

ORDINANCE #11-2010

**TO AUTHORIZE EXECUTION OF THE SEVENTH
MODIFICATION TO THE NORTHWEST AREA SERVICE GROUP
(NWASG) POOL PARTICIPANT SCHEDULE**

WHEREAS, the Village of Woodville, Ohio (herein "Municipality") is a member of American Municipal Power, Inc., (herein "AMP"); and

WHEREAS, Municipality, as a member of AMP, is a participant in the Northwest Area Service Group ("NWASG") Power Pool; and

WHEREAS, the Village of Woodville, Ohio as a participant in the NWASG Power Pool, Municipality and AMP have entered into Pool Participant Schedule (AMP Contract No. C-11-89-720) to American Municipal Power, Inc., and Municipality Agreement (AMP Master Contract No. C-11-2005-4443) (hereinafter the "Pool Participant Schedule"); and

WHEREAS, pursuant to the Pool Participant Schedule, AMP is the Pool Requirements supplier of wholesale power and energy to Municipality and other members of the NWASG Power Pool; and

WHEREAS, members of the NWASG Power Pool desire to have the ability to serve new customers having a peak load greater than 5,000 kW and annual usage of greater than 30,000,000 kWh with 100% Non-Pool power; and

WHEREAS, in order to allow NWASG Pool members to be allowed to serve large new customers with 100% Non-Pool power, it is necessary for the Municipality and AMP to revise the Pool Participant Schedule; and

WHEREAS, the Municipality agrees to modify the Pool Participant Schedule in accordance with the terms of and conditions of the Seventh Modification attached hereto or on file with the Village Clerk;

NOW, THEREFORE, be it ordained by the Council of the Village of Woodville, Ohio:

SECTION 1. That the Seventh Modification to the NWASG Pool Participant Schedule substantially in the form attached hereto, or

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on file with the Village Clerk's Office, is hereby approved.

SECTION 2. That the Village Administrator, James R. Rickard be, and hereby is, authorized to execute the Seventh Modification to the NWSG Pool Participant Schedule substantially in the form attached hereto or on file with the Village Clerk's Office.

SECTION 3. That it is found and determined that all formal actions of the Council of the Village of Woodville, Sandusky County, Ohio concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action took place in meetings open to the public and in compliance with all legal requirements, including 121.22 of the Ohio Revised Code.

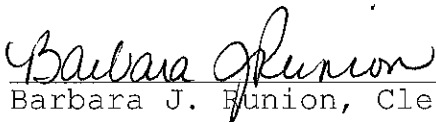
SECTION 4. That if any section, subsection, paragraph, clause or provision or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this 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 5. That this Ordinance shall take affect at the earliest date allowed by law.



Richard A. Harman, Mayor

ATTEST:



Barbara J. Hunion, Clerk-Treasurer

1st Reading: 3/22/10
2nd Reading: 4/12/10
3rd Reading: 4/26/10

Passage: 4/26/10
Yeas: 6
Nays: 0