

FILE

03-391-TP-AEC
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RESOLUTION #09-08-2009

A RESOLUTION OBJECTING TO AND OPPOSING THE PROPOSED WATER RATE INCREASE FILED BY OHIO AMERICAN WATER WITH THE OHIO PUBLIC UTILITIES COMMISSION

RECEIVED-DOCKETING DIV
2009 SEP 21 AM 11: 57

PREAMBLE

PUCO

WHEREAS, certain residents of Tully Township, Marion County, Ohio (the "Township") receive water service from Ohio American Water ("OAW"); and

WHEREAS, in June of 2009, OAW filed a request with the Ohio Public Utilities Commission of Ohio ("PUCO") to substantially increase rates for all of its residential customers in Ohio, including numerous residents of the Township, over a four year period as follows: 24.63% increase in April 2010; 22.30% increase in April of 2011; 6.82% in April of 2012; and 5.77% increase in 2013, resulting in a total increase of approximately 60%; and

WHEREAS, the request by OAW is their third rate increase request in three years and, if granted, will result in an approximate increase of 240% in water rates since 1999 to these Township residents; and

WHEREAS, the PUCO mission is to "assure all residential and business consumers access to adequate, safe and reliable utility services at fair prices, while facilitating an environment that provides competitive choices;" and

WHEREAS, Township residents receiving OAW water service already pay a substantially higher and unfair rate for such service when compared with both other Township residents and residents of surrounding jurisdictions that receive such service from other utility providers; and

WHEREAS, due to the current difficult economic times and previous rate increases granted to OAW, the Board of Trustees of the Township believes a rate increase of 60% for water service is unjustified and will result in many Township residents not being able to afford water service; and

WHEREAS, the Board of Trustees believes it is in the best interests of the Township and its residents to oppose the proposed OAW water rate increase filed with the PUCO and to further urge the Commissioners of the PUCO to reject OAW's proposed rate increase.

RESOLUTION

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Tully Township, Marion County, Ohio (the "Board") that the following Resolution be, and it hereby is, adopted:

Section 1. The Board hereby objects to and opposes the proposed OAW water rate increase as filed with the PUCO in June of 2009. The Board believes that OAW's requested increase is unfair, excessive and incapable of justification. The Board further agrees to support, assist and work with other governmental jurisdictions affected by the proposed OAW water rate increase in opposing the increase.

Section 2. The Board hereby requests that the Commissioners of the PUCO reject the proposed water rate increase as filed by OAW and secondarily requests that should PUCO grant an increase to OAW, that any increase be equitable to the consumer and be based upon fair and responsible calculations.

Section 3. The Board hereby authorizes and directs the Township Fiscal Officer to file and/or forward a copy of this Resolution to the Docketing Division of the PUCO, the Ohio Consumers' Counsel ("OCC"), Franklin County Commissioners, and each of the respective state legislators whose legislative districts encompasses the Township.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician SM Date Processed SEP-21-2009

Section 4. The Board authorizes and appoints each of the following persons to appear and speak on behalf of the Board at any meeting and/or hearing to be held by the PUCO in its review of OAW's water rate increase proposal: each member of the Board; the Township Fiscal Officer; and/or such other Township employee(s) as each Trustee may deem necessary or desirable.

Section 5. The Board of Trustees encourages all Township residents to contact the PUCO, the OCC, and their state legislators through letters and phone calls voicing their opinion on OAW's proposed water rate increases.

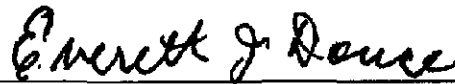
Section 6. All formal actions of this Board, concerning and relating to the adoption of this Resolution, were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

This Resolution shall be in full force and effect immediately upon its adoption.

Adopted: Tuesday, September 8, 2009

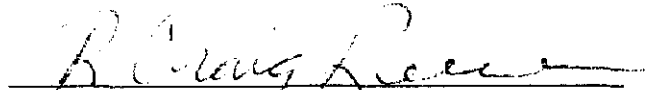
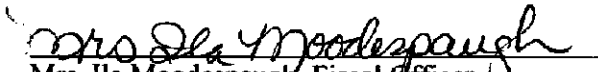
**TULLY TOWNSHIP
BOARD OF TRUSTEES,
MARION COUNTY, OHIO**

Adopted: Tuesday, September 8, 2009



Mr. Everett Douce, Trustee\Chairman of the Board

Attest and Certified


Mr. R. Craig Reece, Trustee
Mrs. Ila Moodsaugh, Fiscal Officer
Mr. C. Paul Robinson, Trustee