

City of Willoughby Hills

RESOLUTION NO. 2008-14

A RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION OF OHIO (PUCO) TO PREVENT FIRST ENERGY FROM MAKING EXCESSIVE PROFITS AT THE EXPENSE OF ECONOMICALLY-CHALLENGED, HARD-WORKING OHIOANS.

WHEREAS, the Northeast Ohio Public Energy Council (“NOPEC”) is a regional council of governments under Ohio law comprised of 126 member Ohio municipalities, counties and townships in eight (8) Northeast Ohio counties; and

WHEREAS, NOPEC currently operates governmental energy aggregation purchasing programs for electricity and natural gas and has arranged for the electric generation supply for about 400,000 retail electricity consumers whose distribution service is provided by The Cleveland Illuminating Company and Ohio Edison Company, both FirstEnergy Corporation companies; and

WHEREAS, NOPEC’s customers currently all take a “Standard Service Offer” (SSO) provided from Ohio Edison Company and The Cleveland Electric Illuminating Company and thereby are captive customers of FirstEnergy; and

WHEREAS, the City of Willoughby Hills is a member of NOPEC; and

WHEREAS, FirstEnergy has filed applications with the Public Utilities Commission of Ohio (PUCO) to establish an electric security plan or market rate offer as provided for in Amended Substitute Senate Bill 221; and

WHEREAS, FirstEnergy refuses to extend the current NOPEC generation discount from December 31, 2008 until FirstEnergy’s permanent electric rate plan is approved by the PUCO; and

WHEREAS, FirstEnergy’s refusal to extend the current NOPEC generation discount until FirstEnergy’s permanent electric rate plan is approved by the PUCO means that our residents will lose the current 5% NOPEC generation discount beginning January 1, 2009; and

WHEREAS, losing the current 5% NOPEC generation discount in these troubling and unstable financial times will result in undue hardship for our residents.

NOW BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, THE COUNTY OF LAKE, AND THE STATE OF OHIO THAT:

SECTION 1. The Council and Administration of the City of Willoughby Hills hereby requests that the Public Utilities Commission of Ohio (PUCO) requires FirstEnergy Solutions to continue and/or extend the NOPEC generation discount from December 31, 2008 until FirstEnergy’s permanent rate plan is approved.

SECTION 2. The Council and Administration of the City of Willoughby Hills hereby requests that the Public Utilities Commission of Ohio (PUCO) adopt the Northeast Ohio Public Energy Council’s recommendations and thereby eliminate the 1 cent/kwh minimum default service rider for NOPEC customers contained in the FirstEnergy Electric Security Plan Case #08-935-EL-SSO (Electric Security Plan) and #08-936-EL-SSO (Market Rate Option).

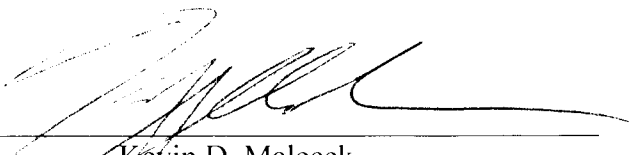
SECTION 3. The Council and Administration of the City of Willoughby Hills hereby requests that the Public Utilities Commission of Ohio (PUCO) eliminate or establish a credit for NOPEC customers for the proposed generation deferral to allow NOPEC to provide generation services to our residents after January 1, 2009.

SECTION 4. The Council and Administration of the City of Willoughby Hills hereby requests that the Public Utilities Commission of Ohio (PUCO) prevent FirstEnergy from making excessive profits at the expense of economically challenged hard-working Ohioans.

SECTION 5. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 6. This Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: December, 2008

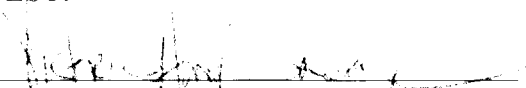


Kevin D. Malecek
President of Council

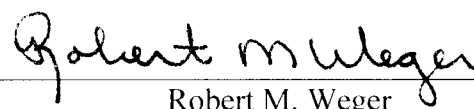
Submitted to the Mayor for his approval
on this 11 day of December, 2008

Approved by the Mayor
December 11, 2008

ATTEST:



Victoria Ann Savage, CMC
Clerk of Council



Robert M. Weger
Mayor