

ORDINANCE NO. 01-36 AC CMS

AN ORDINANCE AUTHORIZING THE CITY OF OBERLIN TO APPROVE AMERICAN MUNICIPAL POWER-OHIO, INC., PURCHASES OF LONG TERM POWER RESOURCES FOR NEASG POOL

WHEREAS, the City of Oberlin (the Municipality) is a member of American Municipal Power-Ohio, Inc. (AMP-Ohio) a non-profit corporation whose membership includes eighty-five (85) municipalities that own and operate municipal electric systems, including the Municipality; and

WHEREAS, the Municipality and AMP-Ohio have entered into a generic contract agreement dated May 5, 1986 (Agreement), AMP-Ohio Contract No. C-05-86-290 and Municipality Contract No. C-09-798, under which certain services may be provided by AMP-Ohio to the Municipality via Schedules pursuant thereto; and

WHEREAS, AMP-Ohio and the Municipality have entered into a Northeast AMP-Ohio Service Group (NEASG) Pool Participant Schedule under which AMP-Ohio coordinates long term power supply of the 21 municipalities in the Ohio Edison Control Area; and

WHEREAS, the members of the NEASG have obtained a low cost Long Term firm power supply offer from AEP and Oberlin for 55 MW to supplement the short term power that AMP-Ohio currently purchases as a pool resource. The new power supplies will run from 2002 through 2007 for AEP and June 2001 through 2010 for Oberlin; and

WHEREAS, AMP-Ohio has developed a Reserve Pool using a power purchase from Pacific Gas & Electric to back up existing non-firm power supplies and the NEASG desires to purchase a 25 MW share of this pool for June 2001 through June 2005; and

WHEREAS, it is necessary and desirable for the Municipality to approve in writing the Long Term purchases for the NEASG Pool.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:


SECTION 1. That the City Manager is hereby authorized to execute an approval letter with AMP-Ohio, substantially in the form of the attached letter, for purposes of providing additional firmness and price stability to the municipality's electric power supply.

SECTION 2. That 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 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 this Ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - April 16, 2001
2nd Reading - May 7, 2001
3rd Reading - May 21, 2001 (E)

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: May 22, 2001

EFFECTIVE DATE: May 22, 2001

Date: 5/22/01

Michael Migliore
Director of Energy Marketing
AMP-Ohio
2600 Airport Dr.
Columbus, OH 43219

Reliable.
Local.
Yours.

**Public
Power**

Dear Mike,

Pursuant to the Section D.2. of the Northeast AMP-Ohio Service Group Pool Participant Schedule, the City of Oberlin hereby approves the purchase of the following Long Term Power Resources by AMP-Ohio for resale to the NEASG Power Pool:

31. 50 MW of AEP Firm Peaking Power for term from January 1, 2002 through December 31, 2007 as shown on Attachment A to your March 21, 2001 letter.
32. 5 MW of Oberlin Peaking Power for term from June 1, 2001 through December 31, 2010 as shown on Attachment A to your March 21, 2001 letter.
3. 25 MW of Reserve Pool Power for term from June 1, 2001 through June 30, 2005 as shown on Attachment C to your March 21, 2001 letter.

Sincerely,

Name: *Robert D. Smith*

Title: CITY MANAGER