



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

RE: Natural Gas Governmental Aggregator Renewal Application Case Number 02-2206-EL-GAG

The County of Summit is pleased to submit its renewal application for electric governmental aggregator. The original application was docketed as case number 02-2206-EL-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 Electric Service (CRES)
Governmental Aggregator Application

Case Number: 02 .2206 -EL-GAG

Please complete all information. Identify all attachments with a label and title (example: Exhibit B-2 Operation and governance plan). 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: Summit County, Ohio
Street Address: 175 S. Main Street, 8th Floor
City: Akron State: Ohio Zip: 44308
Telephone: (330) 643-8052 Website: N/A

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.

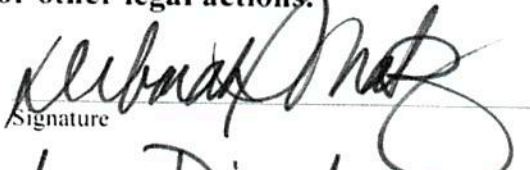
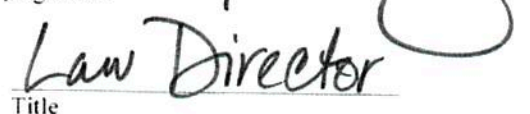
B-3. Opt-out disclosure notice.

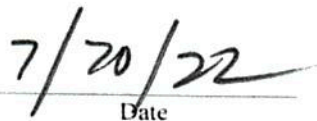
Provide a draft copy of the opt-out notice that provides or offers automatic aggregation services in accordance with Sections [4928.20\(D\)](#) or [4929.26\(D\)](#) of the Ohio Revised Code and in accordance with [4901:1-21-17](#) and/or [4901:1-28-04](#) of the Ohio Administrative Code. The applicant 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

Title


Date

Competitive Retail Electric Service Affidavit

County of Summit :

State of Ohio :

Deborah S. Matz

, 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, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The 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. The 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. The applicant will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant 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 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, 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.
11. The 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.

12. 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.

13. Affiant further sayeth naught.

Robert M. [Signature], Law Director
Signature of Affiant & Title

Sworn and subscribed before me this 20th day of July, 2022
Month Year

Cathy Grimm
Signature of official administering oath

Cathy Grimm, Notary
Print Name and Title



Cathy Grimm
Notary Public, State of Ohio
My Commission Expires:
May 29, 2027

My commission expires on May 29, 2027

Exhibit B-1

Authorizing Ordinance

RESOLUTION 2002-058

SPONSOR Mr. McCarthy, Mrs. Zurz, Mrs. Heydorn, Mr. Callahan & Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Bath Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Bath and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Bath, its residents, businesses and other electric consumers located within the corporate limits of the Township of Bath to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Bath the following question at the primary election on May 7, 2002:

Shall the Township of Bath have the authority to aggregate the retail electric loads in the Township of Bath, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-058 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.


SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

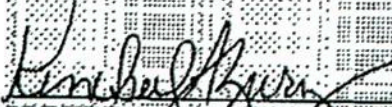
SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

RESOLUTION NO. 2002-058
Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-059

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. Smith, Mr. Crawford, Mr. Callahan & Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Copley Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Copley and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Copley, its residents, businesses and other electric consumers located within the corporate limits of the Township of Copley to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Copley the following question at the primary election on May 7, 2002:

Shall the Township of Copley have the authority to aggregate the retail electric loads in the Township of Copley, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-059 adopted by Summit County Council?

- The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

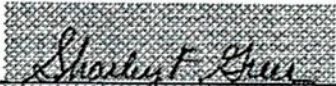
SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.


SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-059
Page three


INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-060

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. Callahan & Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Springfield Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Springfield and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Springfield, its residents, businesses and other electric consumers located within the corporate limits of the Township of Springfield to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Springfield the following question at the primary election on May 7, 2002:

Shall the Township of Springfield have the authority to aggregate the retail electric loads in the Township of Springfield, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-060 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

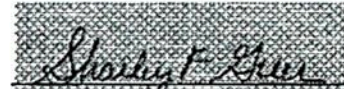
SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-060

Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002

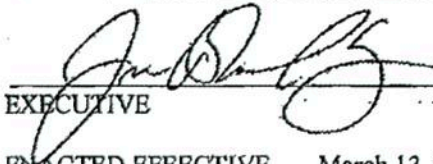


DEPUTY CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED February 12, 2002



EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-061

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. King, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Twinsburg Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Twinsburg and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Twinsburg, its residents, businesses and other electric consumers located within the corporate limits of the Township of Twinsburg to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Twinsburg the following question at the primary election on May 7, 2002:

Shall the Township of Twinsburg have the authority to aggregate the retail electric loads in the Township of Twinsburg, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-061 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

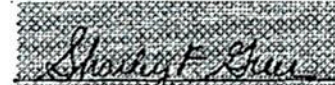
SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-061
Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002



DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002



EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-062

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. King, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Northfield Center Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Northfield Center and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Northfield Center, its residents, businesses and other electric consumers located within the corporate limits of the Township of Northfield Center to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Northfield Center the following question at the primary election on May 7, 2002:

Shall the Township of Northfield Center have the authority to aggregate the retail electric loads in the Township of Northfield Center, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-062 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

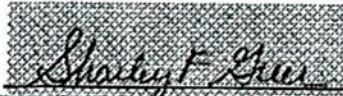
SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-062
Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-064

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. King, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Boston Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Boston and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Boston, its residents, businesses and other electric consumers located within the corporate limits of the Township of Boston to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Boston the following question at the primary election on May 7, 2002:

Shall the Township of Boston have the authority to aggregate the retail electric loads in the Township of Boston, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-064 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

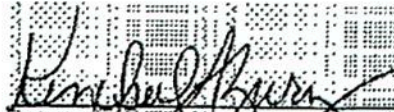
SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-064
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INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-065

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Coventry Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Coventry and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Coventry, its residents, businesses and other electric consumers located within the corporate limits of the Township of Coventry to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Coventry the following question at the primary election on May 7, 2002:

Shall the Township of Coventry have the authority to aggregate the retail electric loads in the Township of Coventry, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-065 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

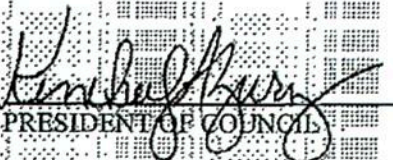
SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-065
Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-066

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Franklin Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Franklin and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Franklin, its residents, businesses and other electric consumers located within the corporate limits of the Township of Franklin to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Franklin the following question at the primary election on May 7, 2002:

Shall the Township of Franklin have the authority to aggregate the retail electric loads in the Township of Franklin, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-066 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

Resolution No. 2002-066
Page three

INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-091

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. King, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of Richfield Township.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislature authorities of municipal corporations, townships, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Township of Richfield and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the Township of Richfield, its residents, businesses and other electric consumers located within the corporate limits of the Township of Richfield to establish the Aggregation Program in the Township. Provided that this Resolution and the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Township may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the Township of Richfield the following question at the primary election on May 7, 2002:

Shall the Township of Richfield have the authority to aggregate the retail electric loads in the Township of Richfield, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-062 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Township unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

INTRODUCED January 28, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002

ENACTED EFFECTIVE March 13, 2002


EXECUTIVE

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland Gallagher, Heydorn, King, Norris, Smith, Teodosio, Zurz

RESOLUTION 2002-109

SPONSOR Mr. McCarthy, Mrs. Zurz, Mr. Callahan & Mr. Teodosio

DATE February 11, 2002

A Resolution authorizing all action necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Summit County Board of Elections to submit to the electors of New Franklin Village.

WHEREAS, the Ohio Legislature has enacted electric deregulation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations, Villages, and counties to aggregate the retail electrical loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-provisions pursuant to section 4928.20, Ohio Revised Code "the Aggregation Program," for the residents, businesses and other electric customers in the Village of New Franklin and in conjunction jointly with any other municipal corporation, Village, county or other political subdivision of the State of Ohio, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1 This Council finds and determines that it is in the best interest of the New Franklin Village, its residents, businesses and other electric consumers located within the corporate limits of the New Franklin Village to establish the Aggregation Program in the Village. Provided that this Resolution and the Aggregation Program is approved by the electors of the Village pursuant to Section 2 of this Resolution, the Village is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Village, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The Village may exercise such authority jointly with any other municipal corporation, Village, or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

SECTION 2 The Board of Elections of Summit County is hereby directed to submit to the electors of the New Franklin Village the following question at the primary election on May 7, 2002:

Shall the New Franklin Village have the authority to aggregate the retail electric loads in the New Franklin Village, 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, all in accordance with Section 4928.20 of the Ohio Revised Code, and Resolution 2002-066 adopted by Summit County Council?

The Clerk of this Council is instructed immediately to file a certified copy of this Resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five (75) days prior to the May 7, 2002. The Aggregation Program shall not take effect unless approved by a majority of electors voting upon this Resolution and the Aggregation Program provided for herein at the election pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION 3 Upon the approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the Plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Village. The notice shall summarize the plan and state the date, time, and location of the hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the Village unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The state procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under divisions (a) of Section 4928.14 of division (d) of Section 4928.35, Ohio Revised Code, until the person chooses an alternative supplier.

SECTION 4 This Council finds and determines that all formal actions of the Resolution concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

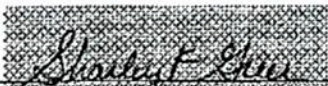
SECTION 5 Provided this resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

RESOLUTION NO. 2002-109

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INTRODUCED February 11, 2002

ADOPTED February 11, 2002


DEPUTY CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED February 12, 2002


EXECUTIVE

ENACTED EFFECTIVE March 13, 2002

ON VOICE VOTE: YES: Callahan, Congrove, Crawford, Crossland, Gallagher, Heydorn,
King, Norris, Smith, Teodosio, Zurz

Exhibit B-2

Operation & Governance Plan

ELECTRIC AGGREGATION PROGRAM CITY OF AKRON, OHIO

PLAN OF OPERATION AND GOVERNANCE



Buckeye Energy Brokers, Inc.

For additional information contact:

Thomas M. Bellish, President
Buckeye Energy Brokers, Inc.
66 East Mill Street
Akron, Ohio 44308
Buckeyeenergybrokers.com
(330) 730-4338

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1. Purpose of Electric Aggregation Program

This aggregation plan has been developed in compliance with Ohio Revised Code, Section 4928.20 regarding governmental aggregation of electric service. The City of Akron ("the City") Aggregation Program ("Program") seeks to aggregate the retail electric loads of consumers located in the City to negotiate the best rates for the generation supply of electric power. It has the potential to combine residential, commercial and industrial 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 the Ohio Edison standard offer of service or to enter into a power supply contract with any competitive retail electric supplier. This Plan of Operation will not be adopted until two public hearings are held in accordance with section 4928.20 (C) of the Ohio Revised Code.

2. The Process for Municipal Aggregation

The process of governmental aggregation is set forth in Ohio Revised Code section 4928.20. The section defines opt-in aggregation that may be enacted by a governmental entity. Under the opt-out aggregation provisions, all electric 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 after the election. A similar opt-out period will be offered every three years during which Members can leave the City's aggregation pool without paying a switching fee.

All eligible load centers within the City will be automatically enrolled in the aggregation program. However, for commercial and industrial customers with a peak load demand of 300 kW or greater, special metering data may need to be furnished to alternate suppliers to receive a price offer. In addition, only accounts with "shoppable" rate codes, as defined by FirstEnergy Corporation may participate in the Program.

The Supplier and Ohio Edison will identify those customers in the City who have not opted out, who have not renewed their special rate contracts, who are not on the Percentage of Income Payment Plan Plus (PIPP) and who are not on FirstEnergy's "Opt-Off Marketing List." These customers will be transferred to the Supplier selected by the City and enrolled over the period of one month. Ohio Edison shall notify each transferred customer of the transfer with its last bill for standard offer service. Service under the new Supplier shall begin at the start of the billing period following the transfer.

3. Terms and Conditions of Enrollment

3.1 Rates

The City shall receive proposals from electric suppliers using a competitive selection process. The request for proposals shall require the suppliers to offer a generation charge for each customer class, load grouping or other appropriate category that is lower than the standard offer from Ohio Edison. Members will not be switched unless a supplier can be found offering prices less than the respective member shopping credits. The prices to be charged to Members in the Program will be set by City Council after negotiations with the selected Supplier. Members were notified of the rates and terms of the Program through the local newspaper, local Cable TV Channels and the City's web site. Opt-out forms will be docketed with the PUCO 10 days prior to mailings.

3.2 Charges

FirstEnergy will continue to bill for Federal Phase I Clean Air Act Compliance, Late Payment, Electric Fuel Component and Monthly Service Fee, etc. These charges apply whether a Member switches or not. Switching generation suppliers will not result in any new charges.

3.3 Switching Fees

At the present time, FirstEnergy is requiring a per customer switching fee for those customers who voluntarily remain in a government aggregation program and are switched to an alternate Supplier. The City's Request for Proposal (RFP) was written to require the selected Supplier to pay for the group's switching fee.

3.4 Terms

The aggregation program is designed to reduce the amount consumers pay for electric energy. The City will not buy and resell the power to the participants of the program. Instead, the City will competitively bid and negotiate a contract with a competitive retail electric supplier to provide firm, all-requirements generation service to the members of the aggregation program.

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 not on the Percentage of Income Payment Plan Plus (PIPP); and
- Have a shoppable rate code.

3.5 Opt-Out Disclosure

The City is using an Opt-out form of Governmental Aggregation pursuant to section 4928.20 of the Ohio Revised Code. The City will disclose to the person owning, occupying or using the load center that the person will be enrolled automatically in the

aggregation program and will remain so enrolled unless the person affirmatively elects by the following procedure not to be so enrolled. Any such person that opts out of the aggregation program pursuant to stated procedure shall default to the standard service offer provided by FirstEnergy until the person chooses an alternative supplier.

Procedure:

1. The City distributed the Opt-Out Form (refer to Exhibit A-4 “Automatic Aggregation Disclosure”);
2. Recipients have 21 days to notify the City; and
3. The City will exclude those opting out from the Program.
4. Customers will receive written notification from FirstEnergy Corp. stating that they are about to be switched and have 7 days if they wish to rescind the contract.

