



Buckeye Energy Brokers, Inc.

PUCO Certificate: 00-002E

PUCO Certificate: 00-006G

66 East Mill Street

Akron, Ohio 44308

(330) 730-4338

Chief of Docketing
Public Utilities Commission of Ohio
180 East Broad St. 13th Floor
Columbus, Ohio 43215-3793

RE: Governmental Aggregator Renewal Application Case Number 04-1228-GA-GAG

The City of Wapakoneta is pleased to submit its renewal application for governmental aggregator. The original application was docketed as case number 04-1228-GA-GAG.

Should you have any questions or additional needs, please call me at (330) 730-4338.

Sincerely,

Thomas M. Bellish
President

Attachment

Buckeye Energy Brokers, Inc.

Services

Deregulated Energy

- Consulting
- Aggregation
- Procurement

Benefits

- Buying Leverage
- Risk Mitigation
- Budget Predictability
- Cost Control
- Best Combination of Term, Service & Pricing Available

Proven Expertise

- PUCO Certified
- Customized Energy Management Solutions
- Municipal Aggregation
- Governmental Procurement Programs
- Procedure Management & Procurement Consulting
- Daily Trend Analysis of Energy Markets
- Ohio Brokers Serving Ohio Clients



Public Utilities Commission

Competitive Retail Natural Gas Service (CRNGS)
Governmental Aggregator Application

Case Number: 04 - 1228 - GA-GAG

Please complete all information. Identify all attachments with a label and title (example: Exhibit C-2 Financial Statements). For paper filing, you can mail the original and three complete copies to the Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793.

A. Application Information

A-1. Applicant's legal name and contact information.

Provide the name and contact information of the business entity.

Legal Name: City of Wapakoneta
Street Address: 701 Parlette Court
City: Wapakoneta State: Ohio Zip: 45895
Telephone: (419) 738-3011 Website: wapakoneta.net

A-2. Contact person for regulatory matters.

Name: Thomas M. Bellish
Street Address: 66 East Mill Street
City: Akron State: Ohio Zip: 44308
Telephone: (330) 730-4338 Email: tb@buckeyeenergybrokers.com

A-3. Contact person for PUCO Staff use in investigating consumer complaints.

Name: Thomas M. Bellish
Street Address: 66 East Mill Street
City: Akron State: Ohio Zip: 44308
Telephone: (330) 730-4338 Email: tb@buckeyeenergybrokers.com

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

Street Address: 66 East Mill Street
City: Akron State: Ohio Zip: 44308
Toll-free Telephone: (866) 302-2237 Email: tb@buckeyeenergybrokers.com

B. Managerial Capability

Provide a response or attachment for each of the sections below.

B-1. Authorizing Ordinance.

Provide a copy of the adopted ordinance or resolution authorizing the formation of a governmental aggregation program pursuant to Sections 4928.20(A), 4929.26, and/or 4929.27 of the Ohio Revised Code.

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 Section 4928.20(C), 4929.26(C), and/or 4929.27(B) of the Ohio Revised Code and in accordance with 4901:1-21-16 and/or 4901:1-28-03 of the Ohio Administrative Code.

B-3. Opt-out disclosure notice.

Provide a draft copy of the opt-out notice that provides or offers automatic aggregation services in accordance with Sections 4928.20(D) or 4929.26(D) of the Ohio Revised Code and in accordance with 4901:1-21-17 and/or 4901:1-28-04 of the Ohio Administrative Code. The applicant must file the finalized opt-out notice in the certification case docket no more than 30 days and not less than ten days prior to public dissemination.

B-4. Experience and plans.

Describe in detail the applicant's experience and plan for providing aggregation services, including contracting with consultants, broker/aggregators, retail natural gas suppliers and/or retail generation providers, providing billing statements, responding to customer inquiries and complaints, and complying with all applicable provisions of Commission rules adopted pursuant to Section 4929.22 and/or 4928.20 of the Ohio Revised Code.

As authorized representative for the above company/organization, I certify that all the information contained in this application is true, accurate and complete. I also understand that failure to report completely and accurately may result in penalties or other legal actions.


Signature

05/12/2022
Date

MAYOR
Title

Competitive Retail Natural Gas Service Affidavit

County of Auglaize :

State of Ohio :

Steve Henderson, 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, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
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 Sections 4905.10 and 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 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. 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 comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.
9. The facts set forth above are true and accurate 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.
10. Affiant further sayeth naught.

