

**ORDINANCE NO. 2074**

**AN ORDINANCE  
APPROVING THE EXECUTION OF THE SECOND MEMBER  
ADDENDUM AND GUARANTY BETWEEN THE VILLAGE OF RANTOUL,  
THE ILLINOIS PUBLIC ENERGY AGENCY AND PROLIANCE ENERGY, LLC AND  
AUTHORIZING THE EXECUTION OF A “NATURAL GAS ALL-REQUIREMENTS  
SALES AGREEMENT” WITH THE ILLINOIS PUBLIC ENERGY AGENCY**

**WHEREAS**, the Village of Rantoul, Champaign County, Illinois (the “**Village**”) is a member (together with others, a “**Member**”) of the Illinois Public Energy Agency (“**IPEA**”); and

**WHEREAS**, IPEA has entered into a “Gas Sales Management and Agency Second Master Agreement” (the “**Second Master Agreement**”) with ProLiance Energy, LLC (“**ProLiance**”) for the purchase of natural gas and related services; and

**WHEREAS**, the Second Master Agreement requires each Member to execute a Member’s Addendum to the Master Agreement which sets forth certain terms of the purchase and sale of natural gas; and

**WHEREAS**, the Second Master Agreement also requires each Member to execute documents permitting ProLiance to manage any gas transportation and storage contracts for IPEA’s Members, if any; and

**WHEREAS**, the Second Member Addendum B-1 to the Second Master Agreement requires the Village to execute a limited guaranty to secure payment for the sale of natural gas to IPEA and for certain management services that ProLiance will perform for the Village; and

**WHEREAS**, the Village finds that it is in its best interests to enter into the “Natural Gas All-Requirements Sales Agreement” with IPEA for the Village to purchase its natural gas supply needs exclusively from IPEA for the period from September 1, 2007 to March 31, 2010; and

**WHEREAS**, pursuant to the Second Master Agreement, it is necessary and appropriate to authorize the Village Comptroller to place all orders for the purchase of natural gas for the Village and to communicate with ProLiance and/or IPEA to facilitate such purchases and delivery of gas, as needed, and for services incidental thereto, and in the Village Comptroller’s absence, for the Director of Public Works to perform those functions and duties for the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1.** The findings and determinations set forth in the preambles to this Ordinance are hereby made the findings and determinations of the President and Board of Trustees of the Village.

**Section 2.** The Village President is hereby authorized and directed to execute the Village's Second Member Addendum B-1 attached hereto and incorporated herein. All previous gas purchases made between the Village, IPEA and ProLiance and all current orders for gas purchases with IPEA and ProLiance are hereby ratified and confirmed.

**Section 3.** The Village President is hereby authorized and directed to execute and deliver all documents necessary to designate ProLiance as agent for the day-to-day management of natural gas deliveries for Village, including serving as agent for the Village's natural gas transportation and storage contracts.

**Section 4.** The Village President is hereby authorized and directed to execute and deliver the Guaranty in favor of ProLiance attached to the Second Member Addendum as attached hereto and incorporated herein.

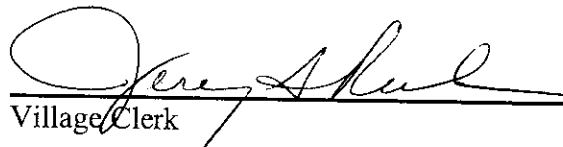
**Section 5.** The Village President is hereby authorized and directed to execute and deliver the Natural Gas All-Requirements Sales Agency Agreement with IPEA attached hereto and incorporated herein to purchase the Village's natural gas needs exclusively from IPEA.

**Section 6.** The Village Comptroller is hereby authorized and designated to communicate directly with ProLiance or IPEA to place all orders for all quantities of natural gas as he determines is necessary the Village's needs, and for any services incidental thereto, and in the Village Comptroller's absence, the Director of Public Works is authorized and designated to perform those functions and duties for the Village.

**Section 7.** This Ordinance takes effect immediately upon its passage and approval as required by law.

This ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

**PASSED** this 9th day of January, 2007.

  
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Village Clerk

**APPROVED** this 9th day of January, 2007.

  
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Village President

