

CERTIFICATION

POSTED:

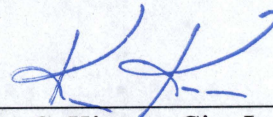
STATE OF OHIO, COUNTY OF PICKAWAY, SS:

I, Kendra C. Kinney, Law Director of the City of Circleville, Ohio, do hereby certify that the attached ordinance is a true and correct copy of the original Ordinance No. 12-79-2021 passed by the Council of the City of Circleville on December 30, 2021 which has been taken and copied from the records of the proceedings of said Council of said City of Circleville.

IN WITNESS WHEREOF, I have signed my name on this 3rd day of March, 2025.

Signed:

CITY OF CIRCLEVILLE
PICKAWAY COUNTY, OHIO



Kendra C. Kinney, City Law Director

CERTIFICATION

POSTED:

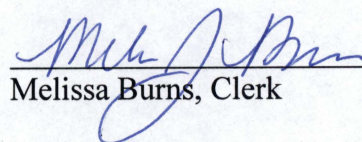
STATE OF OHIO, COUNTY OF PICKAWAY, SS:

I, Melissa Burns, Clerk of the City of Circleville, Ohio, do hereby certify that the attached ordinance is a true and correct copy of the original Ordinance No. 12-79-2021 passed by the Council of the City of Circleville on December 30, 2021 which has been taken and copied from the records of the proceedings of said Council of said City of Circleville.

IN WITNESS WHEREOF, I have signed my name on this 16 day of March, 2025.

Signed:

CITY OF CIRCLEVILLE
PICKAWAY COUNTY, OHIO


Melissa Burns, Clerk

Ordinance 147

RECORD OF ORDINANCES

Ordinance No. 12-79-2021 Passed 12-30-, 2021

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF CIRCLEVILLE THE QUESTION AS TO WHETHER OR NOT TO ADOPT A WHOLESALE ELECTRICITY PURCHASE/RENEWABLE ENERGY PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, Council believes it may be in the best interest of the citizens of the city to combine the buying power of the residents to obtain more wholesale pricing on the electricity that they use as well as obtaining cleaner energy options; and

WHEREAS, similar programs have been adopted in other cities around the Central Ohio area; and

WHEREAS, in order to implement a wholesale electricity purchase/renewable energy program council has determined that it is necessary to submit the question as to whether to adopt such a program to the electors of the city at the Primary Election to be held on May 3, 2022; and

WHEREAS, in order for this issue to be on the May 3, 2022 ballot, it is necessary that this legislation be passed and in effect at least 45 days prior to said election.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, County of Pickaway, State of Ohio, as follows:

SECTION I: That the question "shall a Wholesale Electricity Purchase/Renewable Energy Program be adopted for the City of Circleville?" shall be submitted to a vote of the qualified electors of the City of Circleville at the Primary Election to be held on May 3, 2022 at the regular places and hours of voting in said City of Circleville as established by the Board of Elections of Pickaway County, Ohio. The question shall be submitted in the following form:

"Shall a Wholesale Electricity Purchase/Renewable Energy Program be adopted for the City of Circleville?" followed by the words "A majority vote is necessary for passage."

To the left of such wording shall appear, in boxes with appropriate places of marking, the words "Yes" and "No", and each voter shall indicate his or her vote by placing an appropriate mark in one of the places so provided or otherwise clearly shown on the voting machine as the Pickaway County Board of Election may determine.

SECTION II: That the question of adopting the program shall be placed on the ballot per the Ohio Secretary of State and Ohio Revised Code Guidelines.

SECTION III: That the Clerk of Council is hereby directed to certify a copy of this Ordinance within seven (7) days passage to the Board of Elections of Pickaway County, Ohio.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, a vote of two-thirds or more of voting members consenting; and that all deliberations of the Council and any of its committees that resulted in such formal action where in meetings open to the public in compliance with all legal requirements.

SECTION V: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the citizens of the City of Circleville, such emergency arising out of the immediate need for the passage of this Ordinance to provide sufficient time to have this issue

RECORD OF ORDINANCES

Ordinance No. 12-29-2021 Passed 12-30-, 2021

placed on the May 3, 2022 ballot, so that this ordinance shall take effect and be in force immediately from and after its passage and approval by the mayor.

