

TITLE 10: ENERGY AGGREGATION

CHAPTER 1 - ENERGY AGGREGATION FOR SMALL BUSINESSES AND ALL RESIDENTS

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SECTION 10-1-1 DEFINITIONS

For the purpose of this Chapter 1, the following terms shall have the following definitions:

Act: shall mean the Illinois Power Agency Act, 20 ILCS 3855/1-92, as may be amended from time to time.

Customer: shall mean recipients of residential and small commercial retail electric loads as provided in the Act.

Electricity Aggregation Program: shall mean a program pursuant to the Act for the aggregation of residential and small commercial retail electric loads located within the corporate limits of the City that provides customers with the opportunity to opt out of participating in that program as provided in the Act.

SECTION 10-1-2 AGGREGATION OF ELECTRICAL LOAD

- A. The Corporate Authorities of the City are authorized to operate an Electricity Aggregation Program pursuant to the Act and for that purpose may solicit bids and enter into service agreements to facilitate the sale and purchase of electricity and related services and equipment for those loads aggregated pursuant to the Electricity Aggregation Program as provided in the Act.
- B. The Corporate Authorities of the City may exercise the authority to operate the Electricity Aggregation Program jointly with any other municipality or county and, in combination with two or more municipalities or counties, may initiate a process to jointly authorize the Electricity Aggregation Program by a majority vote of each particular municipality or county as required by the Act.

SECTION 10-1-3 OPT-OUT PROGRAM

- A. The Electricity Aggregation Program shall operate as an opt-out program whereby customers who do not wish to participate in the Electricity Aggregation Program may opt out pursuant to the Act.
- B. The City Administrator or his designee, on behalf of the City, shall fully inform customers in advance, as provided in the Act, that customers have the right to opt out of the Electricity Aggregation Program. The disclosure provided to the customers shall comply with the requirements of the Act and shall prominently state all charges to be made and shall include full disclosure of the cost to obtain service pursuant to Section 16-603 of the Act, how to access service, and the fact that service under Section 16-603 of the Act is available to customers without penalty if they are currently receiving service under Section 16-603 of the Act.
- C. Upon notification from any customer that the customer wishes to opt out of the Electricity Aggregation Program, that customer shall be excluded from the Electricity Aggregation Program.
- D. Except for those customers who opt out of the Electricity Aggregation Program pursuant to this Section 10-1-3 and the Act, the Electricity Aggregation Program shall automatically apply for each

person owning, occupying, controlling, or using an electrical load center proposed to be aggregated in the corporate limits of the City.

SECTION 10-1-4 ADOPTION OF PLAN OF OPERATION AND GOVERNANCE FOR THE ELECTRICITY AGGREGATION PROGRAM

- A. The Corporate Authorities of the City, with the assistance from the Illinois Power Agency as required pursuant to the Act, shall develop and approve a plan of operation and governance for the Electricity Aggregation Program.
- B. Before adopting the plan of operation required under Section 10-1-4A and the Act, the Corporate Authorities shall hold at least two (2) public hearings on the proposed plan. Before the first public hearing, the Corporate Authorities shall publish notice of the hearings once a week for two (2) consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan of operation and state the date, time, and location of each hearing.
- C. The plan of operation and governance for the Electricity Aggregation Program shall:
 - 1. Provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers.
 - 2. Describe demand management and energy efficiency services to be provided to each class of customers.
 - 3. Meet any requirements established by law concerning aggregated service offered pursuant to the Act.

SECTION 10-1-5 SOLICITATION OF BIDS

The process for soliciting bids for electricity and other related services and awarding proposed agreements for the purchase of electricity and other related services for the electricity aggregation program shall be conducted pursuant to the Act.