



Village of Downers Grove

Official Village Policy Approved by Village Council

Description:	ELECTRICAL AGGREGATION	
Res. or Ord. #:	Ord. 5263	Effective Date: 5/15/12
Category:	Legislative and General Management	
	<input checked="" type="checkbox"/> New Council Policy	
	Amends Previous Policy Dated: _____	
	Description of Previous Policy (if different from above): _____	

ORDINANCE NO. 5263

AN ORDINANCE AUTHORIZING AGGREGATION OF ELECTRICAL LOAD AND ADOPTING AN ELECTRIC AGGREGATION PLAN OF OPERATION AND GOVERNANCE

WHEREAS, the Illinois Power Agency Act 20 ILCS 3855 was recently amended to add Section 1-92 entitled Aggregation of Electrical Load by Municipalities and Counties (hereinafter referred to as the “Act”); and

WHEREAS, pursuant to the Act, the Village may operate the aggregation program under the Act as an opt-out program for residential and small commercial retail customers, if a referendum is passed by a majority vote of the residents pursuant to the requirements under the Act; and

WHEREAS, the Village submitted the question in a referendum on March 20, 2012, and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the Village Council hereby finds that it is in the best interest of the Village to operate the aggregation program under the Act as an opt-out program and to implement the program according to the terms of the Act; and

WHEREAS, the Act requires that prior to the implementation of an opt-out electrical aggregation program by the Village the Village must adopt an electrical power aggregation plan of operation and governance and hold not less than two (2) public hearings; and

WHEREAS, the Village held the required public hearings for the Electric Power Aggregation Plan of Operation and Governance on May 1, 2012 and May 15, 2012 and provided the required public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF DONWERS GROVE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Recitals. The Village Council finds that the recitals set forth above are true and correct.

Section 2. Finding. The Village Council finds and determines that it is in the best interests of the Village to operate the electric aggregation program under the Act as an opt-out program.

Section 3. Implementation.

- a. The Village Council is hereby authorized to aggregate in accordance with the terms of the Act residential and small commercial retail electrical loads located within the corporate limits of the Village, and for that purpose may solicit proposals and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.
- b. The Village Council may exercise such authority jointly with any other municipality or county and, in combination with two or more municipalities or counties, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality or county as required by the Act.
- c. The aggregation program for the Village shall operate as an opt-out program for residential and small commercial retail customers.
- d. The Village Council, consistent with the Act, shall develop a plan operation and governance for the aggregation program and shall conduct public hearings and provide such public notice as required by the Act.
- e. As an opt-out program, the Village shall fully inform residential and small commercial retail customers that they have the right to opt-out of the aggregation program. The disclosure and information provided to the customers shall comply with the requirements of the Act.
- f. The electric aggregation shall occur automatically for each person owning, occupying, controlling, or using an electrical load center proposed to be aggregated in the corporate limits of the Village, subject to a right to opt-out of the program as described under this Ordinance and the Act.

Section 4. Adoption of Plan of Governance. The Village Council hereby adopts the Electrical Power Aggregation Plan of Operation and Governance as set forth in Exhibit "A" attached hereto and made a part hereof as if fully set forth by this reference.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. That this Ordinance shall be in full force and effect from and after its passage as provided by law.

Martin T. Tully, Mayor

Passed:

Published:

Attest: April K. Holden, Village Clerk