

**ORDINANCE NO. 2014-05**

**ORDINANCE AUTHORIZING THE RENEWAL OF THE ELECTRICAL AGGREGATION PROGRAM FOR THE VILLAGE OF WEST DUNDEE**

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 Village of West Dundee, Illinois ("Village") submitted the question to referendum in the March 20, 2012 election and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the Village subsequently implemented its initial opt-out aggregation program in 2012 with the term of the supplier agreement to end based on scheduled final meter read dates in August 2014; and

WHEREAS over 2,300 residences and small businesses were originally enrolled in the program, and the aggregate savings for the first 15 months of the program have totaled \$242 per household translating to a savings of approximately \$600,000 throughout the entire community; and

WHEREAS, the Village Board 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 Village retains the option of suspending the program and returning all participants back to Commonwealth Edison.

NOW THEREFORE, BE IT ORDAINED by the Village Council of the Village of West Dundee, Kane 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: 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 Village 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 Village, and for that 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.

A. The Aggregation Program for the Village shall continue to operate as an opt-out program for residential and small commercial retail customers.

- B. As an opt-out program, the Corporate Authorities of the Village 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.
- C. The Corporate Authorities hereby grant the Village Manager or his/her designee the specific authority to execute a contract without further action by the Corporate Authorities and with the authority to bind the Village.
- D. The Village will again engage NIMEC, who managed the initial aggregation. NIMEC will solicit bids from multiple suppliers and consult with the Village 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 7th DAY OF APRIL, 2014.

AYES: Trustee Kembitzky, Price, Hanley, Yuscka and Wilbrandt

NAYS:

ABSENT: Trustee Pflanz

  
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Christopher Nelson, Village President

ATTEST:

  
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Barbara Traver, Village Clerk