

# Ordinance No. 406-2026

**By Council Members Kazy and Griffin  
(by departmental request)**

## AN EMERGENCY ORDINANCE

Authorizing the City of Cleveland to participate in the Sustainable Ohio Public Energy Council electric aggregation program to serve residential and small commercial customers; and authorizing the Director of Finance, on behalf of the Office of Sustainability, to enter into one or more contracts with the Sustainable Ohio Public Energy Council to implement the electrical aggregation program for a period of up to 36 months, beginning with the August 2026 meter read cycle.

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WHEREAS, under Section 4928.20 of the Revised Code, the City of Cleveland, Ohio (the “City”) is authorized to establish an opt-out electric aggregation program for the benefit of eligible electric customers located within the City; and

WHEREAS, under Section 4928.20 of the Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio; and

WHEREAS, governmental aggregation provides an opportunity for the City to combine the electric loads of its residents and small commercial customers; and

WHEREAS, the City seeks to participate in the Sustainable Ohio Public Energy Council (“SOPEC”) electric supply aggregation program established for the benefit of its member communities; and

WHEREAS, participation in SOPEC also offers City residents and small commercial customers of FirstEnergy Corp. located in the City to opt-out of their electricity supply program and to access SOPEC’s cost-saving electricity supply programs offered by the City; and

WHEREAS, under Ordinance No. 669-2023, passed June 5, 2023, this Council adopted SOPEC’s Plan of Operation and Governance (“POG”); and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

Section 1. That this Council finds and determines that it is in the best interest of the City, and certain electric customers within the City, to participate in the opt-out

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electric aggregation program offered by SOPEC, on the basis of SOPEC's proposal dated February 27, 2026.

Section 2. That the Director of Finance, on behalf of the Office of Sustainability, is authorized to enter into one or more contracts with SOPEC to implement the electrical aggregation program, for a period of up to 36 months, beginning with the August 2026 meter read cycle. In addition, the Director of Finance, on behalf of the Office of Sustainability, is authorized to participate in limited membership services that are not adverse to the City and are available to all SOPEC members. These programs consist of statistical analysis of energy use; education which includes marketing and communication; assistance with drafting solar assessments and/or request for proposals; and assistance with grant writing services, for a period of up to 36 months, beginning with the August 2026 meter read cycle.

Section 3. That the Director of Finance, on behalf of the Office of Sustainability, is authorized to make any applications or filings with the Public Utilities Commission of Ohio and execute any documents as may be necessary to implement the governmental aggregation program authorized by this ordinance.

Section 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the approval of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the Ohio law.

Section 5. That the Director of Finance, on behalf of the Office of Sustainability, is authorized to provide notice to SOPEC of the City's intention to withdraw from the SOPEC electric aggregation at least ninety (90) days before the end of the applicable opt-out period for the program, if the Director determines withdrawal is in the City's best interest.

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Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

GB:nl  
3-30-26

FOR: Director O'Keeffe