PASSED: 12-30-2021 Barry D. Keller
PRESIDENT OF COUNCIL

ATTEST:
John M. Chazy
CLERK OF COUNCIL

APPROVED:
Date: 01/03/2022 Richard R. McElroy
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy
GARY D. KENWORTHY
CIRCLEVILLE CITY LAW DIRECTOR

RECORD OF ORDINANCES

Ordinance No.

12-19-21

Passed

20

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF CIRCLEVILLE THE QUESTION AS TO WHETHER OR NOT TO ADOPT A WHOLESALE ELECTRICITY PURCHASE/RENEWABLE ENERGY PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, Council believes it may be in the best interest of the citizens of the city to combine the buying power of the residents to obtain more wholesale pricing on the electricity that they use as well as obtaining cleaner energy options; and

WHEREAS, similar programs have been adopted in other cities around the Central Ohio area; and

WHEREAS, in order to implement a wholesale electricity purchase/renewable energy program council has determined that it is necessary to submit the question as to whether to adopt such a program to the electors of the city at the Primary Election to be held on May 3, 2022; and

WHEREAS, in order for this issue to be on the May 3, 2022 ballot, it is necessary that this legislation be passed and in effect at least 45 days prior to said election.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, County of Pickaway, State of Ohio, as follows:

SECTION I: That the question "shall a Wholesale Electricity Purchase/Renewable Energy Program be adopted for the City of Circleville?" shall be submitted to a vote of the qualified electors of the City of Circleville at the Primary Election to be held on May 3, 2022 at the regular places and hours of voting in said City of Circleville as established by the Board of Elections of Pickaway County, Ohio. The question shall be submitted in the following form:

"Shall a Wholesale Electricity Purchase/Renewable Energy Program be adopted for the City of Circleville?" followed by the words "A majority vote is necessary for passage."

To the left of such wording shall appear, in boxes with appropriate places of marking, the words "Yes" and "No", and each voter shall indicate his or her vote by placing an appropriate mark in one of the places so provided or otherwise clearly shown on the voting machine as the Pickaway County Board of Election may determine.

SECTION II: That the question of adopting the program shall be placed on the ballot per the Ohio Secretary of State and Ohio Revised Code Guidelines.

SECTION III: That the Clerk of Council is hereby directed to certify a copy of this Ordinance within seven (7) days passage to the Board of Elections of Pickaway County, Ohio.

SECTION IV: It is found and determined that all formal actions of this Council

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, 20____

placed on the May 3, 2022 ballot, so that this ordinance shall take effect and be in force immediately from and after its passage and approval by the mayor.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

APPROVED:

Date: _____
MAYOR

APPROVED AS TO FORM:

GARY D. KENWORTHY
CIRCLEVILLE CITY LAW DIRECTOR

REVIEWED BY ATTORNEY
AND APPROVED AS TO FORM

An Order to Submit to the Election of the City of
Victoria the Question as to whether or not to adopt the
Universal Elective System for Municipal Councils
Program and Declaration in English

Whereas Council of the City of Victoria has the honor
to acknowledge the receipt of the petition of the City of Victoria
signed by the citizens of the City of Victoria who have
submitted that they are in favor of the adoption of the
Universal Elective System

Whereas the Council of the City of Victoria has the honor
to acknowledge the receipt of the petition of the City of Victoria
signed by the citizens of the City of Victoria who have
submitted that they are in favor of the adoption of the
Universal Elective System

Whereas the Council of the City of Victoria has the honor
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Universal Elective System

Whereas the Council of the City of Victoria has the honor
to acknowledge the receipt of the petition of the City of Victoria
signed by the citizens of the City of Victoria who have
submitted that they are in favor of the adoption of the
Universal Elective System

Now therefore

Do I

Gary Kenworthy

From: Matthew J. Nicklas <mnicklas@pickawaycountyohio.gov>
Sent: Wednesday, December 8, 2021 10:15 AM
To: David Crawford; Gary Kenworthy
Cc: John Howley
Subject: RE: help with locating ordinance
Attachments: 936.pdf

David/Gary,

Section 3 of Ordinance 51 seems over specific. I am attaching the template that would be used for the ballot language from the Questions and Issues Handbook.

