

ORDINANCE NO. 5 - 03

By: Mr. McClelland

An Ordinance to authorize the Mayor and Auditor of the City of Bexley, Ohio, to enter into a contract with Green Mountain Energy Company, for the provision of competitive retail electric aggregation services and power supply, for the City of Bexley and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor and Auditor are hereby authorized to enter into a contract with Green Mountain Energy Company, for the provision of competitive retail electric aggregation services and power supply. The Green Mountain Energy Company Agreement ("Agreement") authorized by this Ordinance shall, at a minimum, include the following terms and conditions, notwithstanding any contract provision of the Proposal;

- (a) Savings to residential customers in rate code RR-013 will range from 3% to 5% of the annualized average price at a minimum.
- (b) Green Mountain Energy Company shall provide a Plan of Operations established pursuant to R.C. 4928.01 et. seq., and in consultation with the City of Bexley and its consultant, AMPO, Inc., to Bexley City Council for approval prior to its submission to the Public Utilities Commission of Ohio;
- (c) The terms of the Agreement shall not be amended without the express authorization of City Council;
- (d) The terms of the Agreement shall be through the end of the retail electric market development period ending in December, 2005, unless terminated sooner as provided for in the Agreement;
- (e) The Mayor shall be informed of any vendors used for soliciting customers or promotion of services by Green Mountain Energy Company;
- (f) The Agreement shall not be transferred or assigned by Green Mountain Energy Company without prior authorization of the City Council.

Section 2. That all advertisements, brochures, public relation and consumer education materials produced by or for the City in relation to the Proposal and the Agreement authorized herein shall be submitted to the Bexley Service Department for review and approval prior to dissemination.

Section 3. That this Ordinance is hereby declared to be an emergency measure, said emergency being the need to execute a contract during current market conditions, and it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 5-27, 200

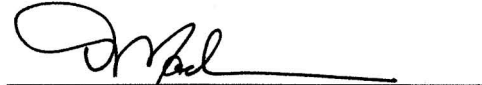


President of Council


Clerk of Council

Approved: 5/27, 2003

1-28-03 First reading
2-11-03 Second reading.
2-25-03 Third reading.
5-27-03 ^{Tabled} Removed from
table.
Passed.


David H. Madison, Mayor