

SPONSOR Brown / Smith

ORDINANCE NO. 50-13

TO APPROVE THE EXECUTION OF AN EFFICIENCY SMART SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jackson, Ohio ("Municipality") owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, American Municipal Power, Inc. ("AMP" and formerly known as AMP-Ohio) is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members ("Members"), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Ohio, Kentucky, Michigan, Pennsylvania, Virginia and West Virginia; and

WHEREAS, AMP and Municipality have entered into a Master Services Agreement, AMP Contract No. C-10-2005-4376, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement (the "Schedules"); and

WHEREAS, AMP and the Vermont Energy Investment Corporation ("VEIC") entered into an agreement effective June 4, 2010 (the "Initial Agreement") for the implementation of an energy efficiency program for AMP known as Efficiency Smart ("ES", and originally known as Efficiency Smart Power Plant); and

WHEREAS, AMP and Municipality entered into a Gorsuch Participating Subscribing Member Utility Schedule for Efficiency Smart Power Plant (the "Initial Schedule") for services to be provided in connection with the Initial Agreement; and

WHEREAS, the term of the Initial Agreement will expire December 31, 2013 and AMP and VEIC have entered into a new ES agreement ("ES Agreement") for AMP to pay VEIC to