

MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
NEBRASKA PUBLIC POWER DISTRICT  
JANUARY 10-11, 2024

(Marginal Index for Informational Purposes Only)

A meeting of the Board of Directors of Nebraska Public Power District was held at the Columbus General Office, Columbus, Nebraska, beginning at 1:30 p.m. on Wednesday, January 10, 2024.

In compliance with state law, legal notice announcing the date, hours, location, and availability of the agenda for the meeting was published on the District's corporate website, nppd.com, and also in the following newspapers on or about January 4, 2024:

- (1) Columbus Telegram, Columbus, Nebraska;
- (2) Kearney Hub, Kearney, Nebraska;
- (3) Lincoln Journal Star, Lincoln, Nebraska;
- (4) Norfolk Daily News, Norfolk, Nebraska;
- (5) North Platte Telegraph, North Platte, Nebraska;
- (6) Omaha World-Herald, Omaha, Nebraska;
- (7) Scottsbluff Star-Herald, Scottsbluff, Nebraska;
- (8) York News-Times, York, Nebraska.

This notice was also e-mailed to each member of the Board of Directors.

Chair Chlopek called the regular meeting to order at 1:30 p.m. on Wednesday, January 10, 2024, and directed the roll be called:

Present: Jerry L. Chlopek, Sue D. Fuchtman, David D. Gale, Mary A. Harding, Rusty M. Kemp, Chris R. Langemeier, Ronald J. Mogul, Jr., Edward J. Schrock, Aaron D. Troester, Wayne E. Williams

Absent: Derek S. Rusher

constituting a quorum of the Board of Directors.

Director Rusher entered the meeting shortly after roll call.

Chair Chlopek announced that there was a posting of the Open Meetings Act and copies of the Board agenda at the entrance of the Board room, for anyone wishing to examine those documents.

President and Chief Executive Officer Thomas J. Kent provided an update on system and safety status.

LEGAL NOTICE  
PUBLISHED PRIOR  
TO THE MEETING

ROLL CALL,  
1:30 P.M.,  
JANUARY 10, 2024

ANNOUNCEMENT OF  
POSTING OF OPEN  
MEETINGS ACT AND  
AGENDA

REPORT ON  
SYSTEM AND  
SAFETY STATUS

The first order of business was election of officers for 2024-25. Pursuant to the District's By-Laws, Directors vote by secret ballot for officer elections. Executive Vice President of External Affairs and General Counsel John C. McClure outlined the protocols for officer elections, and announced that he would collect and tabulate the votes.

#### ELECTION OF OFFICERS

Director Williams nominated Jerry L. Chlopek as Board Chair for 2024-2025. No other nominations were made and Chair Chlopek declared the nominations closed. Vote totals for Chair were as follows:

#### NOMINATION AND ELECTION OF BOARD CHAIR FOR 2024-2025

Jerry L. Chlopek                      11 votes

Director Chlopek declared himself Chair and continued chairing the meeting.

Director Chlopek nominated Wayne E. Williams as First Vice Chair for 2024-2025. No other nominations were made and Chair Chlopek declared the nominations closed. Vote totals for First Vice Chair were as follows:

#### NOMINATION AND ELECTION OF FIRST VICE CHAIR FOR 2024-2025

Wayne E. Williams                      11 votes

Chair Chlopek declared Wayne E. Williams elected First Vice Chair for 2024-2025.

Director Williams nominated Chris R. Langemeier as Second Vice Chair for 2024-2025. No other nominations were made and Chair Chlopek declared the nominations closed. Vote totals for Second Vice Chair were as follows:

#### NOMINATION AND ELECTION OF SECOND VICE CHAIR FOR 2024-2025

Chris R. Langemeier                      11 votes

Chair Chlopek declared Chris R. Langemeier elected Second Vice Chair for 2024-2025.

Director Chlopek nominated Aaron D. Troester as Secretary for 2024-2025. No other nominations were made and Chair Chlopek declared the nominations closed. Vote totals for Secretary were as follows:

#### NOMINATION AND ELECTION OF SECRETARY FOR 2024-2025

Aaron D. Troester                      11 votes

Chair Chlopek declared Aaron D. Troester elected Secretary for 2024-2025.

Director Harding nominated Laura L. Kapustka as Treasurer for 2024-2025. No other nominations were made, and Chair Chlopek declared the nominations closed. Vote totals for Treasurer were as follows:

#### NOMINATION AND ELECTION OF TREASURER FOR 2024-2025

Laura L. Kapustka                      11 votes

Chair Chlopek declared Laura L. Kapustka elected Treasurer for 2024-2025.