[Signature] MAYOR
Signature of Affiant & Title

Sworn and subscribed before me this 11 day of May, 2022
Month Year

[Signature]
Signature of official administering oath

Diana L. Blackburn
Print Name and Title

DIANA L. BLACKBURN
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 04/24/2027

My commission expires on 04/24/2027

Exhibit B-1

“Authorizing Ordinance”

Exhibit B-1

ORDINANCE NO. 2003-64

PAID	SUBSIDY	TOTAL	SUBSIDY	TOTAL
10-6-03	10-20-03	11-3-03	YES	NO
			CARRIER	
			CAMPBELL	
			INTERCITY	
			ENGLE	
			WELLS	
			NETZ	
			WHEELER	
			TOTAL	70

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wapakoneta that:

SECTION ONE

THAT this Council finds and determines that to facilitate competitive retail natural gas service to promote natural gas savings, lower cost natural gas supplies, and other benefits, it is in the best interest of the Municipality and certain natural gas consumers within the jurisdiction of the Municipality to establish an opt-out natural Gas Aggregation program in the Municipality pursuant to Section 4929.26, Revised Code. Provided that this Ordinance and the Gas Aggregation program is approved by the electors of the Municipality in accordance with this Ordinance, the Municipality is hereby authorized to take all actions necessary to affect a Gas Aggregation program pursuant to Section 4929.26, Revised Code. The Municipality may exercise this authority jointly with other entities to the full extent permitted by law, and for such purposes, the Mayor of the Municipality is hereby authorized to execute and deliver an agreement with AMPO, Inc. ("AMPO") to assist the Municipality as its consultant and agent to effect the Gas Aggregation program. Actions necessary to effect the Gas Aggregation program include determining and entering into service agreement(s) with natural gas suppliers to

the natural gas supplier(s) to provide the commodity and all other services for the Gas Aggregation program and the enrolled consumers. Before adopting such Plan, at least two public hearings on the Plan shall be held. Before the first hearing, notice of the first hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Municipality. The notice shall summarize the Plan and state the date, time, and location of each hearing.

SECTION FIVE

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

SECTION SIX

THAT the Auglaize County Board of Elections shall cause an appropriate notice to be duly given of the election to be held on March 2, 2004 on the foregoing proposal and otherwise to provide for such election in the manner provided by the laws of the State of Ohio.

SECTION SEVEN

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

SECTION EIGHT

THAT this Ordinance shall be in force from and take effect from and after the earliest period allowed by law.

Attest:

Passed this 3rd day of
November, 2003

Carlene S Koch
Clerk

[Signature]
President of Council

Approved:

[Signature]
Mayor

Approved as to form:

[Signature]
Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO AND APPEARED IN ITS ISSUES OF 11-7-2003 AND 11-14-2003.

Carlene S Koch
CLERK

I, CARLENE S KOCH, BEING THE CLERK OF COUNCIL FOR THE CITY OF WAPAKONETA, HAVING CUSTODY OF THE ORIGINAL, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE 2003-64.

Carlene S Koch
CLERK OF COUNCIL

July 29, 2004
DATE

Exhibit B-2

“Operation & Governance Plan”

NATURAL GAS AGGREGATION PROGRAM

PLAN OF OPERATION AND GOVERNANCE

CITY OF WAPAKONETA, OHIO



Buckeye Energy Brokers, Inc.

For additional information contact Buckeye Energy Brokers, Inc.:

Thomas M. Bellish

President

Ph: (330) 730-4338

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(A) Introduction

This aggregation plan has been developed in compliance with Ohio Revised Code, Section 4929.26 regarding governmental automatic aggregation of Natural Gas service. The City of Wapakoneta ("City") Aggregation Program ("Program") seeks to aggregate the retail Natural Gas loads of consumers located in the City to negotiate the best rates for the supply of Natural Gas. It has the potential to combine approximately 3,400 residential and commercial customers into a buying pool that will be attractive to third party suppliers ("Suppliers"). Participation in the Program is voluntary. Any individual customer ("Member") has the opportunity to decline to be a Member of the aggregation program and to return to Dominion Energy Ohio ("Local Utility") standard offer of service or to enter into a service contract with any competitive retail Natural Gas supplier.