4. Policies for Customers Moving Into/Out of the Municipality

Members who have left the Program, or who have moved into the City, may 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, and if the City asks for such a requirement, the price offering received from suppliers will be higher to reflect the greater risk.

Customers may opt out of the Program at no charge within a 21-day period following passage of the ballot. Two public hearings will be held shortly after the ballot to discuss the plan of operation and the process for opting-out. Customers who provide the required opt-out notice will remain customers of Ohio Edison until such time as they select a different generation provider. A similar period in which customers can opt-out of the Program without charge will be offered every two years.

5. Billing Procedures

The City will utilize the coordinated billing services of FirstEnergy and the selected Supplier. We anticipate residential customers will receive a single bill from FirstEnergy that itemizes among other things, the cost of generation provided by the selected supplier. In some instances, dual billing will be used for commercial and industrial group members. In these instances, one bill will be sent from the Supplier and one will be sent from FirstEnergy for their respective services.

6. Procedures for Handling Customer Complaints

Members will have multiple means of addressing complaints. As a general rule, concerns regarding service reliability should be directed to Ohio Edison or CEI as appropriate, questions regarding the Program administration should go to the City, and any unresolved disputes should be directed to the Public Utilities Commission of Ohio and/or The Ohio Consumers Council.

Listed below is a table of toll-free numbers for members to call for assistance.

Nature of Complaint	Contact	Phone Number
Power interruptions or outages	Ohio Edison/CEI	1-800-633-4766/1-800-589-3101
Power turn on/off	Ohio Edison/CEI	1-800-633-4766/1-800-589-3101
Billing disputes	Ohio Edison/CEI	1-800-633-4766/1-800-589-3101
Joining/Leaving Program	Supplier	
Program Regulatory Questions	Buckeye Energy Brokers	1-866-302-2237
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622

7. Rights and Responsibilities of Program Members

7.1 Universal Access to Aggregation Program

"Universal access" is a term derived from the traditional regulated utility environment in which all customers desiring service receive that service. For the purposes of this Program this will mean that all existing customers within the City borders shall be eligible for service from the contracted supplier under the terms and conditions of the supply contract. It is a goal of the Program to provide the basis for aggregation of all Members on a non-discriminatory basis.

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 electric power through an Affinity Group offer or other similar mechanism will become members of the Program. Those members wishing to rejoin their group will need to Opt-out of the Program. Residents who are currently PIPP customers are not eligible to become Program Members.

7.2 Dispute Resolution

Members should make all efforts to address complaints or concerns in accordance with the guidance provided in section 6.0 "Procedures for Handling Customer Complaints" of this plan. If Members are unable to resolve their concerns through these channels, they may contact the Public Utilities Commission of Ohio (1-800-686-7826) or the Ohio Consumers Council (1-877-742-5622) for addition assistance.

7.3 Bill Payment

Members are required to remit and comply with the payment terms of FirstEnergy and/or their supplier if dual billing is used. This Program will not be responsible for late or no payment on the part of any of its members. Collection and credit procedures remain the responsibility of FirstEnergy, the selected Supplier and the individual Member.

7.4 Leaving the Aggregation Program

Members who wish to opt-out of the program may do so:

1. During the program's initial 21-day opt-out period;
2. Every three years without paying a switching fee; and
3. At any other time, but may be required to pay a switching fee

8. Reliability of Power Supply

The Program will only effect the generation source of power. Ohio Edison will continue to deliver power through their transmission and distribution systems. Responsibility for maintaining system reliability continues to rest with the local utility. If Members have service reliability problems they should contact Ohio Edison for repairs. The PUCO has established "Minimum Reliability Standards" for all utilities operating distribution systems in Ohio. Customer outages, duration of outages, interruptions, etc., will be monitored to ensure reliability remains at satisfactory levels.

In addition to maintaining the "wires" system, Ohio Edison is required to be the "Provider of Last Resort." This means, should the selected supplier fail for any reason to deliver any or all of the electricity needed to serve the Members needs, Ohio Edison will immediately provide for the shortfall. Ohio Edison would then bill the supplier for the power provided on their behalf. The Members would incur no additional cost.

9. Supplier Qualification Selection Criteria

Only Suppliers meeting strict criteria will be considered. The selected Supplier will need own generating facilities or be directly affiliated with a utility that does. Suppliers will need to be certified by the Public Utilities Commission of Ohio and registered with FirstEnergy Corporation 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

10. Funding the Aggregation Program

The primary expenses of the Program are expected to be publication of notices, written notification to customers, switching fees due to Ohio Edison, regulatory fees and registration with the Public Utilities Commission of Ohio. Except, possibly, for the initial notification of customers, these expenses and administrative fees will be the responsibility of the selected Supplier.

11. Maintenance and Reporting of the Aggregation Program

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 City Council. Members wishing to view the reports should make arrangements to do so by contacting the City Administration during normal working hours.

