



Unapproved Minutes
Board of Directors and Executive Committee Meeting
Municipal Energy Agency of Nebraska
Younes Conference Center South, 416 W Talmadge Rd, Kearney, NE, 68845
November 14, 2024

The Board of Directors of the Municipal Energy Agency of Nebraska (MEAN) met Thursday, November 14, 2024, at the Younes Conference Center South, located at 416 W Talmadge Road, in Kearney, Nebraska, the designated public meeting site. Notice of the meeting was given to board members by e-mail, and the public was advised by publication in 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 Ourada called the meeting to order at 9:02 a.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 twenty-eight of fifty-five Directors in attendance:

Kirby Bridge – Alliance, NE	Grant Jorgensen – Beaver City, NE
Chad Anderson – Pierce, NE	Jim Kerr – Lyons, CO
Curt Atkins – Waverly, IA	Jeff Kohrs – Nebraska City, NE
Rod Brestel – Callaway, NE	Andrew Lee – Curtis, NE
Ron Carpenter – Haxtun, CO	Bob Lockmon – Stuart, NE
James DePue – Wray, CO	Brent Nation – Fort Morgan, CO
Chris Desplanques – Indianola, IA	Tom Ourada – Crete, NE
Will Dowis – Gunnison, CO	Mike Palmer – Sidney, NE
Justin Forman – Aspen, CO	Chris Rodman – Wall Lake, IA
Nate Francis – Fairbury, NE	Todd Rust – Chappell, NE
Tom Goulette – West Point, NE	Janine Schmidt – Morrill, NE
Glen Gralheer – Pender, NE	Robert Smith – Plainview, NE
Bill Hinton – Kimball, NE	Randy Woldt – Wisner, NE
Duane Hoffman – Oxford, NE	Dana Youtz – Torrington, WY

Board members not in attendance: Keith Beck – Fleming, CO; Bart Brinkman – Shickley, NE; Trevor Campbell – Falls City, NE; Pat Davison – Imperial, NE; Doug DeLaune – Arnold, NE; CJ Duncan – Basin, WY; Larry Edgar – Blue Hill, NE; Larry Farley – Denver, IA; Kevin Fowlkes – Bayard, NE; Bernard Gagne – Oak Creek, CO; Sandra Hendren – Mitchell, NE; Gene Horne – Red Cloud, NE; Andrea Johnson – Sergeant Bluff, IA; Todd Kielkopf – Carlisle, IA; Matthew Langhorst – Glenwood Springs, CO; Rhonda Martin – Breda, IA; Greg Nein – Julesburg, CO; Doug Parker – Gering, NE; Jeff Pohl – Burwell, NE; John Prettyman – Yuma, CO; Rocky Robinson – Lyman, NE; Tim Smith – Benkelman, NE; Adam Suppes – Delta, CO; Dallas Thomas – Ansley, NE; Blake Waldow – Broken Bow, NE; and Mark Wickard – Bridgeport, NE; 1 vacancy: Grant, NE.

Others in attendance: Ron Doggett, Mike Kalkwarf, Doug Linton, Gregg Pariset, John Rundel, and Jeremy Tarr

NMPP staff in attendance: Matt Edwards, Rich Eymann, Brad Hans, Mandy Hansen, Stacy Hendricks, Joe Hobelman, Kara Hunt, Jamie Johnson, Jill Jones, Sarah Jones, Kyle Kaldahl, Nicole Kubik, Michelle Lepin, Jeff Lindsay, Michael Maas, Maggie Miseno, Bob Poehling, Matt Reed, David Russell, and Kevin Wickham

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.

CHAIRMAN'S REMARKS

There were no Chair remarks.

REPORTS

Bob Poehling, Executive Director/CEO A summary of staffing trends in the industry and within NMPP Energy was presented. To meet NMPP Energy's strategic planning objective to prioritize maintaining a highly effective and vibrant workforce, a facilitator was recently brought in to conduct a succession planning session. Each employee's strengths, weaknesses, potential for growth and aspirations for advancement was evaluated and short-term, medium-term, and long-term strategies for each employee were developed. Some responsibilities of critical staff were reassigned and realigned to ensure the best utilization of their strengths. These steps will help ensure the future needs of employees and the organization are met.

Brad Hans, Director of Wholesale Electric Operations An overview of Midcontinent Independent System Operator (MISO)'s recently published twenty-year resource plan was presented.

