
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER
OF INTENT WITH NEXTERA ENERGY TRANSMISSION MID-ATLANTIC, LLC**

CHET OLSON, Mayor
BRUCE McKINNEY, City Clerk

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DAN McDERMOTT
JOHN BEARROWS
City Council

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Law Offices of Peterson, Johnson, & Murray—Chicago, City Attorneys
200 W. Adams, Ste. 2125, Chicago, IL 60606

RESOLUTION NO: _____
Date Passed: November 27, 2017

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT WITH NEXTERA ENERGY TRANSMISSION MID-ATLANTIC, LLC

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 511-1, et seq.; and

WHEREAS, the City provides utility services including electric, water, sewer, wastewater treatment, and advanced communications to the greater Rochelle community through the Utility Department, which is commonly referred to as Rochelle Municipal Utilities (“RMU”); and

WHEREAS, the RMU currently has distribution and transmission assets and is a signatory to the Consolidated Transmission Owners Agreement and recognized Transmission Owner with PJM Interconnection, L.L.C.; and

WHEREAS, on January 23, 2017, the City of Rochelle issued a Request for Qualifications (“RFQ”) for a Transmission Strategic Partnership for the transmission assets of the RMU; and

WHEREAS, on July 12, 2017, the City of Rochelle issued a second Request for Proposal (“RFP”) for a Transmission Strategic Partnership and/or Transmission Asset Purchase, which also sought requests for the sale of RMU’s transmission assets ; and

WHEREAS, the City received competitive proposals for the strategic partnership and/or purchase of RMU’s transmission assets; and

WHEREAS, after considering the various proposals and interviewing the entities that provided proposals for the purchase of the transmission assets, the Mayor and City Council have determined that the sale of RMU’s transmission assets is in the best interest of the City and its residents because it will allow RMU to better focus on its mission of providing low cost and reliable electric service to its customers; and

WHEREAS, after analysis of the competitive bids submitted pursuant to the RFP and conducting the interviews of the proposal respondents, the City’s staff has concluded that the asset purchase proposal of Nextera Energy Transmission Mid-Atlantic, LLC (“NEET Mid-Atlantic”), provides RMU with the best overall value; and

WHEREAS, in order to begin the negotiation of a definitive asset purchase agreement for the RMU’s transmission assets it is necessary to enter into a letter of intent; and

WHEREAS, the Mayor and City Council finds that it is in the best interest of the City, the RMU, its residents and businesses to execute a letter of intent and begin to negotiate an Asset Purchase Agreement; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Rochelle as follows:

1. That the recitals set forth above are adopted and incorporated herein.
2. The Mayor and City Council authorize the City Manager to execute a Letter of Intent, in a form reviewed by the City Attorney, with NEET Mid-Atlantic and commence the negotiation of an asset purchase agreement for the purchase of RMU's transmission assets, such agreement to be submitted for consideration and approval by the City Council if and when negotiation is successfully completed.

PASSED AND APPROVED this 27th day of November, 2017.

ATTEST:

City Clerk

Mayor