

VILLAGE OF WAYNESFIELD, OHIO

ORDINANCE NO. 24-2-2

ORDINANCE AUTHORIZING THE EXECUTION OF THE 2023 WASG POWER
POOL PARTICIPANT SCHEDULE WITH AMERICAN MUNICIPAL
POWER, INC. ("AMP") AND DECLARING AN EMERGENCY

WHEREAS, the Village of Waynesfield, 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 Dayton transmission zone coordinate and share through AMP, those Members desire to form a combined pool WASG 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 ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAYNESFIELD:

SECTION 1. That the form of 2023 WASG Power Pool Participant Schedule attached hereto as "Exhibit 1" including Appendices thereto between this Municipality and AMP, be, and the same hereby is approved and attached as "Exhibit 1."

SECTION 2. That the Village Administrator is hereby authorized and directed to execute and deliver on behalf of this Municipality the 2023 WASG Power Pool Participant Schedule, substantially in the form attached as "Exhibit 1," provided its form is approved by the Village Solicitor as to legal form and executed by the Village Solicitor as to legal form per statutory mandate.

SECTION 3. That the Municipality authorizes AMP to purchase on the Municipality's behalf, in accordance with the procedures set forth in the 2023 WASG 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 Village Administrator 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 WASG 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 Ordinance 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 Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of the Ordinance 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.

SECTION 8. That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of Municipality, and for the further reason that it is necessary to establish the most efficient plan possible to provide Pool Resources to the Municipality, therefore, this Ordinance shall be in effect from and immediately after its passage and approval by required Village Officials.

VOTE:

Ball: *yes*

Nickles: *yes*

Hutson: *yes*


EMERGENCY FIRST READING

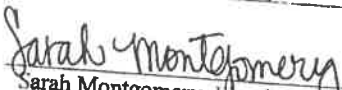
Miller: *yes*

Walti: *yes*

Fox: *yes*

Adopted: 2-26-24


Rodney Luma, Mayor

Attest: 
Sarah Montgomery, Fiscal Officer

APPROVED:

Approved as to form this 26 day of February, 2024.


Lynnette Dinkler, Village Solicitor