A history of market transitions into MISO, the original Southwest Power Pool (SPP), the Western Energy Imbalance System (WEIS), and the current transition associated with the SPP Regional Transmission Organization Expansion (RTOE) was presented. In addition to the previous market meetings taking place over the past year, SPP has established several Strike Teams that will be highly focused on certain areas of market registration and development. Each entity participating in the market needs to have representation on these teams. SPP has also introduced a litany of mandatory market training that must be completed by April 1, 2025. This is very time intensive and is in addition to MEAN Staff's normal day to day responsibilities.

CONSENT AGENDA

Minutes

Minutes of the August 22, 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 Board of Directors will be held on January 23, 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.

Financial Report

Presenter: Jamie Johnson, Director of Finance and Accounting

A summary of NMPP Energy organizations Fiscal Year 2024-2025 Year-to-Date Financial Report was presented including the results for MEAN; an analysis of MEAN's balance sheet, cash, and investments; and fiscal year-to-date operating expenses. MEAN financials for July, August, and September 2024 were previously distributed.

PPGA's Bond refunding closed on October 8, 2024 resulting in a \$13.3 million dollar savings for PPGA, which is a \$4.8 million dollar savings for MEAN over the life of the transaction.

Minutes of the November 16, 2022 Rates and Charges Ad Hoc Committee

Minutes of the November 16, 2022, meeting were previously distributed and included as Attachment B of the meeting packet. There were no changes to the minutes.

Due to the Committee completing its initial objective, with no new objectives in the past two years, the Board Chair will dissolve the committee in accordance with the Rates and Charges Ad Hoc Committee Scope document.

Consent Resolution

Motion: Tom Goulette moved to approve the following consent resolution. Andrew Lee seconded the motion, which carried unanimously on a roll call vote. (Glen Gralheer did not vote)

MEAN BOARD OF DIRECTORS CONSENT RESOLUTION

WHEREAS, certain business of the Board of Directors 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 Board of Directors 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 Board of Directors that the minutes of the August 22, 2024 meeting are hereby approved.

BE IT FURTHER RESOLVED BY the MEAN Board of Directors that the next meeting will be held on Thursday, January 23, 2025 at the Younes Conference Center South, 416 W Talmadge Rd, Kearney, Nebraska. In the event of inclement weather this meeting may be held virtually.

BE IT FURTHER RESOLVED BY the MEAN Board of Directors that the financial statements for July, August, and September 2024 are hereby accepted.

BE IT FURTHER RESOLVED BY the MEAN Board of Directors that the minutes of the November 16, 2022 meeting of the MEAN Rates and Charges Ad Hoc Committee are hereby approved.

MODIFICATIONS TO MEAN FINANCIAL AND ADMINISTRATIVE POLICIES AND GUIDELINES*

Presenter: Michelle Lepin, General Counsel

Board members were referred to the redlined copy of Appendix C to the Financial and Administrative Policies and Guidelines document showing the proposed modifications that was previously distributed and included as Attachment C of the meeting packet.

As a result of U.S. Supreme Court Ruling: *Lindke v. Freed*, 601 U.S. 187, modifications were made to clarify that Board members have no actual authority to speak on MEAN's behalf and require a disclaimer on all personal social media accounts used to communicate information about MEAN or MEAN's activities.

Motion: Mike Palmer moved to approve the following resolution. Duane Hoffman seconded the motion, which carried unanimously on a roll call vote. (Mike Palmer did not vote)

MEAN BOARD OF DIRECTORS RESOLUTION

BE IT RESOLVED BY the MEAN Board of Directors that the Board of Directors hereby approves the modifications to Appendix C of the Financial and Administrative Policies and Guidelines as presented.

ELECTION OF SECRETARY-TREASURER*

Presenter: Michelle Lepin, General Counsel

Due to the recent resignation of Edward Dunn, the election to fill the office of Secretary-Treasurer position was conducted. An overview of the election process was presented. The newly elected officer's term will end March 31, 2025 or when a successor is elected and qualified.

Election information and nomination procedures were previously emailed to members. Nominations received prior to the meeting were as follows: Chris DesPlanques – Indianola, IA, and Andrew Lee – Curtis, NE. Andrew Lee withdrew his nomination prior to the vote. Chris DesPlanques had previously confirmed his willingness to serve. No nominations were received from the floor.

Motion: Chris Rodman moved to close nominations for the Secretary-Treasurer position and proceed to a vote by voice acclamation. Todd Rust seconded the motion, which carried unanimously.