The following appointments of staff members were recommended by Treasurer Laura L. Kapustka, stating that these appointments are for the purpose of authorizing such persons to sign on behalf of the Treasurer for the disbursement of District funds:

Cristal D. Menke*	Assistant Treasurer
Christopher A. Norquest*	Deputy Assistant Treasurer
Mark A. Weeder*	Authorized Signatory
Dawn K. Sucha	Authorized Signatory

\*Authorized to invest and manage NPPD funds in accordance with Board-approved investment policies.

Additionally, it was recommended that Chief Audit and Ethics Officer Donna K. Starzec be removed as an authorized signer on all District accounts.

**It was moved by Director Harding and seconded by Director Mogul that the Board confirm the appointments of Cristal D. Menke as Assistant Treasurer; Christopher A. Norquest as Deputy Assistant Treasurer; and Mark A. Weeder and Dawn K. Sucha as Authorized Signatories for 2024. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Kemp, Langemeier, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	None

Whereupon the Chair declared the motion carried.

**It was moved by Secretary Troester and seconded by Director Langemeier that the Board confirm the appointments of Janette Modelski as Assistant Secretary, and Sandra Keefover as Deputy Assistant Secretary, for 2024. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Kemp, Langemeier, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	None

Whereupon the Chair declared the motion carried.

**MOTION (CARRIED):  
CONFIRM  
APPOINTMENTS OF  
ASSISTANT  
TREASURER,  
DEPUTY ASSISTANT  
TREASURER, AND  
AUTHORIZED  
SIGNATORIES FOR  
2024**

**MOTION (CARRIED):  
CONFIRM  
APPOINTMENT OF  
ASSISTANT  
SECRETARY AND  
DEPUTY ASSISTANT  
SECRETARY FOR  
2024**

Vice President of Human Resources and Corporate Services Dallas M. Beshaler, and Organizational Development Manager Lenette R. Sprunk provided an overview of NPPD's new Executive Leadership Training Program, aimed at providing high potential, next-level executive leaders with experience and skills to prepare to lead the organization. The three participants for 2024-2025 were introduced: CNS General Manager of Plant Operations Billy L. Chapin, Director of Operational Technology and Security David L. Dubowsky, and Canaday/Water/Renewable Energy Manager Kirk A. Evert.

REVIEW OF NPPD  
EXECUTIVE  
LEADERSHIP  
TRAINING PROGRAM

A recess was taken from 2:14 to 2:26 p.m.

RECESS

Chair Chlopek recommended the following Committee appointments for 2024, to be effective immediately (first person named is Chair; second person named is First Vice Chair; third person named is Second Vice Chair):

**Energy Supply:**

Troester  
Harding  
Schrock  
Mogul  
Rusher

**Customer and Support Services:**

Langemeier  
Williams  
Gale  
Kemp  
Fuchtmann

**Nuclear (Committee of the Whole):**

Williams  
Troester  
Mogul  
Chlopek  
Fuchtmann  
Gale  
Harding  
Kemp  
Langemeier  
Rusher  
Schrock

**Audit, Risk and Compliance:**

Chlopek  
Williams  
Langemeier  
Troester

**Board Governance and Strategic Planning:**

Williams  
Langemeier  
Fuchtmann  
Harding

**Budget:**

Schrock  
Gale  
Rusher  
Mogul  
Kemp

**It was moved by Director Harding and seconded by Director Fuchtmann that the foregoing Committee appointments for 2024 be approved, effective immediately. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Harding, Kemp, Langemeier, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	Gale
Abstaining:	None
Present But Not Voting:	None
Absent:	None

Whereupon the Chair declared the motion carried.

**It was moved by Director Harding and seconded by Director Langemeier that the Board go into Executive Session at 2:28 p.m. to protect the public interest and discuss competitive and proprietary information, pending and potential litigation, and receive legal advice. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Kemp, Langemeier, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	None

Whereupon the Chair declared the motion carried and restated the purpose of the Executive Session: to protect the public interest and discuss competitive and proprietary information, pending and potential litigation, and receive legal advice.

Chair Chlopek announced the executive session was ended at 4:27 p.m., during which nothing was discussed beyond the items declared: competitive and proprietary information, pending and potential litigation, and receive legal advice.

**MOTION (CARRIED):  
APPROVE  
COMMITTEE  
APPOINTMENTS  
FOR 2024**

**MOTION (CARRIED):  
GO INTO EXECUTIVE  
SESSION AT  
2:28 P.M. TO  
PROTECT THE  
PUBLIC INTEREST,  
DISCUSS  
COMPETITIVE AND  
PROPRIETARY  
INFORMATION,  
PENDING AND  
POTENTIAL  
LITIGATION, AND  
RECEIVE LEGAL  
ADVICE**

**EXECUTIVE  
SESSION ENDED AT  
4:27 P.M.**

The meeting was recessed at 4:29 p.m., to reconvene on Thursday, January 11, 2024, at the Columbus General Office.

