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Office of the City Manager

August 15, 2003

Ms. Daisy Crockron
Chief of Docketing
The Public Utilities Commission of Ohio
180 East Broad Street
13th Floor
Columbus, OH 43266-0573

RECEIVED-DOCKETING DIV
AUG 17 2003 PM 2:13

Re: *In the Matter of the Application of the
City of Louisville, for
Certification as a Governmental Aggregator
Case No. 01-2055-EL-GAG*

Dear Ms. Crockron:

Enclosed please find the City of Louisville's completed **RENEWAL APPLICATION FOR GOVERNMENTAL AGGREGATORS**. We have enclosed an original application, notarized and signed by an authorized official and ten conformed copies, including all exhibits, affidavits, and other attachments.

The material provided includes the following:

- 1) Authorizing ordinance directing the City to effect a Governmental Electric Aggregation Program with opt-out provisions;
- 2) Plan of Operation and Governance, as adopted;
- 3) Copy of Automatic Aggregation Disclosure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Nau".

Robert A. Nau
City Manager

ph

Enclosures

This is to certify that the images appearing are an accurate and complete reproduction of a hard file document delivered in the regular course of business.
Technician And Date Processed 8/22/03



The Public Utilities Commission of Ohio

Original GAG Case Number	Version
01-2055EL-GAG	July 2002

RENEWAL APPLICATION FOR GOVERNMENTAL AGGREGATORS

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

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

A. RENEWAL INFORMATION

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

Legal Name City of Louisville
Address 215 South Mill Street, Louisville, Ohio 44641
PUCO Certificate # and Date Certified 01-078 (1)
Telephone # (330) 875-3321 Web site address (if any) www.louisvilleohio.com

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

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

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

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

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

Name Ms. Peggy Howald
Title City Clerk, City of Louisville
Business address 215 South Mill Street, Louisville, Ohio 44641
Telephone # (330) 875-3321 Fax # (330) 875-9091
E-mail address (if any) ladmin@ezo.net

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

Name Ms. Peggy Howald
Title City Clerk, City of Louisville
Business address 215 South Mill Street, Louisville, Ohio 44641
Telephone # (330) 875-3321 Fax # (330) 875-9091
E-mail address (if any) ladmin@ezo.net

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

Customer Service address 215 South Mill Street, Louisville, Ohio 44641
Toll-free Telephone # (330) 875-3321 Fax # (330) 875-9091
E-mail address (if any) ladmin@ezo.net

Robert M. City Manager
Signature of Applicant & Title

Sworn and subscribed before me this 20th day of August, 2003
Month Year

Michael McLaughlin
Signature of official administering oath

Michael McLaughlin Notary Public
Print Name and Title

My commission expires on Nov 25, 2007

AFFIDAVIT

State of OHIO :

Louisville ss.
(Town)

County of STARK :

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

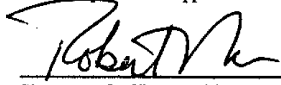
He/She is the CITY MANAGER (Office of Affiant) of Louisville (Name of Applicant);

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

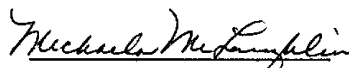
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in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

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

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


Signature of Affiant & Title

Sworn and subscribed before me this 20th day of August, 2003
Month Year


Signature of official administering oath

Michaela McLaughlin - Notary Public
Print Name and Title

My commission expires on Nov. 25, 2007

EXHIBIT A-2

AUTHORIZING ORDINANCE

ORDINANCE NO. 00-39

Being an Ordinance authorizing the submission to the Stark County Board of Elections a proposal to authorize the City of Louisville to act as an aggregator on behalf of the customers within the City for electrical power in the year of 2001 and thereafter and declaring an emergency.

