

**OPPD Board of Directors – All Committees Meeting**

**Tuesday, April 13, 2021**

**CLOSED SESSION – 8:30 AM – PUBLIC SESSION 10:00 A.M.**

*Public may attend by going to [www.oppd.com/CommitteeAgenda](http://www.oppd.com/CommitteeAgenda) to access the Webex meeting link and view instructions.*

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
1. <b>Chair Opening Statement</b>		Bogner	<b>8:30 A.M.</b>
2. <b>Closed Session</b>			<b>8:30 A.M.</b>
Powering the Future to 2050	Reporting	Focht	30 min
Power with Purpose Update	Reporting	Fisher	30 min
<b>BREAK</b>			<b>9:40 A.M.</b>
<i>Open Webex Meeting to Allow Public to Join</i>			<b>9:45 A.M.</b>
3. <b>Public Session – Chair Opening Statement</b>		Bogner	<b>10:00 A.M.</b>
4. <b>Safety Briefing</b>		Burke	<b>10:05 A.M.</b>
5. <b>Governance Committee</b>			<b>10:10 A.M.</b>
Governance Chair Report (4/8/21)	Reporting	Moody	5 min
CEO Succession Update	Reporting	Moody	10 min
Report on Severance Agreement	Reporting	Sedky	5 min
SD-1: Strategic Foundation Monitoring Report	Action	Focht	30 min
6. <b>Finance Committee</b>			<b>11:00 A.M.</b>
Finance Chair Report (4/2/21)	Reporting	Yoder	10 min
Amendment to 1990 and 1992 Decommissioning Trust Agreements	Action	Fernandez	10 min
Audit Subcommittee Charter Revision	Action	Focht	5 min
7. <b>System Management &amp; Nuclear Oversight Cmte</b>			<b>11:25 A.M.</b>
SM&NO Chair Report (3/31/21)	Reporting	Williams	10 min
SD-7 Environmental Stewardship Revision	Discussion	Williams	30 min
<b>BREAK FOR LUNCH</b>			<b>12:05 P.M.</b>
<b>System Management &amp; Nuclear Oversight (cont'd)</b>			<b>12:35 P.M.</b>
SD-4: Reliability Monitoring Report	Action	Via	45 min
Nuclear Oversight Committee Report	Reporting	Fisher	10 min
8. <b>Public Information Committee</b>			<b>1:30 P.M.</b>
Public Information Chair Report (4/6/21)	Reporting	Mollhoff	10 min
• Customer Trends Update <i>(Due to time, will not be presented. Update will be posted on oppd.com.)</i>			
SD-5: Customer Satisfaction Monitoring Report	Action	Comstock	45 min
Legislative and Regulatory Update	Reporting	Olson	30 min
<b>BREAK</b>			<b>2:55 P.M.</b>
9. <b>Other Business</b>			<b>3:05 P.M.</b>
Confirmation of Board Meeting Agenda	Action	Bogner	5 min
Review of Board Work Plan	Discussion	Bogner	20 min
Power with Purpose Update	Reporting	Fisher	30 min

\* All times and duration are estimates. Please use the link below to find board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at [www.oppd.com/BoardMeetings](http://www.oppd.com/BoardMeetings).



## Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
April 8, 2021 8:00 – 9:00 A.M.

1. CEO Selection Process (Moody – 20 min)
  - a. Objective: Update on approach and next steps
2. Powering the Future to 2050 (PF 2050) (Focht – 10 min)
  - a. Objective: Clarify and solidify Board engagement and April 13 All Committees meeting agenda
3. SD-1: Strategic Foundation Monitoring Report (Focht – 5 min)
  - a. Objective: Reconfirm recommendation
4. Board Work Plan Discussion (Focht – 10 min)
  - a. Objective: Debrief on March All Committees discussion, affirm approach and/or identify opportunities to enhance approach
5. Confirmation of Board Work Plan – Governance Committee Items (5 min)
  - a. Objective: Committee members to review and confirm items on the Board Work Plan.
6. Summary of Committee Direction (5 min)
  - a. Objective: Senior management team liaison(s) to summarize direction provided by the committee

