

ORDINANCE NO. 15, 2013

**AN ORDINANCE ESTABLISHING AN ENERGY AND NATURAL GAS
AGGREGATION PROGRAM**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market and natural gas market; and

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service and natural gas pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power and natural gas to residential and non-residential users, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing any interruption in service; and

WHEREAS, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric bills and gas bills; and

WHEREAS, the realization of energy costs savings is in the interests of the health, safety and welfare of the residents of the City of Linwood (the "City"); and

WHEREAS, the City hereby finds that it is in the best interests of residential and non-residential electric and gas ratepayers for the City to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric and gas rates; and

NOW, THEREFORE BE IT ORDAINED, by the Common Council of the City of Linwood in the County of Atlantic and the State of New Jersey, duly assembled in public session, as follows:

- 1- The City publicly declares its intent to become an aggregator of electric power and natural gas on behalf of its residential and non-residential users of electricity and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implement regulations.
- 2- The City will utilize Commercial Utility Consultants' Reverse Energy Auction Platform pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire, while non-residential ratepayers would also have the right to participate.
- 3- The Mayor and City Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.

- 4- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 5- If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
- 6- This ordinance shall be effective immediately upon adoption and publication in accordance with law.

FIRST READING: *August 14, 2013*

PUBLICATION: *August 19, 2013*

PASSAGE: *September 11, 2013*

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, August 14, 2013 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on September 11, 2013.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR