



DIS Case Number: 16-2376-EL-GAG

Section A: Application Information

B-1. Authorizing ordinance

Provide a copy of the adopted ordinance or resolution that reflects voter authorization to form a governmental aggregation program pursuant to Sections 4929.26 and 4929.27 of the Ohio Revised Code.

File(s) attached.

Application Attachments

CITY OF READING, OHIO

Electric Aggregation Program

EXHIBIT B-1 "AUTHORIZING ORDINANCE"

ORDINANCE NUMBER -05

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, DIRECTING THE HAMILTON COUNTY BOARD OF ELECTION TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, pursuant to Section 4928.20 of the Ohio Revised Code, subject to opt-out provisions, competitive electric service for the retail electric loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the electricity loads; and

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

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

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "aggregation Program"), for the residents, businesses and other electric consumers in the City 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 CITY OF READING. STATE OF OHIO:

SECTION 1. This Council finds and determines that it is in the best interest of the City of Reading, its residents, businesses and other electric consumers located within the corporate limits of the City of Reading to establish the Aggregation Program in the City of Reading. Provided that this Ordinance and the Aggregation Program is approved by the electors of the City of Reading pursuant to Section 2 of this Ordinance, the City of Reading is hereby authorized to aggregate in accordance with Section 4928.20, Ohio Revised Code, the retail electrical loads located within the City of Reading, and, for that purpose, to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The City of Reading 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 Ordinance.

SECTION 2. The Board of Elections of Hamilton County is hereby directed to submit the following question to the electors of the City of Reading at the primary election on May 6, 2014.

"Shall the City of Reading have the authority to aggregate the retail electric loads located in the City, 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?"

Suspend 7-0

ROLL CALL STAMP			
	Yes	No	Abs
<i>1</i> Roth <i>Heckle</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gertz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albrinck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2</i> Lindeman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2</i> Ashbrook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fischesser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approve 7-0

ROLL CALL STAMP			
	Yes	No	Abs
<i>1</i> Roth <i>Heckle</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gertz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Albrinck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2</i> Lindeman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2</i> Ashbrook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fischesser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Clerk of this Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than ninety (90) days prior to May 6, 2014. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4928.20 of the Ohio Revised Code.

SECTION 3. Upon the approval of a majority of the electors voting at the election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center within the City 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 so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every three 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 division (a) of Section 4928.14 or 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 this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council in accordance with Section 121.22 of the Ohio Revised Code, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.


SECTION 5. This ordinance is hereby declared to be an emergency measure for the health, safety, and welfare of the citizens of the City of Reading and shall take effect immediately. The emergency is necessary in order to meet the filing deadline with the Hamilton County Board of Elections.


SECTION 6. Notice of the adoption of this Ordinance shall be given once by publishing the title of the Ordinance in an abstract prepared by the City Manager or Solicitor in the the City of Reading.


Passed: City of Reading, OH


Mayor

Attest:


Clerk


APPROVED AS TO FORM


President Pro Tem

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
10/27/2022 9:40:44 AM**

in

Case No(s). 16-2376-EL-GAG

Summary: In the Matter of the Application of City of Reading