I would think that something to the effect of "the question should be placed on the ballot per the Ohio SOS and ORC guidelines" would be sufficient, however I am not a lawyer. As I read the text of Section 3 in ordinance 51, it appears to obligate us to ask the question twice on the ballot rather than following the ballot layout that the SOS provides.

These are just my thoughts on the matter.

Thank you,

Matthew Nicklas, Director

Pickaway County Board of Elections
141 West Main Street, Suite 800
Circleville, Ohio 43113
(740) 474-1100 main
(740) 474-8077 desk
mnicklas@pickawaycountyohio.gov

From: David Crawford <davidcrawford43113@gmail.com>
Sent: Wednesday, December 8, 2021 9:26 AM
To: Gary Kenworthy <lawdirector@rroho.com>; Matthew J. Nicklas <mnicklas@pickawaycountyohio.gov>
Subject: Fwd: help with locating ordinance

Gary, following last night's meeting the committee of the whole voted to pursue electric aggregation. The first step is a resolution to get the issue on the May 3 ballot (BOE deadline is Feb. 2). Council would like to have the resolution at the Dec. 21 meeting for a vote. Below is a sample (ordinance #51) from Portsmouth. It's probably more than what you need. If successful at the ballot, I imagine city council will need to have another ordinance to go out to bid or join an existing co-op. The speaker last night offered to provide the ballot language (and campaign support), but as a potential vendor, engaging with her company might be construed as a conflict.

I'm copying Matthew at the BOE. Perhaps if he sees a need to modify the resolution for BOE requirements he can let you know.

thanks. david

Electric Aggregation (By Petition)*R.C. 4928.20(B) & (E)

Template #936

PROPOSED (ORDINANCE/RESOLUTION)	
ELECTRIC AGGREGATION	
(By Petition)	
(name of county, city, village, or township)	
A majority affirmative vote is necessary for passage	
Shall the _____ have the authority to aggregate	
(name of county, city, village, or township)	
the retail electric loads located in the _____, and	
(name of county, city, village, or township)	
for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?	
☐	YES
☐	NO

***Note:**

If not proposed by petition, please delete "(By Petition)" from heading.

ORDINANCE

Year - 2021 Number 22

To submit to the electors of the City of Portsmouth, Ohio at the next General Election to be held on the 2nd day of November 2021, the question of whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program.

Whereas, at the February 8, 2021 City Managers Conference Agenda renewable energy was discussed. From the discussion it was decided to move forward with asking the citizens of the City of Portsmouth by vote in the 2021 General Election if they would like to move forward with essentially pulling together the buying power of the residents of Portsmouth to obtain more wholesale pricing on the electricity that they use as well as getting cleaner energy options. Similar programs have been adopted in Chillicothe and Athens. If approved by the votes in November future legislation will be needed; and

Whereas, City Council has determined that the question of whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program shall be submitted to the electors of the City of Portsmouth at the General Election to be held on the 2nd day of November 2021; and

Whereas, it is necessary in order that this question appear on the ballot at the General Election to be held on the 2nd day of November 2021, that this ordinance be passed and become effective at least forty-five (45) days prior to said election. Now, therefore,

BE IT ORDAINED by the City Council of the City of Portsmouth, Ohio:

SECTION I. That there be submitted to the Electors of the City of Portsmouth, Ohio at the General Election to be held on the 2nd day of November 2021, the question of whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program.

SECTION II. That the question of whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program be submitted to the voters of said City of Portsmouth, Ohio at the General Election to be held on the 2nd day of November 2021, at the regular voting places within the City of Portsmouth, Ohio, between the hours prescribed by law.

SECTION III. That the ballot used for the voting on said proposed question shall have printed across the top thereof and below the stub the words "OFFICIAL QUESTION AND ISSUE BALLOT."

The printed matter pertaining to this issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot.

Immediately below such top line shall be printed the words "Proposed Question of whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program" followed by the words "A majority vote is necessary for passage."

Immediately below such brief title and statement of the percentage of affirmative votes required for passage, shall be printed a condensed text of the issue. The condensed text to be printed upon the ballot shall be as follows:

"Whether or not to adopt a Wholesale Electricity Purchase/Renewable Energy Program."