MEETING  
RECESSED AT  
4:29 P.M.

### **JANUARY 11, 2024**

Chair Chlopek called the regular meeting to order at 9:55 a.m. on Thursday, January 11, 2024, and directed the roll to be called:

ROLL CALL,  
9:55 A.M.,  
JANUARY 11, 2024

Present: Jerry L. Chlopek, Sue D. Fuchtman, David D. Gale, Mary A. Harding, Rusty M. Kemp, Ronald J. Mogul, Jr., Derek S. Rusher, Edward J. Schrock, Aaron D. Troester, Wayne E. Williams

Absent: Chris L. Langemeier

constituting a quorum of the Board of Directors.

Chair Chlopek announced that there was a posting of the Open Meetings Act and copies of the Board agenda at the entrance of the conference room, for anyone wishing to examine those documents.

ANNOUNCEMENT OF  
POSTING OF OPEN  
MEETINGS ACT AND  
AGENDA

Guests at the meeting included Clay Gibbs, Jenny Hoefer, Glen Pfeifer, Mike Siefken, and Brian Strong, Cornhusker Public Power District; Mark Johnson and Rod Zohner, Elkhorn Rural Public Power District; John Gall, Doug Oertwich, and Trevor Turner, Stanton County Public Power District; and James Henderson, Institute of Nuclear Power Operations (INPO).

GUESTS  
WELCOMED TO  
MEETING

Director of Nuclear Oversight and Strategic Asset Management Daniel E. Buman, and Executive Vice President and Chief Financial Officer Laura L. Kapustka discussed the results of the 2023 Decommissioning Study and the decommissioning trust fund agreements. NPPD, as the holder of a license to operate a nuclear power generating plant, is required to maintain financial assurance for eventual decommissioning of the facility, which includes license termination, spent fuel management (assumed to be reimbursed by the Department of Energy), and site restoration costs. The decommissioning study, performed by TLG Services, evaluated four scenarios that encompassed two different processes for shutting down the plant, and two different dates for shutdown. Mr. Buman reviewed the estimated costs associated with each of the four scenarios; based on NPPD's cash flow analysis using the cost figures and recent performance of the existing decommissioning trust fund, a deficit exists between funds being collected for decommissioning and the anticipated actual costs to decommission the plant.

CNS 2023  
DECOMMISSIONING  
STUDY AND TRUST  
FUND UPDATE

Ms. Kapustka reviewed options for funding the eventual decommissioning of CNS. Currently NPPD maintains one external decommissioning trust fund which holds all collections for decommissioning, and management is recommending the addition of a second internal decommissioning trust fund to provide for more flexibility and alignment with the industry. The Board will be asked to consider approval of the new internal decommissioning trust fund agreement at the February 2024 Board meeting, along with associated revisions to NPPD's Investment Policy for CNS Decommissioning Funds.

Governmental Affairs Manager John S. McNally reviewed a proposed legislative and regulatory policy resolution, to provide NPPD management with general guidance during the 2024 legislative session.

2024 LEGISLATIVE  
POLICY DISCUSSION

### **RESOLUTION**

WHEREAS, it is the mission of Nebraska Public Power District (NPPD) to safely generate and deliver reliable, low-cost, sustainable energy and related services, while providing outstanding customer service; and

WHEREAS, NPPD generally supports legislation and regulations that sustain Nebraska's public power system and protects the interests of electric consumers in Nebraska; and

WHEREAS, NPPD generally opposes legislation and regulations that impose broad-based mandates that do not account for local conditions, experience, evidence, and performance.

NOW, THEREFORE, BE IT RESOLVED with reference to the 2024 session of the Nebraska Legislature and the 118th U.S. Congress and related regulatory actions, that the District:

1. Opposes legislation and regulations which would jeopardize public power.
2. Supports legislation and regulations designed to protect both groundwater and surface water needs of the District and will also consider the surface water and groundwater needs of its customers as it formulates positions.
3. Opposes the sale of federally owned and operated generation and transmission facilities.
4. Supports continued sale of Western Area Power Administration power at cost-of-service prices.
5. Supports federal legislative and regulatory actions which advance the development of a high-level nuclear waste management/disposal facility.

PROPOSED  
RESOLUTION: 2024  
LEGISLATIVE/  
REGULATORY  
POLICY  
RESOLUTION  
(RESOLUTION WAS  
AMENDED BELOW)

6. Supports state environmental legislation and regulation that is equivalent to federal requirements unless it can be demonstrated that federal regulations do not adequately protect public health and the environment.