At the March 2004 primary election, local residents authorized the City of Wapakoneta, Ohio (the "City") to create a municipal opt-out natural gas aggregation program (the "Aggregation Program") as provided under Section 4929.26(C) of the Ohio Revised Code. Under the opt-out natural gas Aggregation Program, all eligible natural gas consumers within the City's corporation limits initially were automatically included in the Aggregation Program. However, all consumers were also given the opportunity to opt-out of or decline participation in the Aggregation Program as detailed herein. The City will follow the Plan of Operation and Governance ("Plan") outlined below. This Plan will not be adopted until two public hearings are held in accordance with section 4929.26(C) of the Ohio Revised Code.

(B) Operation and Governance Plan Detail

(1) Description of Services and Professional Assistance

The process of governmental aggregation is set forth in Ohio Revised Code Chapter 4929. The chapter defines two different types of aggregation that may be enacted by a governmental entity opt-in aggregation and opt-out aggregation. Opt-in aggregation can occur only with the prior consent of each Natural Gas consumer. That is, the consumer must give its consent to be included in the Program. Under the opt-out aggregation provisions, all Natural Gas consumers within the City will be automatically included in the Program. However, such customers will be given prior notice entitling them to affirmatively elect not to be part of the Program. These customers can opt-out during a 21-day period. A similar opt-out period will be offered at least every two years during which Members can leave the City's aggregation pool without paying a switching fee.

Due to the complexity of deregulation of the Natural Gas utility industry, the City will consult with and obtain the necessary expertise to represent and help administer the Program. The City has passed a Ordinance to contract with Buckeye Energy Brokers, Inc., a PUCO certified electric broker and aggregator with mailing address of 66 East Mill Street, Wapakoneta, Ohio 44308 to provide the following energy-consulting services:

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

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

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

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

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

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

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

(2) Determination of Rates

The City shall receive proposals from Natural Gas suppliers using a competitive selection process. The Request For Proposal ("RFP") shall require the suppliers to offer a natural gas rate for each customer class, load grouping or other appropriate category. It is the

responsibility of each Member to compare the rate with others and decide accordingly. The prices to be charged to Members in the Program will be set by the City after negotiations with the selected Supplier. Members will be notified of the rates and terms of the Program as part of the opt-out process, through a direct mailing sent to each resident and business within the City limits. The following rate comparison will be completed once the City has selected a supplier.

Customer Class	Rate Class	Supplier Offer (\$/Mcf)	Term
Residential	"Energy Choice"		
Commercial	"Energy Choice"		

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

(3) Plan for Providing Opt-out Notice

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

(4) Process for Determining the Pool of Customers

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

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

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

- Are up to date with their bill payment;
- Have not opted-out of the program;
- Are currently with the Local Utility;

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

(5) Customer Billing Procedures

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

(6) Credit and Deposit Policies

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

(7) Governmental Aggregator's Customer Service Procedures & Dispute Ordinance

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

Nature of Complaint	Contact	Phone Number
Service interruptions or emergencies	Dominion Energy Ohio	1-800-362-7557
Service turn on/off	Dominion Energy Ohio	1-800-362-7557
Billing disputes	Dominion Energy Ohio	1-800-362-7557
Joining/Leaving Program	Supplier	See Opt-Out Notice
Aggregation Program Questions	Buckeye Energy Brokers	1-866-302-2237
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Public Utilities Comm. TDD/TTY	1-800-686-1570

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

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

Residents and/or businesses that move into the City will not be automatically included in the program. If this policy changes, residents and/or businesses will be provided an opportunity to opt-out. They may also contact the City or its Supplier at any time to obtain enrollment information. There is however, no guarantee that customers opting-in at a later date will receive the same price, terms and conditions as did the initial participants. Suppliers are unable to hold price offerings for an unlimited amount of time.

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

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

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

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

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

(C) Availability of Plan of Operation and Governance

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

(D) Altering the Plan of Operation and Governance

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

(E) Certification Prior To Sending Opt-out Notices

No governmental aggregator shall send an opt-out disclosure notice to potential customers of an aggregation prior to the governmental aggregator being certified by the commission.