Immediately below the ballot title or printed condensed text of the issue shall appear the following, one above the other, in the order indicated:

FOR THE WHOLESALE ELECTRICITY PURCHASE/RENEWABLE
ENERGY PROGRAM

AGAINST THE WHOLESALE ELECTRICITY PURCHASE/RENEWABLE
ENERGY PROGRAM

Adjacent to each proposition, there shall be a method by which the elector may vote for or against the proposed issue, as provided on the Computer Election Systems.

SECTION IV. That the City Clerk be and she hereby is directed forthwith to certify a copy of this ordinance to the Board of Elections of Scioto County, Ohio.

SECTION V. The City Clerk of the City of Portsmouth, Ohio is hereby authorized and directed to publish the within ordinance by posting a true and authenticated copy thereof on the bulletin board in the lobby of the second floor of the Municipal Building located at 728 Second Street in the City of Portsmouth, for a period of not less than fifteen (15) days.

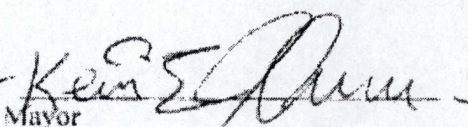
SECTION VI. This ordinance was passed and all actions and deliberations of the Council relating thereto were conducted in meetings open to the public pursuant to Section 121.22 of the Ohio Revised Code.

SECTION VII. This Ordinance shall be in force and effect from and after its passage.

Passed this 12th day of April, 2021.

Attest:


City Clerk


Mayor

Gary Kenworthy

From: David Crawford <davidcrawford43113@gmail.com>
Sent: Wednesday, December 8, 2021 9:26 AM
To: Gary Kenworthy; Matthew J. Nicklas
Subject: Fwd: help with locating ordinance
Attachments: Ordinance #22 - Submit to the Electors Wholesale Electricity Purchase Renewable Energy Program.pdf; Ordinance #51 - Opt-Out Electric Service Aggregation Program Repeal #22 of 2021.pdf

Gary, following last night's meeting the committee of the whole voted to pursue electric aggregation. The first step is a resolution to get the issue on the May 3 ballot (BOE deadline is Feb. 2). Council would like to have the resolution at the Dec. 21 meeting for a vote. Below is a sample (ordinance #51) from Portsmouth. It's probably more than what you need. If successful at the ballot, I imagine city council will need to have another ordinance to go out to bid or join an existing co-op. The speaker last night offered to provide the ballot language (and campaign support), but as a potential vendor, engaging with her company might be construed as a conflict.

I'm copying Matthew at the BOE. Perhaps if he sees a need to modify the resolution for BOE requirements he can let you know.

thanks. david

----- Forwarded message -----

From: Diana Ratliff <DRatliff@portsmouthoh.org>
Date: Wed, Dec 8, 2021 at 8:10 AM
Subject: RE: help with locating ordinance
To: David Crawford <davidcrawford43113@gmail.com>

Good Morning Mr. Crawford,

Please find attached the ordinances that were passed regarding the electric aggregation. Ordinance #22 was passed in April (this was built off of a sample that the company gave us), but right before the cut-off to be on the ballot, the company came back to the city and apologized and said they had sent us the wrong sample ordinance, so we coordinated a special meeting and passed ordinance #51 which went on the ballot. However, the item was voted down by the citizens of Portsmouth.

I hope this is what you needed, let me know if you need anything further.

Diana Ratliff

Portsmouth City Clerk

728 2nd Street, Suite 24

Portsmouth, Ohio 45662

dratliff@portsmouthoh.org

740-354-4706



From: David Crawford <davidcrawford43113@gmail.com>

Sent: Tuesday, December 7, 2021 10:04 PM

To: Diana Ratliff <DRatliff@portsmouthoh.org>

Subject: help with locating ordinance

Ms. Ratcliff, I'm the president of Circleville city Council and we heard a presentation tonight on electric aggregation. Would you mind emailing me a copy of the resolution your council passed to place the question on your ballot?

thank you. david

Electric & Natural Gas Aggregation

City of Circleville

NOPEC
No one should want to
leave their utility bill.