7. Opposes expanding taxes/fees on public power districts or loss of tax exemptions.

8. Opposes legislation which would raise the price of electricity by reducing or eliminating access to or benefits of tax-exempt financing or which would reduce or eliminate payments for Build America Bonds.

9. Supports legislation and regulations which would provide public power entities with federal or state incentives relating to the electric industry and environmental technologies comparable to those established for the private sector.

10. Opposes legislation and regulations adding new costs and burdens for cyber-security which are not commensurate with the risks and benefits and supports legislation and regulations which encourage timely sharing by federal officials of cyber security threats and other essential information with entities operating the bulk electric system.

11. Supports legislative and regulatory policies and actions recognizing the benefits of hydro and nuclear powers' contribution to reductions in greenhouse gases, and which allow the District to broadly engage in greenhouse gas/carbon reduction and management practices relating to renewable and synthetic fuels and products and carbon sequestration activities, which benefit Nebraska's economy and the environment.

12. Supports legislation and regulation authorizing public power to provide for broadband services through public/private partnerships.

13. Supports legislative and regulatory actions by the State of Nebraska to build the Perkins County Canal to protect Nebraska's right to South Platte River water granted to it by the South Platte Compact.

14. Supports legislation to increase compensation for public power district board members serving districts with more than \$500 million of annual revenues.

15. Supports legislation increasing the sealed bid threshold for public power districts with more than \$500 million of annual revenues.

16. Opposes legislation which restricts the manner in which Nebraska public power utilities may serve electric vehicle charging loads or which provides a preference for entities that are not retail electric utilities to provide such service.



**It was moved by Director Harding and seconded by Director Schrock that the foregoing resolution be adopted, as presented.**

Directors Gale and Rusher expressed concerns with items 6, 11 and 14. Following input from Executive Vice President of External Affairs and General Counsel John C. McClure, the Directors agreed to leaving language as-is for items 6 and 14, but requested that the words “and the environment” be stricken from the end of item 11.

**It was moved by Director Rusher and seconded by Director Schrock to amend the motion and adopt the resolution with the exception of item 11, to be voted on separately. Votes on the amended motion were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Harding, Kemp, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	Gale
Abstaining:	None
Present But Not Voting:	None
Absent:	Langemeier

**It was moved by Director Gale and seconded by Director Rusher to reinsert item 11 back into the original resolution, but striking the words” and the environment” from the item. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Kemp, Mogul, Rusher, Troester, Williams
Voting Nay:	Harding, Schrock
Abstaining:	None
Present But Not Voting:	None
Absent:	Langemeier

Whereupon the Chair declared the motion carried, and the resulting resolution below was adopted:

#### **RESOLUTION NO. 24-1**

WHEREAS, it is the mission of Nebraska Public Power District (NPPD) to safely generate and deliver reliable, low-cost, sustainable energy and related services, while providing outstanding customer service; and

WHEREAS, NPPD generally supports legislation and regulations that sustain Nebraska's public power system and protects the interests of electric consumers in Nebraska; and

WHEREAS, NPPD generally opposes legislation and regulations that impose broad-based mandates that do not account for local conditions, experience, evidence, and performance.

**RESOLUTION  
NO. 24-1 (ADOPTED):  
APPROVE 2024  
LEGISLATIVE/  
REGULATORY  
POLICY  
RESOLUTION, AS  
AMENDED**

NOW, THEREFORE, BE IT RESOLVED with reference to the 2024 session of the Nebraska Legislature and the 118th U.S. Congress and related regulatory actions, that the District:

1. Opposes legislation and regulations which would jeopardize public power.
2. Supports legislation and regulations designed to protect both groundwater and surface water needs of the District and will also consider the surface water and groundwater needs of its customers as it formulates positions.
3. Opposes the sale of federally owned and operated generation and transmission facilities.
4. Supports continued sale of Western Area Power Administration power at cost-of-service prices.
5. Supports federal legislative and regulatory actions which advance the development of a high-level nuclear waste management/disposal facility.
6. Supports state environmental legislation and regulation that is equivalent to federal requirements unless it can be demonstrated that federal regulations do not adequately protect public health and the environment.
7. Opposes expanding taxes/fees on public power districts or loss of tax exemptions.
8. Opposes legislation which would raise the price of electricity by reducing or eliminating access to or benefits of tax-exempt financing or which would reduce or eliminate payments for Build America Bonds.
9. Supports legislation and regulations which would provide public power entities with federal or state incentives relating to the electric industry and environmental technologies comparable to those established for the private sector.
10. Opposes legislation and regulations adding new costs and burdens for cyber-security which are not commensurate with the risks and benefits and supports legislation and regulations which encourage timely sharing by federal officials of cyber security threats and other essential information with entities operating the bulk electric system.
11. Supports legislative and regulatory policies and actions recognizing the benefits of hydro and nuclear powers' contribution to reductions in greenhouse gases, and which allow the District to broadly engage in greenhouse gas/carbon reduction and management practices relating to renewable and synthetic fuels and products and carbon

sequestration activities, which benefit Nebraska's economy.