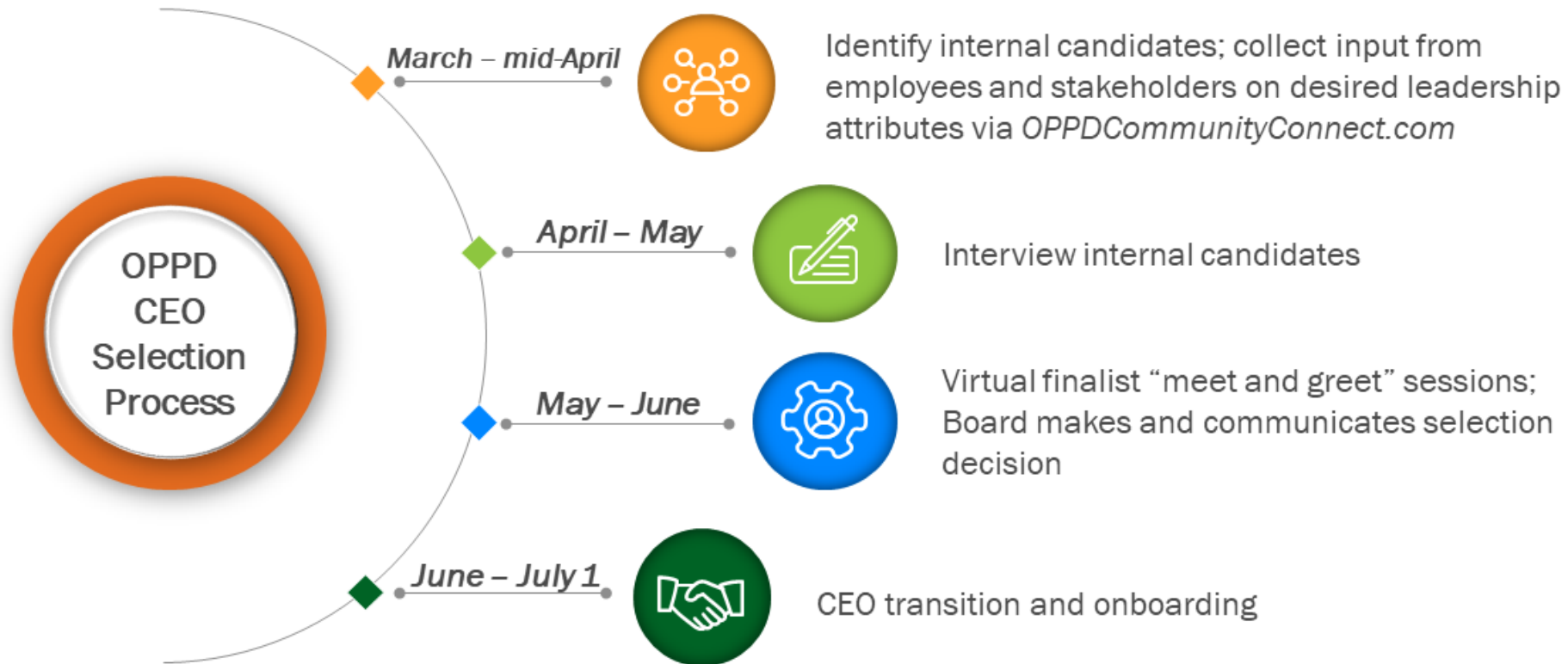
# CEO Selection Process Update

April 13, 2021



# We're continuing along the timeline as planned

## CEO Selection Process



# Stakeholder Executive Summary Update

**Objective/Goal:** Provide the public and employees the opportunity to highlight their views on leadership behaviors/characteristics the Board should consider when interviewing candidates and selecting the next CEO. (IAP2- CONSULT)