(F) Opt-out Disclosure Policies

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

- (A) A summary of the actions that the City took to authorize the aggregation.
- (B) A description of the services that the City will be provide under the aggregation.
- (C) Disclosure of the price that the Supplier will charge customers for competitive retail natural gas service. The price shall be expressed in dollars and/or cents per hundred cubic feet of gas ("Ccf") or thousand cubic feet of gas ("Mcf"), depending on the unit that is used by the natural gas company that serves the customer. If a variable rate is offered, it shall be accompanied by an understandable description of the factors that will cause the price to vary (including any associated indices) and disclosure of how frequently the rate will change. If different rates will be charged to different rate classes within the aggregation, the City shall disclose the applicable rate(s) to customers within the various rate classes.
- (D) An itemized list and explanation of all fees and charges that are not incorporated into the rates charged for natural gas that the City or Supplier will charge the customer for participating in the aggregation, including any applicable switching fees or early termination penalties. These switching fees and/or early termination penalties shall not apply to a customer that moves out of the governmental aggregator's territory.
- (E) Disclosure of the dates covered by the aggregation, including an estimated service commencement date and notice that the customer may opt-out of the aggregation at least every two years without penalty.
- (F) Disclosure of any credit and/or deposit policies and requirements.

- (G) Disclosure of any limitations or conditions on customer acceptance into the aggregation.
- (H) A description of the process and associated time period for customers to opt-out of the aggregation. The process shall include provisions for customers to return a post card or similar notice to the governmental aggregator or its agent. The process may include, in addition, other opt-out methods, such as telephonic or Internet notice, provided that these methods provide for verification of a customer's election to opt-out of the aggregation. The time period for a customer to choose to opt-out of the aggregation shall extend at least twenty-one days from the date of the post mark on the written notice. A customer's return post card or notice that is post marked before the opt-out deadline has elapsed shall be deemed to have opted out.
- (I) A local or toll-free telephone number that customers can call with questions regarding the formation or operation of the aggregation, including associated calling hours.
- (2) At least every two years from the establishment of its initial aggregation pool, a governmental aggregator shall provide notice to all customers served by the aggregation of their right to opt-out of the aggregation without penalty. This notice shall follow the procedures established for the initial opt-out notice set forth in this rule and shall prominently disclose to customers all changes to the terms and conditions associated with the aggregation.
- (3) No governmental aggregator or retail natural gas supplier serving a governmental aggregation shall impose any terms, conditions, fees, or charges on any customer served by a governmental aggregation unless the particular term, condition, fee, or charge was clearly disclosed to the customer at the time the customer chose not to opt-out of the aggregation.
- (4) To assist its preparation and dissemination of required opt-out notices, the City will provide a letter to the supplier authorizing the supplier to obtain the list of Eligible Customers from the Local Utility and will be relying on the Local Utility to provide an accurate list of eligible customers consistent with division (A) of rule 4901:1-28-05 of the Administrative Code. The governmental aggregator shall not, without the customer's express written consent, disclose or use for any purpose other than formation and operation of its aggregation a customer's account number or social security number or any customer information regarding customers who had opted-off of a natural gas company's pre-enrollment list. Before a governmental aggregator releases any customer account number, social security number, or any information related to a customer who has opted off of a natural gas company's pre-enrollment list, the governmental aggregator shall obtain the customer's signature on a release. The release shall be on a separate piece of paper. The release shall be clearly identified on its face as a release of personal information and all text on the release shall be in at least 16-point type. The following statements shall appear prominently on the release, just prior to the signature, in type larger and darker than the type in the surrounding sentences: **I realize that, under the rules and regulations of the Public Utilities Commission of Ohio, I may refuse to allow (name of aggregator) to release the information set forth above. By my signature, I freely give (name of aggregator) permission to release the information designated above.** The information that the governmental aggregator seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.

- (5) The City shall use its best efforts to ensure that only eligible customer accounts within its governmental boundaries and customers who have not opted-out are included in its aggregation. If ineligible accounts, accounts from outside of the governmental aggregator's governmental boundaries, or accounts for customers who opted-out of the aggregation are switched to the governmental aggregation, the governmental aggregator upon notification of such a switch shall promptly contact the natural gas company to have the customer switched back to the customer's former supplier. The governmental aggregator shall reimburse the customer for any switching fees that were paid by the customer as a result of the switch. In addition, if the customer's former rate was less than the rate charged by the governmental aggregator, then the governmental aggregator shall reimburse the customer the difference between the customer's former rate and the governmental aggregator's rate multiplied by the customer's usage during the time that the customer was served by the governmental aggregator.