WHEREAS, pursuant to Article XVIII, Section 4 of the Ohio Constitution, the City of Louisville has plenary power to, among other things, own and operate municipal utilities or to contract with others for the provision of utility services to the residents and businesses located within the City; and

WHEREAS, pursuant to R.C. Section 4928.01, et seq., municipalities and others may aggregate customers within their jurisdiction in order to facilitate "customer choice" in electric power suppliers and to promote lower cost electric utility services within the City; and

WHEREAS, aggregation by the City may permit the customers within the City to realize lower electric rates from the collective purchasing of electric services; and

WHEREAS, the City of Louisville desires to submit an Ordinance to the Board of Elections to submit to the electors of the City of Louisville the question of whether the City should create an aggregation program in accordance with R.C. Section 4928.20; and

WHEREAS, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that it must be certified to the election authorities in order for the question to appear at a the regular election to be held on November 7, 2000, to establish a retail aggregation program for the benefit of the City's electric consumers January 1, 2001, the date the "customer choice" commences in Ohio pursuant to R.C. Section 4928.01, et seq.; now, therefore,

NOW, THEREFORE, BE ORDAINED BY THE COUNCIL OF THE CITY OF LOUISVILLE, STATE OF OHIO:

Section One: That this Council hereby authorizes the submission to the electors of the City of Louisville at a regular election to be held at the usual places of voting of said City on Tuesday, November 7, 2000, of a proposal to authorize the City of Louisville to act as an aggregator on behalf of the customers within the City for electric power in the year 2001 and thereafter in accordance with R.C. 4928.20.

Section Two: That the proposed aggregation authorization, upon receiving at least a majority of the votes cast thereon at the November 7, 2000, regular election, shall become effective immediately upon its adoption, and the City's aggregation program shall thereafter commence in accordance with the plan of operation to be established

pursuant to R.C. Section 4920.01, et seq. If the proposed aggregation authorization is so adopted, all customers within the City shall automatically be included in the City's aggregation program, provided, however, that each customer shall have an opportunity to opt out of the City's aggregation program.

Section Three: That the Clerk of this Council is hereby authorized to promptly forward a certified copy of this Ordinance to the Board of Elections of Stark County by no later than August 24, 2000.

Section Four: That the Board of Elections of Stark County shall cause an appropriate notice to be duly given of the election to be held on November 7, 2000, on the foregoing proposal and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section Five: That the Clerk of this Council is hereby authorized to cause the full text of this Ordinance to be published once a week for two consecutive weeks in a newspaper of general circulation published in the City of Louisville, with the first publication to be made at least fifteen days prior to the regular election to be held on November 7, 2000, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio and Section 731.211 of the Ohio Revised Code.

Section Six: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section Seven: That the ballot submitting the question of the adoption of the aforesaid proposal shall read as follows:

A majority affirmation vote is necessary for passage.

Shall the City of Louisville have authority to act as an aggregator for all electric customers that do not otherwise opt out on behalf of the electric customers within the City in the year 2001 and thereafter?

FOR THE CITY OF LOUISVILLE ACTING
AS AN AGGREGATOR ON BEHALF OF
THE ELECTRIC CUSTOMERS
WITHIN THE CITY OF LOUISVILLE _____

AGAINST THE CITY OF LOUISVILLE ACTING
AS AN AGGREGATOR ON BEHALF OF
THE ELECTRIC CUSTOMERS
WITHIN THE CITY OF LOUISVILLE

Section Eight: That this Ordinance is declared an emergency measure necessary for the preservation of the public peace, health, welfare, and safety, and especially for the reason of timely completion of the project. Provided it receives the affirmative vote of three-fourths (3/4) of the elected and appointed members of Council, it should take effect and be in force immediately upon its passage, otherwise it should take effect and be in force from and after the earliest period allowed by law.

PASSED:

7-3-00

ATTEST:

7-16-00By Emergency
MAYOR-COUNCIL MEMBER
CITY CLERK

I, Peggy Howald, City Clerk for the City of Louisville, Ohio, do hereby certify that the foregoing Ordinance was duly published in the Louisville Herald on 7-6-00 and 7-20-00 as required by law. *Anton K. Poser*

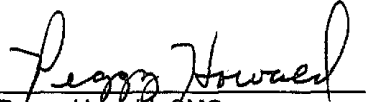

Peggy Howald, CMC
City Clerk

EXHIBIT A-3

**OPERATION AND GOVERNANCE
PLAN**

ORDINANCE NO. 00-71

Being An Ordinance Adopting the Louisville Electric Choice Program Plan of Operation and Governance in Accordance with Ohio Revised Code Section 4928.20