12. Professional Assistance

Due to the complexity of deregulation of the electric utility industry, the City will consult with and obtain the necessary expertise to represent and administer the Program. The City has contracted with Buckeye Energy Brokers, Inc. to provide energy consulting services.

Exhibit B-3

Opt-Out Disclosure Notice

July 21 - August 11, 2022

City of Akron

Community Electric Aggregation Notification



DANIEL HARRIGAN, MAYOR

Dear Resident or Small Business,

Welcome to your community's electric aggregation program. In November 2001, members of your community voted in favor of government aggregation, a program authorizing your local officials to purchase electricity from an electric generation supplier certified by the Public Utilities Commission of Ohio. Your community has selected Energy Harbor to be your electric service provider.

How You Benefit

You'll receive exclusive pricing on your electric generation from **100% Carbon-Free** sources through: **May 2025**



	Your Electric Utility	Carbon Free Fixed Price	Current Term End*	Termination Fee
Residential	Ohio Edison	4.97 cents per kWh	May 2024	None
Small Business	Ohio Edison	4.97 cents per kWh	May 2024	None

Same Reliable Service

You will continue to receive a single, easy-to-read bill from your local electric utility with your Energy Harbor charges included. There is no cost for enrollment, you will not be charged a switching fee, and **you do not need to do anything to participate.**

Opt Out Information

You may choose to leave the program at any time, without penalty, and will NOT be charged a cancellation fee. If you do not want to participate in the aggregation program, you must complete one of the following by the Opt Out Deadline:

- **MAIL:** Return the enclosed **Opt Out Reply Form**
- **PHONE:** Call Energy Harbor at 1-866-636-3749 to opt out over the phone
- **WEB:** Enter your 10-digit **Opt Out Code** online at energyharbor.com/opt-out

Opt Out Deadline

Aug 11 - Sep 1, 2022

*Per Ohio law, you will be presented with the opportunity to opt out at least every 3 years. At the end of your current term, you'll receive a new notice extending your exclusive pricing. You may opt out again, rejoin, or remain in the program.

Enrollment Information

Following the opt out deadline, future bills will reflect the Energy Harbor price listed above upon your next available meter read date, which may take up to 30-45 days. If you are not currently receiving electric generation from Energy Harbor, your electric utility will send you a letter confirming your participation. **To become a member of your community's electric aggregation program, you don't need to take any action when this letter arrives.**

Please refer to the enclosed Terms and Conditions and FAQs (reverse) for more information. Your community encourages members with questions regarding the electric aggregation program to contact Energy Harbor directly. If you have any questions or wish to opt out, please contact us toll-free at 1-866-636-3749, Monday - Friday, 8 am to 5 pm.

Sincerely,

Chris Ludle

Director of Public Service, City of Akron

Community Electric Aggregation Program FAQs v.12.20

How is my community able to choose a certified electric generation supplier on my behalf?

Under government aggregation, local officials bring citizens together to gain group buying power for the purchase of competitively priced electricity from a retail electric generation supplier certified by the Public Utilities Commission of Ohio (PUCO). Residents voted to allow the community to contract with an electric generation supplier on their behalf. Your community has selected Energy Harbor to provide you with exclusive pricing on your electric generation.

Who is Energy Harbor?

Energy Harbor is a fully integrated retail energy provider and independent power producer capable of generating substantial carbon-free energy. Headquartered in Akron, Ohio, the company proudly serves nearly one million residential, commercial, and industrial customers in Ohio, Pennsylvania, New Jersey, Maryland, Illinois and Michigan. Your community is one of over 200 who have chosen Energy Harbor to provide electric aggregation programs.

What does it mean to have a fixed price?

The price you will receive each month does not change.

What does 100% Carbon-Free mean?

Carbon-free means the energy you use is backed by Emission Free Energy Certificates (EDECs). The majority of our EDECs come from one of our four carbon-free nuclear generation units. For more information on Carbon Free please refer to our website located at www.energyharbor.com/carbon-free.

How will I know if I can save money in the aggregation?

You'll know you are saving money as long as your price with Energy Harbor is lower than the utility Price to Compare (PTC) communicated on your bill.

Why am I receiving this letter if I'm in the aggregation?

As a current member of your community's electric aggregation program, you are given the opportunity to opt out of the program at least every three years. Whether your current contract term with Energy Harbor, or another supplier, is coming to an end, this is your opportunity to either opt out or continue the benefits of the program.

What does it mean to opt out?

Opt out means that you can decide to not participate in your community's electric aggregation program. If you chose to opt out via any of the methods indicated on the front of this notification, you will not be enrolled with Energy Harbor and will not receive further notifications until the end of the current term.

What happens if I do not opt out?

Whichever method you chose, you must do so by the Opt Out Deadline, or you will be automatically included in your community's electric aggregation program.

Can I opt out of the program at a later date?