(G) Cooperation Between Natural Gas Companies and Governmental Aggregators

- (1) Pursuant to O.A.C. section 4901:1-28-05, it is expected natural gas company shall cooperate with governmental aggregators to facilitate the proper formation and functioning of governmental aggregations. To assist a certified governmental aggregator's compliance with the opt-out disclosure notice requirements established in division (D) of section 4929.26 of the Revised Code, upon request, the natural gas company shall provide, on a best efforts basis, an updated list of names, account numbers, service and mailing address, rate schedules (class and subclass), applicable riders, load profile reference category, meter type, interval meter data indicator, budget bill indicator, meter read date or schedule, and historical consumption data for each of the most recent twelve months for all customers residing within the governmental aggregator's boundaries. Except for inclusion of information for customers who have opted-off and account numbers, the customer information contained in such list shall be consistent with any pre-enrollment list that is provided to retail natural gas suppliers.
- (2) Charges and/or fees for services and information provided to governmental aggregators by natural gas companies shall be published in an approved tariff filed with the commission.
- (3) Unless the customer notifies the natural gas company of the customer's intent to not join a governmental aggregation by returning a confirmation notice or providing some other notice as provided by the natural gas company's tariffs, a natural gas company shall switch customer accounts to or from a governmental aggregation under the same processes and time frames provided in published tariffs for switching other customer accounts.

Exhibit B-3

“Opt-Out Disclosure Notice”

Governmental Aggregation Filing

The Opt-out notice will be drafted in conjunction with the City, the selected Supplier and Buckeye. Buckeye will also verify the accuracy of the list by using several means, such as, mapping software, local utility lists, etc. Members will have a 21-day period to opt-out by returning a post card to the selected supplier or calling their toll-free number.

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

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

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

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



August 19, 2019

Dear City of Wapakoneta Resident,

At the March 2004 general election, local residents authorized the City of Wapakoneta to create a municipal opt-out natural gas aggregation program. Under this program, the City negotiates with natural gas suppliers to obtain favorable rates and terms for natural gas service to its residents. The City recently selected Dominion Energy Solutions as the supplier for the program for a two-year term that is expected to commence with your October 2019 meter reading date and continue until your September 2021 meter reading. We are pleased to tell you about our program and your options under our partnership with Dominion Energy Solutions.

Dominion Energy Solutions will supply natural gas service to program participants at a price of **\$2.89 per Mcf.*** This program is exclusively for City of Wapakoneta customers receiving gas distribution service from Dominion Energy Ohio. If your account is outside the city of Wapakoneta, please contact Dominion Energy Solutions at 1-888-653-1389. You have the following two options:


1. If you wish to participate in the government aggregation program and take advantage of the program rate, no action is required. **Your account will be automatically included in the aggregation program unless you opt out by selecting Option 2.** You will receive a letter from Dominion Energy Ohio confirming your enrollment, and you will have an opportunity to rescind your enrollment at that time, if you decide not to participate.
2. If you do not wish to participate in the program, you must notify Dominion Energy Solutions, either by completing the attached reply card and returning it to P.O. Box 6090 Glen Allen, VA 23058-9969 or by calling 1-888-653-1389. Whichever method you choose, **you must notify us by September 17, 2019 to opt out of the program.**

Dominion Energy Ohio will continue to be responsible for delivering natural gas to your premises and reading your meter, and will issue a single bill for service that will include both its own charges for distribution service and Dominion Energy Solutions' charges for natural gas supply.

Please review all materials, including the Terms and Conditions located on the back of this letter, and decide which option is best for you. **Please respond only if you do not wish to participate.** Call Dominion Energy Solutions toll-free at 1-888-653-1389 if you have any questions. Dominion Energy Solutions' Call Center hours are Monday–Thursday 8:30 a.m. to 7 p.m. ET, Friday from 8:30 a.m. to 5:00 p.m., and Saturday from 8:30 a.m. to 2:30 p.m.

We look forward to your participation in the program.

Sincerely,


Thomas A. Stinebaugh, Mayor
City of Wapakoneta

You have the right to opt out of The City of Wapakoneta's Natural Gas Aggregation Program at any time without penalty.