WHEREAS, the electors of the City of Louisville adopted an initiative to authorize the City to create a municipal electric aggregation program, titled the Louisville Electric Choice Program; and

WHEREAS, Ohio Revised Code Section 4928.20 requires City Council to adopt a plan of operation and governance for the Municipal Electric Aggregation Program; and

WHEREAS, City staff in cooperation with a consultant has finalized a draft plan of operation that meets the requirements of Ohio Revised Code and will provide for the efficient and effective operations of the Louisville Electric Choice Program offered to the citizens of Louisville;

THE Council of the City of Louisville, State of Ohio, Hereby Ordains:

Section One: The Louisville Electric Choice Program Plan of Operation and Governance heretofore attached is hereby adopted and enacted per requirements of the Ohio Revised Code, Section 4928.20.

Section Two: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

12-18-00
Post Paved until 2/5/01

R.C. Howard
MAYOR-COUNCILMAN

ATTEST:

2-5-01
By EMERGENCY

Peggy Howard
CITY CLERK

I, Peggy Howard, City Clerk for the City of Louisville, Ohio, do hereby certify that the foregoing Ordinance was duly published in the Louisville Herald on 12-21-00 and 2-8-01, as required by law.

Peggy Howard
Peggy Howard, CMC
City Clerk

City of Louisville, Ohio Municipal Electric Aggregation Program

Plan of Operation and Governance

Adopted February 5, 2001

Overview

At the November 7, 2000 general election, local residents authorized the City of Louisville ("the City") to create a municipal opt-out electric aggregation program ("the Aggregation Program") as provided under Section 4928.20 of the Ohio Revised Code. Under the opt-out electric aggregation program, all eligible electric consumers within the City's corporation limits will be automatically included in the Aggregation Program initially. However, all consumers will also be given the opportunity to opt out of or decline participation in the Aggregation Program as detailed herein.

The City's purpose in creating the Aggregation Program is to represent local consumer interests in emerging competitive electricity markets by aggregating electric loads within the City's corporation limits (including municipal facilities) and negotiating affordable, reliable electric supplies and other related services on behalf of local consumers. The City may pursue this purpose individually or in cooperation with other entities.

Many small commercial and residential electric consumers lack the knowledge and leverage to effectively negotiate power supply rates and services. A governmental aggregation program provides them with an option for professional representation and the bargaining power of a larger, more diverse consumer group that may be more attractive to suppliers, allowing them to effectively participate in the competitive process and achieve benefits.

The Aggregation Program is designed to reduce the amount a consumer pays for electric energy, and to gain other favorable economic and non-economic terms in service contracts. The City will not buy and resell power, but will represent collective consumer interests to set terms and conditions for service. Through a negotiation process, the City will develop a contract with a Competitive Retail Electric Services Provider (CRES Provider) or Providers for firm all-requirements electric service. The contract will run for a fixed term (i.e., one to five years). Once the contract has been finalized, it will be submitted to the Louisville City Council for approval.

Initially, each eligible consumer within the City's corporation limits will be automatically included in the Aggregation Program on a non-discriminatory basis. However, prior to actual enrollment, each consumer will receive a notice from the City detailing the Aggregation Program's rates, terms and conditions.

Each consumer will then have a 21-day period to opt out of or decline to participate in the Aggregation Program without charge. Consumers opting out of the program will remain on American Electric Power's (AEP's) Standard Offer Generation Service until such time as they select an approved CRES Provider. A similar opt-out period will be offered every two years during which time consumers can leave the Aggregation Program without paying a switching fee.

Participants who leave the Aggregation Program and wish to return, as well as consumers who move into the City after the initial opt-out period will be afforded the opportunity to enroll in

the Aggregation Program. However, the City cannot guarantee rates, terms and conditions to consumers enrolling in the Aggregation Program after the initial 21-day opt-out period.

