



Unapproved Minutes  
Power Supply Committee Meeting  
Municipal Energy Agency of Nebraska  
Younes Conference Center South, 416 W Talmadge Rd, Kearney, NE, 68845  
November 13, 2024

The Municipal Energy Agency of Nebraska (MEAN) Power Supply Committee met on Wednesday, November 13, 2024, beginning at 1:00 p.m. (CT), at the Younes Conference Center South, located at 416 W Talmadge Road in Kearney, Nebraska, the designated meeting site. Notice of the meeting was given to committee members by e-mail, and the public was advised by publication both print and online in the Lincoln Journal-Star newspaper and website on October 25, 2024. The notice and agenda were posted upon issuance at the NMPP Energy office, 8377 Glynoaks Drive, Lincoln, Nebraska, and kept continually current and available for public inspection. Meeting information and the current version of the Nebraska Open Meetings Act were made available on NMPP Energy's Public Meeting Information website.

**CALL TO ORDER**

Chair Tom Goulette called the meeting to order at 1:00 p.m. (CT). Pursuant to Section 84-1412 (8) of the Nebraska Open Meetings Act, a current copy of the Open Meetings Act was posted in the meeting room and made available to the public.

**ROLL CALL**

A quorum was declared with seven of ten committee members and the ex-officio in attendance.

1. James DePue - Wray, CO
2. Will Dowis - Gunnison, CO
3. Tom Goulette - West Point, NE
4. Bill Hinton - Kimball, NE
5. Duane Hoffman - Oxford, NE
6. Chris Rodman - Wall Lake, IA
7. Randy Woldt - Wisner, NE

Absent: Pat Davison - Imperial, NE, Matt Langhorst - Glenwood Springs, CO, and Adam Suppes - Delta, CO

**PUBLIC COMMENT PERIOD**

The Public Comment Period was announced, and a review of the rules applicable to the public participation process at MEAN public meetings was provided. There were no public comments.

**CONSENT AGENDA**

Minutes

Minutes of the August 21, 2024, meeting were previously distributed and included as Attachment A of the meeting packet. There were no changes to the minutes.

Next Meeting

The next meeting of the MEAN Power Supply Committee will be held on January 22, 2025, at the Younes Conference Center South, located at 416 W Talmadge Rd. in Kearney, Nebraska. In the event of inclement weather, the meeting may be held virtually.

Consent Resolution

*Motion: Will Dowis moved to approve the following consent resolution. James DePue seconded the motion, which carried unanimously on a roll call vote.*

*MEAN POWER SUPPLY COMMITTEE CONSENT RESOLUTION*

*WHEREAS, certain business of the Power Supply Committee of the Municipal Energy Agency of Nebraska (MEAN) transpires on a regular and routine basis or is not of a controversial nature; and,*

*WHEREAS, roll-call votes on each individual issue greatly extended the meeting time.*

*NOW, THEREFORE, BE IT RESOLVED BY THE MEAN Power Supply Committee that in the interest of economizing time, yet complying with the Open Meetings Act of the State of Nebraska, which requires roll-call voting, the following issues are hereby consolidated in this Consent Resolution:*

*BE IT FURTHER RESOLVED BY the MEAN Power Supply Committee that the minutes of the August 21, 2024 meeting are hereby approved.*

*BE IT FURTHER RESOLVED BY the MEAN Power Supply Committee that the next meeting will be held on Wednesday, January 22, 2025 at the Younes Conference Center South, 416 W Talmadge Rd., Kearney, Nebraska. In the event of inclement weather, the meeting may be held virtually.*

**RESCISSION OF MAY 19, 2022 RESOLUTION REGARDING MEMBER GENERATION\***

Presenter: Bob Poehling, Executive Director / CEO

The MEAN Board of Directors passed a resolution on May 19, 2022 that established an exception to the moratorium on leasing any new or additional capacity and allowed MEAN to lease approximately 6 to 7.5 MW of generating capacity from the City of Sidney, Nebraska or to enter into an agreement for MEAN to utilize the generating facility for operating reserves at a cost to be negotiated at a later date. Since that resolution was passed, the City of Sidney has elected to become a Contract Purchaser. This will be a material change in the relationship of the parties.

In 2024 the City of Sidney submitted an application to the Power Review Board for a generating facility that is expected to be 10MW, exceeding the amount approved in the original resolution. The City of Sidney's decision to become a Contract Purchaser means they will be considered a partial requirements participant and will eventually be required to hire a third-party market participant. This introduces the potential for competing, adverse, or differing interests with MEAN and its

participants, and presents the possibility of increased complexities to facility operations and dispatch that were not envisioned by MEAN in 2022.