Energy Deregulation

Gas deregulation began in Ohio in 1997 – HB 476

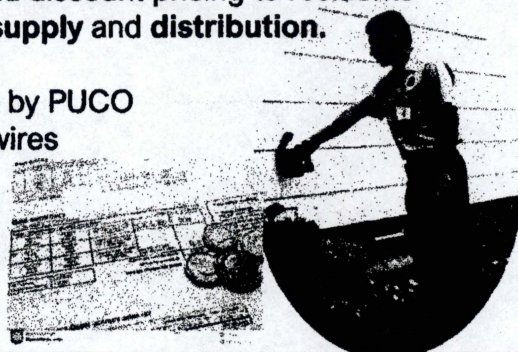
Electric deregulation began in 2001 - SB 3

GOAL: Provide choice and discount pricing to residents

METHOD: Separate the **supply** and **distribution**.

Utilities are still regulated by PUCO

- Provide pipes and wires
- Read your meter
- Send the bills



Benefits of Aggregation

Opt-out aggregation, meaning participants are included unless they opt-out, was included in the deregulation legislation to allow communities to provide these beneficial programs to its residents.

- Potential for savings due to larger buying power
- Ability to negotiate better Terms and Conditions
- Allows for more options in pricing/green options
- Protects participants from confusing or misleading offers



NOPEC
No one does more to
lower your utility bills.

Eligibility

Not all residents and businesses will be eligible to participate in an aggregation program. Below are those not eligible:

- Those who have already selected an alternate supplier
- PIPP participants (assistance program to help pay utility bills)
- Large businesses over certain usage limits
- Those on the PUCO/Utility Do Not Aggregate Lists



NOPEC
No one does more to
lower your utility bills.

Necessary Actions

- In order to provide an aggregation program (gas and/or electric), a community must place the issue before the voters.
- Must be filed with the County Board of Elections 90 days before the election
- Deadline for May 2022 election is February 3, 2022
- Once the ballot issue passes, the City is not mandated to move forward with an aggregation program. The election only gives the city the authority to do so.



How is NOPEC Different from Other Suppliers/Brokers?

- Non-profit
- Member-directed
- Committed to serving the interests of the communities and publics we represent
- Robust consumer advocacy agenda
- Accessibility & Service: Dedicated Relationship Management Team
- Transparency, Longevity & Financial Stability
- Develop products and programs based on ongoing outreach and research with customers and communities



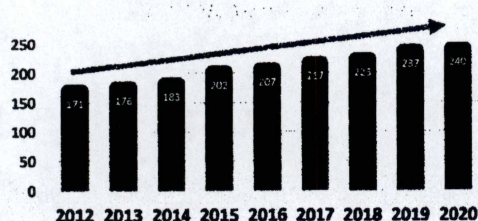
NOPEC Membership

Non-Profit Council of Governments

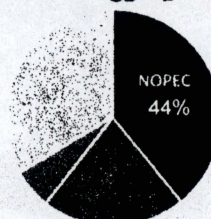
- Operated by the members for the members

Largest Public Energy Aggregation in Ohio

- 520,000+ electric and 425,000+ gas customers
- 242 communities in 19 counties



Total Ohio Aggregations



NOPEC: The Safe Choice

No Risk Terms and Conditions

Keep it Simple: NOPEC offers more product choices than any other aggregator and no penalty to change rate plans

Beware of For-Profit Competitor Offers

ONE MONTH FREE!!!

(If you pay 239% more for 11 months)

\$2.17 Natural Gas and Rewards Card!

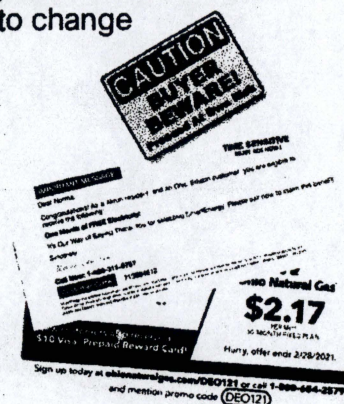
(for 10 months only – then 'index rate')

"Preferred Supplier"

(utilities can't have preferred suppliers)

15,000 Rapid Rewards Points

(and then pay an unpredictable 'discretionary' variable rate)



NOPEC Governance

Member-directed: Every community has a voice

- Each county/region has a vote in electing their representative to the NOPEC Board of Directors
- Each community appoints a representative to the NOPEC General Assembly

The General Assembly:

- Decides on the rules under which the organization is governed
- Votes on the annual budget

