

OHIO TURNPIKE COMMISSION

Resolution Authorizing the Interim Executive Director to Enter into an Agreement with Ohio Edison Company for Electric Service to The Mahoning Valley and Glacier Hills Service Plazas

WHEREAS, Section 5537.04(10) of the Ohio Revised Code provides that the Commission may make or enter into all contracts and agreements necessary to the performance of its duties and the execution of its powers; and

WHEREAS, Section 5537.28 of the Revised Code authorizes the Commission to use toll revenues for the purpose of making infrastructure improvements to existing service plaza facilities in order to carry out its duties, powers and functions; and

WHEREAS, on January 24, 2011, the Commission adopted Resolution No. 1-2011 awarding Contracts to rebuild the Mahoning Valley and Glacier Hills Service Plazas located in Mahoning County; and

WHEREAS, the expenditures by the Commission to provide for the construction of necessary infrastructure improvements to upgrade and relocate electric utility service to the Mahoning Valley and Glacier Hills Service Plazas will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to enter into such agreement; and

WHEREAS, the Ohio Edison Company has offered to construct the necessary infrastructure improvements in order to upgrade and relocate electric service to the Mahoning Valley and Glacier Hills Service Plazas in the amount of \$214,594.82 under terms and conditions that are mutually acceptable to both the Utility and the Commission; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Interim Executive Director and the General Counsel are hereby authorized to execute an agreement with the Ohio Edison Company for the purpose of upgrading and relocating electric service to the Mahoning Valley and Glacier Hills Service Plazas, which agreement includes the Commission reimbursing the Ohio Edison Company for those infrastructure improvements necessary to provide such service; and

FURTHER RESOLVED, the Interim Executive Director and General Counsel are authorized to take any and all actions necessary to carry out the terms of said agreement.

(Resolution No. 24-2011 May 16, 2011)