



## Legislation Details (With Text)

**File #:** 2501-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/8/2022      **In control:** Public Utilities Committee

**On agenda:** 10/10/2022      **Final action:** 10/13/2022

**Title:** To authorize the Director of the Department of Public Utilities to modify and extend its contract with American Municipal Power, Inc. to allow the City to participate in the green energy program EcoSmart Choice, and to enroll all city facilities, served by the Division of Power, in the program. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/13/2022	1	CITY CLERK	Attest	
10/12/2022	1	MAYOR	Signed	
10/10/2022	1	COUNCIL PRESIDENT	Signed	
10/10/2022	1	Columbus City Council	Approved	Pass
10/3/2022	1	Columbus City Council	Read for the First Time	

This legislation authorizes the Director of the Department of Public Utilities to modify and extend its contract with American Municipal Power, Inc. ("AMP") to allow the City to participate in the green energy program EcoSmart Choice through December 31, 2024. The City has been participating in the EcoSmart Choice program since 2013. This program allows the Department of Public Utilities, Division of Power, to continue to offer its electric customers (including city facilities) a green energy option to offset their electric energy.

This modification will allow for automatic unlimited 2 year renewals unless one party notifies the other of its intent not to renew at least 90 days before the end of the contract term. These automatic renewals will however, require a written intent of renewal by both parties so as to document an affirmative decision to continue the agreement.

The price of the program was increased from \$3/MWh (\$0.003/kWh) to \$4/MWh (\$0.004/kWh) effective January 1, 2023.

**SUPPLIER:** American Municipal Power, Inc., Non-profit, D365 #004495, (FID #31-0943223), Expires February 4<sup>th</sup>, 2023.

American Municipal Power, Inc. does not hold MBE/FBE status.

**FISCAL IMPACT:** There is no cost associated with offering this program, however, the Department of Public Utilities' participation in the program is expected to increase the Department's electric bill by approximately \$250,000 per year.

To authorize the Director of the Department of Public Utilities to modify and extend its contract with American Municipal Power, Inc. to allow the City to participate in the green energy program EcoSmart Choice, and to enroll all city facilities, served by the Division of Power, in the program. (\$0.00)

**WHEREAS**, the Department of Public Utilities, Division of Power owns and operates an electric utility system for the sale of electric power to its customers, and

**WHEREAS**, American Municipal Power, Inc. (“AMP”) is an Ohio nonprofit corporation that functions as a wholesale power supplier and services provider for certain member municipalities that operate electric systems, including Columbus, and

**WHEREAS**, AMP has developed a green energy program named EcoSmart Choice. EcoSmart Choice is a program that allows municipal electric providers to give their customers a green pricing option, supported by AMP’s purchase of green / renewable energy electric products, including the green attributes from energy generated from hydroelectric, wind, landfill, gas, and other approved generating facilities, and

**WHEREAS**, the Division of Power has been participating in EcoSmart Choice since 2013, and wants to continue to offer to its customers the choice of green energy, with participation by any customer being entirely optional, and

**WHEREAS**, being able to offer its customers a voluntary green energy option will make the Division of Power more competitive, and

**WHEREAS**, this modification will allow for automatic unlimited 2 year renewals unless one party notifies the other of its intent not to renew at least 90 days before the end of the contract term. These automatic renewals will however, require a written intent of renewal by both parties so as to document an affirmative decision to continue the agreement, and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power, to authorize the Director of Public Utilities to modify and extend the current contract to provide for the City’s continued participation in the EcoSmart Choice Program, with American Municipal Power, Inc.; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to modify and extend its contract with American Municipal Power, Inc. to allow the Division of Power to participate in the green energy program EcoSmart Choice and to enroll all city facilities served by the Division of Power in the program from date of execution by the City of Columbus to December 31, 2024.

**SECTION 2.** That the Director of Public Utilities is hereby authorized to charge any Division of Power customers that sign up for EcoSmart Choice Program as provided for in the pricing and payment provisions of the contract.

**SECTION 3.** There is no cost associated with this modification.

**SECTION 4.** This modification will allow for automatic unlimited 2 year renewals unless one party notifies the other of its intent not to renew at least 90 days before the end of the contract term. These automatic renewals will however, require a written intent of renewal by both parties so as to document an affirmative decision to continue the agreement.

**SECTION 5.** That this modification is in accordance with the relevant provisions of Columbus City Code, Chapter 329, relating to contract modifications.

**SECTION 6.** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.