Chris DesPlanques was announced as the newly elected Secretary-Treasurer of the MEAN Board of Directors.

ELECTION OF EXECUTIVE COMMITTEE AT-LARGE MEMBER*

Presenter: Michelle Lepin, General Counsel

The individual serving as Secretary-Treasurer also serves on the MEAN Executive Committee. An election for an at-large position on the Executive Committee was only required if a current member of the Executive Committee was elected Secretary-Treasurer. Since Chris DesPlanques was not already serving on the Executive Committee, this election was not needed.

FEDERAL SECURITIES LAW REQUIREMENTS – ANNUAL BOARD TRAINING

Presenter: Jamie Johnson, Director of Finance & Accounting

The annual Board training covering the requirements of federal securities laws in accordance with the best practices section of MEAN's Bond Compliance Policy was presented. Following the training, 27 MEAN Board of Directors Representatives acknowledged their participation by an attendance vote.

COMMITTEE REPORTS AND RECOMMENDATIONS

The MEAN Power Supply, Services, and Finance Committees met on November 13, 2024.

Power Supply Committee

Meeting Summary of November 13, 2024

Presenter: Brad Hans, Director of Wholesale Electric Operations

A summary of the following topics discussed at the November 13, 2024, Power Supply Committee meeting was presented:

Market Registration for Lead Capacity Units: Market registration impacts the majority of municipal units in SPP's footprint. There should not be significant changes in day-to-day operations.

Generating Resource Update: A summary of the anticipated impacts of the 111D law on Wygen 1, Laramie River Station (LRS), and Whelan Energy Center Unit 2 (WEC2) was presented along with an update on Wygen I outage schedule changes.

Ainsworth Wind Project: MEAN has notified Nebraska Public Power District (NPPD) of MEAN's intent to not extend its agreement for this project. The existing agreement will expire September 30, 2025.

Kilgore Wind Project: Staff continues to evaluate this project. MEAN is considering purchase of between 10 and 20 MW that would serve as a potential replacement for Ainsworth Wind.

Solar Project Near Sidney: The project is going to be limited on its output between September and May of each year until NPPD's R-Line is built. This would make the project cost prohibitive until that time. MEAN has been working with Sandhills, considering other technologies at that location and addressing potential for offtake of another facility.

Sandhills Community Solar & MEAN Contracted Solar: An overview of resources, megawatts, project start dates and estimated commercial operations dates for current projects was presented.

Rescission of May 19, 2022 Resolution Regarding Member Generation*

Presenter: Bob Poehling, Executive Director / CEO

A resolution passed on May 19, 2022 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. There is currently no active lease or

operating reserves agreement. 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.

At its November 13, 2024, meeting the MEAN Power Supply Committee recommended the Board approve a resolution to rescind the May 19, 2022 resolution regarding member generation.

Motion: Brent Nation moved to approve the following resolution. James DePue seconded the motion, which carried 24-0-2 on a roll call vote. (Chris DesPlanques and Janine Schmidt did not vote)

Ayes: Kirby Bridge, Chad Anderson, Curt Atkins, Rod Brestel, Ron Carpenter, James DePue, Will Dowis, Justin Forman, Nate Francis, Tom Goulette, Glen Gralheer, Bill Hinton, Duane Hoffman, Grant Jorgensen, Jim Kerr, Andrew Lee, Bob Lockmon, Brent Nation, Tom Ourada, Chris Rodman, Todd Rust, Robert Smith, Randy Woldt, and Dana Youtz

Nays: 0

Abstain: Jeff Kohrs and Mike Palmer

MEAN BOARD OF DIRECTORS 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 enter into an agreement for MEAN to potentially 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 Board of Directors 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 Board of Directors 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, MEAN desires to rescind the May 19, 2022 Resolution.

NOW, THEREFORE, BE IT RESOLVED BY the MEAN Board of Directors that the May 19, 2022 Resolution is hereby rescinded.

Modifications to Renewable Distributed Generation Policy*

Presenter: Brad Hans, Director of Wholesale Electric Operations

A summary of proposed modifications to the Renewable Distributed Generation Policy was presented. Members were referred to a redlined copy of the Policy document that was provided as Attachment D of the meeting packet.

The proposed modifications modified the purpose of the "Cap" under the Policy, clarify that Board approval is required for certain facility design modifications, and clarify the Policy is not applicable to Contract Purchasers.

At its November 13, 2024, meeting the MEAN Power Supply Committee recommended the Board approve the modifications to the Renewable Distributed Generation Policy as presented.

