RESOLUTION NO. 2012-292  

First Reading Passage Requested  

(J. Dodson)  

SPONSOR Mr. Pry and Council of the Whole  

DATE July 30, 2012  

COMMITTEE Finance  

A Resolution endorsing FirstEnergy Solutions Corp.’s Price Stability Program offer to customers of the County of Summit’s opt-out electricity aggregation program to lock-in electric rates through an individual contract at a fixed price of $0.07 per kilowatt hour for a seven-year term, and authorizing the County Executive to execute any documents necessary to provide the County of Summit’s endorsement of the program, for the Executive, and declaring an emergency.  

WHEREAS, at the 5/2/02 primary election, voters in the townships of Bath, Boston, Copley, Coventry, Franklin, Northfield, Richfield, Sagamore Hills, Springfield, Twinsburg and the Village of New Franklin authorized the County of Summit on their behalf to create a governmental aggregation program for electricity; and  

WHEREAS, after a request for proposals process, County Council subsequently adopted Resolution No. 2002-523, which confirmed the award by the Board of Control of a contract (the “Master Services Agreement”) to FirstEnergy Solutions Corp. (“FirstEnergy”) to implement the County’s opt-out electricity aggregation program on behalf of all of the aforementioned communities; and  

WHEREAS, County Council most recently adopted Resolution No. 2009-400, which authorized the County Executive to execute, subject to the approval of the Board of Control, the fourth amendment to the Master Services Agreement to extend it for an additional six years, from its current termination date of 5/30/12 until 5/31/18, with a 6% discount for residential customers and a 4% discount for commercial customers and a one-time “Powering Our Communities” grant, in the amount of $1,129,072.00, to be paid by the County of Summit to communities participating in the County’s electricity aggregation program; and  

WHEREAS, FirstEnergy has proposed to the County that it partner with FirstEnergy in a Price Stability Program offer to customers of the County of Summit’s opt-out electricity aggregation program to lock-in electric rates through an individual contract at a fixed price of $0.07 per kilowatt hour for a seven-year term; and  

WHEREAS, while participating customers would be leaving the County’s opt-out electric aggregation program, the County desires to offer its citizens the ability to select the electric service option that best fits their individual needs; and  

WHEREAS, the County further desires to assist FirstEnergy, a local company that has well served customers in the County’s opt-out electric aggregation program for the past 10 years, in making the Price Stability Program successful; and
WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to endorse FirstEnergy Solutions, Corp.'s Price Stability Program offer to customers of County of Summit's opt-out electricity aggregation program to lock-in electric rates through an individual contract at a fixed price of $0.07 per kilowatt hour for a seven-year term, and authorize the County Executive to execute any documents necessary to provide the County of Summit's endorsement of the Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

County Council hereby endorses FirstEnergy Solutions Corp.'s Price Stability Program offer to customers of the County of Summit's opt-out electricity aggregation program to lock-in electric rates through an individual contract at a fixed price of $0.07 per kilowatt hour for a seven-year term. The County Executive is hereby authorized to execute any documents necessary to provide the County of Summit's endorsement of the Program and the County's logo may be used in literature related to the Program.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further purpose of immediately endorsing FirstEnergy Solutions Corp.'s Price Stability Program and authorizing the Executive to execute any documents necessary to provide the County’s endorsement of the Program to provides Summit County citizens the ability to select the electric service option that best fits their individual needs.

SECTION 3

Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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.
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INTRODUCED July 30, 2012

ADOPTED July 30, 2012

CLERK OF COUNCIL

APPROVED August 1, 2012

EXECUTIVE

ENACTED EFFECTIVE August 1, 2012

Voice Vote: 10-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee Rodgers, Roemer, Schmidt, Shapiro. Absent: Prentice