- ✓ *What are the most important opportunities/challenges that you believe OPPD's next CEO should be ready to take on?*
- ✓ *What are the top qualities that OPPD's next CEO should possess to effectively lead the company to take on those opportunities/challenges?*
- ✓ *What advice would you give OPPD's Board of Directors as they interview candidates and select the District's next CEO?*

# Stakeholder Executive Summary Update

- We heard from 1,014 total employees, customers and stakeholders about what they would like to see in OPPD's next CEO.
- Though each group had slightly different takes, common themes emerged:
  - Someone who is **informed, experienced and credible** is top of the list
  - There's a recognition that **excellent communication skills** are essential for this role
  - The ability to **connect with employees, customers and the public** is necessary for buy-in on key topics
  - This leader must have **high integrity and strong character**

# CEO Transition Input by Group

April 2021



# Employees

Employees generally agreed that the next OPPD CEO & President should be:

An individual with:

- Tenure at OPPD; long enough to understand the history, culture, infrastructure and business
- The ability to be a champion for diversity, equity and inclusion
- A decisive nature; someone who knows what the right decision is for the company and isn't afraid to make it
- An authentic personality; someone who connects with everyone at all levels of the organization and in the community; politically savvy and a transparent; genuine communicator

Able to see a vision for our future that includes:

- A commitment to public power
- Generation that is reliable and meets the changes in our industry, the projected increases in load, and in our customers' expectations
- A plan for attracting and retaining talent, engaging and developing employees while continuing to fund their pension and retirement benefits

Respectful of OPPD's history and legacy, who can take calculated risks but always acts in the best interest of OPPD, its employees and communities



# Community and Business Organizations

- Opportunities and challenges the new CEO should be ready to take on include being actively engaged in the community with a focus on economic development and diversity, equity and inclusion across OPPD's service territory. The new CEO should be future focused while balancing the needs of business and addressing climate change demands, new technologies and infrastructure, renewables, reliability, growing demands from the business community and OPPD talent development and attraction.
- Top qualities include transparency, forward thinking, integrity, collaborative, innovative, inclusive, and experienced as well as customer, community and partnership focused.
- Advice for the Board includes being thoughtful in the process, finding a qualified candidate with the right attributes of personality, values, vision, experience, relationships and community partnership focus. In addition, identifying a CEO that is focused on the core mission while balancing new or emerging needs is important.

# Power Panel

Renewable energy, keeping costs low, reliability and improving infrastructure are important challenges the new CEO should be ready to face.

- Customers are looking for the new CEO to transition to clean energy and decrease their carbon footprint.
- Keeping rates low and affordable is also an important subject for customers.
- Improving reliability and infrastructure including updating the grid and taking necessary steps to modernize equipment are other key opportunities for the next CEO.

Customers suggest that the OPPD Board should select a candidate who is customer and community-focused, knowledgeable, forward-thinking and open to change.

