

(Mayor Tyler and Council)

CITY OF KIRTLAND

RESOLUTION NUMBER 10-R-66

A RESOLUTION TO EXPRESS SUPPORT FOR PASSAGE OF HOUSE BILL 344 AND SENATE BILL 228 LIMITING RECOVERY OF RATE-CASE EXPENSES FOR CERTAIN WATER WORKS AND SEWAGE DISPOSAL SYSTEM COMPANIES.

WHEREAS, the residents of the City of Kirtland have been subjected to excessive rate increases for water in recent years; and

WHEREAS, Representatives Goyal and Harris have proposed House Bill 344 and Senators Goodman and Hughes have proposed Senate Bill 228, which are bills that limit the recovery of rate-case expenses from consumers for certain water works and sewage disposal system companies; and

WHEREAS, the bills would put reasonable limits on the fees publicly owned water works and sewage disposal companies may charge their customers for rate-case expenses; and

WHEREAS, the bills represent an important effort to keep water and sewer rates reasonable for economic development and to create communities that are affordable to live in; and

WHEREAS, current law allows water works and sewage disposal companies to pass on one hundred percent (100%) of their rate case expenses including legal fees, research costs, rate-related study costs, and more; and

WHEREAS, House Bill 344 and Senate Bill 228 apply only to companies that serve 15,000 or more customers; and

WHEREAS, the bills would involve approximately 145,000 Ohio customers receiving water and sewage disposal services from companies that would be affected by these bills; and

WHEREAS, Aqua Ohio serves the City of Kirtland affected by these bills; and

WHEREAS, the residents of the City of Kirtland are positively impacted by passage of House Bill 344 and Senate Bill 228.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

SECTION I: That the City of Kirtland hereby expresses its support for House Bill 344 and Senate Bill 228 on the basis that the legislation will put reasonable limits on rate case expenses that can be passed on to consumers.

SECTION II: That a copy of this resolution be sent to the House of Representatives Public Utilities Committee, the Senate Energy and Public Utilities Committee, the Senator and Representative representing the City of Kirtland, the General Assembly leadership, the Governor, the Chairman of the Public Utilities Commission of Ohio, and the Office of the Ohio Consumers' Counsel.

SECTION III: That the Mayor of this City and President of this Council are authorized to take such other action and execute and deliver such other documents as, acting with the advice of legal counsel, they or either of them shall deem necessary and appropriate to carry out the intent of this resolution.

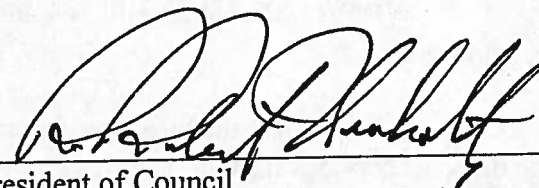
SECTION IV:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) That this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: December 6, 2010
Second Reading: December 20, 2010
Third Reading: January 3, 2011

DATE PASSED: January 3, 2011



President of Council

Submitted to the Mayor for his
Approval on this 4th day
of January, 2011.

ATTEST:

Approved by the Mayor, this 5th
day of January, 2011.

Dennis A. Kelle
Clerk of Council
Support HB 344 and SB 228 Re: Water Rates

M.A. Tyler
Mark A. Tyler, Mayor

