

RESOLUTION 2009-2

WHEREAS, the Northeast Ohio Public Energy Council ("NOPEC") is a regional council of governments under Ohio law comprised of 126 member Ohio municipalities, counties and townships in eight (8) Northeast Ohio counties;

WHEREAS, NOPEC currently operates governmental energy aggregation purchasing programs for electricity and natural gas and has arranged for the electric generation supply for about 450,000 retail electricity consumers whose distribution service is provided by the Cleveland Illuminating Company and Ohio Edison Company, both First Energy Corporation companies;

WHEREAS, NOPEC's customers currently all take SSO service from the Ohio Edison Company and Cleveland Electric Illuminating Company, and are captive customers of First Energy;

WHEREAS, this community is a member of NOPEC;

WHEREAS, First Energy has filed applications with the Public Utilities Commission of Ohio (PUCO) to establish an electric security plan or market rate offer as provided for in Amended Substitute Senate Bill 221;

WHEREAS, First Energy refused to extend the current NOPEC generation discount until First Energy's permanent electric rate plan is approved by the PUCO means that our residents will lose the current 5% NOPEC generation discount beginning January 1, 2009; and

WHEREAS, losing the current 5% NOPEC generation discount in these troubling and unstable financial times will result in undue hardship for our residents.

NOW, THEREFORE, BE IT RESOLVED: That the PUCO order First Energy to continue and/or extend the NOPEC generation discount from December 31, 2008 until First Energy's permanent rate plan is approved; and

BE IT RESOLVED: That the PUCO adopt NOPEC's recommendations in the First Energy Electric Security Plan case to eliminate the 1 cent/kwh minimum default service rider for NOPEC customers; and

BE IT RESOLVED: That the PUCO eliminate or establish a credit for NOPEC customers for the proposed generation deferral to allow NOPEC to provide generation services to our customers after January 1, 2009; and

BE IT RESOLVED: That the PUCO prevent First Energy from making excessive profits at the expense of economically-challenged, hard-working Ohioans.

BE IT RESOLVED that this Resolution is hereby declared to be an emergency measure, effective immediately upon its passage, to enable the Village to support NOPEC's efforts in maintaining the 5% generation discount for our residents; and

BE IT RESOLVED that it is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

First Reading: January 13, 2009

Second Reading: February 10, 2009

Third Reading: March 10, 2009

NOPEC MEMBER COMMUNITY

Signed: Hal Bentland

Name/Title: Mayor

Community: Village of Hiram

Date: March 10, 2009

ATTEST:

Kay E. Ziska
Fiscal Officer

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2009-2 has been duly posted in the required 5 places.
3-11-09 Kay E. Ziska
Date Fiscal Officer, Village of Hiram