

ORDINANCE NO. 944-21

VILLAGE OF TONTOGANY
WOOD COUNTY, OHIO

**ORDINANCE AMENDING NET METERING AND BILLING POLICIES FOR BEHIND
THE METER RENEWABLE GENERATORS - ORDINANCE 896-18 – AND
DECLARING AN EMERGENCY**

WHEREAS, the Village of Tontogany is a statutory village located in Wood County, Ohio, and

WHEREAS, the Village of Tontogany has powers of local self-government pursuant to Ohio Constitution Article XVIII, Section 3, and the Ohio Revised Code, including the power to establish rates for utility usage, and

WHEREAS, the Village of Tontogany operates a municipal electric utility and provides electric service to the residential and commercial users located within and outside the Village, and

WHEREAS, the Council of the Village of Tontogany adopted Ordinance Number 896-18 establishing net metering and billing policies for behind the meter renewable generators of electricity, and

WHEREAS, the Village and Otsego Schools entered into an interconnection agreement related to the school's solar electric generation facility.

WHEREAS, the Village Council desires to amend the metering and billing policies so to modify the current interconnection agreement with Otsego Schools.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Tontogany, Wood County, Ohio, that:

Section 1: The Village's behind the meter billing policy, section A(iii), Net Metering and Billing, adopted by Ord. 896-18, is repealed and shall be replaced as follows:

- (iii) Net Billing Rate (All rate classes)
 - (a) The Village shall measure the electricity produced and consumed by the customer during each billing period, in accordance with normal metering practices and consistent with Village utility policies, rules and regulations.
 - (b) The customer may direct to the Village Electric Distribution System energy generated by the customer-owned Renewable Electric Generation Facility (Surplus Power).
 - (c) Net Billing is a system for billing a Tontogany electricity customer who has installed an eligible customer-owned Renewable Electric Generation Facility, (Generation Facility), billing the customer for the electricity purchased at retail

rates in effect at the time of supply, while crediting the customer's bill for any customer-generated electricity delivered to the electric grid for a billing period at the current Avoided Cost rate of \$0.08191/kWh. This rate is available to all Village residential, commercial and industrial electric utility customers who meet the requirements of the Interconnection Agreement between the Village and the customer, and is subject to change by Council, from time-to-time.

(d) Purchases of excess generation from an approved Generation Facility shall be at the Village's Avoided Cost rate, defined as the power supply cost rate as determined by the Village from time-to-time. The purchase of excess generation shall be in the form of a credit to the customer on a monthly basis.

(e) The billing period for purchases from a customer's Generation Facility shall be the billing period coincident with the billing period for sales to customer in accordance with Village utility policies, rules and regulations. The Village shall apply the customer credit for excess renewable generation on the customer's monthly invoice. In the event customer discontinues taking service from the Village's electric utility system the monetary credit balance, if any, shall be lost.

(f) Generation Facilities shall be located on the property owned by the customer. The project must be intended to offset a portion of the customer's requirements for electricity.

(g) There shall be no "net metering" for customer-owned Generation Facilities.

(h) Annual Settlement of Accounts

i. To reduce liability to the Village for any amounts owed for Surplus Power generated by the customer, once per year the Village Utilities Clerk will determine whether the power-producing customer has credit on his/her/its account in excess of charges for power supplied by the Village.

ii. The Village will reduce any credits for any Surplus Power produced which are not needed to offset current usage charges to zero on December 31, without compensation to the customer.

Section 2: Provisions of ordinance 896-18 not repealed or replaced hereby shall remain in effect. In the event any Village policies are inconsistent with this Ordinance, the policies adopted hereby shall govern.

Section 3: The Village Fiscal Officer is hereby directed to publish this Ordinance in accordance with law.

Section 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio.

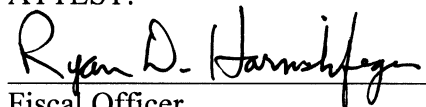
Section 5: This measure is an emergency measure necessary for the immediate preservation of the health, safety and welfare of the Village and its residents for the reason that customer-owned Generation Facility net metering policies previously adopted by this Council have resulted in exceedingly burdensome credits owed. The Council desires to modify rules effective not later than January 1, 2022, in order to resolve such credit issues and preserve the Village Electric Distribution System for the benefit of Village electric customers. There are an insufficient number or regularly scheduled Council meetings to have three readings of this legislation to meet the deadline for an effective date.

Vote on emergency 6 Yeas 0 Nays 0 Abstentions
Vote on passage: 6 Yeas 0 Nays 0 Abstentions

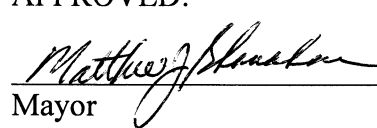
Passed this 6TH day of DECEMBER, 2021.



President of Council

ATTEST:


Fiscal Officer

APPROVED:


Mayor