Participants who relocate within the City limits will be allowed to continue in the Aggregation Program at their new location under the same terms and conditions as at their former location, provided the AEP rate classification is the same at both locations, and subject to any switching fees imposed by AEP.

The City will contract with a CRES Provider to implement and operate the Aggregation Program. Contracts for power supply and other related services will be negotiated, recommended, and monitored for compliance by the City on behalf of local consumers.

The Aggregation Program covers the power supply or generation portion only of a participant's electric bill. AEP will continue to deliver electricity to Aggregation Program participants' homes and businesses through its electric transmission and distribution system as a monopoly function regulated by the Public Utilities Commission of Ohio (PUCO). AEP will also continue to install, operate and maintain its system of poles, wires, transformers and other electric distribution components. Aggregation Program participants should continue to call AEP if their power goes out or if they have billing questions. The PUCO will continue to oversee AEP's electric safety and reliability service standards.

The City developed this Plan of Operation and Governance in compliance with Ohio law regarding municipal opt-out aggregation of electric consumers, including at least two public hearings prior to its adoption.

Plan of Operation and Governance

The Louisville City Council shall approve through resolution or ordinance the Aggregation Program's Plan of Operation and Governance in accordance with Ohio Revised Code Section 4928.20. Amendments to the Plan of Operation and Governance may be subject to Louisville City Council approval and filing with the PUCO.

After adoption of the Plan of Operation and Governance, the City will file with the PUCO for governmental aggregator certification and also register as a governmental aggregator with AEP.

Aggregation Program Management

Oversight of the Aggregation Program will be the responsibility of the City Manager, who shall report to the City Council. The City Manager will have the authority to develop specifications for the Aggregation Program, to appoint an Aggregation Program Manager, and to select, hire and manage the CRES Provider.

The CRES Provider and the Aggregation Program Manager will work under the direction of the City Manager with the advice and counsel of the City Attorney.

Due to the complexity of the electric utility industry and the uncertainties of its associated restructuring activities, the City Manager may contract with a consultant or consultants to provide the necessary expertise to represent the City's interest in legislative and regulatory matters and/or to serve as the Aggregation Program Manager. Such services may include, but are not limited to facilitating consumer enrollment and opt-out, assisting with consumer education, addressing consumer questions and concerns, providing reports on program operation, enrollment and savings, negotiating future CRES Provider contracts, and representing the City in dealings with CRES Providers, AEP, the Ohio Legislature, the PUCO and the OCC.

Selection of a CRES Provider

The City will not buy and resell power to Aggregation Program participants. The City will negotiate with potential CRES Providers to provide affordable, reliable electric supplies and other electric related services on behalf of local consumers. The City will consider cooperating with other governmental aggregators if it appears beneficial to do so.

Through a negotiation process, the City will develop a contract with a CRES Provider or Providers for firm, all-requirements service. The City will contract only with a CRES Provider or Providers that meet at a minimum the following criteria:

1. Certified CRES Provider by the PUCO
2. Registered with AEP
3. Have a service agreement under AEP's Open Access Transmission Tariff
4. Successfully completed Electronic Data Interchange (EDI) computer system testing with AEP and that CRES Provider's EDI computer system is capable of effectively processing Aggregation Program EDI transactions in a timely manner
5. Meet standards of creditworthiness established by the City
6. Have a customer call center capable of effectively handling participants' questions, concerns and disputes in a timely manner using a toll-free telephone number
7. Hold the City harmless from any financial obligations arising from offering electricity and/or energy-related services to Aggregation Program participants

The CRES Provider's contract will run for a fixed term (i.e., one to five years) and contain all pricing, charges, switching fees, etc. in clear and easily understood terms.

The City will require any CRES Provider to disclose any subcontractors that it uses in fulfillment of the services described herein.

The Louisville City Council will approve through resolution or ordinance the contracts entered into by the City with the CRES Provider.

Electric Supply Charges

The City will aggregate electric loads within the City's corporation limits (including municipal facilities) and negotiate mutually agreeable price terms with CRES Providers for affordable, reliable electric supplies and other related services on behalf of local consumers. The City may pursue this purpose individually or in cooperation with other entities. CRES Providers will supply information on electric supply charges by AEP customer rate classification or other appropriate pricing category as approved by the City. All electric supply charges will be fully and prominently disclosed in consumer enrollment materials and will be subject to approval by the Louisville City Council.