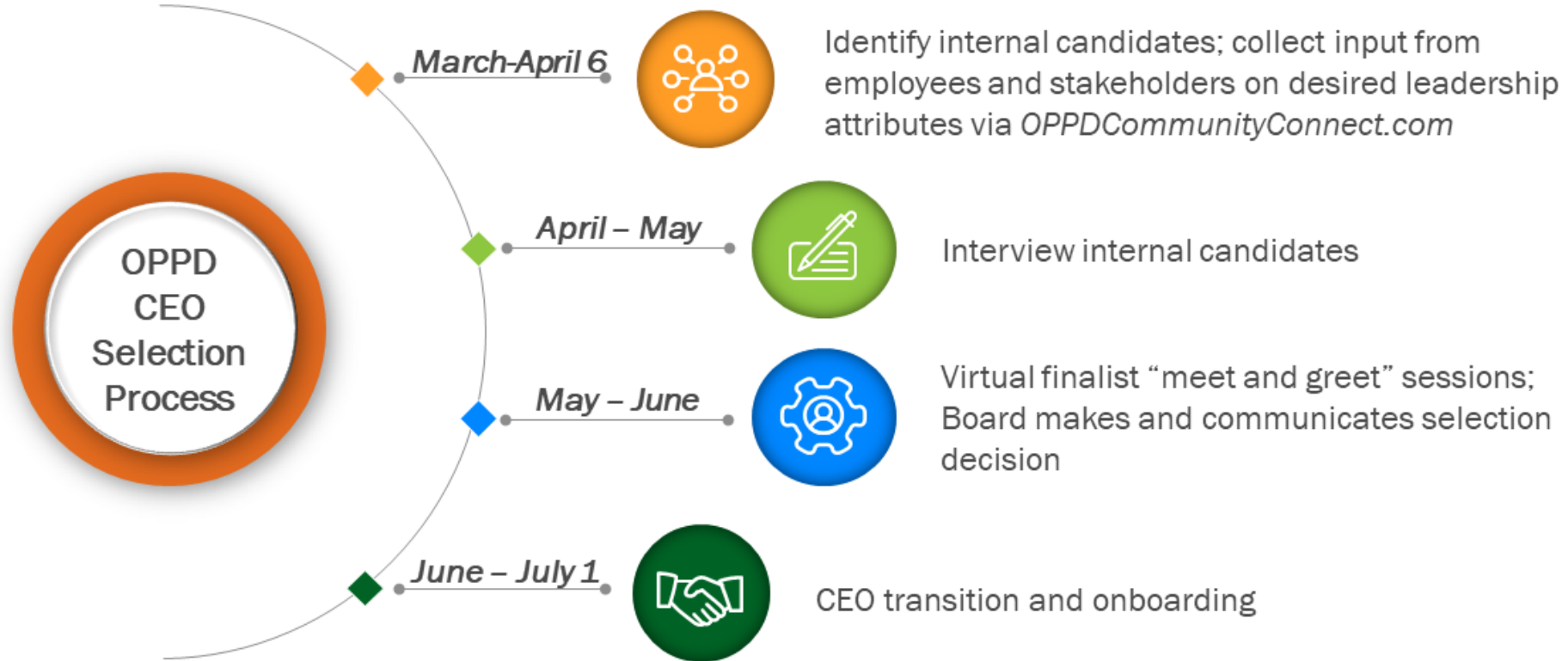
- Being a proven leader with good communication skills are top qualities the next CEO should possess.
- Respondents suggest that the new CEO should be someone who understands customer needs, understands the local community needs and who fully knows the community culture.
- Respondents suggest that the Board should consider a candidate who is knowledgeable of the area and industry, someone who is looking to the future and is open to making changes.
- Less prominent but still apparent considerations include:
  - A candidate who listens and collaborates
  - Selection of a diverse / minority person
  - Removing politics from decision making – ensuring the candidate will not be swayed by politics

# OPPDCommunityConnect.com

OPPD Community Connect received 77 responses

- 77 answered Q1: Most important opportunities/challenges the next CEO should be ready to take on
  - **Themes:** Understands climate change – past, present and future; Decarbonization, lowering emissions, lower burdens on minority and lower-income households
- 76 answered Q2: Top qualities the next CEO should possess
  - **Themes:** Transparency, think outside the box, visionary, good communicator
- 75 answered Q3: Advice to OPPD's Board
  - **Themes:** Hire for the future – big ideas and forward thinking, someone who cares about employees and retirees, hire from within, industry experience
- 1400 total visits to the OPPD Community Connect CEO Transition page
  - 65% of visitors came from social media

# Next Steps





# Reporting Item

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

Severance Agreements – Fort Calhoun Station Decommissioning

### PURPOSE

Report on severance agreements executed due to decommissioning of Fort Calhoun Station.

### FACTS

- a. OPPD's Board of Directors voted on June 16, 2016, to cease operations at Fort Calhoun Station (FCS).
- b. OPPD offers a severance program (for the purposes of Fort Calhoun Station Decommissioning) for exempt employees who stay with the District through their layoff date in exchange for a release of claims. IBEW Local 763, IBEW Local 1483, and IAWAM Local 31 entered into Memoranda of Understanding with OPPD, which include the same severance program.
- c. As of April 13, 2021, an additional employee has been separated from OPPD as a result of FCS Decommissioning and executed a separation agreement.
- d. This severance agreement involved payment that exceeds \$50,000 and therefore may be subject to the requirement for reporting settlement agreements under Section 84-713 of the Nebraska Revised Statutes. This agreement is listed on the attachment.
- e. The severance agreement is available for inspection in the office of the corporate secretary.

### ACTION

Reporting item

RECOMMENDED:

APPROVED FOR REPORTING TO BOARD:

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Martha L. Sedky  
Vice President – Human Capital

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Timothy J. Burke  
President and Chief Executive Officer

Attachment: List of April 2021 Severance Agreements Exceeding \$50,000

**Attachment**  
**List of April 2021 Severance Agreements Exceeding \$50,000**

<b>Last Name</b>	<b>First Name</b>	<b>Total Severance</b>
Blome	Bradley	\$184,443.28



# Board Action

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

SD-1: Strategic Foundation Monitoring Report

### PURPOSE

To ensure full board review, discussion and acceptance of the SD-1: Strategic Foundation Monitoring Report.

### FACTS

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The Governance Committee is responsible for evaluating Board Policy SD-1: Strategic Foundation.
- d. The Governance Committee has reviewed the SD-1: Strategic Foundation Monitoring Report and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

### ACTION

The Governance Committee recommends Board approval of the SD-1: Strategic Foundation Monitoring Report.

#### RECOMMENDED:

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*Scott M. Focht*  
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Scott M. Focht  
Vice President – Corporate Strategy and Governance

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
*Timothy J. Burke*  
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Timothy J. Burke  
President and Chief Executive Officer

Attachments:            Exhibit A – Monitoring Report  
                                 Resolution

# **SD-1: Strategic Foundation Monitoring Report Governance Committee Report April 13, 2021**

Scott M. Focht  
Vice President, Corporate Strategy & Governance



# SD-1: Strategic Foundation

**Mission:** OPPD’s mission is to provide affordable, reliable and environmentally sensitive energy services to our customer-owners.

**Vision:** OPPD’s vision is “Leading the Way We Power the Future.”

In implementing this vision, OPPD shall adhere to these principles:

- Strengthen the public power advantage of affordable and reliable electricity;
- Exemplify fiscal, social and environmental responsibility to optimize value to our customer-owners;
- Proactively engage and communicate with our stakeholders;
- Act transparently and with accountability for the best interest of our customer-owners;
- Collaborate, when appropriate, with partners; and
- Leverage OPPD’s leadership to achieve these goals

**Values:**

- We have a PASSION to serve.
- We HONOR our community.
- We CARE about each other.

# OPPD Corporate Scorecard: December 2020

■	On YE Target - projected to or has achieved target by year-end.
■	Slightly Below YE Target – deviating from target
■	Significantly Below YE Target – underperforming/underperformed

