or to make a complaint against the Program, the Provider or CEI. The PUCO may be reached toll free at 1-800-686-7826.

Appendix A -- Education Process

The Provider will develop the educational program in conjunction with the Township. Its purpose will be to explain the aggregation program to its members, provide updates and disclosures as mandated by State law and the rules of the PUCO, and provide the opportunity for the members to opt out of the program. The following are the program components:

1. Each eligible residence within the limits of the Township will receive via U.S. Mail notification of: what government aggregation means, their membership in the government aggregation program, the procedure which must be followed in order to opt out of the program, the price that they can expect to receive as a member of the program, and the deadline for returning the opt out form. See the attached letter.
2. The Provider will work with the Township to provide opportunities for educating residents in the Township about the Program and consumer rights under the law, PUCO rules and this Program. In addition, the Provider and Township will work to provide education about and other opportunities for energy efficiency measures to help consumers reduce energy consumption.
3. The Provider will provide updates and disclosures as mandated by State law and rules of the PUCO.
4. The opt-out opportunity will be provided to the members of the program at least every two years. Should conditions, suppliers, price, or any other component of the program change within the two-year period, participants will be given a notice of their opportunity to opt out of, or into the program.

Dear Burton Township Resident/Business:

Thanks to voter approval on November 6, 2001 of legislation allowing the Township to provide cheaper electric power to all residents, institutions and businesses, our Township has the opportunity to take advantage of the Ohio Electric Choice Program, which began on January 1, 2001. In response to the citizens of the Township, the Township Trustees are now offering you the opportunity to join with other electric customers in the Township to save money on your electric bill.

Savings are possible through a concept called "aggregation," by which the Township hires a Retail Electric Generation Provider certified by The Public Utilities Commission of Ohio (PUCO), to provide all of the customers in the Township with electric power at a discount rate, unless a customer affirmatively chooses not to participate in this Program. The Township has hired FirstEnergy Solutions, Corp. (FES), a subsidiary of FirstEnergy Corp., to provide the electric power for Burton Township Aggregation Program at this time.

Under this Program, the electricity purchased from the Township's provider, FES, will still be delivered to you by your current electric distributor, The Illuminating Company. Also, you will receive only one bill from The Illuminating Company, and all metering, repairs and emergency service will continue to be provided by The Illuminating Company. You will still be able to take advantage of all of the billing and payment options that The Illuminating Company currently offers, such as budget billing (for the The Illuminating Company portion of the bill), automatic bill payment, etc.

There is no cost to you for enrollment in Burton Township Electric Aggregation Program and if you wish to join you need not take any action, your enrollment will be automatic. As a member of this Program, your generation discounts are as follows :

Residential Rates

Residential (Rates 50 – 89) = 6% off Generation Shopping Credit

Optional Electrically Heated Apartment with & w/o Water Heating (Rates 30,31,40,41) – "Non-shoppable" rates (customers would have to switch to a "fall back" rate in order to shop – potentially losing the discount they currently receive)

Governmental Facilities' Rates

All eligible government facilities = 6% off Generation Shopping Credit

Commercial Rates

The commercial members, with usage of 299 kWd and below, in the Burton program are guaranteed to save 4 percent on electric supply. This percentage discount will be taken off the "generation shopping credit," which appears on the electric bill after enrollment in the Township's program.

General Service (Rate 105)	= 4% off Generation Shopping Credit
Small School/Large School (Rates 115,116,135)	= 4 % off Generation Shopping Credit
Small General Service (Rates 125)	= 4 % off Generation Shopping Credit
All Electric General Service (Rates 130)	= 4 % off Generation Shopping Credit
Medium General Service (Rates 145)	= 4 % off Generation Shopping Credit

- All other commercial/industrial rates are considered "non-shoppable"
- These rates are for the electric generation portion of the bill only and are expressed in cents per kilowatt-hour. Transmission and Distribution charges will also apply.
- These rates assume participants will receive a single bill from CEI for all electric services.

It is anticipated that your bill will reflect the lower FES rate beginning in the next month or two, depending on your meter read date and PUCO approval of the Township's Program. If you under contract with any generation supplier, you will need to opt-out in order to maintain your current rate.

You are not obligated to join the Aggregation Program. You may remain a full service customer of The Illuminating Company, or enter into a contract with another provider. **If you do not want to participate in the Township's Program, you have the next 21 days – until _____ – to return the enclosed "Opt-Out" post card.** By returning the signed form, you will be excluded from the Township's electric Aggregation Program. You will be sent a notice at least every two years asking if you wish to remain or join in the Township's Program.

