

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 12 – 23 – 69

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE AGREEMENT FOR ELECTRIC GENERATION SUPPLY WITH INTERSTATE GAS SUPPLY, LLC

WHEREAS, the City of Clayton is authorized as a charter municipality to exercise all powers of local self-government; and

WHEREAS, via adoption of prior legislation, Council authorized the Miami Valley Communications Council (“MVCC”) to act as the City of Clayton’s governmental aggregator for electrical aggregation; and

WHEREAS, MVCC has presented the attached Generation Supply Agreement (“Agreement”) Amendment (**Exhibit A**) to the City of Clayton for execution.

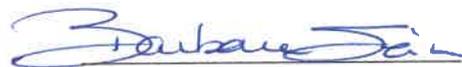
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. The City Manager is hereby authorized to execute an amendment to the Agreement in substantially the same form as **Exhibit A** appended hereto and any other necessary documents on behalf of the City for electric generation and transmission supply services with a competitive retail electric service provider as described herein with the supplier of said services being Interstate Gas Supply, LLC and approving the terms of same as delineated in the attached **Exhibit A**, including approval of the per KWh price specified in the attached **Exhibit A** and extending the term of said Agreement as specified in the attached **Exhibit A**.
2. It is hereby found and determined that all formal actions of this City Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.
3. That this Resolution shall be in full force and effect at the earliest date allowed by law.

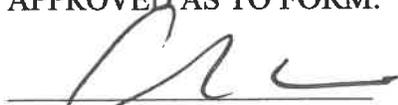
ADOPTED BY COUNCIL ON DECEMBER 7, 2023.

AUTHENTICATION:


Mayor (Presiding Officer of Council)


Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

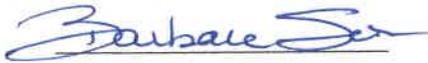
This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Register Herald

Date of publication

December 13, 2023



CLERK

CLERK

Exhibit A

GENERATION SUPPLY AGREEMENT

AMENDMENT NO. 6

Customer: City of Clayton
Supplier: Interstate Gas Supply, LLC
Effective Date: 05/01/2024

Definitions

"Agreement" means the Generation Supply Agreement dated March 1, 2011 between Customer and DPL Energy Resources, Inc. as modified by any applicable amendments.

Background

Customer and Supplier desire to amend the Agreement as of the Effective Date above.

Agreement

In consideration of the mutual promises below Customer and Supplier agree to the following:

- 1. **Term:** Section 3 of the Agreement will be amended as follows:

Service will continue from Customer's meter reading date in May 2024 through the Customer's meter reading date in December 2026 (the "Renewal Term").

- 2. **Price:** The price for the Renewal Term will be \$0.05995 per kWh. For any capacity planning year for which the Base Residual Auction rate has not been established as of the execution date of this Amendment, Supplier will pass through to Customer any change in capacity cost, positive or negative, resulting from changes to Customer's capacity rate as assessed by Customer's EDC or RTO/ISO.

- 3. **Contract Volumes:** The Contract Volumes on Appendix 2 will be amended as follows:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
56,197	49,685	46,053	47,413	58,783	66,349	69,957	69,918	63,174	53,176	44,103	48,681

For the avoidance of doubt, in the event of any conflict whatsoever between this Amendment (including its Appendix) and the Agreement, then this Amendment will control.

Except as set forth above, nothing else has changed with respect to the Agreement, and all of its provisions remain in full force.

Each individual signing this Amendment on behalf of a Party below represents that he or she has the full authority and power to sign this Amendment on behalf of that Party.

City of Clayton:

Name:
Title: City Manager

Interstate Gas Supply LLC:

DocuSigned by:

Name: Pat Keeley
Title: Director C&I Sales

Projected energy costs by community with other rate comparisons

City	Weather-normalized Annual Usage (kWh)	Cost with AES Ohio utility rate (\$/kWh)	Cost with City of Dayton aggregation rate (\$/kWh)	Cost with Washington Township electric aggregation rate (\$/kWh)	Cost with MVCC aggregation rate (\$/kWh)	Costs with IGS Energy renewal (\$/kWh)
City of Beavercreek	2,201,290	\$237,981	\$212,491	\$151,669	\$144,625	\$131,967
City of Bellbrook	820,788	\$88,735	\$79,231	\$56,552	\$53,926	\$49,206
City of Brookville	1,113,499	\$120,380	\$107,486	\$76,720	\$73,157	\$66,754
City of Centerville	2,300,587	\$248,716	\$222,076	\$158,510	\$151,149	\$137,920
City of Clayton	808,324	\$87,368	\$78,028	\$55,694	\$53,107	\$48,459
City of Eaton	3,576,597	\$386,666	\$345,249	\$246,428	\$234,982	\$214,417
City of Englewood	3,554,570	\$384,285	\$343,123	\$244,910	\$233,535	\$213,096
City of Fairborn	9,015,146	\$974,627	\$870,232	\$621,144	\$592,295	\$540,458
City of Germantown	684,746	\$74,028	\$66,059	\$47,179	\$44,988	\$41,051
City of Greenville	3,705,529	\$400,605	\$357,695	\$255,311	\$243,453	\$222,146
City of Huber Heights	1,676,426	\$181,238	\$161,825	\$115,506	\$110,141	\$100,502
City of Kettering	8,922,685	\$949,631	\$861,307	\$614,773	\$586,220	\$534,915
City of Miamisburg	8,025,351	\$867,621	\$774,687	\$552,947	\$527,266	\$481,120
City of Moraine	1,822,989	\$197,083	\$175,973	\$125,604	\$119,770	\$109,288
City of Oakwood	2,523,347	\$272,799	\$243,579	\$173,859	\$165,784	\$151,275
City of Riverside	475,493	\$51,406	\$45,899	\$32,761	\$31,240	\$28,506
City of Trotwood	1,250,513	\$135,193	\$120,712	\$86,160	\$82,159	\$74,968
City of Troy	11,005,057	\$1,189,757	\$1,062,318	\$758,248	\$723,032	\$659,753
City of Union	1,464,055	\$158,279	\$141,325	\$100,873	\$96,188	\$87,770
City of Urbana	4,018,909	\$434,484	\$387,945	\$276,903	\$264,042	\$240,934
City of Vandalia	4,218,789	\$456,093	\$407,240	\$290,675	\$277,174	\$252,916
City of West Carrollton	908,928	\$98,264	\$87,739	\$62,625	\$59,717	\$54,490
City of Xenia	7,300,368	\$789,243	\$704,705	\$502,995	\$479,634	\$437,657
MVCC	242,579	\$26,225	\$23,416	\$16,714	\$15,937	\$14,543
Wright Memorial Public Libra	241,771	\$26,138	\$23,338	\$16,658	\$15,884	\$14,494
Total:	81,878,336	\$ 8,851,866.90	\$ 7,903,715.77	\$ 5,641,417.35	\$ 5,379,406.68	\$ 4,908,606.24