



ORDINANCE 1761

AN ORDINANCE OF THE BOROUGH OF GLEN RIDGE, COUNTY OF ESSEX COUNTY, STATE OF NEW JERSEY, RE-AUTHORIZING A GOVERNMENT ENERGY AGGREGATION PROGRAM

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.* governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities (“BPU”) has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*, the Borough adopted Ordinance No.1681 authorizing the establishment of a Government Energy Aggregation Program (“Program”) for residential and business participants in the Borough, and the Borough has successfully implemented multiple rounds of the energy aggregation program; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*, the Borough seeks to re-authorize the Government Energy Aggregation Program (“Program”) for the provision of electricity within the Borough, for the purpose of obtaining power supply for residents with higher renewable energy content but no higher cost than power supply provided by the local electric utility Public Service Electric and Gas (“PSE&G”); and

WHEREAS, the Borough of Glen Ridge Council intends to serve as the Lead Agency conducting the Program in Glen Ridge and, in that capacity and consistent with applicable rules, to solicit proposals and enter into a contract for the provision of electric generation services on behalf of residential customers within the boundaries of the Borough, to the extent that such a contract will produce power supply for participating residents with higher renewable energy content and at no higher cost than PSE&G over the contract term; and

WHEREAS, the Borough of Glen Ridge Council will from time to time during the Effective Period as defined below solicit proposals from electric power suppliers for electric generation services through the Program in which the Borough of Glen Ridge Council will act as Lead Agency of the Program in Glen Ridge; and

WHEREAS, the Borough of Glen Ridge Council will from time to time during the Effective Period as defined below issue one or more Request for Proposals for electric generation services and energy aggregation services on behalf of the Program pursuant to the Local Public Contract Law Regulations, the Government Energy Aggregation Act and the Electric Discount and Energy Competition Act; and

WHEREAS, the Borough of Glen Ridge Council shall require that a fraction of the energy provided by the Program come from renewable energy sources, and will therefore include provisions for the inclusion of renewable energy in the Request for Proposals for electric generation services and energy aggregation services on behalf of the Program; and

WHEREAS, the Borough of Glen Ridge Council will only award contracts for said electric generation service and energy aggregation services to electric power suppliers that are deemed qualified and that submit proposals with higher renewable energy content and at a price no higher than the prevailing price for utility-provided basic generation service;

WHEREAS, pursuant to applicable BPU rules, the Borough has previously entered into an Electric Distribution Company Aggregation Agreement with PSE&G; and

WHEREAS, N.J.S.A. 48:3-93.1 et seq. requires the Program to be established by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the BOROUGH OF GLEN RIDGE, ESSEX COUNTY, State of New Jersey as follows:

SECTION 1. The Borough hereby re-authorizes its Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.

SECTION 2. The Mayor is authorized to execute and the Borough Administrator/Clerk to attest to the execution of any necessary contracts, in a form acceptable to the Borough.

SECTION 3. The Borough of Glen Ridge Council will act as Lead Agency of the Program and, in that capacity, and consistent with applicable rules, will solicit proposals for electric generation service and energy aggregation services on behalf of Borough residents, and enter into a contract for such services provided that the lowest qualified bid includes enhanced renewable energy content is has a price no higher than the prevailing price for utility-provided basic generation service.

SECTION 4. As Lead Agency the Borough of Glen Ridge Council will execute a master performance agreement that obligated the participants in the Program to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by the Lead Agency on behalf of participating members of the Program, and provided that such contract shall provide power supply with higher renewable energy content that that of PSE&G basic generation service and at prices reasonably forecast and estimated by the Borough of Glen Ridge Council to be no higher than the price charged for basic generation service by PSE&G.

SECTION 5. The authorization provided to the lead agent shall be valid until December 31, 2025 (the "Effective Period"), at which time the Program will be subject to renewal at the discretion of the Borough of Glen Ridge Council.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Introduced: March 14, 2022

Adopted:

ATTEST:

Stuart K. Patrick
Mayor

Tara L. Ventola
Municipal Clerk