12. Supports legislation and regulation authorizing public power to provide for broadband services through public/private partnerships.

13. Supports legislative and regulatory actions by the State of Nebraska to build the Perkins County Canal to protect Nebraska's right to South Platte River water granted to it by the South Platte Compact.

14. Supports legislation to increase compensation for public power district board members serving districts with more than \$500 million of annual revenues.

15. Supports legislation increasing the sealed bid threshold for public power districts with more than \$500 million of annual revenues.

16. Opposes legislation which restricts the manner in which Nebraska public power utilities may serve electric vehicle charging loads or which provides a preference for entities that are not retail electric utilities to provide such service.

There were no public comments.

PUBLIC COMMENTS

Chair Chlopek asked for discussion of any consent agenda items, which included the following:

CONSENT AGENDA

- Minutes of December 13-14, 2023, Regular Board Meeting
- April 2024 Regular Board Meeting tentatively planned for April 10-11, 2024, in Columbus (February 2024 Regular Board Meeting previously scheduled for February 7-8, 2024, in Columbus; no meeting in March 2024)
- Ratification/Confirmation of Signatures of Staff Members
- November 2023 Summary of Disbursements

Chair Chlopek asked whether any Directors desired any items on the consent agenda to be placed on the regular agenda and voted on separately. There were none.

**It was moved by Director Fuchtman and seconded by Director Rusher that all items on the consent agenda be approved as listed above. Votes were cast and recorded as follows:**

**MOTION (CARRIED):  
APPROVE CONSENT  
AGENDA**

Voting Aye:	Chlopek, Fuchtman, Gale, Harding, Kemp, Mogul, Rusher, Schrock, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	Langemeier

Whereupon the Chair declared the motion carried.

Executive Vice President of External Affairs and General Counsel John C. McClure read an excerpt from NPPD's "Tools for Nuclear Excellence" pocket guide.

Executive Vice President of External Affairs and General Counsel John C. McClure introduced a video highlighting various District accomplishments and achievements for 2022.

Executive Vice President of External Affairs and General Counsel John C. McClure provided an update on NPPD employee staffing levels, and presented the Report on Retirements and Former District Employee Rehires which is on file with the Assistant Secretary and attached and made a part of these minutes.

Retirees Stan Clouse and Craig Ehrenberg briefly addressed the Board and commented on their NPPD careers.

Vice President of Strategy and Transformation Conrad L. Saltzgaber discussed the Board's 2024 Work Plan and reviewed the current list of education topics for the year.

Executive Vice President of External Affairs and General Counsel John C. McClure provided a look-ahead of upcoming items for the February 2024 Board meeting.

Governmental Affairs Manager John S. McNally discussed legislative items of interest at the state level.

During the time designated for Directors' comments and questions, Director Schrock commented on a group tour of GGS that he coordinated and hosted. Director Rusher congratulated Stan Clouse on his retirement and thanked him for his friendship and leadership.

A lunch recess was taken from 11:26 a.m. to 12:03 p.m.

Directors Kemp and Schrock left the meeting during the lunch break due to inclement weather.

The Nuclear Committee of the Whole, chaired by Director Williams, met Thursday, January 11, 2024, from 12:03 to 12:11 p.m., during the Board of Directors meeting.

CNS Site Vice President Khalil M. Dia reviewed a resolution requesting approval to negotiate a multi-cycle outage services agreement for refuel floor services (CNS). Director Williams, Chair of the Nuclear Committee, recommended the following resolution:

NPPD 2023  
YEAR-END  
PERFORMANCE  
REVIEW

EMPLOYEE  
COUNTS,  
RETIREMENTS AND  
REHIRE FOR  
JANUARY 2024

2024 BOARD WORK  
PLAN REVIEW AND  
DISCUSSION

BOARD AGENDA  
LOOK-AHEAD

GOVERNMENTAL  
AFFAIRS  
LEGISLATIVE  
REPORT

DIRECTORS'  
COMMENTS AND  
QUESTIONS

LUNCH RECESS

NUCLEAR  
COMMITTEE OF THE  
WHOLE

**RESOLUTION NO. 24-2**

WHEREAS, Nebraska Public Power District, (District), owner of Cooper Nuclear Station (CNS), Brownville, Nebraska, needs to procure project management and personnel to perform refueling services for future refueling outages at CNS; and

WHEREAS, the Board has approved a Task Authorization for Refueling Floor Services with Framatome, Inc., in November 2023 for the 2024 refueling outage; and

WHEREAS, management has determined that it would be in the District's best interest to enter into an agreement with Framatome, Inc., for multi-cycle outage services including refueling floor services for up to two outages in order to gain the benefits and achieve efficiencies in the operation of CNS by using the same provider for refueling services which allows for continuity of workers, enhanced planning of the subsequent outage, and improved cost control.

