

VILLAGE OF McDONALD, OHIO

RESOLUTION NO. 1779-17

A RESOLUTION FOR THE PURPOSE OF ENTERING INTO A SERVICE AGREEMENT WITH NEXTERA ENERGY SOLUTIONS, LLC TO PROVIDE ELECTRICAL AGGREGATION SERVICES FOR THE VILLAGE OF McDONALD, OHIO, BEGINNING JANUARY, 2017 AND ENDING JANUARY, 2020.

WHEREAS, Council for the Village of McDonald previously enacted legislation authorizing the Village to establish an electricity aggregation program pursuant to Section 4928.20 of the Ohio Revised Code (the “Electricity Aggregation Program”) for the residents, businesses and other electric consumers located within the Village, and for that purpose, to act jointly with any other village, city, township, municipal corporation, county or other political subdivision of the State of Ohio, as permitted by law;

WHEREAS, in 2010, the Village joined the Northeast Ohio Public Energy Council (“NOPEC”) to act jointly with other member political subdivisions and thereby maximize the potential benefits of electricity deregulation through group purchasing efforts;

WHEREAS, after FirstEnergy Solutions’ recent decision to terminate its contract with NOPEC, NOPEC recently approved a three year contract with NextEra Energy Services Ohio, a subsidiary of Florida-based NextEra Energy Resources, to supply power to some 500,000 Northeast Ohio residential and commercial customers;

WHEREAS, NextEra Energy Solutions, LLC is certified by the Public Utilities Commission of Ohio (“PUCO”) as a competitive retail electric service provider to sell competitive retail electric service to customers in the State of Ohio utilizing the existing transmission and distribution systems;

WHEREAS, NextEra Energy Solutions, LLC sells competitive retail electric service and related services to inhabitants of municipal corporations, boards of township trustees, or boards of county commissioners acting as governmental aggregators for the provision of competitive retail electric service under authority conferred under Ohio Revised Code Section 4928.20; and

WHEREAS, Council for the Village of McDonald, through its relationship with NOPEC, desires to enter into a mutually beneficial energy and services provisions relationship agreement with NextEra Energy Solutions, LLC, whereby NextEra Energy Solutions, LLC will provide competitive retail electric service and related administrative services necessary to assist the Village in establishing and facilitating its established Aggregation Program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF McDONALD, TRUMBULL COUNTY, STATE OF OHIO, that:

Section I. The Mayor and Fiscal Officer are hereby authorized to enter into an agreement, beginning January, 2017 and ending January, 2020, with NextEra Energy Solutions, LLC to

provide competitive retail electric service to residents and businesses in the Village at a reduced and to provide related administrative services necessary to assist the Village in facilitating its Aggregation Program.

Section II. The Mayor and Fiscal Officer are hereby authorized to take any action necessary for the Village to comply with Ohio Revised Code Section 4928.20 in facilitating its Aggregation Program.

Section III. The Mayor and Fiscal are hereby authorized to take any action necessary to enable the Village to obtain certification with the PUCO as a Governmental Aggregator and all action necessary to maintain said certification.

Section IV. The passage of this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Section V. This Resolution shall be in full legal force and effect from the earliest period allowed by law.

Passed in Council this 4th day of January, 2017.

Mayor

Attest to:

Fiscal Officer

Posted: 1/6/17