

**BOROUGH OF PENNINGTON
ORDINANCE 2019-9**

**AN ORDINANCE OF THE BOROUGH OF PENNINGTON ESTABLISHING AN ELECTRIC
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

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service 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 to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

WHEREAS, the Borough is interested in ensuring that a greater percentage of energy provided by the Program comes from renewable energy sources, and will therefore include provisions for the inclusion of renewable energy in the proposals for energy aggregation services; and

WHEREAS, the purchase of renewable energy will reduce the dependence on fossil fuels and under the aggregation process the residential and non-residential ratepayers will likely receive a direct reduction in their electric bills; and

WHEREAS, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents of the Borough of Pennington (“Borough”); and

WHEREAS, the Borough hereby finds that it is in the best interests of residential ratepayers for the Borough to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric rates.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington in the County of Mercer and the State of New Jersey, duly assembled in public session, as follows:

1. The Borough publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
2. In implementation of any such aggregation program, the Borough shall use the professional services of vendors approved pursuant to the NJ E-Procurement Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs.
3. The Borough, alone or with other cooperating municipalities it elects to join, will seek bids from licensed and appropriate third-party suppliers of electricity in accordance with procedures and substantive regulations provided by law. Any price for energy so obtained will apply in accordance with the terms of the bid to all Borough residents who do not decline to participate (or opt out). Non-participating residents may choose any alternative energy source they desire
4. The contracts necessary for implementation of an aggregation program shall be authorized by Borough Council as required by law.
5. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
6. 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.
7. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Introduced: _____

Advertised: _____

Public Hearing: _____

Adopted: _____

Published: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Joseph Lawver, Mayor

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RECORD OF COUNCIL VOTE ON INTRODUCTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	M				Marciante	X			
Gnatt	X				Mills	X			
Griffiths				absent	Semple	S			

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler					Marciante				
Gnatt					Mills				
Griffiths					Semple				