

BY: \_\_\_\_\_

AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of municipal corporations to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas;

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually;

WHEREAS, this Council seeks to establish a natural gas governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program"), for the residents, businesses and other natural gas consumers in the City, as permitted by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUDSON, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION 1. This Council finds and determines that it is in the best interest of the City, its residents, businesses and other natural gas consumers located within the corporate limits of the City to establish the Aggregation Program in the City. Provided that this Ordinance and the Aggregation Program is approved by the electors of the City pursuant to Section 2 of this Ordinance, the City is hereby authorized to aggregate in accordance with Section 4929.26, Ohio Revised Code, the retail natural gas loads located within the City, and, for that purpose, to enter into service agreements to facilitate the sale and purchase of the service for the retail natural gas loads. The aggregation will occur automatically for each person owning, occupying, controlling, or using a natural gas load center proposed to be aggregated that is not under contract and will provide for the opt-out rights described in Section 4 of this Ordinance.

SECTION 2. The Board of Elections of Summit County is hereby directed to submit the following question to the electors of the City at the general election on May 5, 2026.

Shall the City of Hudson have the authority to aggregate the retail natural gas loads located in the City, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of natural gas, such aggregation to occur automatically for eligible local utility customers except where any person is under contract or elects to opt out, all in accordance with Section 4929.26 of the Ohio Revised Code?

The Clerk of this Council is instructed immediately to file a certified copy of this Ordinance and the proposed form of the ballot question with the County Board of Elections not less than ninety (90)

days prior to May 5, 2026. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4929.26, Ohio Revised Code.

SECTION 3. Upon the approval of a majority of the electors voting at the general election provided for in Section 2 of this Ordinance, this Council individually or jointly through Buckeye Energy Brokers, shall develop a plan of operation and governance for the Natural gas Aggregation Program. Before adopting such plan, this Council or Buckeye Energy Brokers on behalf of this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate the natural gas load of any natural gas load center within the City unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee as set forth in rule 4901:1-28-04 of the Ohio Administrative Code.

SECTION 4. This Council finds and determines that all formal actions of this Council 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 and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to file a certified copy of this Ordinance and the proposed form of the ballot question with the Board of Elections of Summit County not later than ninety (90) days prior to the May 5, 2026 election, as provided herein; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the City Manager.

SECTION 6. That the City Manager is hereby authorized to enter into an agreement with Buckeye Energy Brokers for opt-out energy aggregation services.

SECTION 7. In order to enter into an agreement and adopt a program at the earliest possible time, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Hudson and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect to be in force immediately upon its adoption, otherwise from all after the earliest time allowed by law, after its passage and approval by the City Manager.

Caucus \_\_\_\_\_  
1<sup>st</sup> Reading \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED \_\_\_\_\_

SIGNED \_\_\_\_\_  
President of Council

ATTEST

\_\_\_\_\_

APPROVED

\_\_\_\_\_

Clerk of Council

City Manager

APPROVED AS TO FORM:

Law Director

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