Our Strategic Foundation (SD-1)	<p><b>Mission:</b> To provide affordable, reliable and environmentally sensitive energy services to our customers.</p> <p><b>Vision:</b> “Leading the Way We Power the Future”</p> <p>In implementing this vision, OPPD shall adhere to these principles:</p> <ul style="list-style-type: none"> <li>Strengthen the public power advantage of affordable and reliable electricity;</li> <li>Exemplify fiscal, social and environmental responsibility to optimize value to our customer-owners;</li> <li>Proactively engage and communicate with our stakeholders;</li> <li>Act transparently and with accountability for the best interest of our customer-owners;</li> <li>Collaborate, when appropriate, with partners; and</li> <li>Leverage OPPD’s leadership to achieve these goals.</li> </ul> <p><b>Core Values</b></p> <ul style="list-style-type: none"> <li>We have a PASSION to serve</li> <li>We HONOR our community</li> <li>We CARE about each other</li> </ul>	<b>Board Strategic Direction Policies, Targets &amp; Performance</b>			
	<b>Measure</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Strat Goal</b>
	SD-2: Rates • <i>Rates % below regional average</i>	No General Rate Increase	No General Rate Increase	No General Rate Increase	20.0%
	SD-3: Access to Capital • <i>Debt Coverage</i>	2.0	2.0	2.0	2.0
	SD-4: Reliability (SAIDI) • <i>System Average Interruption Duration Index</i>	98.3	88.6	86.4	<90
	SD-4: Reliability • <i>Equivalent Availability</i>	89.3	89.2*	87.78*	90%
			87.0	87.63	
	SD-5: Customer Satisfaction • <i>Overall Satisfaction</i>	Top Quartile Residential 740	Third Quartile Residential 726	Second Quartile Residential 749	Top Quartile
	SD-6: Safety (DART) • <i>Days Away, Restricted or Transferred</i>	0.65	0.68	0.57	<0.50
	SD-6: Safety (PVIR) • <i>Preventable Vehicle Incident Rate</i>	1.62	2.29	2.27	4.0
	SD-7: Environmental Stewardship • <i>Net-Zero Carbon**</i>	N/A	N/A	N/A	TBD**
	SD-8: Employee Relations • <i>Overall Employee Engagement***</i>	64.7%	69.6%	74%	Top Quartile
Resource Planning (SD-9), Ethics (SD-10), Economic Development (SD-11), Information Management & Security (SD-12), Stakeholder Outreach & Engagement (SD-13), Retirement Plan Funding (SD-14), Enterprise Risk Mgmt (SD-15)					

\* indicates a 2020 goal that is moving toward the strategic goal specified in the policy

\*\* Pathways to Decarbonization strategic initiative is in progress; annual metric/s will be determined upon completion

\*\*\* Metric is calculated annually

# Strategic Direction: Performance

- Throughout 2020, the Board reviewed and accepted monitoring reports on fourteen of fifteen strategic direction policies.
  - Determined thirteen policies to be “sufficiently in compliance”
  - Determined one policy, *SD-12: Information Management and Security*, to be “taking reasonable and appropriate measures to comply with this policy”
- The monitoring report for one policy, *SD-5: Customer Satisfaction*, was postponed until March 2021 due to a change in external survey timing.

# Our Mission

OPPD's mission is to provide affordable, reliable and environmentally sensitive energy services to our customer-owners.

# Affordable...

## SD-2: Rates

*Resolution 6380: Board accepted SD-2: Rates Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (June 11, 2020)*

### 2020 Highlights

- Successfully executing five-year commitment to no increase in general rates:
  - Fourth year (2020) completed
  - Fifth year (2021) commitment on track
- Fourth full year of discontinued Fort Calhoun Station (FCS) operations meeting or exceeding estimated cost efficiencies.
- Funded \$17 million to the Decommissioning and Benefits Reserve account, increasing its balance to \$94 million.
- Significantly improved execution of the capital portfolio through increased oversight, prioritization and alignment. Core capital portfolio investment was within 1% of authorized budget.
- Increased liquidity by an additional \$75 million line of credit agreement.
- Administered the Low Usage, Low Income transitional customer program which provided \$293,492 in bill credits to approximately 11,384 qualified customers to minimize the impact of the rate restructuring on low usage, low income customers.
- Secured \$3 million in Cares Act funding to support 6,673 customers impacted by the Covid-19 pandemic.
- Launched a new Donate Now button and new product, Gift of Energy, making it easier for patrons to contribute to the OPPD Energy Assistance Plan and/or support customers in need.
- Formed a Customer First Solutions team to develop solutions which provided nearly \$4 million of benefit to customers impacted by the pandemic through various billing and payment solutions.
- Administered \$2,555,255 in direct utility assistance on behalf of our customers through our program energy assistance program administrator, up from \$252,715 in 2019.

