
**THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 12-023**

**AN ORDINANCE AUTHORIZING AGGREGATION OF
ELECTRICAL LOAD**

**JAMES P. DALEY, Village President
Gale Skrobuton, Village Clerk**

**Village Trustees
MICHAEL COSTA
MARCIA DEVIVO
TEDD KAGIANAS
MARY NIEMIEC
MARGARET SABO
GEORGE YUKICH**

AN ORDINANCE AUTHORIZING
AGGREGATION OF ELECTRICAL LOAD

WHEREAS, the Village of Homer Glen is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, recently the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, added Section 1-92 entitled Aggregation of Electrical Load by Municipalities and Counties (hereinafter referred to as the "Act"); and

WHEREAS, under the Act, the Village of Homer Glen may operate the aggregation program under the Act 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 Village of Homer Glen submitted the question in a referendum on March 20, 2012, and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the corporate authorities hereby find that it is in the best interest of the Village of Homer Glen to operate the aggregation program under the Act as an opt-out program and to implement the program according to the terms of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS, THAT:

Section 1: Recitals – The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

Section 2: – The Corporate Authorities of the Village of Homer Glen find and determine that it is in the best interests of the Village of Homer Glen to operate the electric aggregation program under the Act as an opt-out program.

Section 3:

- A. The corporate authorities of the Village of Homer Glen hereby are 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 Village of Homer Glen and for that purpose may solicit bids and enter into service agreements to facilitate for those loads that sale and purchase of electricity and related services and equipment.
- B. The corporate Authorities of the Village of Homer Glen are granted the authority to exercise such authority jointly with any other municipality or

county and in combination with two or more municipalities or counties, may initiate a process jointly to authorize aggregation by majority vote of each particular municipality or county as required by the Act.

- C. The Aggregation Program for the Village of Homer Glen shall operate as an opt-out program for residential and small commercial retail customers.
- D. The Aggregation Program shall be approved by a majority of the members of the Corporate Authority of the Village of Homer Glen.
- E. The Corporate Authorities of the Village of Homer Glen, with the assistance of the Illinois Power Agency, shall develop a plan of operation and governance for the Aggregation Program and shall conduct such public hearings and provide such public notice as required under the Act. The Load Aggregation Plan shall provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers, shall describe demand management and energy efficiency services to be provided to each class of customers and shall meet any requirements established by law concerning aggregated service offered pursuant to the Act.
- F. As an opt-out program, the residential and small commercial retail customers shall be fully informed in advance that they have the right to opt-out of the Aggregation Program. The disclosure and information provided to the customers shall comply with the requirements of the Act.
- G. The Electrical Aggregation shall occur automatically for each person owning, occupying, controlling or using and electrical load center proposed to be aggregated in the corporate limits of the Village of Homer Glen, subject to a right to opt-out of the program as described under this ordinance and Act.
- H. Because of the way the bidding process works, the Village Manager or his/her designee will need to have the authority to sign a contract with the lowest cost electricity provider on the same day that bids are received. Through approval of this Ordinance, the Village Manager, or his/her designee, has the authority to execute a contract with the lowest cost electricity supplier upon receipt and review of the bids.

Section 4: Severability - The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

Section 5: Repealer - All ordinances or portions of ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6: Effective Date - This Ordinance shall be in full force and effect from and after its passage and approval.

[Intentionally left blank]

Adopted this 8th day of May pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Costa			X	
DeVivo	X			
Kagianas	X			
Niemiec	X			
Sabo	X			
Yukich	X			
Daley (Village President)				
TOTAL	5	0	1	0

APPROVED by the Village President on May 8, 2012.

James P. Daley
Village President

ATTEST:

Gale Skrobuton
Village Clerk