Yes, you may leave the aggregation program at any time. *You will not be charged an early termination or cancellation fee if you choose to leave the program at later date for any reason.*

What are my energy supply choices if I decide to opt out?

If you opt out or leave the program at a later date you will be returned to your utility's standard service offer and might not be served under the same rates, terms, or conditions that apply to other customers served by the electric utility. You may also shop for an alternative generation supplier. A list of competitive electric suppliers certified by the PUCO and their current prices are available by calling 1-800-686-PUCO (7826).

As part of the aggregation, will Energy Harbor continue or allow me to begin to budget bill my supplier charges?

For customers in Toledo Edison, The Illuminating Company, Ohio Edison and Duke Energy your utility includes supplier charges in the monthly budgeted amount. No action is necessary to continue that service. However, Energy Harbor will not automatically budget the generation portion of your electric bill in AEP Ohio and AES Ohio service areas. AEP Ohio and AES Ohio will continue to budget the delivery portion of your bill. If you are currently on, or enter into, a budget billing program with AEP Ohio or AES Ohio after enrolling with Energy Harbor and have at least 10 months of usage with Energy Harbor at your current service address, please call 1-866-636-3749, to determine if a budget billing offer through Energy Harbor is available in your community.

Can I still have my payment automatically deducted from my checking account as I do now?

Yes. How you pay your electric bill will not change.

Who is not eligible for an electric aggregation program?

Customers on a special arrangement with the utility such as net-metering, Percentage of Income Payment Plan (PIPP), and mercantile customers who have not provided affirmative consent to join are not eligible for the program. Mercantile and customers with usage greater than 700,000 kWh must contact Energy Harbor to opt-in to the program.

How can I contact Energy Harbor for questions?

If you have any other questions, please call 1-866-636-3749, Monday - Friday, 8 am to 5 pm or visit our FAQs located at: www.energyharbor.com/communityaggregation

CITY OF AKRON OPT OUT REPLY FORM

Option 1: Do Nothing to Join

OR

Option 2: Opt Out by: Aug 11 - Sep 1, 2022

MAIL TO: Community Electric Aggregation Opt-Out c/o Energy Harbor, 168 E Market St, Akron, Ohio 44308

Account Holder Signature: _____

Mail

Return This Form

Phone

1-866-636-3749

Web

energyharbor.com/optout

Government Aggregation – Electric Terms and Conditions	
Product	Carbon Free Fixed Price
Electric Distribution Utility ("EDU")	Ohio Edison Company
Price and Length of Agreement	4.97 ¢/kWh through your May 2024 meter read
Cancellation/Termination Fee	None
Internal Classification Code	C1

The Carbon Free product matches your electricity with emission free energy certificates sourced from a generating unit that does not directly produce any emissions of carbon dioxide. The Carbon Free product is generated 100% by nuclear, wind, solar or hydroelectric generating facilities that serve your area.

These Terms and Conditions apply to you because you are enrolling for electric generation service with Energy Harbor LLC ("Energy Harbor") through either (a) affirmative consent or (b) not opting out of your community electric aggregation program. If you enroll by affirmative consent, these Terms and Conditions and the enrollment information on the website are your Agreement ("Agreement"). If you choose to remain in the community aggregation program by not "opting-out" or exercising the right of rescission, these Terms and Conditions and your opt-out notification are your Agreement. Please keep a copy of this Agreement for your records.

Energy Harbor is certified by the Public Utilities Commission of Ohio ("PUCO") to offer and supply electric generation services in Ohio. As a Competitive Retail Electric Service ("CRES") provider, Energy Harbor will supply the electric generation to your Electric Distribution Utility ("EDU") based on your usage. Your EDU then distributes or delivers the electricity to you. Energy Harbor sets the generation prices and charges that the customers pay. The PUCO regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

Definitions: *Generation Charge* – Charge for the production of electricity. *Transmission Charge* – Charge for moving high voltage electricity from a generation facility to the distribution lines of the EDU. *Distribution Service* – Basic service for delivering electricity over a distribution system to a customer from the transmission system.

Right of Rescission: If you do not opt-out or you give your affirmative consent and are enrolled to receive generation service from Energy Harbor, your EDU will send you a confirmation letter. You have the right to rescind your enrollment within seven (7) calendar days following the postmark date of the confirmation letter by contacting the EDU by telephone or in writing as described in the letter. The Right of Rescission only applies when a customer switches to a generation supplier and not on renewal enrollments. Your EDU will not send a confirmation notice upon any renewal of this Agreement. Should you choose to opt-out of your community's program, you will be served by your EDU's standard service offer established pursuant to section 4928.14 of the Ohio Revised Code ("ORC") unless you choose an alternate supplier of electricity.

Eligibility: Only eligible residential and small commercial customer accounts not enrolled in the Percentage of Income Plan Program ("PIPP") may enroll in this offer from Energy Harbor. Net-metered customers are not eligible for this offer. Energy Harbor reserves the right to refuse enrollment to any customer with an outstanding balance.

