

BILL NO. 2019-***

ORDINANCE NO.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA,
MISSOURI, AUTHORIZING THE MAYOR TO SIGN A NETWORK
OPERATING AGREEMENT WITH SOUTHWEST POWER POOL, INC.
AND THE SOUTHWESTERN POWER ADMINISTRATION**

WHEREAS, ARTICLE II, Section 2.1 of the Home Rule Charter of the City of Nixa, Missouri provides the City of Nixa all powers of the General Assembly of the State of Missouri have authority to confer upon any City, provided such powers are consistent with the Constitution of the state of Missouri and are not limited or denied by the City of Nixa's Charter or by statute; and

WHEREAS, the Southwestern Power Pool, Inc. ("SPP") and the Southwestern Power Administration ("Southwestern") own certain electric transmission facilities; and

WHEREAS, SPP and Southwestern have entered into an agreement which authorizes SPP to: 1) utilize Southwestern's transmission facilities under SPP's Open Access Transmission Tariff ("Tariff"), as filed with the Federal Energy Regulatory Commission, for services offered by SPP, and 2) perform certain administrative duties pursuant to the SPP Tariff; and

WHEREAS, The City of Nixa has made a request for Network Integration Transmission Service in accordance with SPP's Tariff filed with the Commission; and

WHEREAS, Southwestern owns the transmission facilities to which Nixa's Network Load is physically connected; and

WHEREAS, the City of Nixa, SPP, and Southwestern wish to formalize the agreement between the parties related to operations of the transmission facilities.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NIXA,
MISSOURI, AS FOLLOWS:**

Section I: That the Mayor is hereby authorized and directed to sign the Network Operating Agreement with Southwest Power Pool, Inc. and the Southwestern Power Administration, a copy of which is attached hereto and incorporated herein by reference.

Section II: All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

Section III: This ordinance shall be in full force and effect from and after the date of its passage.

**READ TWO (2) TIMES AND PASSED BY THE CITY COUNCIL OF NIXA, MISSOURI
THIS 28TH DAY OF OCTOBER 2019.**

PRESIDING OFFICER

ATTEST:

CITY CLERK

APPROVED THIS _____ DAY OF OCTOBER 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

DRAFT