

ORDINANCE NO. 828

ORDINANCE AUTHORIZING RENEWAL OF AGGREGATION PROGRAM FOR ELECTRICAL LOAD

WHEREAS, Under Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (“the Act”) a municipality may operate an electric aggregation program as an opt-out program for residential and small commercial retail customers, if a referendum is passed by a majority vote of the residents pursuant to the requirements under the Act; and

WHEREAS, the City of Momence, Illinois (City”) submitted the question to referendum in the November 6, 2012 election and a majority of the electors voting on the question Voted in the affirmative; and

WHEREAS, the Corporate Authorities hereby find that it is in the best interest of the Village to continue to operate the aggregation program under the Act as an opt-out program and to enter into an additional contract with a supplier pursuant to the terms of the Act. However, the final decision will be based upon market pricing and the City retains the option of suspending the program and returning all participants back to Commonwealth Edison.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Momence, Kankakee County, Illinois, As Follows:

SECTION 1: That the Preamble of this Ordinance is declared to be true and correct and is incorporated by reference herein.

SECTION 2:

- A. Pursuant to Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (the “Act”) the Corporate Authorities of the City are hereby authorized to aggregate, in accordance with the terms of the Act, residential and small commercial retail electrical loads located within the corporate limits of the City, and for the at purpose may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.
- B. The Aggregation Program for the City shall continue to operate as an opt –out program for residential and small commercial retail customers.
- C. As an opt-out program, the Corporate Authorities of the City shall fully inform residential and small commercial retail customers in advance that they have the right to opt-out of the Aggregation Program before the resident or commercial

account is renewed. The disclosure and information provided to the customers shall comply with the requirements of the Act.

- D. The Corporate Authorities hereby grant the Kankakee County Chairman, or his designee the specific authority to execute a contract without further action by the Corporate Authorities and with the authority to bind the City.

- E. The City will again engage NIMEC, who managed the initial aggregation and subsequent renewal. NIMEC will solicit bids from multiple suppliers and consult with the City in our decision to select the supplier that best meets our needs. NIMEC will also assist with the conversion process, and provide assistance to residents with questions.

SECTION 3: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED THIS 19th DAY OF JUNE, 2017

AYES: Salomone, Navratil, Metz, Clark, Rehmer, Cook, Temple

NAYS: _____

ABSENT: Cope

Christy Ritter, City Clerk

APPROVED THIS 19th DAY OF JUNE, 2017