

ORDINANCE NO. 98-85 AC CMS

AN ORDINANCE AUTHORIZING LITIGATION AGAINST OHIO EDISON COMPANY AND DECLARING AN EMERGENCY

WHEREAS, Ohio Edison has unreasonably and unlawfully refused to cooperate, or expressed its intention to refuse to cooperate, in customer switch overs to the City of Oberlin municipal electric system, as generally set forth in a complaint filed by American Municipal Power - Ohio, Inc. (AMP-Ohio), and others, against Ohio Edison and others at the Public Utilities Commission of Ohio (PUCO), on behalf of itself and its members, including the City of Oberlin, being PUCO Case No. 98-1312-EL-CSS.

WHEREAS, Ohio Edison has questioned AMP-Ohio's ability to raise these issues on behalf of its members including the City of Oberlin, in recent filings at the PUCO, responses to which must be filed expeditiously.

WHEREAS, the City of Oberlin supports AMP-Ohio's efforts to have Ohio Edison be required to act reasonably and lawfully in this regard.

NOW, THEREFORE, be it resolved by the Council of the City of Oberlin, Ohio

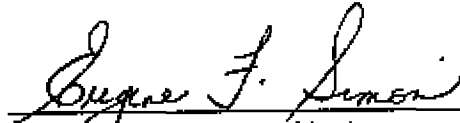
SECTION 1. That the law firm representing AMP-Ohio, Chester, Willcox and Saxbe, LLP, is hereby authorized to add the City of Oberlin as a named complainant in the PUCO proceeding and in any other litigation in other forums related thereto; provided, however, that the City of Oberlin shall not be responsible for any legal fees related thereto without further action of this Council.

SECTION 2. 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.

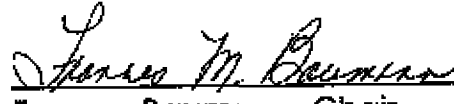
SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure necessary to protect the public welfare and shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - Nov 2, 1998 (E)
2nd Reading -
3rd Reading -

ATTEST:



Eugene F. Simon, Clerk
OBERLIN CITY COUNCIL



Frances Baumann, Chair
OBERLIN CITY COUNCIL

POSTED: Nov 3, 1998

EFFECTIVE DATE: Nov 3, 1998