

**§ 55-3. Authorization of a Community Choice Aggregation Program.**

- A. A Community Choice Aggregation Program is hereby authorized by the Town, which the Town may implement to the full extent permitted by the PSC CCA Order, as set forth more fully herein.
- B. The Town may enter into contracts with one or more suppliers and other providers of services on behalf of participating customers, including, without limitation, participating customers of another municipality to the extent permitted by an intermunicipal agreement.
- C. The Town may enter into agreements and contracts with other municipalities, nonprofits, consultants, and/or other third parties to i) develop and implement the CCA Program, ii) act as CCA administrator, and/or iii) develop offers of opt-in DER products and services to participating customers.
- D. The operation and ownership of the utility service shall remain with the distribution utility. The Town's participation in the CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Town shall not take over any part of the electric or gas transmission or distribution system and shall not furnish any type of utility service, but will instead negotiate with suppliers on behalf of participating customers.
- E. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.