One correction to Attachment D was also presented to the language in Section 2.04 Cap, to update the description of pre-existing TRP Resources.

Motion: Jim Kerr moved to approve the following resolution. Tom Goulette seconded the motion, which carried 24-0-2 on a roll call vote. (Bill Hinton and Janine Schmidt did not vote)

Ayes: Kirby Bridge, Chad Anderson, Curt Atkins, Rod Brestel, Ron Carpenter, James DePue, Chris Desplanques, Will Dowis, Justin Forman, Nate Francis, Tom Goulette, Glen Gralheer, Duane Hoffman, Grant Jorgensen, Jim Kerr, Andrew Lee, Bob Lockmon, Brent Nation, Tom Ourada, Chris Rodman, Todd Rust, Robert Smith, Randy Woldt, and Dana Youtz

Nays: 0

Abstain: Jeff Kohrs and Mike Palmer

MEAN BOARD OF DIRECTORS RESOLUTION

BE IT RESOLVED BY the MEAN Board of Directors the modifications to the Renewable Distributed Generation Policy are approved as presented.

Indianola Municipal Utilities/Waverly Utilities Marketing Agent Agreement Renewals*

Presenter: Brad Hans, Director of Wholesale Electric Operations

Terms of proposed renewal of 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. MEAN has had Marketing Agent Agreements with Indianola Municipal Utilities and Waverly Utilities in some form since 2013 that allow MEAN to lease excess capacity. The current agreements expire in May of 2025, and the board is being asked for approval to extend the term of these agreements through the life of the transmission position utilized when MEAN leases this generation. The new term would run from June 1, 2025 through May 31, 2032.

The proposed arrangements were reviewed by the MEAN Power Supply Committee at its November 13, 2024, meeting and the committee voted to recommend board approval of the agreements with the extended term.

Motion: Todd Rust moved to approve the following resolution. Justin Forman seconded the motion, which carried 23-0-4 on a roll call vote. (Bill Hinton did not vote)

Ayes: Kirby Bridge, Chad Anderson, Rod Brestel, Ron Carpenter, James DePue, Will Dowis, Justin Forman, Nate Francis, Tom Goulette, Glen Gralheer, Duane Hoffman, Grant Jorgensen, Jim Kerr, Andrew Lee, Bob Lockmon, Brent Nation, Tom Ourada, Chris Rodman, Todd Rust, Janine Schmidt, Robert Smith, Randy Woldt, and Dana Youtz

Nays: 0

Abstain: Curt Atkins, Chris DesPlanques, Jeff Kohrs, and Mike Palmer

MEAN BOARD OF DIRECTORS 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 Board of Directors that staff is hereby authorized and directed to negotiate 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.

BE IT FURTHER RESOLVED BY the MEAN Board of Directors that such agreements with the Utilities are hereby approved, subject to final legal and management review, and the Executive Director of MEAN is hereby authorized and directed to execute and deliver such agreements on behalf of MEAN.

Modifications to Asset Management Policies and Procedures (AMPP)*

Presenter: Brad Hans, Director of Wholesale Electric Operations

A summary of proposed modifications to the Asset Management Policies and Procedures (AMPP) was presented and members were referred to a redlined copy of the AMPP document that was included as Attachment E of the meeting packet.

The proposed modifications include standardized language related to rules and standards, updates to comply with unit registration requirements in SPP, provide MEAN discretion to pass through charges and penalties rather than requiring a pass through, and rename the Behind The Meter Generation (BTMG) Procedure to the Unit Generating Procedure, in addition to general formatting, wording, and grammatical updates.

At its November 13, 2024, meeting the MEAN Power Supply Committee recommended the Board approve the modifications as presented.

Motion: Chris Rodman moved to approve the following resolution. Brent Nation seconded the motion, which carried 26-0-2 on a roll call vote.