AEP's Regulated Customer Classifications and Rates

AEP assigns customer rate classifications, character of service and associated regulated rates subject to PUCO approved tariffs. In addition to the CRES Provider's generation charges, consumers will continue to be billed for AEP's service and delivery charges. Although the City may participate in regulatory proceedings and represent the interests of consumers regarding these regulated rates, it cannot assign or alter customer rate classifications.

Initial Consumer Notification and Enrollment

After contract approval by the Louisville City Council, the CRES Provider will work with the City and AEP to identify all eligible consumers within the City's corporation limits.

All eligible consumers will be notified of the rates, charges and other terms and conditions of participation in the Aggregation Program and that they will be automatically enrolled in the Aggregation Program unless they opt out of or decline participation in the program. Consumers will be given a 21-day period in which to notify the City that they wish to opt out of or decline participation in the Aggregation Program.

After the initial 21-day opt out period has elapsed, all eligible consumers who have not notified the City of their desire to opt out of the Aggregation Program will be enrolled by the CRES Provider at the earliest date practicable. The CRES Provider will provide AEP with the required 90 days enrollment notice for consumers with demand meters.

Consumers ineligible to participate in the Aggregation Program include those who are on a "special rate" AEP contract and consumers whose accounts are not current with AEP.

Consumers enrolled in the Aggregation Program by the CRES Provider will receive a letter from AEP notifying them of their enrollment. Consumers will have seven calendar days to notify AEP of any objection to their enrollment in the Aggregation Program. AEP will notify the CRES Provider of consumer objections or any reason that a consumer was not enrolled in

the Aggregation Program. The CRES Provider will report to the City the status of Aggregation Program enrollment on at least a monthly basis.

Leaving the Aggregation Program

Participants who wish to leave the Aggregation Program may do so:

- During the initial 21-day opt-out period
- During subsequent opt-out period offered by the City at least every two years
- At any other time; however a switching fee may be assessed

In addition to the initial 21-day opt-out period described above, each participant will be given an opportunity to opt out of the Aggregation Program every two years without paying a switching fee. Consumers who choose to opt out of the Aggregation Program at any time other than during the initial 21-day opt-out period or during subsequent opt-out periods offered by the City may be subject to a switching fee.

Any consumer who opts out of the Aggregation Program will be returned to AEP's Standard Offer Generation Service until such time as the consumer selects another approved CRES Provider. If a customer switches back to AEP's Standard Offer Generation Service, they may not be served at the same rates and conditions as other customers who are not participating in the aggregation program.

CRES Provider Responsibilities

The CRES Provider will build and maintain a database of all Aggregation Program participants. The database will include the name, address, AEP service delivery identification (SDI) number and may include other pertinent information as agreed upon by the City and the CRES Provider. Such information may include the CRES Provider's account number (if different from AEP's SDI number), rate code, rider code (if applicable), most recent 12 months of kWh consumption and kW demand, and meter reading cycle. The Aggregation Program database will be updated at least quarterly. The City will have the right to access information in the database for purposes of auditing.

The CRES Provider will provide and maintain the required Electronic Data Interchange (EDI) computer system to effectively process Aggregation Program enrollments, opt outs, billing, etc, with AEP.

The CRES Provider will provide a local or toll free telephone number for participant questions and concerns about enrollment, opt-out provisions, billing and other Aggregation Program issues.

The CRES Provider will develop internal controls and processes to help ensure that the City remains in good standing as a governmental aggregator that complies with all laws, rules and regulations regarding the same as they may be periodically amended.

New and Returning Participants

Participants who leave the Aggregation Program and wish to return, as well as consumers who move into the City after the initial opt-out period will be afforded the opportunity to enroll in the Aggregation Program. However, the City cannot guarantee rates, terms and conditions to consumers enrolling in the Aggregation Program after the initial 21-day opt-out period. Consumers may contact the Aggregation Program Manager to obtain current enrollment information.