© 2019 Dominion Energy Solutions

* All prices are exclusive of sales and other applicable taxes and utility charges.

Opt Out Reply Card - The City of Wapakoneta Aggregation Program

By signing and returning this form, I understand my account will **NOT** be included in the program. To opt out of this program, return the completed form to: Dominion Energy Solutions, P.O. Box 6090, Glen Allen, VA 23058-9969. All eligible customers in the City of Wapakoneta are automatically included in the program unless you opt out by September 17, 2019.

Signature _____ Date _____ Offer Code _____

Mailing Address _____

Service Address _____

Phone _____

Email _____

By providing my email address, I authorize Dominion Energy Solutions to send me information via email about available offers.

DOMINION ENERGY SOLUTIONS SALES AGREEMENT
PLEASE KEEP THIS SALES AGREEMENT FOR YOUR RECORDS.

1. **What We Agree To Do:** Dominion Energy Solutions will supply all your natural gas.
 2. **What Dominion Energy Ohio Will Continue To Do:** Your natural gas utility, Dominion Energy Ohio, will continue to deliver the gas you buy under this agreement and will continue to read your meter, provide your monthly bill and respond to emergencies.
 3. **What You Agree To Do:** You agree to pay the bill for natural gas and for Dominion Energy Ohio's charges on or before the due date on the bill. You will receive a single monthly bill from Dominion Energy Ohio that will include its charges as well as Dominion Energy Solutions' charges. Dominion Energy Ohio's normal billing standards apply, including budget billing. Failure by you to pay your Dominion Energy Ohio bill or meet any agreed-upon payment arrangement could result in service termination in accordance with Dominion Energy Ohio's tariff and the termination of your contract with Dominion Energy Solutions. There will be no early termination fees associated with this agreement. Dominion Energy Solutions will pay any switching fee charged by Dominion Energy Ohio pursuant to Dominion Energy Ohio's Public Utilities Commission of Ohio-approved tariff.
 4. **The Price:** You agree to pay a guaranteed fixed price of \$2.89 per Mcf for natural gas through your September 2021 meter reading. This price does not include applicable Ohio taxes. In addition, you are responsible for paying Dominion Energy Ohio's transportation charge, customer service charge and applicable surcharges.
 5. **Term (Length of Agreement):** Service will begin with your October 2019 scheduled meter read date and will continue through your September 2021 meter reading.
 6. **Rescission/Cancellation:** You have the right to rescind this agreement without penalty within seven (7) business days of receiving the confirmation letter from Dominion Energy Ohio by calling Dominion Energy Ohio at 1-800-362-7557 or writing Dominion Energy Ohio, P.O. Box 26666, Richmond, VA 23261-2666. Additionally, you may cancel this agreement anytime without penalty. If the agreement is cancelled by either party, you may choose to receive regulated sales service from the utility or enroll with another supplier. Upon returning to the utility, you may be charged a price other than the regulated sales service rate.
 7. **Customer Inquiries And Disputes:** If you wish to speak with us concerning your bill or any issue you dispute, please call 1-800-990-4090. Dominion Energy Solutions' hours of operation are 8:30 a.m. to 7:00 p.m. Eastern Time, Monday through Thursday, 8:30 a.m. to 5:00 p.m. Friday, and 8:30 a.m. to 2:30 p.m. Saturday. You can also write to Dominion Energy Solutions at P.O. Box 6090, Glen Allen, VA 23058-6090 or email us at sales@dominionenergysolutions.com. We will attempt to resolve the matter within five (5) business days. If your complaint is not resolved after you have called your natural gas supplier and/or your natural gas utility or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7828 (toll-free) from eight a.m. to five p.m. weekdays or at www.puco.ohio.gov. The Ohio consumers' counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll-free) from eight a.m. to five p.m. weekdays or at www.pickocc.org. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service).
 8. **Other Termination Provisions:** This agreement will automatically terminate at no cost to you if any of the following occurs: (a) your service location is not served by Dominion Energy Ohio; (b) you move outside the Dominion Energy Ohio service area or an area not served by Dominion Energy Solutions (please note that if you move to a new address within the Dominion Energy Ohio service territory, you may contact Dominion Energy Solutions and request that, at Dominion Energy Solutions' discretion, your new address be substituted for your old address under this agreement); (c) Dominion Energy Solutions returns you to regulated sales service from Dominion Energy Ohio.
 9. **Program Termination:** In the event the Dominion Energy Ohio Choice Program is terminated prior to the end of this agreement, this agreement will be terminated at no penalty to you.
 10. **Assignment:** Dominion Energy Solutions may assign this agreement to an affiliate or third party, in whole or in part. Dominion Energy Solutions will provide you a thirty (30) day notice of any assignment.
- Dominion Energy Solutions will not release your account number or other customer information without your express written consent, except in accordance with applicable commission rules. Dominion Energy Solutions is an affiliate of Dominion Energy Ohio but not the same company. Dominion Energy Solutions is an unregulated supplier of energy products.*
- Dominion Energy Solutions
P.O. Box 6090
Glen Allen, VA 23058-9969
Customer Service: 1-888-653-1389
Monday - Thursday: 8:30 a.m. to 7 p.m. ET
Friday: 8:30 a.m. to 5 p.m.
Saturday: 8:30 a.m. to 2:30 p.m.*

