

CITY OF HUBBARD, OHIO
RECORD OF ORDINANCES AND RESOLUTIONS

GOVERNMENT FORMS AND SUPPLIES E2202235KV

RESOLUTION NO. 8-23

ORDINANCE NO.

PASSED JANUARY 2 2023

CITY OF HUBBARD, OHIO

RESOLUTION NO. 8-23

**RESOLUTION AUTHORIZING THE EXECUTION
OF THE 2023 NPP POWER POOL PARTICIPANT SCHEDULE
WITH AMERICAN MUNICIPAL POWER, INC. ("AMP")**

WHEREAS, the City of Hubbard, Ohio (the "Municipality"), is a political subdivision organized and existing pursuant to the laws of the State of Ohio that owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens and customers; and

WHEREAS, Municipality is located in the PJM Interconnection, LLC ("PJM") transmission system territory and is subject to the PJM transmission system regulations and costs as set forth in the PJM Governing Documents; and

WHEREAS, in order to satisfy the electric capacity, energy and other requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable capacity, energy and related services from American Municipal Power, Inc. ("AMP"), an Ohio non-profit corporation, of which the Municipality is a member, or has heretofore purchased capacity and energy arranged by AMP; and

WHEREAS, in order to take advantage of economies of scale and to recognize the joint scheduling, interconnection and operation, and transmission arrangements that AMP Members located in the ATSI transmission zone coordinate and share through AMP, those Members desire to form a combined pool NPP to jointly purchase, manage and coordinate power supplies and related services for Members executing this Schedule; and

WHEREAS, Municipality and AMP desire to enter into a Power Pool Participant Schedule ("Schedule") for the purpose of: (i) energy, capacity and related product scheduling and operations under the PJM Governing Documents and (ii) economic purchases of capacity, energy and related products for the beneficial use of Pool Participants.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HUBBARD, STATE:

SECTION 1. That the form of 2023 NPP Power Pool Participant Schedule attached hereto as "Exhibit 1" including Appendices thereto between this Municipality and AMP, be, and the same hereby is approved substantially in the form attached hereto, subject to and with any and all changes provided herein and therein.

SECTION 2. That the Mayor is hereby authorized and directed to execute and deliver on behalf of this Municipality the 2023 NPP Power Pool Participant Schedule, substantially in the form attached hereto as "Exhibit 1."

SECTION 3. That the Municipality authorizes AMP to purchase on the Municipality's behalf, in accordance with the procedures set forth in the 2023 NPP Power Pool Participant Schedule, and Municipality agrees to reimburse AMP for all costs incurred

by AMP for Pool Resources and services plus any service fees associated with the purchase of Pool Resources and services set forth therein.

SECTION 4. That the Electric Department Foreman is hereby designated as Municipality's authorized personnel to approve and authorize AMP's acquisition of Pool Resources and to vote on Pool activities in accordance with the terms and conditions in the 2023 NPP Power Pool Participant Schedule on behalf of Municipality.

SECTION 5. That the currently effective Pool Schedule is terminated by mutual agreement, as of the Effective Date of the 2023 Pool Schedule.

SECTION 6. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements.

SECTION 7. If any section, subsection, paragraph, clause or provision of any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of the Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

PASSED IN COUNCIL THIS 2nd DAY OF JANUARY, 2023.

William Williams
PRESIDENT OF COUNCIL

APPROVED:
John A. Kyle
MAYOR

APPROVAL DATE: 1-2-2024

FIRST READING: Dec 4, 23

SECOND READING: Dec 18, 23

THIRD READING: JAN. 2, 24

I hereby certify that the foregoing Resolution was published in the News of Hubbard on the date hereinbelow set forth and was posted at the Hubbard City Municipal Building and the Hubbard Police Department on the day hereinbelow set forth.

DATES OF PUBLICATION: _____ day of _____, 2023
POSTED: 3rd day of JANUARY, 2023
_____ day of _____, 2023
_____ day of _____, 2023

ATTEST:
Lamie Brown
CLERK OF COUNCIL