

VILLAGE OF PEMBERVILLE

ORDINANCE #1433

PASSED: OCTOBER 7, 2008

**An Ordinance Authorizing the Electric Superintendent
to approve American Municipal Power-Ohio, Inc.
Purchases of Long Term Power Resources for NWSAG Pool**

WHEREAS, the Village of Pemberville (the Municipality) is a member of American Municipal Power-Ohio, Inc. (AMP-Ohio) a non-profit corporation whose membership includes one hundred twenty two (122) municipalities that own and operate municipal electric systems, including the Municipality;

WHEREAS, the Municipality and AMP-Ohio have entered into a Master Services Agreement dated December 15, 2005 (Agreement), AMP-Ohio Contract No. 11-2005-4441, under which certain services may be provided by AMP-Ohio to the Municipality via Schedules pursuant thereto;

WHEREAS, AMP-Ohio and the Municipality have entered into a Northwestern AMP-Ohio Service Group (NWSAG) Pool Participant Schedule (AMP-Ohio Contract No.11-89-723) under which AMP-Ohio coordinates the power supply of the 14 municipalities in the FirstEnergy Service Area.

WHEREAS, the members of the NWSAG 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 NWSAG Pool are

1. 40 MW of 7x24 Power for a term from January 1, 2009 through December 31, 2011.
2. 5 MW of 7x24 Power for a term from January 1, 2010 through December 31, 2011.
3. 11 MW of 7x24 Power for a term from January 1, 2011 through December 31, 2011.
4. 15 MW of 5x16 Power for a term from January 1, 2010 through December 31, 2011.
5. 45 MW of MISO installed capacity for a term from June 1, 2009 through December 31, 2011; and

WHEREAS, it is necessary and desirable for the Municipality to approve in writing the purchase of the Long Term power for the NWASG Pool.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PEMBERVILLE, OHIO:

Section 1: That the Electric Superintendent 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 that have a term ending no later than December 31, 2011 purchased as a NWASG pool resource, during the entire term of the power supply contracts, for purposes of, providing additional firmness and price stability to the municipality's electric power supply.

Section 2: That it is found and determined that all formal actions of the Council relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the 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.

Dated: October 7, 2008

James R. Opelt

James R. Opelt, Mayor

Attest:

Debra L. Cartledge

Debra L. Cartledge

Fiscal Officer