Exhibit B-4

“Experience & Plans”

Governmental Aggregation Filing

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

1. Water Service
2. Police & Fire Services
3. Parks and Recreation

The Mayor, City Council and City Staff routinely negotiate for services and supplies that benefit the residents of Wapakoneta. However, due to the complexity of municipal aggregation, the City will rely on the services of Buckeye Energy Brokers, Inc. to assist them in designing, implementing and maintaining the Program. Buckeye Energy Brokers is a PUCO certified (00-002) Electric Aggregator and Broker in the State of Ohio and a PUCO certified (02-006G) Natural Gas Aggregator and Broker in the State of Ohio. They have experience working with over 200 buying groups in Pennsylvania, New Jersey, Maryland and Delaware.

Contractual Arrangements for Capability Standards: If the applicant is relying upon contractual arrangements with a third-party(ies) to meet any of the certification requirements, the applicant must provide with its application all of the following:

- Wapakoneta is contracting with the following consultant to provide third party assistance:

Buckeye Energy Brokers, Inc.
66 East Mill Street
Akron, Ohio 44308
(330) 730-4338
- The City of Wapakoneta has contracted with Buckeye Energy Brokers, Inc. to assist the City in designing, implementing and maintaining its aggregation program.
- Below is a detailed summary of services being provided:
 - Broker shall provide energy related Services, including but not limited to the following:
 - Volume data collection and verification
 - Energy savings estimates
 - Energy buying consultation
 - Write customized Request for Proposal (RFP)
 - All contact with potential energy suppliers
 - Release all necessary client information to switch energy suppliers
 - Pre-qualify any energy suppliers wishing to bid on the RFP
 - Contract negotiation and closing with selected supplier
 - Monitor energy cost savings with quarterly reports.

The City will utilize the coordinated billing services of the Local Utility and the selected Supplier. It is anticipated that all Members will receive a single bill from the Local Utility.

Governmental Aggregation Filing

Members will maintain or choose options that include: budget billing, automatic payments and Internet payment.

Governmental Aggregator's Customer Service Procedures and Dispute Resolution

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

Nature of Complaint	Contact	Phone Number
Service interruptions or emergencies	Dominion East Ohio	1-800-362-7557
Service turn on/off	Dominion East Ohio	1-800-362-7557
Billing disputes	Dominion East Ohio	1-800-362-7557
Joining/Leaving Program	(Supplier)	
Aggregation Program Questions	Buckeye Energy Brokers	1-866-302-2237
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Public Utilities Comm. TDD/TTY	1-800-686-1570

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

The City shall receive proposals from Natural Gas suppliers using a competitive selection process. The Request For Proposal ("RFP") shall require the suppliers to offer a natural gas rate for each customer class, load grouping or other appropriate category. It is the responsibility of each Member to compare the rate with others and decide accordingly. The prices to be charged to Members in the Program will be set by the City after negotiations with the selected Supplier. Members will be notified of the rates and terms of the Program as part of the opt-out process, through a direct mailing sent to each resident and business within the City limits in accordance with Section 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Administrative Code.

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

8/8/2022 9:26:34 AM

in

Case No(s). 04-1228-GA-GAG

Summary: Application for recertification electronically filed by Mr. Thomas M.
Bellish on behalf of City of Wapakoneta