NOW, THEREFORE, BE IT RESOLVED that management is authorized to negotiate the terms and conditions, and enter into a Multi-Cycle Outage Service Agreement with Framatome, Inc., for refuel floor services, various in-vessel inspection and examination services, that includes the refueling outage for CNS in 2024 and also the refueling outage in 2026, when the said Agreement is in a form acceptable to management and legal counsel.

BE IT FURTHER RESOLVED that management is directed to bring back to the Board for approval, a Task Authorization with Framatome, Inc., for the refueling services for the Fall 2026 Refueling Outage when the scope and costs for the outage have been agreed upon.

**It was moved by Director Chlopek and seconded by Director Mogul that the foregoing resolution be adopted. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Mogul, Rusher, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	Kemp, Langemeier, Schrock

Whereupon the Chair of the Nuclear Committee declared Resolution No. 24-2 adopted.

CNS Site Vice President Khalil M. Dia provided a status update regarding Cooper Nuclear Station.

**RESOLUTION  
NO. 24-2 (ADOPTED):  
AUTHORIZE  
NEGOTIATIONS  
WITH FRAMATOME,  
INC., FOR REFUEL  
FLOOR SERVICES  
FOR 2024 AND 2026  
REFUELING  
OUTAGES**

**CNS MONTHLY  
UPDATE**

Director Troester, Chair of the Energy Supply Committee, reported that the Energy Supply Committee met Thursday morning, January 11, 2024.

## ENERGY SUPPLY COMMITTEE

During the Energy Supply Committee meeting, Vice President of Energy Production Arthur R. Wiese reviewed the following Capital Projects Report:

Report No. EP-1	Capital Projects \$500,000 and above not specifically identified in the Budget that require approval by the Board for the period December 1, 2023, through December 31, 2023 – 2023 Capital Additions Budget.
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**It was moved by Director Troester and seconded by Director Harding that Capital Projects Report No. EP-1 (2023 Budget) be approved for the period December 1, 2023, through December 31, 2023, which included Capital Project C/9765, Control System Upgrade (Beatrice Power Station). Votes were cast and recorded as follows:**

**MOTION (CARRIED):  
APPROVE CAPITAL  
PROJECTS REPORT  
NO. EP-1 (2023  
BUDGET)**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Mogul, Rusher, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	Kemp, Langemeier, Schrock

Whereupon the Chair declared the motion carried.

During the Energy Supply Committee meeting, Telecommunications Manager Matthew K. Holthe reviewed the following Capital Projects Report:

Report No. ET-1A	Capital Projects \$500,000 and above not specifically identified in the Budget that require approval by the Board for the period December 1, 2023, through December 31, 2023 – 2024 Capital Additions Budget.
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**It was moved by Director Troester and seconded by Director Mogul that Capital Projects Report No. ET-1A (2024 Budget) be approved for the period December 1, 2023, through December 31, 2023, which included Capital Project C/10849, Fiber Installation (Ainsworth Area). Votes were cast and recorded as follows:**

**MOTION (CARRIED):  
APPROVE CAPITAL  
PROJECTS REPORT  
NO. ET-1A (2024  
BUDGET)**

Voting Aye: Chlopek, Fuchtmann, Gale, Harding, Mogul,  
Rusher, Troester, Williams  
Voting Nay: None  
Abstaining: None  
Present But Not Voting: None  
Absent: Kemp, Langemeier, Schrock

Whereupon the Chair declared the motion carried.

Director Troester, Chair of the Energy Supply Committee, reported that the Energy Supply Committee also heard reports on the following matters: 1) Energy Supply monthly generation performance; 2) Energy Supply look-ahead for February 2024; 3) Generating capacity addition; and 4) Water supply.

ENERGY SUPPLY  
COMMITTEE  
REPORT

Director Williams, First Vice Chair of the Customer and Support Services Committee, reported that the Customer and Support Services Committee met Thursday morning, January 11, 2024.

