

EMERGENCY

KKF

- 2025

AUTHORIZING the scheduling of two public hearings to consider approving the Plan of Operation and Governance for the Southeast Ohio Public Energy Council and enabling the City to act jointly with other municipalities, townships, counties, and other political subdivisions to maximize the potential benefits of electricity procurement through group purchasing efforts in a retail electric aggregation program.

WHEREAS, on August 3, 2011, Council passed Ordinance No. 270-2011, authorizing a ballot initiative to implement an opt-out electric aggregation program ("Electric Service Aggregation Program"); and

WHEREAS, Cincinnati voters passed the ballot initiative to implement an Electric Service Aggregation Program, authorizing the City Manager to exercise the authority granted by voters jointly with other political subdivisions of the State of Ohio and to execute and deliver any necessary agreements with such other political subdivisions to establish an Electric Service Aggregation Program; and

WHEREAS, the City successfully implemented its own Electric Service Aggregation Program, saving the City's electric customers a substantial amount of money on their electric bills; and

WHEREAS, the Southeast Ohio Public Energy Council ("SOPEC") was created to enable multiple political subdivisions in Ohio to form larger pools of customers to achieve an even greater savings for electricity for the City's electric customers through group purchasing; and

WHEREAS, prior to joining SOPEC, political subdivisions are required to hold two public hearings on the Plan of Operation and Governance (the "Plan") for the SOPEC Electric Service Aggregation Program; and

WHEREAS, Council finds it is in the best interest of the City and its residents to hold two public hearings necessary to allow the City to join SOPEC in order to save residents and businesses in the City even more on their electric bills; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Council shall hold at least two public hearings on the Plan of Operation and Governance (the "Plan") for the Southeast Ohio Public Energy Council ("SOPEC") Electric Service Aggregation Program substantially in the form as attached and on file for inspection with the Clerk. Notice of the hearings shall be published once a week for two consecutive weeks in a

newspaper of general circulation in the City. The notice shall summarize the Plan and state the date, time, and location of each hearing.

Section 2. That, as provided by Ohio Revised Code 4928.20, no plan adopted by Council shall aggregate any retail electric customer in the City that is not a mercantile customer under state law unless the City in advance clearly discloses to the person whose retail electric service is to be so aggregated that the person will be enrolled automatically in the Electric Service Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Electric Service Aggregation Program the opportunity to opt out of the program once every three years, without paying a switching fee. Any such person that opts out of the Electric Service Aggregation Program pursuant to the stated procedure shall default to the electric distribution utility providing distribution service for the person's retail electric service load, until the person chooses an alternative supplier.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6, of the Charter, be effective immediately. The reason for the emergency is the immediate need to hold the public hearings necessary to allow the City to join SOPEC, in order to achieve greater savings for the City's electric customers as soon as possible.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk