

ORDINANCE NO. 90-63 AC CMS

ORDINANCE AUTHORIZING POOL PARTICIPANT AGREEMENT,  
POWER PURCHASE AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin, Ohio, (hereinafter Municipality) owns and operates an electric utility system for the benefit of the Municipality, its citizens and taxpayers; and

WHEREAS, pursuant to Ordinance No. 86-28 dated May 6, 1986, Municipality entered into AMP-Ohio Contract No. C05-86-290 (Agreement) and has subsequently entered into certain Schedules thereunder, pursuant to which American Municipal Power - Ohio, Inc. (hereinafter AMP-Ohio), among other things, supplies the Municipality with its full requirements of power and energy, in conjunction with other members of AMP-Ohio which comprise the Northeast AMP-Ohio Service Group (NEASG), in an economical manner; and

WHEREAS, AMP-Ohio and the Executive Committee of the NEASG have litigated and negotiated, and AMP-Ohio has concurred in, a Partial Requirements Tariff with the Ohio Edison Company (PR Tariff) attached as a part of Attachment A hereto, for the benefit of AMP-Ohio and its members who comprise the NEASG; and

WHEREAS, the PR Tariff establishes a mechanism under which AMP-Ohio among other things, can provide opportunities for the Municipality to receive reliable, economic electric service from AMP-Ohio and to coordinate the Municipality's power supply with AMP-Ohio and other NEASG members; and

WHEREAS, a large portion of the power and energy currently purchased by AMP-Ohio on Municipality's and the other members of NEASG's behalf, is short-term power; and

WHEREAS, the price of short-term power is increasing and is projected to increase further; and

WHEREAS, it is prudent for the Municipality to become less dependent upon short-term power as a part of its power supply; and

WHEREAS, AMP-Ohio has studied and now has, and will soon have additional, opportunities for economical, reliable, intermediate- and long-term power supply for the Municipality and the NEASG; and

WHEREAS, in order to take advantage of these opportunities, it is necessary for the Municipality and AMP-Ohio to enter into a Pool Participant Schedule to the Agreement (attached as a part of Attachment A hereto) for the purpose of coordinating operations and securing a prudent and economical power supply under the PR Tariff; and

WHEREAS, the first such opportunity is the purchase of Tanners Creek power and energy pursuant to a contract between AMP-Ohio and American Electric Power Company and its subsidiaries also attached as a part of Attachment A hereto; and

WHEREAS, AMP-Ohio must commit to the Tanners Creek power purchase in a very limited time.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the form of the Pool Participant Schedule attached hereto as part of Attachment A is hereby approved, subject to and with any and all changes therein as hereinafter provided.

SECTION 2. That the City Manager is hereby authorized and directed to execute a contract in the form of the Pool Participant Schedule attached as a part of Attachment A hereto, with such subsequent changes, insertions, deletions and modifications, if any, as the City Manager deems appropriate.

SECTION 3. That the Municipality hereby consents to the purchase of at least 30 megawatts (MW) but no more than 40 MW of Tanners Creek power by AMP-Ohio as a Pool Resource for the benefit of Municipality and the other members of the NEASG. The final amount between 30 MW and 40 MW to be determined at AMP-Ohio's discretion according to availability and other AMP-Ohio member and member groups commitments for such power.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance 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 action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to insure a supply of electric power for Oberlin consumers at the lowest possible cost"

and shall take effect immediately upon passage.

PASSED: 1st Reading - September 4, 1990 (Emergency)

2nd Reading -

3rd Reading -

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ATTEST:

Julie A. Simonson  
CLERK OF COUNCIL

Calvin F. White  
CHAIRMAN OF COUNCIL

POSTED: September 6, 1990

EFFECTIVE DATE: September 4, 1990