Participants who relocate within the City limits will be allowed to continue in the Aggregation Program at their new location under the same terms and conditions as at their former location, provided the AEP rate classification is the same at both locations, and subject to any switching fees imposed by AEP.

The CRES Provider will comply with all local, state and federal rules and regulations regarding discontinuing service to Aggregation Program participants.

Billing

The City plans to utilize AEP's consolidated billing service in which each consumer account receives one bill itemizing the CRES Provider's electric supply charges and AEP's delivery, transition and other PUCO-approved charges. The billing statement will be consistent with applicable PUCO rules and regulations. The City will consider other billing options, including CRES Provider consolidated billing, if and when they become available and if it appears advantageous to do so.

Aggregation Program Funding

The CRES Provider's electric supply charge will include an administrative fee that shall be collected on behalf of the City to fund the implementation and administration of the Aggregation Program. The administrative fee will be reviewed annually and adjusted as needed to cover the costs of administering the Aggregation Program.

Questions and Concerns

The Aggregation Program only impacts the source of generation or power supply. AEP will continue to deliver the electricity purchased through the Aggregation Program to participants'

homes and businesses through its electric transmission and distribution system. Participants with question or concerns regarding service delivery or safety, such as a power outage, a downed power line, sparking power lines or equipment, low voltage, etc. should continue to contact AEP at 800-277-2177. Meter reading or other billing questions should also be directed to AEP at 800-277-2177. Questions regarding Aggregation Program enrollment, opting out and operation should be directed to the Aggregation Program Manager.

Question or Concern	Contact	Phone Number/e-mail
Power outage or interruption	AEP	800-277-2177
Turn power on or off	AEP	800-277-2177
Meter reading/billing	AEP	800-277-2177
To enroll in or opt out of the Aggregation Program	AMPO, Inc.	614 337-6222
Aggregation Program Questions or concerns	AMPO, Inc.	614 337-6222
Unresolved disputes (residential customers)	Ohio Consumer's Counsel	877-742-5622 (toll free) occ@occ.state.oh.us
Unresolved disputes (all customers)	Public Utilities Commission of Ohio	(800)-686-7826 (voice) (800)-686-1570 (TDD)

Reliability and Indemnification of Consumers

Electric service reliability is an essential to Aggregation Program participants. The City will strive to provide high-quality service and reliability through provisions of the CRES Provider contract, through traditional proceedings related to AEP's regulated transmission and distribution services; and through direct discussions with AEP concerning specific or general problems related to quality and reliability of its transmission and distribution system.

If for any reason a CRES Provider fails to provide uninterrupted service, the City will attempt to acquire an alternative power supply. If this attempt fails, participants will default to AEP's Standard Offer Generation Service. In no case will participants be without power as the result of the CRES Provider's failure to provide uninterrupted service. The City will seek to minimize this risk by contracting only with reputable CRES Providers that demonstrate reliable service. The City also intends to include conditions in its CRES Provider contract that will indemnify participants against risks or problems with power supply service and price.

Participant Rights

All Aggregation Program participants shall enjoy the protections of law afforded to consumers as they currently exist or as they may be amended from time to time. These include rights to question billings or service quality or service practices. All program participants shall also

enjoy the individual right to decline participation in the Aggregation Program subject to the terms and conditions contained herein.

All Aggregation Program participants will be treated equitably. They will be guaranteed the right to raise and resolve disputes with the CRES Provider, be provided all required notices and information; and always retain the right to opt out of the Aggregation Program or switch suppliers subject to the terms and conditions contained herein.

All consumers within the City's corporation limits shall be eligible to participate in the Aggregation Program on a non-discriminatory basis subject to the terms and conditions described herein, Ohio law, PUCO rules and regulation governing electric service, and AEP's approved tariffs.

Service under the Aggregation Program shall include all eligible customer classes in adherence with universal service principles and requirements, and the traditional non-discriminatory practices of local government. CRES Provider contracts shall contain provisions to maintain these principles and equitable treatment of all customer classes.

Low-income consumers shall remain subject to all provisions of Ohio law and PUCO rules and regulations as they may be amended from time to time regarding their rights to return to AEP's Standard Offer Generation Service and participation in the Aggregation Program.