The Power Supply Committee was asked to consider a recommendation to the MEAN Board of Directors to rescind the May 19, 2022 Resolution.

*Motion: Duane Hoffman moved to approve the following resolution. Randy Woldt seconded the motion, which carried unanimously on a roll call vote.*

*MEAN POWER SUPPLY COMMITTEE RESOLUTION*

*WHEREAS, the MEAN Board of Directors on May 19, 2022, passed a resolution (“May 19, 2022 Resolution”) approving an exception to the January 20, 2005 moratorium placed on leasing any new or additional generation until peaking capacity generation is needed, which would allow MEAN to lease approximately 6 to 7.5 MW of generating capacity from the City of Sidney, Nebraska (the “City”) or to potentially enter into an agreement for MEAN to utilize the generating facility for operating reserves at a cost to be negotiated at a later date; and*

*WHEREAS, any generating capacity leased from the City would be subject to MEAN’s Asset Management Policies and Procedures (the “AMPP”), which require compliance with various operating requirements; and*

*WHEREAS, the City is contemplating construction of a generating facility with a generating capacity of 10 MW, in excess of the capacity which could be leased by MEAN pursuant to the May 19, 2022 Resolution; and*

*WHEREAS, the MEAN Power Supply Committee recognizes that any such capacity in excess of capacity leased by MEAN may be subject to operating requirements of the City or third parties who are entitled to such excess capacity, which may be in conflict with the operating requirements set forth in the AMPP; and*

*WHEREAS, subsequent to the May 19, 2022 Resolution, the City notified MEAN by letter dated December 12, 2023 of the City’s election to become a Contract Purchaser, which by definition alters the nature of the relationship between the City and MEAN from Total Requirements Service (as defined in the Service Schedule M agreement) to partial requirements in the form of a fixed amount of power and energy equal to the Contract Demand (as defined in the SSM agreement); and*

*WHEREAS, pursuant to the Agreement between the City and MEAN dated September 6, 2024, the City’s Contract Purchaser status will take effect on April 1, 2026; and*

*WHEREAS, the MEAN Power Supply Committee recognizes that a Contract Purchaser does not fully share the collective interests of MEAN participants who have elected to purchase their entire electrical energy load requirements, including load growth, from MEAN in excess of firm electric service allocations from the Western Area Power Administration under certain power supply agreements with MEAN (Total Requirements Service Participants), and furthermore Contract Purchasers may have adverse and competitive interests to Total Requirements Service Participants*

*and/or MEAN, or interests that are not aligned with the best interests of MEAN and the Total Requirements Service Participants; and*

*WHEREAS, because of potential conflicting interests due to the lack of common interests of Contract Purchasers and MEAN/MEAN's Total Requirements Service Participants, and to avoid placing MEAN and its Total Requirements Service Participants in the position of paying for capacity from a MEAN participant-owned generating unit that could receive dispatch instructions from the City or a third party in conflict with MEAN dispatch instructions, the Committee desires to recommend the MEAN Board of Directors rescind the May 19, 2022 Resolution.*

*NOW, THEREFORE, BE IT RESOLVED BY the MEAN Power Supply Committee that the Committee recommends the Board of Directors rescind the May 19, 2022 Resolution.*

### **MODIFICATIONS TO RENEWABLE DISTRIBUTED GENERATION POLICY\***

Presenter: Michelle Lepin, General Counsel

The current Cap serves as an annual limit on output from Total Requirements Participant (TRP) Resources. Output up to the annual Cap amount is excluded from the MEAN Energy Charge. The proposed modifications will modify the purpose of the Cap to serve as a one-time guide for the Board to determine maximum nameplate capacity of proposed TRP Resources, and all output associated with approved nameplate capacity of the TRP Resource will be excluded from the MEAN Energy Charge.

The second proposed modification clarifies the Renewable Distributed Generation Policy does not apply to Contract Purchasers. Current Service Schedule M, J, K, and K-1 agreements are Total Requirement Participant Agreements. Contract Purchasers are considered partial requirements participants where MEAN's obligation to supply, and the City's obligation to purchase, is a fixed amount.

The Power Supply Committee was asked to consider a recommendation to the MEAN Board of Directors to approve the modifications as presented in the redlined copy of the Policy document that was included as Attachment B of the meeting packet.

