

A RESOLUTION

TO AUTHORIZE THE GENERAL MANAGER OF EASLEY COMBINED UTILITIES TO SUBMIT A NOTICE OF TERMINATION TO PMPA TO TERMINATE THE SUPPLEMENTAL POWER SALES AGREEMENT EFFECTIVE DEC. 31, 2029 IF DETERMINED TO BE NECESSARY

WHEREAS, the City of Easley and the Piedmont Municipal Power Agency (PMPA) entered into the Catawba Project Power Sales Agreement (CPPSA) and the Supplemental Power Sales Agreement (SPSA) on August 1, 1980 to provide all-requirements power and energy to Easley Combined Utilities and its electric customers, and

WHEREAS, the Catawba Project Power Sales Agreement terminates and expires on August 1, 2035, and

WHEREAS, the Supplemental Power Sales Agreement terminates and expires on August 1, 2035, or at an earlier date provided that the City of Easley provides to PMPA at least a ten (10) year written notice to terminate the SPSA prior to the end of a calendar year, and

WHEREAS, under certain future scenarios, the certainty of which are not known at this time, it may be in the best economic interest of the City of Easley and of Easley Combined Utilities' electrical customers for the City of Easley to provide to PMPA by the end of calendar year 2019, the City of Easley's intent to terminate the SPSA effective at midnight Dec. 31, 2029, and

WHEREAS, all necessary information that is needed to make an informed decision about providing a Notice to Terminate are not yet known and may not be known until near the end of the year 2019, and

WHEREAS, time will be of the essence when the necessary information is made available and time may not allow for the City Council to take action, and

WHEREAS, the General Manager of Easley Combined Utilities, in consultation with the Mayor, City Administrator, and legal counsel, is in the best position evaluate the information when available and make such a decision to terminate the Supplemental Power Sales Agreement,

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF EASLEY, SOUTH CAROLINA: that the City of Easley authorizes the General Manager of Easley Combined Utilities to submit a Notice of Termination to PMPA to terminate the Supplemental Power Sales Agreement effective Dec. 31, 2029 if the General Manager determines it is in the best economic interest of the citizens of the City of Easley and the electrical customers of Easley Combined Utilities to do so, and

Be It Further Resolved, that the authority to terminate the SPSA granted to the General Manager will expire at midnight Dec. 31, 2019 if the Notice to Terminate has not been given to PMPA.

Adopted the 11th day of November 2019.

CITY OF EASLEY SOUTH CAROLINA

ATTEST:

Larry Bagwell
Mayor

City Clerk