CUSTOMER AND  
SUPPORT SERVICES  
COMMITTEE

Accounting Manager Joni J. Davis presented financial performance measures for November 2023, as well as the monthly financial report, which indicated that operating revenues from electric sales were \$3.0 million over budget for the month, and \$37.7 million over budget year to date. Firm electric sales were \$0.7 million under budget for the month, and \$7.1 million over budget year to date. Other electric sales were \$3.7 million over budget for the month, and \$30.6 million over budget year to date. Total operating expenses were over budget by \$2.2 million for the month, and \$13.1 million under budget year to date. The balance of the regulatory liability for unearned revenues as of November 30, 2023, was \$271.4 million. This balance represents surplus net revenues to be applied as credits against revenue requirements in future rate periods.

NOVEMBER 2023  
FINANCIAL  
STATEMENTS

**It was moved by Director Williams and seconded by Director Gale to accept the November 2023 Financial Statements, as presented. Votes were cast and recorded as follows:**

**MOTION (CARRIED):  
ACCEPT NOVEMBER  
2023 FINANCIAL  
STATEMENTS**

Voting Aye: Chlopek, Gale, Fuchtmann, Harding, Mogul,  
Rusher, Troester, Williams  
Voting Nay: None  
Abstaining: None  
Present But Not Voting: None  
Absent: Kemp, Langemeier, Schrock

Whereupon the Chair declared the motion carried.

Accounting Manager Joni J. Davis also shared preliminary financial results for December, reporting a deficit of \$1.6 million for the month and a preliminary year-to-date surplus of \$72.1 million. Ms. Davis also shared that these results would change as all information was not yet available to finalize the financial results for 2023.

PRELIMINARY  
FINANCIAL RESULTS  
FOR  
DECEMBER 2023

During the Customer and Support Services Committee meeting, Vice President of Energy Delivery Scott R. Walz reviewed Contract No. 23-023, Galvanized Tubular Steel Poles (Part I Kearney Tower-Tech One 115 kV transmission line project; Part II Scottsbluff-Victory Hill 115 kV transmission line project). Director Williams, First Vice Chair of the Customer and Support Services Committee, recommended the following resolution:

**RESOLUTION NO. 24-3**

WHEREAS, pursuant to and in accordance with law, bids on Contract No. 23-032, Galvanized Tubular Steel Poles, have been duly invited, received, opened, read, and tabulated; and

WHEREAS, management has studied and analyzed the bids and recommended acceptance of certain bids as the lowest and best evaluated bids, as per data filed with the Board; and

WHEREAS, on the basis of evidence and information received, and after an analysis of the responsibility of the bidders, amounts and terms of the bids, delivery dates, and the needs of the District, this Board has determined and does hereby find that the bid of Irby Utilities, Rapid City, South Dakota, for Parts I and II are the lowest and best evaluated bids on Contract No. 23-032.

NOW, THEREFORE, BE IT RESOLVED that, subject to receipt and approval of a performance bond as herein provided, the following bids submitted on Contract 23-032 be accepted by the District:

Irby Utilities, Rapid City, South Dakota, base bid price of \$1,139,346.93 for Part I.

Irby Utilities, Rapid City, South Dakota, base bid price of \$1,940,388.35 for Part II.

BE IT FURTHER RESOLVED that the President or a Vice President be, and each of them is hereby authorized and instructed to execute for and on behalf of the District, Contracts with the aforementioned bidders in accordance with the plans and specifications and on the form of Contract submitted to bidders.

BE IT FURTHER RESOLVED that the award of the Contract is contingent upon receipt and approval by the District of a performance bond from Irby Utilities., as provided in the Contract.

**It was moved by Director Williams and seconded by Director Fuchtmann that the foregoing resolution be adopted. Votes were cast and recorded as follows:**

**RESOLUTION  
NO. 24-3 (ADOPTED):  
AWARD CONTRACT  
NO. 23-032,  
GALVANIZED  
TUBULAR STEEL  
POLES: PART I TO  
IRBY UTILITIES,  
BASE BID PRICE OF  
\$1,139,346.93;  
PART II TO IRBY  
UTILITIES, BASE BID  
PRICE OF  
\$1,940,388.35**



Voting Aye: Chlopek, Fuchtmann, Gale, Harding, Mogul,  
Rusher, Troester, Williams  
Voting Nay: None  
Abstaining: None  
Present But Not Voting: None  
Absent: Kemp, Langemeier, Schrock

Whereupon the Chair declared Resolution No. 24-3 adopted.