Basic Service Prices: During the term of this Agreement, you agree to pay Energy Harbor a price for combined Generation and Generation Related Charges ("Retail Electric Service"), specified in the table above. Your Price to Compare ("PTC") consists of bypassable transmission, generation and transmission and generation related components, which are charges associated with the costs of purchased power and the cost to deliver the power through the transmission system. These are the charges that you would avoid for that billing period when you switch to Energy Harbor. If your product in the table above is a % Off PTC product, your monthly price per kWh will vary because the EDU's PTC may change based on any changes made by the EDU in its calculations. In addition to Energy Harbor's charges, you will be charged by your EDU for distribution and various other charges. Your price may also include a fee assessed by a broker or agent representing your community.

Length of Agreement: As a part of your community's program, your Retail Electric Service from Energy Harbor will commence with the next available meter reading and after processing of the enrollment by your EDU and continue through the term indicated in the table above. The program may be terminated prior to the term pursuant to the terms of the master agreement between Energy Harbor and your community for the aggregation program. Should the program be terminated, you will be returned to your EDU's standard service offer or its successor. In the event that (1) the PUCO approves or implements a phase-in credit for generation and/or transmission charges of the EDU or takes any other action which affects the PTC or otherwise does not allow the EDU to reflect the full cost to procure generation and transmission in the PTC or other regulatory action; or (2) there is any change in any statute, rule, regulation, order, law, or tariff promulgated by any court, governmental authority, utility, Independent System Operator ("ISO"), Regional Transmission Organization ("RTO") or other service provider, or any change in operating procedure, which alters to the detriment of Energy Harbor its costs to perform under this Agreement, you may receive a notification from Energy Harbor. This notification will include a description of one or more of the situations described above. Energy Harbor may offer you new Terms and Conditions. You must indicate your affirmative consent to the new Terms and Conditions as specified in the notices. If you do not contact Energy Harbor to accept the new terms, this Agreement will terminate on the date specified in the notices, and you may be returned to your EDU for Retail Electric Service. Alternatively, Energy Harbor may decide to terminate this Agreement, and you will receive prior written notice of the termination, after which you may be returned to your EDU for Retail Electric Service. Whether Energy Harbor offers you new terms or terminates this Agreement under this provision, you will not be responsible for any cancellation/termination fee. You must still pay all Energy Harbor charges through the date you are returned to your EDU or switched to another CRES provider for service.

Billing: You will receive a consolidated bill monthly from your EDU for both your Energy Harbor and EDU charges. If you do not pay your bill by the due date, Energy Harbor may cancel this Agreement after giving you a minimum of fourteen (14) days written notice. Upon cancellation you will be returned to your EDU as

a customer. You will remain responsible to pay Energy Harbor for any electricity used before this Agreement is cancelled, as well as any late payment charges, if applicable. Your EDU may charge you switching fees. Energy Harbor reserves the right to convert you from consolidated billing to dual billing if such a conversion will facilitate more timely billing, collections, and/or payment. Furthermore, your failure to pay EDU charges may result in your electric service being disconnected in accordance with the EDU tariff. If you have 12 months of billing history and you are enrolled in budget billing with the EDU, you are eligible to enroll in a budget billing program once per year, where available. At the end of the contract term, you are responsible for payment of any outstanding balance upon final contract true up. Energy Harbor reserves the right to adjust your monthly budget amount prior to final contract true up. If you enroll in budget billing, then choose not to be in the program or if you become two consecutive monthly payments overdue, you will be removed from budget billing, your account will be reconciled, and you will be billed for the outstanding budget balance on your next billing cycle. Budget billing exclusive offers are not available for all aggregation programs and you will not be automatically enrolled in an Energy Harbor budget billing exclusive offer unless explicitly stated in the opt-out notification materials you receive as part of the program. If you meet the eligibility requirements, contact Energy Harbor to determine if an exclusive budget billing offer exists for your community, otherwise, your EDU may be responsible for maintaining your budget billing service.

Penalties, Fees and Exceptions: If you do not pay the full amount owed Energy Harbor by the due date of the bill, Energy Harbor reserves the right to charge a 1.5% per month late payment fee.

Cancellation/Termination Provisions: You may terminate this Agreement at any time without penalty. Customer and Energy Harbor both agree that the following will constitute force majeure events under this Agreement and that Energy Harbor shall have the right to terminate or modify the agreement without liability if: (1) the Electric Security Plan (ESP), Market Rate Offer (MRO) and/or Competitive Bid Process (CBP), or other generation procurement process results in a Price to Compare ("PTC") that is equal to or less than the comparable annualized generation and transmission rates and riders in effect as of the effective date of this Agreement, or (2) the PUCO approves or implements a phase-in credit for generation and/or transmission charges of the EDU or takes any other action which affects the PTC or otherwise does not allow the EDU to reflect the full cost to procure generation and transmission in the PTC or other regulatory action. In the event that the program is terminated, you will be returned to your EDU's standard service offer. Upon termination with Energy Harbor and return to standard service offer with your EDU, you may not be served under the same rates, terms, and conditions that apply to other EDU customers.