*Motion: James DePue moved to approve the following resolution. Randy Woldt seconded the motion, which carried unanimously on a roll call vote.*

### **MEAN POWER SUPPLY COMMITTEE RESOLUTION**

*BE IT RESOLVED BY the MEAN Power Supply Committee that the Committee recommends the MEAN Board of Directors approve the modifications to the Renewable Distributed Generation Policy as presented.*

### **INDIANOLA MUNICIPAL UTILITIES/WAVERLY UTILITIES MARKETING AGENT AGREEMENTS\***

Presenter: Michelle Lepin, General Counsel

Terms of proposed renewal agreements with Indianola Municipal Utilities and Waverly Utilities, under which MEAN will market certain behind-the-meter generation owned and operated by these communities for the Midcontinent Independent System Operator ("MISO") Planning Years 2025-

2026 through 2031-2032, were presented. The current agreements expire in May of 2025. The committee was asked to consider a recommendation to the Board to approve extending the term of the agreements through May 31, 2032, which better matches the life of the transmission position utilized for the generation MEAN leases.

*Motion: Bill Hinton moved to approve the following resolution. Duane Hoffman seconded the motion, which carried unanimously on a roll call vote.*

*MEAN POWER SUPPLY COMMITTEE RESOLUTION*

*WHEREAS, Waverly Utilities and Indianola Municipal Utilities (the “Utilities”) each own electric generation facilities that are not committed to MEAN long-term due to the Moratorium adopted by the MEAN Board of Directors and Management Committee on January 20, 2005; and*

*WHEREAS, the Utilities have entered into an agreement under which MEAN serves as the Utilities’ agent through May 31, 2025 for marketing the capacity that is not already committed to MEAN under the Amended and Restated Supplemental Agreement Regarding Participant-Owned Capacity, as amended, between MEAN and each of the Utilities (“Marketable Capacity”); and*

*WHEREAS, MEAN desires to extend such marketing agent relationship through May 31, 2032; and*

*WHEREAS, as part of the marketing arrangement MEAN would retain the right to elect to purchase and pay for some or all of the Marketable Capacity for MEAN’s purposes.*

*NOW, THEREFORE, BE IT RESOLVED BY the MEAN Power Supply Committee that the Committee recommends the MEAN Board of Directors authorize and direct staff to negotiate and execute an agreement between MEAN and each of the Utilities under which MEAN will market the Marketable Capacity for the Midcontinent Independent System Operator (“MISO”) Planning Years 2025-2026 through 2031-2032, including the right for MEAN to elect to purchase and pay for some or all of the Marketable Capacity for MEAN’s purposes.*

**MODIFICATIONS TO ASSET MANAGEMENT POLICIES AND PROCEDURES (AMPP)\***

Presenter: Brad Hans, Director of Wholesale Electric Operations

A summary of proposed modifications to the AMPP was presented. The AMPP currently uses a variety of terms to refer to applicable rules and requirements from regulators, market operators, transmission providers, balancing authorities, and others. Proposed changes consolidate the various terms into a single defined term. Other modifications will update the AMPP to incorporate standardized language to comply with SPP and MISO unit registration requirements and give MEAN greater flexibility in choosing whether to pass through charges and penalties.

The Behind the Meter Generator (BTMG) Procedure has been modernized and renamed to match existing practice.

The committee was asked to consider a recommendation to the Board to approve the proposed modifications as shown in the redlined copy of the AMPP that was included as Attachment C of the meeting packet.

*Motion: Chris Rodman moved to approve the following resolution. James DePue seconded the motion, which carried unanimously on a roll call vote.*

*MEAN POWER SUPPLY COMMITTEE RESOLUTION*

*BE IT RESOLVED BY the MEAN Power Supply Committee that the Committee recommends the MEAN Board of Directors approve the modifications to the Asset Management Policies and Procedures as presented.*

**CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT (CNPPID)\***

Presenter: Brad Hans, Director of Wholesale Electric Operations

In January 2024 MEAN entered into a Power Purchase Agreement (PPA) with CNPPID for 42MW of generation from hydro units at Johnson Lake. To cover additional energy needs, a Temporary Supplemental Power Addendum to the existing PPA was executed, to allow MEAN to take generation from Jeffrey hydropower units 1 & 2 from July through December 2024.

A Request for Proposal was released in August 2024 for 20MW of hydropower from the CNPPID Jeffrey hydropower units 1 & 2. MEAN submitted a proposal for energy, capacity, environmental attributes and RECs from the Jeffrey hydropower units for a ten-year term, with a start date of January 1, 2025. The PPA is expected to be similar to the existing PPA that MEAN has with CNPPID for the Johnson hydropower units. A summary of the benefits and considerations of a potential agreement was presented.

MEAN's proposal is still under consideration and a decision is expected before the end of the month. In the event MEAN's proposal is accepted, the committee was asked to consider a recommendation to the Board to authorize the Executive Director to negotiate and execute the agreement.