Participant Responsibilities

Aggregation Program participants are subject to the same standards and responsibilities as other electric consumers, including payment of billings and access to metering and other equipment necessary to carry out utility operations.

Termination of the Aggregation Program

The Aggregation Program may be discontinued upon the termination or expiration of the CRES Provider contract without any extension, renewal or subsequent contract being executed. In the event of Aggregation Program termination, each participant will receive notification 90 days prior to such program termination and could return to AEP's Standard Generation Offer Service or select another approved CRES Provider.

Definitions

Aggregation

Combining the electric loads of multiple customers for the purposes of supplying or arranging for the supply of competitive retail electric service to those customers.

Aggregation Program Manager

The person or entity designated by the City Manager to oversee the operation and management of the City of Louisville's Municipal Electric Aggregation Program.

Competitive Retail Electric Service (CRES)

A component of retail electric service that is deemed competitive under the Ohio Revised Code or pursuant to an order of the PUCO. This includes but is not limited to the services provided by competitive retail electric service providers, power marketers, aggregators and governmental aggregators.

Competitive Retail Electric Service Provider (CRES Provider)

A person or entity certified by the PUCO and registered with AEP who supplies or offers to supply a competitive retail electric service over AEP's electric transmission and/or distribution system. This term does not apply to AEP in its provision of standard offer generation service.

Consumer

Any person or entity that is an end user of electricity and is connected to any part of AEP's electric transmission or distribution system within the City of Louisville's corporation limits.

Delivery Charge

Charge imposed by AEP for delivering electricity to a consumer's home or business. The charge includes meter reading, billing, transition costs, maintaining electric system reliability and responding during emergencies and outages (also called the distribution charge).

Distribution

The delivery of electricity to a consumer's home or business over AEP's local poles, wires, transformers, substations, and other equipment. AEP's distribution system operations will remain regulated by the PUCO.

Electric Related Service

A service that is directly related to the consumption of electricity at a consumer's home or business. This may include, but is not limited to, the installation of demand side management measures at a consumer's premises, the maintenance, repair or replacement of appliances, lighting, motors or other energy-consuming devices at a consumer's premises, and the provision of energy consumption measurement and billing services.

Electric Supply Charge

All charges related to the generation of electricity by the CRES Provider.

Governmental Aggregator

An incorporated village or city, township or county acting as an aggregator for the provision of a CRES under authority conferred under Section 4928.20 of the Ohio Revised Code.

Kilowatt (kW)

A kilowatt is 1,000 watts

Kilowatt-hour (kWh)

A kilowatt-hour is 1,000 watts of electricity used for one hour. For example, a 1,000-watt appliance operating for one hour or a 100-watt light bulb operating for ten hours will consume one kilowatt-hour of electricity. Consumers are charged for electricity in cents per kilowatt-hour.

Ohio Consumers' Counsel (OCC)

The Ohio Consumers' Counsel (OCC) was established by the Ohio Legislature in 1976 to represent the interests of Ohio's four million residential utility customers served by investor-owned utilities in proceedings before the PUCO, other regulatory agencies and in the courts. The OCC also educates consumers about utility issues and resolves complaints individuals have with investor-owned utility companies.

Participant

A consumer enrolled in the City of Louisville's Municipal Electric Aggregation Program.

Public Utilities Commission of Ohio (PUCO)

The state agency charged with assuring all consumers (residential commercial and industrial) served by investor-owned utilities have access to adequate, safe, and reliable utility services at fair prices. The PUCO regulates a wide variety of investor-owned utilities, including electric, natural gas, pipeline, heating/cooling, local telephone, long distance telephone, waterworks, wastewater, railroad, household goods carriers, water transportation, hazardous materials carriers, and commercial transportation carriers.

Standard Offer Generation Service

The electric generation service a consumer will receive from AEP (the default electric service provider) if the customer does not choose a CRES Provider.