WARNING: IF YOU ARE ALREADY IN A CONTRACT WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER YOU MAY INCUR A CONTRACT TERMINATION FEE OR OTHER CHARGES IF YOU FAIL TO OPT-OUT OF THE AGGREGATION.

If you have any questions or concerns, you may call FirstEnergy Solutions, toll-free at **1-800-XXX-XXXX**, Monday through Friday, 7 a.m. to 5 p.m. Remember, send back the postcard only if you DO NOT want to be a part of the Township's Aggregation Program.

Sincerely,

Appendix B --- Customer Service Plan

A. Member Access:

1. Provider shall ensure Members reasonable access to its service representatives to make inquiries and complaints, discuss charges on Member bills, and transact any other business.
2. Telephone access shall be toll free and afford Members prompt answer times during normal business hours, as follows:

FirstEnergy Solutions Corp.
395 Ghent Road, Suite 413
Akron, Ohio 44333
Toll-free telephone number: 1-888-254-6539
Hours: M-F, 7:00 a.m.- 5:00 p.m.

3. Provider shall provide a 24-hour automated telephone message instructing callers to report any service interruptions or electrical emergencies to The Illuminating Company.

B. Member Complaints:

1. Provider shall investigate Member complaints (including Member complaints referred by The Illuminating Company) and provide a status report within five calendar days following receipt of the complaint to:
 - a. The consumer, when the complaint is made directly to Provider; or
 - b. The consumer and The Public Utilities Commission of Ohio Staff ("Commission Staff"), when a complaint is referred to Provider by the Commission Staff.
2. If an investigation is not completed within 14 calendar days, Provider shall provide status reports to the consumer and the Township, or if applicable, to the consumer, the Township and the Commission Staff. Such status reports shall be provided at five-day intervals until the investigation is complete, unless the action that must be taken will require more than five days and the Member has been so notified.
3. Provider shall inform the consumer, or the consumer, the Township and Commission Staff, of the results of the investigation, orally or in writing, no later than five calendar days after completion of the investigation. The consumer, the Township, or Commission Staff may request the report in writing.
4. If a residential consumer disputes the Provider report, Provider shall inform the consumer that the Commission Staff is available to help resolve informal complaints. Provider shall provide the consumer with the current

address, local/toll free telephone numbers, and TDD/TTY telephone numbers of the Commission's consumer services department.

5. Provider shall retain records of Member complaints, investigations, and complaint resolutions for one year after the occurrence of such complaints, and shall provide such records to the commission staff within five calendar days of request.

6. Provider shall make good faith efforts to resolve disputes.

C. Member Billing and Payments

1. Provider shall arrange for The Illuminating Company or its agent to bill Members for such services according to a tariff approved by the commission. Member bills issued by or for Provider shall be accurate and understandable, be rendered at intervals consistent with those of The Illuminating Company, and contain sufficient information for Members to compute and compare the total cost of competitive retail electric service (s). Such bills shall also include:

- a. The Member's name, billing address, service address, the Member's EDU account number, and if applicable, Provider account number;
- b. The dates of service covered by the bill, an itemization of each type of competitive service covered by the bill, any related billing components, the charge for each type of service, and any other information the Member would need to recalculate the bill for accuracy;
- c. The applicable billing determinants, including beginning meter reading, ending meter reading(s), demand meter reading(s), multipliers, consumption(s), and demands;
- d. For Member-generators with net metering contracts, a statement of the net metered generation;
- e. The unit price per kWh charged for competitive service, as calculated by dividing current-period competitive service charges by the current-period consumption;
- f. An identification of the provider of each service appearing on the bill;
- g. The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the Member's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable.

2. The due date for payment to keep the account current. Such due date shall be no less than:

- a. Fourteen days after the postmark date on the bill for residential Member; and Twenty-one days after the postmark date or the bill for nonresidential Members;
- b. Current balance of the account, if a residential Member is billed according to a budget plan;
- c. Options and instructions on how Members may make their payments;

- d. For each provider whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for Member billing questions or complaints;
 - e. A listing of the toll-free consumer assistance telephone numbers and available hours for applicable state agencies, such as the commission, the Ohio Consumers' Counsel, and the Ohio Attorney General's office;
 - f. The Illuminating Company 24-hour local/toll-free telephone number for reporting service emergencies;
 - g. Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
 - h. An explanation of any codes and abbreviations used.
3. If applicable, Provider will, upon request, provide Members with the name and street address/location of the nearest payment center and/or authorized payment agent.
 4. If applicable, when a Member pays the bill at a payment center or to an authorized payment agent, such payment shall be credited to the Member's account as of the day such payment center or agent receives it.
 5. The Township and Provider shall establish policies and procedures for handling billing disputes and requests for payment arrangements.