Staff recommended the committee convene into closed session to accommodate additional discussion.

*Motion: James DePue moved to convene into a closed session to protect the public interest and discuss competitive and proprietary information related to Central Nebraska Public Power and Irrigation District. NMPP staff, Board Representatives, Board Alternate Representatives, and Associate Class Representatives may participate in the closed session. No action may be taken in a closed session. Will Dowis seconded the motion which carried unanimously on a roll call vote.*

Chairperson Tom Goulette reiterated the limitation of the subject matter of the closed session is to discuss competitive and proprietary information related to Central Nebraska Public Power and Irrigation District. Those not authorized to participate are asked to leave the room at this time.

The committee entered closed session at 1:30 p.m. and reconvened in open session at 1:44 p.m.

*Motion: Randy Woldt moved to approve the following resolution. Duane Hoffman seconded the motion, which carried unanimously on a roll call vote.*

## *MEAN POWER SUPPLY COMMITTEE RESOLUTION*

*WHEREAS, the Municipal Energy Agency of Nebraska (“MEAN”) desires to purchase renewable energy and associated capacity to meet MEAN’s 2050 Vision for carbon neutrality.*

*NOW, THEREFORE, BE IT RESOLVED BY the MEAN Power Supply Committee that the Committee recommends the MEAN Board of Directors authorize the Executive Director to negotiate and execute an agreement for MEAN to purchase approximately 20 MW of capacity and energy from the Central Nebraska Public Power and Irrigation District Jeffrey Units 1 & 2 hydropower resource to be owned and operated by Central Nebraska Public Power and Irrigation District, to effectuate the transaction as presented, subject to final legal and management review.*

### **RESOURCE PORTFOLIO DEVELOPMENT AND UPDATES**

#### Market Registration for Leased Capacity Units

Presenter: Brad Hans, Director of Wholesale Electric Operations

A summary of changes and impacts of SPP’s Market Registration was presented. Key differences in dispatch, market submissions, notification, and settlements processes, before and after implementation of the registration requirement, were discussed.

#### Generating Resource Update

Presenter: Brad Hans, Director of Wholesale Electric Operations

Highlights of issues currently affecting Wygen 1, Laramie River Station (LRS) and Whelan Energy Center 2 (WEC2) along with recent changes from Nebraska Public Power District (NPPD) transmission department that have impacts on municipal generation were presented.

#### Ainsworth Wind Project

Presenter: Brad Hans, Director of Wholesale Electric Operations

MEAN currently has a PPA with Nebraska Public Power District (NPPD) for 10MW of energy from a wind farm near Ainsworth, Nebraska. The agreement includes the option of extending the agreement for five additional years or terminating the agreement as of September 30<sup>th</sup>, 2025. MEAN has notified NPPD of MEAN’s intent to not extend the agreement.

#### Kilgore Wind Project

Presenter: Brad Hans, Director of Wholesale Electric Operations

Staff continues to evaluate a 53MW Wind Farm project located near Valentine, Nebraska. In May of 2024, the MEAN Board of Directors approved a resolution for MEAN to consider between ten and twenty megawatts of generation as a possible replacement for the Ainsworth Wind PPA.

#### Solar Project near Sidney

Presenter: Brad Hans, Director of Wholesale Electric Operations

The Committee was updated on a 40 MW Solar Project near Sidney, Nebraska that was approved by the MEAN Board of Directors in November of 2022. Impacts of the delay in the NPPD 345kV R-Line project, and evaluation of potential alternatives was presented.

Sandhills Community Solar and MEAN Contracted Solar

Presenter: Matt Reed, Distributed Resources and Generation Specialist-Assets and Utility Services

An overview of the status of the solar generating projects located in MEAN Participant communities was presented. Sixteen communities have signed PPAs with Sandhills Energy for Community Solar Projects; 21.20 MW-AC Community Solar, and ~19.788 MW-AC MEAN Contracted Solar.

**OPERATIONS UPDATES**

Presenter: Jeff Lindsay, Electric Operations Manager

A summary of MEAN\_NPPD and MEC\_MEAN\_LD load pricing, MID-C, WECC: Palo Verde and Natural Gas forward curve pricing, and SPP Regional Transmission Organization Expansion (RTOE) and Markets+ updates was presented.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 2:22 p.m.

Prepared by:  
Stacy Hendricks  
Municipal Energy Agency of Nebraska

Submitted by:  
Brad Hans  
Director of Wholesale Electric Operations  
Municipal Energy Agency of Nebraska