

ORDINANCE NO. 2023- 30

AURORA TOWNSHIP, KANE COUNTY, ILLINOIS

**AN ORDINANCE AUTHORIZING RENEWAL OF AGGREGATION
PROGRAM FOR ELECTRICAL LOAD**

Recitals

WHEREAS, Under Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (the "Act") a municipality may operate an electric aggregation program 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 Aurora Township, Illinois ("Township") submitted the question to referendum in the November 6, 2012 election and a majority of the electors voting on the question voted in the affirmative; and, The Act requires that prior to the implementation of an opt-out electrical aggregation program by the Township; the Township must adopt an electrical power aggregation plan of operation and governance and hold not less than two (2) public hearings.

WHEREAS, The Township held the required Public Hearings for the Electric Power Aggregation Plan of Operation and Governance on February 9, 2013 and February 12, 2013 and provided the required public notice.

WHEREAS, the Township subsequently implemented its initial opt-out aggregation program in 2013; and,

WHEREAS, the Corporate Authorities hereby find that it is in the best interest of the Township to renew the aggregation program under the Act as an opt-out program and to enter into an additional contract with a supplier pursuant to the terms of the Act. However, the final decision will be based upon market pricing and the Township retains the option of suspending the program and returning all participants back to Commonwealth Edison.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of Aurora Township, Kane County, Illinois, as follows:

SECTION 1: That the Preamble of this Ordinance is declared to be true and correct and is incorporated by reference herein.

SECTION 2:

Pursuant to Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (the "Act") the Corporate Authorities of the Township are 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 Township, and for that purpose may solicit bids and enter

into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

A. The Aggregation Program for the Township shall continue to operate as an opt out program for residential and small commercial retail customers.

B. As an opt-out program, the Corporate Authorities of the Township shall fully inform residential and small commercial retail customers (under 15,000 kWh's annually) in advance that they have the right to opt-out of the Aggregation Program before the resident or commercial account is renewed. The disclosure and information provided to the customers shall comply with the requirements of the Act.

C. That all residents and commercial customers that are participating in the Aggregation Program will be able to cancel their participation without penalty at any time during the term of the contract.

D. The Corporate Authorities shall review the bids and determine based on market pricing and the best interests of the Township whether to enter into a supplier agreement.

E. The residents and small commercial customers who are selected to participate in the Aggregation Program will be guaranteed that their electric supply rate will not be higher than the published ComEd electric rate at any time during the contract period.

F. The Township will receive a grant of at least \$6,000 per year that the program is under contract with the chosen electric supplier.

G. The Township will engage Progressive Energy Group (PEG), a licensed ABC with the Illinois Commerce Commission. PEG will solicit bids from multiple suppliers and consult with the Township in our decision to select the supplier that best meets our needs. PEG will also assist with the conversion process and provide assistance to residents with questions.

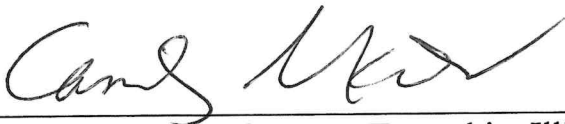
SECTION 3: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed by the Township Board of the Aurora Township, Kane County, Illinois this
10th day of August, 2023.

A handwritten signature in black ink, appearing to read "William R. Catching Jr.", written over a horizontal line.

Township Supervisor of Aurora Township, Illinois
William R. Catching Jr.

ATTEST:

A handwritten signature in black ink, appearing to read "Cassidy Alexander", written over a horizontal line.

Township Clerk of Aurora Township, Illinois
Cassidy Alexander