During the Customer and Support Services Committee meeting, Vice President of Energy Delivery Scott R. Walz reviewed Contract No. 24-002, Transmission Pole Inspection and Treatment. Director Williams, First Vice Chair of the Customer and Support Services Committee, recommended the following resolution:

**RESOLUTION NO. 24-4**

WHEREAS, pursuant to and in accordance with law, bids on Contract No. 24-002, Transmission Pole Inspection and Treatment, have been duly invited, received, opened, read, and tabulated; and

WHEREAS, management has studied and analyzed said bids and recommended acceptance of certain bids as the lowest and best evaluated bids, as per data filed with the Board; and

WHEREAS, on the basis of evidence and information received, and after an analysis of the responsibility of the bidders, amounts and terms of the bids, delivery dates, and the needs of the District, this Board has determined and does hereby find that the bid of Osmose Utilities Services, Inc., Peachtree City, Georgia, is the lowest and best evaluated bid on Contract No. 24-002.

NOW, THEREFORE, BE IT RESOLVED that, subject to receipt and approval of a performance bond and certificate of insurance as herein provided, the following bid submitted on Contract No. 24-002 be accepted by the District:

Osmose Utilities Services, Inc., Peachtree City,  
Georgia, estimated base bid price of \$679,734.07.

BE IT FURTHER RESOLVED that the President or a Vice President be, and each of them is hereby authorized and instructed to execute for and on behalf of the District, a Contract with the aforementioned bidder in accordance with the plans and specifications and on the form of Contract submitted to bidders.

BE IT FURTHER RESOLVED that the award of the Contract is contingent upon receipt and approval by the District of a performance bond and certificate of insurance from Osmose Utilities Services, Inc., as provided in the Contract.

**RESOLUTION  
NO. 24-4 (ADOPTED):  
AWARD CONTRACT  
NO. 24-002,  
TRANSMISSION  
POLE INSPECTION  
AND TREATMENT,  
TO OSMOSE  
UTILITIES  
SERVICES, INC.,  
ESTIMATED BASE  
BID PRICE OF  
\$679,734.07**

**It was moved by Director Williams and seconded by Director Mogul that the foregoing resolution be adopted. Votes were cast and recorded as follows:**

Voting Aye:	Chlopek, Fuchtmann, Gale, Harding, Mogul, Rusher, Troester, Williams
Voting Nay:	None
Abstaining:	None
Present But Not Voting:	None
Absent:	Kemp, Langemeier, Schrock

Whereupon the Chair declared Resolution No. 24-4 adopted.

Director Williams, First Vice Chair of the Customer and Support Services Committee, reported that the Customer and Support Services Committee also heard reports on the following matters: 1) NPPD depositories and trust accounts; 2) NPPD financial advisor; 3) Transmission projects; 4) Energy Delivery look-ahead for February 2024; and 5) Retail Business Unit performance.

CUSTOMER AND  
SUPPORT SERVICE  
COMMITTEE  
REPORT

Director Chlopek, Chair of the Audit, Risk and Compliance Committee, reported that the Audit, Risk and Compliance Committee met Wednesday afternoon, January 10, 2024, and discussed matters related legislation at the state level.

AUDIT, RISK AND  
COMPLIANCE  
COMMITTEE  
REPORT

Director Williams, Chair of the Board Governance and Strategic Planning Committee, reported that the Board Governance and Strategic Planning Committee met Thursday morning, January 11, 2024. Topics of discussion included: 1) Board approval levels and management delegation; 2) A review of proposed revisions to two NPPD corporate policies, Enterprise Risk Management (ERM) and Energy Market Risk Management (EMRM); and 3) Board Governance and Strategic Planning Committee 2024 Work Plan.

BOARD  
GOVERNANCE AND  
STRATEGIC  
PLANNING  
COMMITTEE  
REPORT

There being no further business to come before the Board, the meeting was duly adjourned at 12:35 p.m.

ADJOURNMENT  
12:35 P.M.

Minutes approved at  
the meeting of  
February 7-8, 2024

\_\_\_\_\_/s/\_\_\_\_\_  
Jerry L. Chlopek, Chair

\_\_\_\_\_/s/\_\_\_\_\_  
Aaron D. Troester, Secretary

**REPORT ON RETIREMENTS AND  
FORMER DISTRICT EMPLOYEE REHIRES  
JANUARY 2024 BOARD MEETING**

**RETIREMENTS**

1. Stanley A. Clouse, Account Manager – Retail, Operations Center, Kearney, was employed October 2, 1978, and is retiring as of January 31, 2024.
2. Michael J. Unruh, Emergency Preparedness Drill Scenario Coordinator, Cooper Nuclear Station, Brownville, was employed November 1, 1996, and is retiring as of March 1, 2024.
3. Gerry C. Pflepsen, Engineer IV, Cooper Nuclear Station, Brownville, was employed March 17, 2008, and is retiring as of March 18, 2024.
4. Craig D. Ehrenberg, Procurement Specialist, General Office, Columbus, was employed November 16, 1984, and is retiring as of March 22, 2024.

**REHIRES**

None this month.