

ORDINANCE NO. O-14-016

**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 Wood Dale, Illinois (“City”) submitted the question to referendum in the April, 2011 election and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the City subsequently implemented its initial opt-out aggregation program in the Fall of 2011 with the term of the supplier agreement to end based on scheduled final meter read dates in July 2014; and

WHEREAS, over 3,600 residences and small businesses were originally enrolled in the program, and the aggregate savings for the first 25 months of the program have totaled \$281/household and \$1,840,000 throughout the entire community; and

WHEREAS, the Corporate Authorities hereby find that it is in the best interest of the City 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 WOOD DALE, DUPAGE 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 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.

- 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 Mayor, 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 City.
- E. The City will again engage NIMEC, who managed the initial aggregation. 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 5th day of June, 2014.

AYES:Aldermen Catalano, Jakab, Lazzara, Susmarski, E. Wesley, R. Wesley, and Winger

NAYS:Alderman Woods

ABSENT:None

APPROVED this 5th day of June, 2014.

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Shirley J. Siebert
Shirley J. Siebert, City Clerk