# Reliable...

## SD-4: Reliability

*Resolution 6364: Board accepted SD-4: Reliability Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (February 13, 2020)*

### 2020 Highlights

- Achieved a year end SAIDI value of 86.4 minutes, beating the goal of 90 minutes, and improving performance from the previous year.
- Continued to reduce tree related outage minutes and number of incidents through an enhanced Vegetation Management Program.
- Continually improving by utilizing drones for inspections, integrating smart reclosers into rural circuits, and piloting the use of twisted pair conductor on the distribution system to reduce ice/wind galloping effects.
- Increased proactive asset replacement programs for underground cable, overhead conductor, poles and surface mount equipment.
- OPPD establishes a long term goal to achieve generation reliability by maintaining baseload unit equivalent availability factor (EAF) at or above 90% on a three-year rolling average. Achieved a year end EAF of 87.6% vs a target of 87.8%.

# Environmentally sensitive...

## SD-7: Environmental Stewardship

Resolution 6394: Board accepted SD-7: Environmental Stewardship Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (September 17, 2020)

### 2020 Highlights

- No violations of environmental permits that resulted in enforcement action or fines.
- Chartered and kicked-off *Pathways to Decarbonization* Strategic Initiative.
- Facilitated multiple City of Omaha, Nebraska Department of Environment and Energy, Department of Health and Human Services inspections through pandemic, both virtually and in-person.
- New Plant Wide Applicability Limitation (PAL) permit revision for Nebraska City Station Units 1 & 2.
- Achieved Low Emitter Status for particulate matter (PM) at North Omaha Unit 5, and for hydrochloric acid (HCl) at North Omaha Unit 4.
- Began Transformer Oil PCB Sampling Project, inspecting approximately 5000 unknown PCB transformers in Year 1.
- Reported that since 2010, annual emissions of mercury have declined 95%, nitrogen oxides by 51%, sulfur dioxide by 35%, and CO2 by 21%.
- Launched a new residential customer-owned generation web mini-site that included education and resources such as quick start resources to help guide customers in their journey, information about what net metering is, and a solar calculator tool for customer-owners to research costs and outputs of solar at their specific residence.
- Continued the Low Income Energy Efficiency program maximizing the resources available to improve the energy efficiency, comfort and safety of customer homes. A \$50,000 APPA DEED Grant funded increased energy efficiency investments for 50 households. Upgraded 57 homes during the pilot for an average annual projected energy savings of \$223 per home.

# Environmentally sensitive (continued)

## 2020 Highlights

- Supported and promoted Demand Side Management (DSM) programs which provides over 161 MW of peak demand reduction.
- Named as a grant recipient for VW Settlement Funds, plus completed Request for Proposal and contracts to support the installation of the public electric vehicle (EV) charging stations.
- Successfully transitioned our thermostat program to a new Distributed Energy Resource Management System provider allowing for implementation of future thermostats to occur easier, faster and at a lower cost.
- Launched another round of electric vehicle rebates including new rebates to promote fleet conversation at local businesses.
- Received the American Marketing Association Pinnacle award celebrating the achievements of OPPD's community solar launch campaign.
- Received the APPA Smart Energy Provider Designation, acknowledging our best practices in place that show a commitment to proficiency in energy efficiency, distributed generation, renewable energy, and environmental initiatives.



# Our Vision

OPPD's vision is "Leading the Way We Power the Future."