EXHIBIT A-4

**AUTOMATIC AGGREGATION
DISCLOSURE**

August __, 2001

Dear Louisville Electric Consumer:

At the November 7, 2000 general election, local residents authorized the City of Louisville to create an "opt-out" Municipal Electric Aggregation Program. The purpose of the Aggregation Program is to represent local consumers in competitive electricity markets by aggregating or pooling their electric needs and negotiating for affordable, reliable electric supplies on their behalf. The aggregation program provides Louisville electric consumers with professional representation and the bargaining power of a larger, more diverse buying group.

The Aggregation Program covers the power supply or generation portion only of your electric bill. The City has selected [CRES Provider name] to provide electricity to Aggregation Program participants. American Electric Power (AEP) will continue to read your meter, deliver the electricity to your home or business through its local distribution system and provide the same service you have experienced in the past. You will still call AEP if you have a billing question or to report a power outage or service problem.

There is no cost for you to enroll in the Aggregation Program. If you wish to participate, you don't need to take any further action—you will be automatically enrolled. Once enrolled, you will have the opportunity to leave the Aggregation Program every two years without paying a switching or early termination fee.

To determine if you can save money through the Aggregation Program, check your AEP electric bill for your rate classification, and the "price to compare" on your most recent AEP bill(s). Compare this information with the attached pricing chart for your rate classification to determine if you can save money through the Aggregation Program.

For additional assistance in determining your savings, the Ohio Consumers' Counsel has developed a "price-to-compare calculator" that is available on its Internet web site at www.state.oh.us/cons/electric/price.asp.

You are under no obligation to participate in the Aggregation Program. If you do ***not*** wish to enroll in the Aggregation Program, complete the enclosed opt-out form and return it to the address listed no later than [21 days from date of letter]. ***If you do not return the opt-out form by this date, you will***

be enrolled in the program. If you choose not to participate in the Aggregation Program, you will continue to receive power from AEP unless you select an approved alternate electric supplier.

If you have any questions or concerns regarding the pricing and terms of the Aggregation Program, please contact [CRES Provider name] at [CRES Provider toll-free telephone number].

Remember, return the opt-out form only if you do not wish to participate in the Aggregation Program.

Sincerely,

[Name of local official]

[Title of local official]

City of Louisville
Municipal Electric Aggregation Program
Pricing Chart

AEP Rate Classification	Description	Aggregation Program Price
RS	Residential Service	
RS-ES	Residential Energy Storage	
RS-TOD	Residential Time-of-Day	
RDMS	Residential Demand Metered	
GS-1	General Service - Non-Demand Metered	
GS-2	General Service - Low Load Factor	
GS-TOD	General Service - Time-of-Day	
GS-3	General Service - Medium/High Load Factor	
GS-4	General Service - Large	
IRP-OS	Interruptible Power - Opportunity Sales	
IRP-CDB	Interruptible Power - Capacity Deficiency B	
IRP-CDA	Interruptible Power - Capacity Deficiency A	
IRP-OR	Interruptible Power - Operating Reserve	
COGEN/SPP	Cogeneration and/or Small Power Production	
SBS	Standby Service	
NEMS	Net Energy Metering Service	
OL	Outdoor Lighting	
SL	Street Lighting	
EHG	Electric Heating General	
EHS	Electric Heating Schools	
SS	School Service	

**City of Louisville
Municipal Electric Aggregation Program
Opt-Out Form**

If you do **not** wish to participate in the City of Louisville Municipal Electric Aggregation Program, complete this form and mail it to [Name of CRES Provider] at [Address of CRES Provider] no later than [21 days after date on letter]. Otherwise, you will be automatically enrolled in the City of Louisville Municipal Electric Aggregation Program.

By returning this signed form, I choose not to participate in the City of Louisville Municipal Electric Aggregation Program. By choosing not to participate, I understand that I will forego any benefits of the Aggregation Program including receiving generation services at a reduced cost.

Name on AEP Electric Account:

Service Address on AEP Electric Account (Street Address, City, State, Zip Code):

Mailing Address--If different from Service Address (Street Address, City, State, Zip Code):

Telephone number:

Return Completed Opt-Out Form to:
[Name of CRES Provider]
Louisville Aggregation Program
[Address of CRES Provider]