2021 NOPEC BOARD OF DIRECTORS

WILLIAM KOONS <i>Geauga County</i>	PAUL BARNETT <i>Medina County</i>	MARK BECKDAHL <i>Southwest Ohio</i>
RON MCVOY <i>Ashtabula County</i>	G. STUART O'HARA <i>Huron County</i>	MICKEY MAROZZI <i>Portage County</i>
DAVID SCHEFFLER <i>Central Ohio</i>	HOLLIE BARTONE <i>Lake County</i>	ANDREW SMALLSTEY <i>Richland County</i>
JOHN ZEHENTBAUER <i>Columbiana County</i>	DAVE LESHINSKI <i>Lorain County</i>	AARON MONTZ <i>Seneca County</i>
GEORGINE WELD <i>Cuyahoga County</i>	ROBERT MCCracken <i>Mahoning County</i>	STEVE PATTERSON <i>Southeast Ohio</i>
		DOUG FRANKLIN <i>Trumbull County</i>
		JOE MAZZOLA <i>Stark County</i>
		NICK MOLNAR <i>Summit County</i>

The NOPEC
Board meets
a minimum of
6x/year

NOPEC
No one does more to
lower your utility bill.

APPENDIX

NOPEC
No one does more to
lower your utility bill.

The NOPEC Mission

NOPEC exists to:

Serve our Member Communities and Consumers

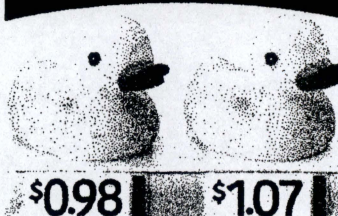
NOPEC Core Focus:

Aggregate, Educate, and Advocate To
Maximize the Value of Membership

NOPEC's 3 Uniques:

1. Competitive Pricing
2. We Give Something Back
3. We've Got Your Back

We buy in bulk to save you money.



We buy bulk energy and pass the savings on to you

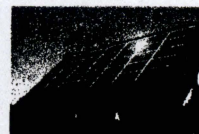


NOPEC's Three Uniques

We Give Something Back

Exclusive Member-Benefit Programs:

- **NOPEC Grants**
 - \$22,000,000 grant awards over the past four years
- **NOPEC Event Sponsorships**
 - \$1,200,000 sponsorship awards in past four years
- **Low-Interest Commercial & Industrial Loans**
 - PACE and STEP financing for energy improvement
- **Dedicated Community Liaison**
 - Provide information and access to all off NOPEC's resources



NOPEC's Three Uniques

We Give Something Back

Exclusive Member-Benefit Programs:

- **Community Outreach Programs**
 - Senior programming and education tools for schools and libraries
- **Do Not Knock Program**
 - Turnkey program maintained by NOPEC that prohibits door to door solicitation to enrolled households
- **Energy Advisor Program**
 - No cost analysis of your energy usage and costs



NOPEC
No one does more to
lower your utility bill.

NOPEC's Three Uniques

We Give Something Back

NOPEC Preferred Pricing Program

- Wholesale electric and natural gas pricing available to member communities for their publicly owned buildings and facilities
- Prices published on web as a resource to compare existing private supply contracts or consultant offers
- Multiple year fixed prices with no early termination fee

Example of recent Preferred Saving Enrollments:

- Kent City = \$47,720 annual savings
- East Cleveland = \$18,000 annual savings
- Lyndhurst = \$59,000 annual savings

Annual accumulated
savings to-date:
\$635,000+

NOPEC
No one does more to
lower your utility bill.

NOPEC's Three Uniques

We Have Your Back

NOPEC works as a customer safety net protecting consumers from entering into costly deals with predatory retail suppliers

NOPEC offers:

- **Transparency** - no early termination fee, renewal rate, minimum term or automatic renewal
- **No Risk Terms and Conditions**
- **Peace of mind** - integrity, trust and safe, reliable pricing with flexibility to change rate plans



NOPEC
No one else wants to
lose your ability to pay.

NOPEC's Three Uniques

We Have Your Back

Consistently Competitive Pricing

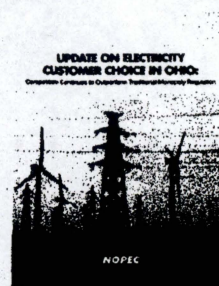
- NOPEC is your safe alternative in a volatile market

Excellent Customer Service

- 24/7 domestic customer call center staffed by live representative
- Dedicated Full-Time Relationship Manager

Active Consumer Advocacy Presence

- Columbus and Washington DC to protect against unreasonable rate increases and threats to our deregulated market



NOPEC
No one else wants to
lose your ability to pay.

