

ORDINANCE NO. 2190

**AN ORDINANCE OF THE VILLAGE OF RANTOUL, ILLINOIS
AUTHORIZING THE EXECUTION AND IMPLEMENTATION OF A
NATURAL GAS ALL-REQUIREMENTS SALES AGREEMENT
WITH THE ILLINOIS PUBLIC ENERGY AGENCY**

WHEREAS, the Illinois Public Energy Agency ("*IPEA*") is organized under the Illinois Joint Municipal Natural Gas Act (65 ILCS 5/119.2-1 *et seq.*) as a municipal natural gas agency, and it provides natural gas supply and related services to its member municipalities that own and operate their own municipal natural gas distribution systems and other eligible utilities as defined in the Act; and

WHEREAS, the Village of Rantoul, Illinois (the "*Village*") is a Member of IPEA and presently purchases the natural gas for its natural gas system from IPEA pursuant to a Natural Gas All-Requirements Sales Agreement, dated January 9, 2007, which has a term through March 31, 2010; and

WHEREAS, the Village has also entered into an IPEA Sales Contract with IPEA pursuant to which the Village has agreed to purchase and IPEA has agreed to provide and sell, subject to certain limitations, all of the natural gas requirements of the Village's natural gas distribution system for a term of twenty (20) years, subject to the successful negotiation by IPEA of a contract to acquire long-term supplies of natural gas at a certain discount to the index under a prepay arrangement involving tax-exempt bonds; and

WHEREAS, due to market conditions beyond the control of the parties, it has not yet been possible to accomplish the acquisition of long-term prepaid natural gas supplies at the discount required in the IPEA Sales Contract but the parties remain committed to pursuing all opportunities for a prepay discount gas deal in the future; and

WHEREAS, to continue to be prepared to take advantage of possible discount priced natural gas, it is necessary to amend the IPEA Sales Contract to extend the time within which the conditions for effectiveness of the IPEA Sales Contract may be fulfilled; and

WHEREAS, the President and Board of Trustees of the Village have determined that it is necessary, desirable and in the best interest of the Village to authorize the execution and delivery of the Natural Gas All-Requirements Sales Agreement attached hereto and incorporated herein, which has a term commencing on April 1, 2010 and extending through March 31, 2015, and which includes provisions for the extension of the trigger date under the Village's IPEA Sales Contract to March 31, 2012.

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

Section 1: The findings and determinations set forth in the preamble to this Ordinance are hereby made findings and determinations of the President and Board of Trustees of the Village and are incorporated into the text of this Ordinance by this reference.

Section 2. The Village President is hereby authorized and directed to execute and deliver and the Village Clerk shall attest, pursuant to this Ordinance, the attached Natural Gas All-Requirements Sales Agreement with the IPEA.


Section 3. The Village President is hereby authorized to execute and deliver and to the extent necessary the Village Clerk shall attest, pursuant to this Ordinance, any and all other agreements, instruments or documents reasonably required in connection with the execution and implementation of the Natural Gas All-Requirements Sales Agreement, including but not limited to agreements, transaction confirmations, addenda and guaranties with or in favor of IPEA's underlying third-party gas supplier(s) and such instruments as are required by the Village's pipeline companies to designate IPEA or its underlying gas supplier, from time to time, as agent for the Village under the Village's natural gas transportation contracts and/or storage contracts and for the day-to-day management of natural gas deliveries for the Village.

Section 4. The Village Comptroller is hereby authorized and designated to communicate directly with IPEA or its underlying gas supplier to place all nominations or orders for all quantities of natural gas, including fixed-price quantities, from IPEA and for IPEA or the underlying gas supplier to schedule and deliver natural gas for the Village's needs and for services incidental thereto, and the Director of Public Works is hereby authorized and designated as the alternate to perform such functions and duties in the event of the absence or inability to act of such person.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approved as required by law.

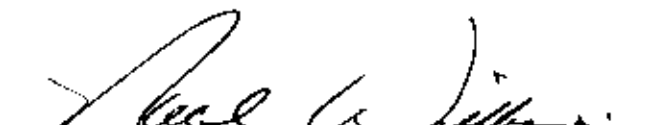
This Ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

PASSED this 11th day of August, 2009.


Village Clerk

APPROVED this 11th day of August, 2009.




Village President