Ayes: Kirby Bridge, Chad Anderson, Curt Atkins, Rod Brestel, Ron Carpenter, James DePue, Chris Desplanques, Will Dowis, Justin Forman, Nate Francis, Tom Goulette, Glen Gralheer, Bill Hinton, Duane Hoffman, Grant Jorgensen, Jim Kerr, Andrew Lee, Bob Lockmon, Brent Nation, Tom Ourada, Chris Rodman, Todd Rust, Janine Schmidt, Robert Smith, Randy Woltdt, and Dana Youtz

Nays: 0

Abstain: Jeff Kohrs and Mike Palmer

MEAN BOARD OF DIRECTORS RESOLUTION

BE IT RESOLVED BY the MEAN Board of Directors the modifications to the Asset Management Policies and Procedures are approved 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 42 MW of hydro generation from units at Johnson Lake. A Request for Proposal was received in August 2024 for 20 MW of hydropower from the CNPPID Jeffrey hydropower units 1 & 2. The prospective hydro PPA from the Jeffrey hydropower units is for a ten-year term, with a start date of January 1, 2025 and is expected to be similar to the existing PPA that MEAN has with CNPPID for the Johnson hydropower units.

At its November 13, 2024, meeting the MEAN Power Supply Committee recommended the Board authorize the Executive Director to negotiate and execute an agreement with CNPPID as presented.

Motion: Brent Nation moved to approve the following resolution. Chris DesPlanques seconded the motion, which carried 24-0-2 on a roll call vote. (Tom Goulette and Dana Youtz did not vote)

Ayes: Kirby Bridge, Chad Anderson, Curt Atkins, Rod Brestel, Ron Carpenter, James DePue, Chris Desplanques, Will Dowis, Justin Forman, Nate Francis, Glen Gralheer, Bill Hinton, Duane Hoffman, Grant Jorgensen, Jim Kerr, Andrew Lee, Bob Lockmon, Brent Nation, Tom Ourada, Chris Rodman, Todd Rust, Janine Schmidt, Robert Smith, and Randy Woldt

Nayes:0

Abstain: Jeff Kohrs and Mike Palmer

MEAN BOARD OF DIRECTORS 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 Board of Directors that the Executive Director is hereby authorized 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.

BE IT FURTHER RESOLVED BY the MEAN Board of Directors, that the Executive Director of MEAN is hereby authorized to do any and all things and to execute and deliver any and all documents which he deems necessary or advisable in order to consummate the execution and delivery of such agreement. Notwithstanding any provision of this Resolution authorizing the Executive Director to take any action or execute any document to the contrary, in the absence of the Executive Director or in lieu of the Executive Director, the person designated in writing by the Executive Director, may take such action

or execute such document with like effect as fully as though named in this Resolution instead of the Executive Director.

The MEAN Board of Directors recessed for a break at 10:30 a.m. The meeting resumed at 11:00 a.m.

Services Committee

Presenter: Dave Russell, Director of Governmental Affairs and Digital Solutions

Meeting Summary of November 13, 2024

An update including the next steps in negotiating for an award under the Department of Energy (DOE) Rural and Municipal Cybersecurity Grant, and project objectives was presented. MEAN was one of ten organizations within the United States that received an award under this grant.

Finance Committee

Presenter: Jamie Johnson, Director of Finance and Accounting

Meeting Summary of October 16, 2024, and November 13, 2024

October 16, 2024: A summary of the Preliminary Shared Administrative and General Budget for Fiscal Year 2025-2026 including Budgeted Positions and Allocation of Expenses/Reimbursement for Services Rendered and Resources Utilized, and Capacity Commitment Compensation Rates was presented at the October 16, 2024 Finance Committee meeting, and a brief overview provided to the Board.

November 13, 2024: Updates to the Capacity Commitment Compensation Rates and potential revisions to the associated policy framework was noted. In January, the Board will be asked to consider changes to the Financial and Administrative Policies and Guidelines, the AMPP, and the Schedule of Rates and Charges to be effective on April 1, 2025.

UPDATES AND REPORTS

Markets & Operations

Presenter: Jeff Lindsay, Electric Operations Manager

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 were presented.

Western Area Power Administration (WAPA)

Presenter: Nicole Kubik, Member Relations Representative

An update on WAPA's efforts for determining if customers may sell allocated federal hydropower Renewable Energy Certificates (RECs) and a timeline was presented.

Staff is currently working with WAPA on a three-way Purchasing and Scheduling Agent Service Agreement that will modernize the terms for MEAN to serve as the purchasing and scheduling agent for SLCA allocations. A review of proposed WAPA LAP Firm Electric Service (FES) Rate adjustments was presented.

United States Drought Classifications comparison between August and November was presented.

2025 NMPP Energy Annual Conference

Presenter: Mandy Hansen, Director of Utility Services

The 2025 NMPP Energy Annual Conference will be the 50th Anniversary of the event and will be held Tuesday March 18th through Thursday, March 20th, 2025 at the Embassy Suites in Lincoln, Nebraska.