NextEra Partnership

NextEra Energy Services Ohio, LLC is NOPEC's electric and natural gas supplier

- NESO's parent company, NextEra Energy, Inc. is a leading clean-energy company that is best-in-class among energy suppliers
- **NextEra is a Financially Strong Energy Industry Leader**
 - Fortune 200 company, with revenues of ~\$17.5 billion and ~45,000 MW of generating capacity
 - Currently the largest integrated utility company in the world by market capitalization
 - Rated A-, A-, and Baa1 by Fitch, S&P, and Moody's
- **Awards & Recognition**
 - Ranked #1 in the utilities industry on *Fortune's* 2020 list of "World's Most Admired Companies®"

NEXTERA
ENERGY

NOPEC
No one does more to
lower your utility bill.



The Safe Choice

For Your Community's Electricity and Natural Gas

Non-profit NOPEC
promotes peace of mind.
We offer our residents and businesses a safe
stable alternative to unpredictable market volatility
and predatory for-profit retail suppliers. We also
actively advocate at the state and national
levels to protect Ohio ratepayers.

NOPEC provides:

- Numerous competitively-priced product choices
 - No risk terms and conditions
 - 24/7 personal customer service
- Low rates are just the beginning.
We also give back to our 735+ communities
through exclusive member benefit programs.

- NOPEC Energy and Community (NEC) Grants.
\$18 million in energy-efficiency grants awarded
over the past three years
- NOPEC Event Sponsorship Program:
Supporting local community events

- Commercial & Industrial Loans:
Low interest rate funding for
energy improvements
 - Community Outreach Programs:
Senior programming and educational tools
for schools and libraries
 - Do Not Knock Programs:
Turnkey program prohibiting door-to-door
solicitation of enrolled households
 - Energy Advisor Program:
No-cost analysis of your energy usage and costs
 - NOPEC Preferred Pricing Program:
At-cost electric and natural gas pricing for
publicly owned facilities
- Stay safe. Save money.
As the largest not-for-profit energy aggregator in Ohio,
NOPEC buys electricity and natural gas in bulk
and passes the savings and benefits on to you.
Learn more at nopec.org

NOPEC
No one does more to
lower your utility bill.

31360 Solon Road
Suite 33, Solon, OH 44139
440-248-1992
nopec.org



- Link to summary of current programs/member benefits:
<https://www.nopec.org/communities/member-benefits/>
- Link to video on how to become a NOPEC community:
<https://www.nopec.org/communities/become-a-nopec-community/>
- Link to Community Map:
<https://www.nopec.org/communities/community-map/>
- Link to 2020 Annual Report
<https://www.nopec.org/media/2112/2020-nopec-annual-report.pdf>

NOPEC
No one does more to
lower your utility bill.

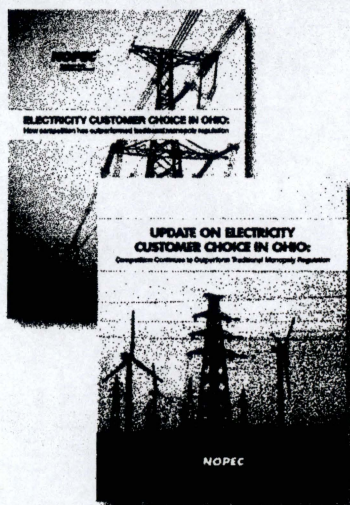
Advocating for Consumers

Opposing Unfair Rate Increases

Against Utilities Keeping
Illegally Received Funds

Advocating for Proof of Need
for Bailouts

Supporting the Repeal of Anti-
Renewable Energy Regulations



ORDINANCE

Year - 2021 Number 51

An ordinance authorizing all actions necessary to effect an opt-out electric service aggregation program pursuant to Section 4928.20, Ohio revised code, directing the city to submit a ballot question to the electors and repealing Ordinance No. 22 passed April 12, 2021. Pursuant to council rule 5, this legislation is requested to be passed as an emergency in accordance with section 10 of the charter for the city of Portsmouth in order to facilitate administration, daily operation and avoid practical and legal entanglements.

