

**BOROUGH OF MENDHAM  
MORRIS COUNTY, NEW JERSEY**

**ORDINANCE #01-17**

**ORDINANCE OF THE BOROUGH OF MENDHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY,  
ESTABLISHING AN ELECTRIC AND/OR NATURAL  
GAS AGGREGATION PROGRAM**

**WHEREAS**, the State of New Jersey has been engaged in the process to establish a competitive market place through deregulation and restructuring the electric utility market and/or natural gas market; and

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

**WHEREAS**, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric and/or gas bills; and

**WHEREAS**, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents and non-residents of the Borough of Mendham; and

**WHEREAS**, the Borough of Mendham hereby finds that it is in the best interest of residential and non-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 and/or natural gas rates.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, as follows:

**SECTION 1.**

1. The Borough of Mendham 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. The Borough of Mendham will utilize approved vendors, Concord Engineering's dba Energy Services and Commercial Utility Consultants, Reverse Energy Auction Platform pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third-party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire.
3. The Mayor and Borough Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.

**SECTION 2.** All ordinances of the Borough of Mendham, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: February 6, 2017

Adopted: February 21, 2017

DATED: February 21, 2017

ATTEST:

  
Margot G. Kaye  
Borough Clerk

By:   
Neil Henry, Mayor

## **TOP 10 THINGS YOU SHOULD KNOW ABOUT ENERGY AGGREGATION**

### **NOTHING CHANGES**

**All current services** such as delivery, meter readings, billing, payments, emergency services etc. are serviced through JCP&L just as they are today.

**This program offers the reduced rate on the supply portion of your electric bill.** You will still be billed for consumption (delivery) charges from JCP&L, just as you are today.

**The rate offered is non-variable.** This program offers protections for residents that are generally not available to individuals looking to obtain a third party contracted rate.

**You'll see how much you save.** The offered rate will be shown directly on your bill and you may easily compare this against JCP&L rate each month.

**Budget billing will be offered to any current budget bill plan customer.** Anyone wishing to go on a budget plan may also elect to do so.

**There are no fees to be a part of the program.** You may choose to no longer participate in the program at any time with no fee or penalty even after the initial response period.

**You will continue to call JCP&L for service-related questions and outages.** For billing-related, questions, you'll call TriEagle— their toll-free phone number will be found on your bill.

**No one will be calling or knocking on your door regarding this program.** All information regarding this program is mailed through the US Postal Service. Please be wary of anyone trying to get your information otherwise.

**We're all in this together.** We know municipal energy issues like this can sometimes be a bit technical, and even, well, a little boring. But keep in mind that this is something your neighbors and people across Sussex and Warren Counties will be doing. We believe it will result, as it has in other communities, in a positive outcome and real savings for our community and our residents.

# FREQUENTLY ASKED QUESTIONS



**What is the Sussex-Warren Area Energy Cooperative?** Municipalities have the ability to pool together the usage of all their residents to obtain a guaranteed lower energy supply rate than you are currently being charged. We can then offer that rate to participating residents.

**Who oversees the Sussex-Warren Area Energy Cooperative process?** The NJ Board of Public Utilities, the Rate Counsel and the Division of Community Affairs all play a part in overseeing the aggregation programs in New Jersey, and protecting consumers.

**Is my municipality the only one in the Energy Aggregation Program?** No, your municipality chose to participate in this program along with six others to maximize our buying power and obtain real savings for its residents.

**What information will I receive about the program?** Aside from public meetings and advertising, you will receive at least two letters: One is your official Opt Out letter (attached in this packet) which provides the details such as the new rate, term, chosen supplier and the deadline for opting out, and the second is a confirmation letter from JCP&L stating that you have elected to remain in the program and the date you will be switched over. This second letter is a form letter stating you have chosen to switch even though the program was chosen by your municipality as a benefit to you. You may disregard this second letter.

**Are Concord Energy Services (CES) and Commercial Utility Consultants (CUC) energy suppliers?** No. They are independent consultants that work with all the energy suppliers licensed to do business in New Jersey by the Board of Public Utilities to obtain the energy contract and work through the process to put the Aggregation program in place for your municipality.

**Do I have to be in this program?** No. You can choose not to participate by going to [www.freedomnj.com](http://www.freedomnj.com), calling 877-292-3904 or by returning the enclosed response card.

**Will I be penalized if I do not become a part of the program?** No, there will never be a fee or penalty. If you do not want to be a part of our program, you are free to stay with your current utility or choose your own Third Party Supplier.

**Am I going to have to pay more than one bill if I am a part of this program?** No, you will continue to pay one bill to JCP&L and pay that one bill directly to them as you always have.

**If I have solar panels, can I be a part of this program?** At this time, the suppliers are not able to process the net metering portion of the solar credits, and we recommend you opt out of the program to avoid losing your credits.

**Who will now read my meter?** JCP&L will still be reading your meter.

**Can my information be sold to advertisers or energy companies?** No. Your information, including your account number, is confidential and can only be used to set up the municipality's program.



## BUDGET BILL PROGRAM INFORMATION

For those residents who are on a budget bill program through

JCP&L please read the following information:

We understand the importance of budget billing to you, so please take the time to understand the details surrounding how budget billing must be handled in order to offer it to you as part of the program being offered by the Township of Fredon.

- If you are currently on Budget Billing with JCP&L, you will automatically be offered a budget bill with this program through TriEagle Energy
- Prior to entering the program, you will receive a reconciliation or "true up" bill from JCP&L. This is to bring your account to zero prior to entering the energy program. After 12 months with the program, TriEagle Energy will conduct another reconciliation to keep your budget bill in line.
- The reconciliation amount may be substantial, depending on how much you are over on the budgeted amount. This reconciliation may come as a charge or a credit on your bill.
- This new budget amount will be based on your most current usage history for the last 12 months. After 6 months, TriEagle Energy will conduct an adjustment to your monthly budget amount to ensure your budget is in line with your usage (this is not a true up)
- **If you choose to leave the program** you will be provided another true up which again, is meant to bring your account to zero prior to leaving the program.
- If a new rate is not offered at the end of this initial contract term for the program participants, you will receive a reconciliation bill on the last bill. Just as above, this is to zero out your account prior to returning to JCP&L, and again, may be substantial if your usage is significantly higher than the prior year.
- The reconciliation or true up amount represents your usage over and above the amount you were budgeted for and is not for "extra charges". **We encourage you to track your usage vs. your budgeted amount so you may stay current on your usage and charges.**
- If you have a credit against your budgeted amount, meaning you used less energy than budgeted for, your credit will be applied to any future charges on your bill.

Please contact a Concord Energy Services customer care agent at 866-688-5197 with additional questions beyond what is provided here. Thank you!