

ORDINANCE NO. 08-75 AC CMS

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

WHEREAS, the City of Oberlin, Ohio (the "Municipality"), is a member of American Municipal Power-Ohio, Inc. (AMP-Ohio) a non-profit corporation whose membership includes one hundred twenty three (123) municipalities that own and operate municipal electric systems, including the municipality; and

WHEREAS, AMP-Ohio and the Municipality have entered into a Northeastern AMP-Ohio Service Group (NEASG) Pool Participant Schedule (AMP-Ohio Contract No. C-09-90-798 under which AMP-Ohio coordinates the power supply of 21 municipalities in the First Energy Service Area; and

WHEREAS, the members of the NEASG desire to obtain Long Term firm power supply to supplement the short-term power that AMP-Ohio currently purchases as a pool resource. The new power supplies recommended for the NEASG pool are:

1. 60 MW of 7x 24 power for a term from January 1, 2011 through December 31, 2011.
2. 10 MW of 5 x 16 power for a term from January 1, 2010 through December 31, 2012.
3. 50 MW of MISO installed capacity for a term from June 1, 2009 through December 31, 2012; and

WHEREAS, it is necessary and desirable for the Municipality to approve in writing the purchase of the long term power for the NEASG pool.

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

SECTION 1. That the City Manager be and is hereby authorized and directed to execute and deliver an approval letter with AMP-Ohio, substantially in the form of the attached letter, binding the Municipality to be financially responsible for its portion of the long term purchases.

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 the ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department to wit:

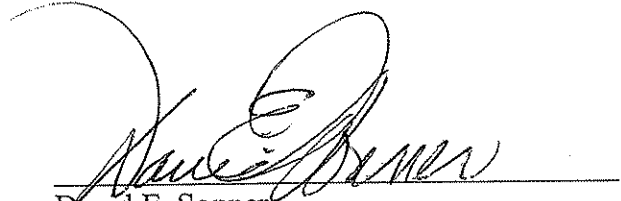
“due to volatility in the electric power markets, an emergency exists in that the Municipality is required to act expeditiously to authorize AMP-Ohio to secure the most favorable pricing” and shall take effect immediately upon passage.

PASSED: 1st Reading - October 6, 2008 (E)
2nd Reading -
3rd Reading -

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 10/07/2008

EFFECTIVE DATE: 10/06/2008

Date: 10-8-08

Michael Migliore
Director of Power Supply Planning
AMP-Ohio
2600 Airport Dr.
Columbus, OH 43219

Dear Mike,

Pursuant to Section D.2. of the Northeast AMP-Ohio Service Group Pool Participant Schedule (AMP-Ohio Contract No. 09-90-798) I am authorized by the City of Oberlin, Ohio to approve the purchase of the following Long Term Resources by AMP-Ohio for resale to the NEASG Power Pool:

1. 60 MW of 7x24 Power for a term from January 1, 2011 through December 31, 2011 at a contract price not to exceed \$72 / MWh.
2. 10 MW of 5x16 Power for a term from January 1, 2010 through December 31, 2012 at a contract price not to exceed \$99 / MWh.
3. 50 MW of MISO installed capacity for a term from June 1, 2009 through December 31, 2012 at a contract price not to exceed \$5.00 / kW-mo.

Sincerely,

Name: 

Title: City Manager