An agenda focused on education and networking is being developed, and a review of speaker survey responses was presented.

LEGISLATIVE UPDATE

Presenter: Dave Russell, Director of Governmental Affairs and Digital Solutions

A summary of election results for Iowa, Nebraska, Colorado, and Wyoming was presented.

GENERAL COUNSEL REPORT – CONTRACT AND LEGAL UPDATES

Presenter: Michelle Lepin, General Counsel

Members were directed to the written report in the meeting packet for additional information on the following executed contracts and the legal and regulatory report:

Other Party	Agreement Name
Aspen, CO; Haymax Lodging LLC	Agreement for Purchase of As-Available Energy (QF) (100 kW or less)
Sidney, NE	Agreement (waiver related to effective date of transition to Contract Purchaser)
Scribner, NE	Amendment No. 1 to Agreement Regarding SPP Market Assistance
The Energy Authority, Inc.	Meter Agent Services Agreement for SPP Market (revision to add registered member generation units)
Tri-State Generation and Transmission Association, Inc.	Confirmation Under WSPP Agreement for Purchase of Operating Reserves (January 1, 2025 - March 2026)
WAPA, Sac and Fox Nation of Missouri in Kan. and Neb.	Benefit Crediting Contract No. 24-RMR-3470
WAPA, Prairie Band Potawatomi Nation	Benefit Crediting Contract No. 24-RMR-3472
WAPA, Iowa Tribe of Kansas and Nebraska	Benefit Crediting Contract No. 24-RMR-3469
WAPA	Exhibit A Revision No. 1 to Firm Electric Service Contract No. 14-RMR-2526 (Rocky Mountain Region, Loveland Area Projects)
WAPA	Exhibit B Revision No. 1 to Firm Electric Service Contract No. 14-RMR-2526 (Rocky Mountain Region, Loveland Area Projects)

Other Party	Agreement Name
WAPA	Scheduling, Accounting and Billing Procedures (SABP) to Firm Electric Service Contract No. 14-RMR-2526 (Rocky Mountain Region, Loveland Area Projects)
WAPA	Letter Agreement No. 24-SLC-1321 (overscheduling of SLC allocations)
WAPA	Exhibit A Revision 2 (Seasonal Energy, Contract Rates of Delivery, and Points of Delivery for Power and Energy Delivered from MEAN to WAPA) to Capacity and Energy Displacement Agreement (No. 19-RMR-3095)
WAPA	Exhibit B Revision 2 (Seasonal Energy, Contract Rates of Delivery, and Points of Delivery for Power and Energy Delivered from WAPA to MEAN) to Capacity and Energy Displacement Agreement (No. 19-RMR-3095)
Western States - Upper Great Plains, Inc.	FY 2025 Participation in Upper Great Plains Member Financing (for Corps of Engineers Contract Number 20-UGPR-18, Exhibit C and WAPA - UGPR Exhibit B)
Western States Power Corporation	FY 2025 Participation in Loveland Area Projects (LAP) Member Financing 18-RMR-2962
Public Power Generation Agency (PPGA)	Tax Compliance Agreement (PPGA bonds for WEC2) 2024 Series A

Contract Purchaser Transition Status: MEAN has communicated major milestones and deadlines for the transition with the City of Sidney, Nebraska. Because the City has opted out of all new power projects and because they will have a separate rate, an official notice of termination for green energy was sent to the City of Sidney to be effective April 1, 2026, as allowed under the terms and conditions of the Green Energy Subscription.

Federal News: Summaries of the following were presented:

- U.S. Supreme Court's recent denial of requests to stay the U.S. Environmental Protection Agency's rule regulating power plant greenhouse gas emissions while the rule is being challenged in court in the D.C. Circuit.
- FTC plans to update Green Guides

CLOSING COMMENTS

Bob Poehling reminded members of the following upcoming events:

- December 18, 2024, MEAN joint Finance and Risk Oversight Committees Meeting, Lincoln, Nebraska with virtual option
- January 22 & 23, 2025 MEAN Committee and Board of Directors Meetings, Kearney, Nebraska
- March 18 – 20, 2025 NMPP Energy Annual Conference, Lincoln, Nebraska

Tom Ourada thanked members and staff for their participation and preparations.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:42 a.m.

Prepared by:
Stacy Hendricks
Municipal Energy Agency of Nebraska

Submitted by:
Chris DesPlanques
Secretary/Treasurer
MEAN Board of Directors