

CITY OF BATAVIA

DATE: February 15, 2013
TO: Public Utilities Committee
FROM: Gary Holm
SUBJECT: Resolution 13-29-R Authorizing Approval of Amendment #2 to the Power Sales Agreement between NIMPA and the City of Batavia

Prior to commencing with Prairie State, the City of Batavia entered into a Power Sales Agreement (PSA) with NIMPA. The PSA specifies that the delivery point for energy is the Batavia Hub (BAT HUB) within the PJM RTO. Through the course of the Brattle sales process it was agreed that the PSA would be modified to allow for possible delivery at some location other than BAT HUB.

The original PSA was drafted prior to completion of Batavia's 138 KV project. As such, the demarcation point between ComEd and Batavia was not well defined. It was agreed that the demarcation point should be better defined as part of the amendment to the PSA.

Attached please find Resolution 13-29-R authorizing approval of Amendment #2 to the Power Sales Agreement between NIMPA and the City of Batavia. **Staff is recommending that this Resolution be approved.**

**CITY OF BATAVIA
RESOLUTION 13-29-R**

**Authorizing Approval of an Amendment to the Power Sales Agreement between
NIMPA and the City of Batavia**

WHEREAS, the City of Batavia owns and operates an electric utility; and

WHEREAS, the City previously entered into a Power Sales Agreement with the Northern Illinois Municipal Power Agency;

WHEREAS, the Power Sales Agreement has previously been amended to modify Batavia's entitlement share;

WHEREAS, it is in the best interest of both parties to further amend the Power Sales Agreement to allow for different delivery points and to better define Batavia's demarcation point;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BATAVIA AS FOLLOWS:

Section 1. That the Mayor and City Clerk are hereby authorized to execute Amendment #2 to the Power Sales agreement which is attached hereto as Exhibit A.

PRESENTED to the City Council of the City of Batavia, Illinois, on the ___ day of March, 2013.

PASSED by the City Council of the City of Batavia, Illinois, on the ___ day of March, 2013.

APPROVED by me as Mayor of said City of Batavia, Illinois, on the ___ day of March, 2013.

Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Dietz					Wolff				
3	Jungles					Chanzit				
4	Volk					Stark				
5	Frydendall					Thelin Atac				
6	Liva					Clark				
7	Tenuta					Brown				
Mayor Schielke										
VOTE:		Ayes	0 Nays	Absent	0 Abstention(s) counted as _____					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Heidi Wetzel, City Clerk

EXHIBIT A

AMENDMENT NUMBER TWO
TO THE
POWER SALES AGREEMENT
BETWEEN
THE NORTHERN ILLINOIS MUNICIPAL POWER AGENCY
AND THE
CITY OF BATAVIA, ILLINOIS

APPENDIX B is hereby amended to state as follows:

APPENDIX B

**Delivery Point
(Batavia)**

NIMPA shall deliver energy to

For commercial (cost) purposes

To the Batavia node (PJM Commercial Pricing Node Id 33092301) or such other nodes as may be designated by Batavia.

For physical interchange purposes

To the Batavia delivery points, at the point of demarcation of ownership between the Batavia and ComEd 138 kV transmission systems, ComEd Switch numbers 0385 and 0590.

Approved and Acknowledged by

Mike Buffington, President
NIMPA

, Mayor
City of Batavia

Attest:

Joe Orlikowski, Secretary
NIMPA

, City Clerk
City of Batavia

Dated: March 6, 2013