Whereas, under Section 4928.20, Ohio Revised Code, the City of Portsmouth, Ohio (the "City") is authorized to establish an opt-out electric aggregation program for the benefit of electric consumers located within the incorporated areas of the City; and

Whereas, under Section 4928.20, Ohio Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio; and

Whereas, governmental aggregation provides an opportunity for electricity consumers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually. Now, therefore,

BE IT ORDAINED BY THE City Council of the City of Portsmouth, Ohio:

SECTION I. This City Council finds and determines that it is in the best interest of the City and certain electric consumers located within the incorporated areas of the City to establish an opt-out electric aggregation program (the "Electric Aggregation Program"). Provided that this Ordinance and the Electric Aggregation Program is approved by the electors of the City pursuant to Section 2 of this Ordinance, the City is hereby authorized to aggregate, in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the incorporated areas of the City. For the Electric Aggregation Program, the City may enter into service agreements to facilitate the sale and purchase of service for retail electric loads. The City may exercise such authority jointly with any other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Ordinance.

SECTION II. The Board of Elections of Scioto County is hereby directed to submit the following question to the electors of the City at the general election on November 2, 2021 at the regular voting places within the City of Portsmouth, Ohio, between the hours prescribed by law:

Shall the City of Portsmouth have the authority to aggregate the retail electricity loads located within the incorporated areas of the City and enter into service agreements for the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?

SECTION III. That the ballot used for the voting on said proposed question shall have printed across the top thereof and below the stub the words "OFFICIAL QUESTION AND ISSUE BALLOT."

The printed matter pertaining to this issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed the words: "Shall the City of Portsmouth have the authority to aggregate the retail electricity loads located within the incorporated areas of the City and enter into service agreements for the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?" followed by the words "A majority vote is necessary for passage."

Immediately below such brief title and statement of the percentage of affirmative votes required for passage, shall be printed a condensed text of the issue. The condensed text to be printed upon the ballot shall be as follows:

"Shall the City of Portsmouth have the authority to aggregate the retail electricity loads located within the incorporated areas of the City and enter into service agreements for the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?"

Immediately below the ballot title or printed condensed text of the issue shall appear the following, one above the other, in the order indicated:

YES

NO

: :
: :

Adjacent to each proposition, there shall be a method by which the elector may vote for or against the proposed issue, as provided on the Computer Election Systems.

SECTION IV. The Clerk of this Council is instructed to file a certified copy of this Ordinance and the proposed form of the ballot question with the Scioto County Board of Elections not later than August 4, 2021, which is at least ninety (90) days prior to November 2, 2021. Ordinance No. 22 passed April 12, 2021 is hereby repealed. The Electric Aggregation Program shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

SECTION V. Upon the approval of a majority of the electors voting at the general election provided for in Section 2 of this Ordinance, the City shall develop a plan of operation and governance for the Electricity Aggregation Program (the "Plan"). Before adopting such Plan, the City shall hold at least two public hearings on the Plan. Before the first hearing, 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. 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 Electricity Aggregation Program the opportunity to opt-out of the program every three years, without paying a switching fee. Any such person that opts out of the Electricity Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under division (a) of Section 4928.14 or division (d) of Section 4928.35 Ohio Revised Code, until the person chooses an alternative supplier.

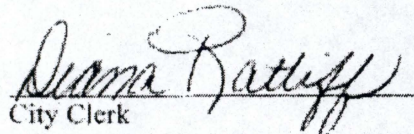
SECTION VI. The City Clerk of the City of Portsmouth, Ohio is hereby authorized and directed to publish the within ordinance by posting a true and authenticated copy thereof on the bulletin board in the lobby of the second floor of the Municipal Building located at 728 Second Street in the City of Portsmouth, for a period of not less than fifteen (15) days.

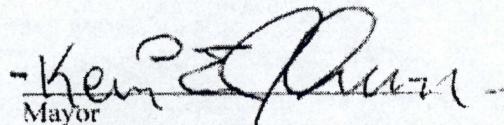
SECTION VII. This ordinance was passed and all actions and deliberations of the Council relating thereto were conducted in meetings open to the public pursuant to Section 121.22 of the Ohio Revised Code.

SECTION VIII. This Ordinance passed as an emergency measure shall be in force and effect from and after its passage.

Passed this 3rd day of August, 2021.

Attest:


City Clerk


Mayor