

City of Brook Park

Thomas J. Coyne, Jr., Mayor

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PUCO

January 18, 2000

The Honorable Alan R. Schriber
Chairman
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

99-1212-EL-ETP

RE: Governmental Electricity Aggregation

Dear Mr. Chairman:

I am the Mayor of the City of Brook Park, Ohio.

Our City, and its residents and businesses, are customers of FirstEnergy. We pay the highest electric rates in the State of Ohio. We are vitally interested in securing lower cost reliable electric supplies for our constituents.

Governmental aggregation provides an opportunity for residential and small business customers to participate in the potential benefits of electricity deregulation collectively that they would not otherwise be able to do individually. Due to the expense and impracticality of individual residential and small customer electricity marketing, it is likely that governmental aggregation may provide the only practical means to permit participation by those customers in achieving lower electricity costs during the market development period.

I am writing to you to urge the Commission to adopt policies and orders to encourage governmental aggregation. Such policies should include, for example, recognizing the authority of "home rule" Ohio municipalities, avoiding unlawful, unnecessary or duplicative PUCO regulation over governmental aggregators, establishing shopping credit incentives for governmental aggregations, protecting ratepayers against over-recovery of transition costs by Ohio electric utilities and other actions to enable our community's citizens to take advantage of electric deregulation, particularly during the market development period.

I have attached a Resolution of our City Council expressing these views for your and the other Commissioners' consideration.

6161 Engle Road • Brook Park, Ohio 44142

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We appreciate your and your fellow Commissioners' careful consideration of these important issues to Ohio municipalities and other governments as you proceed to implement the electric deregulation legislation.

Very truly yours,

City of Brook Park, Ohio

By: 

Its: 

Attachment

cc: Commissioner Craig A. Glazer
Commissioner Ronda H. Fergus
Commissioner Donald L. Mason
Commissioner Judith A. Jones
PUCO Docketing Department, 10th Floor

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P/C _____
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3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 2-2000

INTRODUCED BY: MAYOR COYNE & COUNCIL PRESIDENT SALVATORE, COUNCILMEN HORNER, COUNCILWOMAN DOUD, COUNCILMEN MOONEY, ADAMS, BURGIO, ELLIOTT, PATTEN

A RESOLUTION
EXPRESSING THE SENSE OF THE COUNCIL
AND THE MAYOR URGING THE PUBLIC
UTILITIES COMMISSION OF OHIO TO ENCOURAGE
GOVERNMENTAL ELECTRICITY AGGREGATION,
AND DECLARING AN EMERGENCY

WHEREAS, this City and its residents and businesses are customers of First Energy Corp. and pay the highest electric rates in the State of Ohio; and

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation (Senate Bill No. 3) which allows for the aggregation of retail electrical loads by municipal corporations, townships and counties, individually or jointly, to facilitate for those loads for the purchase and sale of electricity; 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 do individually; and

WHEREAS, governmental aggregation may provide an attractive structure for electric utilities to achieve an adequate customer switching rate in certain customer classes as required by the legislation; and

WHEREAS, the Public Utilities Commission of Ohio ("PUCO") is currently implementing the electric deregulation legislation and this Council recommends and urges that the PUCO encourage the development of governmental aggregation by adopting rules and policies that will facilitate such aggregation.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Council of the City of Brook Park, hereby urges that PUCO adopt policies in its rules and orders that encourage governmental aggregation, including, without limitation, considering the issues of its legal authority, if any, over "home rule" municipal corporations, the need to avoid unlawful, unnecessary or duplicative regulation over governmental aggregators, the need to provide shopping credit "incentives" for governmental aggregation, the need to protect ratepayers against overrecovery of transition costs by Ohio electric utilities and other policies to enable this community's citizens to take advantage of electric deregulation through aggregation.

SECTION 2: The Clerk of Council is hereby authorized and directed to forward certified copies of this Resolution to PUCO at the earliest practicable date.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason to urge PUCO to encourage governmental electricity aggregation; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

DIRECTOR OF LAW

1/19/2000
DATE