Customer Consent and Information Release Authorization: By choosing not to opt-out of your community's aggregation program, or to affirmatively join it, you understand and agree to the terms and conditions of this Agreement with Energy Harbor. You authorize Energy Harbor to obtain information from the EDU that includes, but is not limited to: billing history, payment history, historical and future electricity usage, meter readings, and characteristics of electricity service. Energy Harbor reserves the right to determine if your credit standing is satisfactory before accepting your enrollment request. This Agreement shall be considered executed by Energy Harbor following acceptance of your enrollment request by Energy Harbor, the end of the seven (7) day rescission period, and subsequent acceptance of the enrollment by your EDU.

Customer Consent to Communications: By participating in your community's aggregation program, you agree to receive pre-recorded/artificial voice messages calls and/or use of an automatic dialing device, text messages and/or emails from Energy Harbor or its agents/assigns at any phone number or email address. You agree to be responsible for any charges you may receive on that number, including standard telephone, SMS or text message fees. You may revoke this express consent at any time by calling us at 1-866-636-3749. Such revocation has no bearing on your ability to contract with Energy Harbor.

Contract Expiration: At least every three (3) years, you will be given the opportunity to opt-out of your community's aggregation program at no cost. You are responsible for arranging your electric supply upon termination of this Agreement.

Dispute Procedures: Contact Energy Harbor with any questions concerning the terms of service by phone at 1-866-636-3749 (toll-free) from 8 a.m. to 5 p.m. EST weekdays, or in writing at Energy Harbor, 168 E Market St, Akron, OH 44308. Our web address is www.energyharbor.com. If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from 8 a.m. to 5 p.m. EST weekdays, or at <http://www.puco.ohio.gov>. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service). 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 8 a.m. to 5 p.m. weekdays, or at <http://www.pickocc.org>.

Miscellaneous: You have the right to request from Energy Harbor, twice within a twelve (12) month period, up to twenty-four (24) months of payment history, without charge. Energy Harbor is prohibited from disclosing a Customer's Social Security number and/or account number(s) without the Customer's written consent except for Energy Harbor's collections and reporting, participating in programs funded by the universal service fund, pursuant to section 4928.52 of the Revised Code, or assigning a customer's contract to another CRES provider. Energy Harbor's environmental disclosure statement is available for viewing on our website www.energyharbor.com/disclosure-statements. You agree that Energy Harbor will make the required annual and quarterly updates to the environmental disclosure statement electronically on our website. Energy Harbor will also provide the information upon request. Energy Harbor may assign its rights to another, including any successor, in accordance with the rules and regulations of the PUCO. Energy Harbor assumes no responsibility or liability for the following items that are the responsibility of the EDU: operation and maintenance of the EDU's electrical system, any interruption of service, termination of service, or deterioration of the EDU's service. **In the event of a power outage, you should contact your local EDU.** Customer is responsible for providing Energy Harbor with accurate account information. If said information is incorrect, Energy Harbor reserves the right to reprice the applicable account(s) or terminate the Agreement. Energy Harbor reserves the right to return any customer to the EDU if the customer's rate code is changed and the account is no longer eligible for this offer. Customer authorizes, but does not obligate, Energy Harbor to exercise customer's governmental aggregation opt-out rights.

Warranty: Energy Harbor warrants title and the right to all electricity sold hereunder. THE WARRANTIES SET FORTH IN THIS PARAGRAPH ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER STATUTORY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ARISING OUT OF ANY COURSE OF DEALING OR USAGE OF TRADE.

Exhibit B-4

Experience & Plans

Exhibit B-4 “Experience & Plans”

The City of Akron 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, Sewer Service, Police, Fire, Park and Roadways
2. Opt-Out Governmental Aggregation

The Mayor, City Council and City Staff routinely negotiate for services and supplies that benefit the residents of Akron. 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(9)) Electric Aggregator and Broker in the State of Ohio and a PUCO certified (02-006G(9)) 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:

- The City of Akron has contracted with Buckeye Energy Brokers, Inc. to assist the City in designing, implementing and maintaining its aggregation program.

Buckeye Energy Brokers, Inc.
66 East Mill Street
Akron, Ohio 44308
(330) 730-4338

- 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. 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	Ohio Edison	1-800-633-4766
Service turn on/off	Ohio Edison	1-800-633-4766
Billing disputes	Ohio Edison	1-800-633-4766
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 Electric 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
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Case No(s). 02-2206-EL-GAG

Summary: Agreement for renewal electronically filed by Mr. Thomas M. Bellish on
behalf of Summit County