D. Collections for delinquent accounts:

1. Collections for delinquent accounts shall be the responsibility of Provider or its agent.
2. The Township shall approve the Collections process utilized by Provider.
3. Failure of Members to pay charges for Competitive Retail Electric Services may result in loss of those products and service; and
4. Failure to pay charges for Competitive Retail Electric Services may result in cancellation of the Member's contract with Provider, and return the Member to The Illuminating Company's Standard Offer.

Exhibit A-4

Automatic Aggregation Disclosure & Customer Education

Dear Burton Township Resident/Business:

Thanks to voter approval on November 6, 2001 of legislation allowing the Township to provide cheaper electric power to all residents, institutions and businesses, our Township has the opportunity to take advantage of the Ohio Electric Choice Program, which began on January 1, 2001. In response to the citizens of the Township, the Township Trustees are now offering you the opportunity to join with other electric customers in the Township to save money on your electric bill.

Savings are possible through a concept called "aggregation," by which the Township hires a Retail Electric Generation Provider certified by The Public Utilities Commission of Ohio (PUCO), to provide all of the customers in the Township with electric power at a discount rate, unless a customer affirmatively chooses not to participate in this Program. The Township has hired FirstEnergy Solutions, Corp. (FES), a subsidiary of FirstEnergy Corp., to provide the electric power for Burton Township Aggregation Program at this time.

Under this Program, the electricity purchased from the Township's provider, FES, will still be delivered to you by your current electric distributor, The Illuminating Company. Also, you will receive only one bill from The Illuminating Company, and all metering, repairs and emergency service will continue to be provided by The Illuminating Company. You will still be able to take advantage of all of the billing and payment options that The Illuminating Company currently offers, such as budget billing (for the The Illuminating Company portion of the bill), automatic bill payment, etc.

There is no cost to you for enrollment in Burton Township Electric Aggregation Program and if you wish to join you need not take any action, your enrollment will be automatic. As a member of this Program, your generation discounts are as follows:

Residential Rates

Residential (Rates 50 – 89) = 6% off Generation Shopping Credit

Optional Electrically Heated Apartment with & w/o Water Heating (Rates 30,31,40,41) – "Non-shoppable" rates (customers would have to switch to a "fall back" rate in order to shop – potentially losing the discount they currently receive)

Governmental Facilities' Rates

All eligible government facilities = 6% off Generation Shopping Credit

Commercial Rates

The commercial members, with usage of 299 kWd and below, in the Burton program are guaranteed to save 4 percent on electric supply. This percentage discount will be taken off the "generation shopping credit," which appears on the electric bill after enrollment in the Township's program.

General Service (Rate 105)	= 4% off Generation Shopping Credit
Small School/Large School (Rates 115,116,135)	= 4 % off Generation Shopping Credit
Small General Service (Rates 125)	= 4 % off Generation Shopping Credit
All Electric General Service (Rates 130)	= 4 % off Generation Shopping Credit
Medium General Service (Rates 145)	= 4 % off Generation Shopping Credit

- All other commercial/industrial rates are considered "non-shoppable"
- These rates are for the electric generation portion of the bill only and are expressed in cents per kilowatt-hour. Transmission and Distribution charges will also apply.
- These rates assume participants will receive a single bill from CEI for all electric services.

It is anticipated that your bill will reflect the lower FES rate beginning in the next month or two, depending on your meter read date and PUCO approval of the Township's Program. If you under contract with any generation supplier, you will need to opt-out in order to maintain your current rate.

You are not obligated to join the Aggregation Program. You may remain a full service customer of The Illuminating Company, or enter into a contract with another provider. **If you do not want to participate in the Township's Program, you have the next 21 days – until _____ – to return the enclosed "Opt-Out" post card.** By returning the signed form, you will be excluded from the Township's electric Aggregation Program. You will be sent a notice at least every two years asking if you wish to remain or join in the Township's Program.

WARNING: IF YOU ARE ALREADY IN A CONTRACT WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER YOU MAY INCUR A CONTRACT TERMINATION FEE OR OTHER CHARGES IF YOU FAIL TO OPT-OUT OF THE AGGREGATION.

If you have any questions or concerns, you may call FirstEnergy Solutions, toll-free at 1-800-XXX-XXXX, Monday through Friday, 7 a.m. to 5 p.m. Remember; send back the postcard only if you DO NOT want to be a part of the Township's Aggregation Program.

Sincerely,

Exhibit A-5

Experience