In implementing this vision, OPPD shall adhere to these principles:

- Strengthen the public power advantage of affordable and reliable electricity;
- Exemplify fiscal, social and environmental responsibility to optimize value to our customer-owners;
- Proactively engage and communicate with our stakeholders;
- Act transparently and with accountability for the best interest of our customer-owners;
- Collaborate, when appropriate, with partners; and
- Leverage OPPD's leadership to achieve these goals

# Strengthen the public power advantage of affordable and reliable electricity;

SD-2: Rates	SD-4: Reliability	SD-5: Customer Satisfaction
Resolution 6380: Board accepted SD-2: Competitive Rates Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (June 11, 2020)	Resolution 6364: Board accepted SD-4: Reliability Monitoring Report & Policy Revisions, finding OPPD to be sufficiently in compliance with this policy (February 13, 2020)	Resolution 6337: Board accepted SD-5: Customer Satisfaction Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (August 15, 2019)

## 2020 Highlights

- Achieved no general rate increase in 2020, and on track for no general rate increase in 2021.
- The monitoring report for SD-5: Customer Satisfaction was postponed until March 2021 due to a change in external survey timing by national customer research firm, J.D. Power. That being said, overall, OPPD did see residential customer satisfaction scores begin to rebound from 2019 into 2020. Additionally, proprietary customer surveys saw continued strong performance in 2020 in customer satisfaction, community involvement and overall trust in the utility.
- Implemented Customer First Solutions to provide simple, effective and financially responsible ways to reduce the financial burden for customers encountering difficulties paying their bills during the pandemic including waiving fees, additional billing and payment options, new and improved utility assistance options and increasing communication to encourage customers in need to reach out for assistance.
- Collaborated with Dollar Energy Fund, Douglas County and State of Nebraska to secure CARES Act funding directly for our customer base and ensured an efficient application and award process allowing our customers to be some of the first in the nation to benefit from this funding.
- Provided monthly updates on customer trends and Customer First Solutions program adjustments to keep the Board and public informed of OPPD's efforts to proactively consult with customers on options available to assist customers.
- Enhanced the customer experience for small and medium sized business (SMB) with the staffing of Account Executives who provide proactive consulting on all energy related topics.
- Enhanced outage communications by expanding the automated proactive outage restoration confirmation message indicating power has been restored to include all customers predicted to be impacted by an outage.

# Exemplify fiscal, social and environmental responsibility to optimize value to our customer owners;

SD-3: Access to Credit Markets	SD-7: Environmental Stewardship	SD-9: Resource Planning
Resolution 6375: Board accepted SD-3: Access to Credit Markets Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (May 14, 2020)	Resolution 6394: Board accepted SD-7: Environmental Stewardship Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (September 17, 2020)	Resolution 6389: Board accepted SD-9: Resource Planning Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (August 13, 2020)

## 2020 Highlights

- Maintained strong financial metrics, including S&P AA and Moody’s Aa2 credit ratings.
- Achieved cost and process improvements across the district by implementing lean methodologies, scrutinizing expenditures, and achieving budget targets.
- Provided 38.4%\* of our retail sales through renewable energy resources in 2020, including hydro-generation, landfill gas and wind.
- Wind capacity factor was 44.7%\* in 2020.
- New Customer Owned Generation Process went live in April 2020.
- Received \$600,000 grant from Nebraska Environmental Trust to help fund OPPD Battery Storage Pilot project.
- Created new Environmental Sustainability Coordinator position and completed draft sustainability framework.
- Added a dedicated Natural Resources role.
- Continued electrification of OPPD’s fleet (passenger cars, equipment).
- Pursued avenues for recycling (batteries, poles, et al).

*\*DISCLAIMER: due to the long year-end close schedule, the month of December is still preliminary. This value may change slightly.*

# Proactively engage and communicate with our stakeholders;

## SD-13: Stakeholder Outreach and Engagement

*Resolution 6413: Board accepted SD-13: Stakeholder Outreach and Engagement Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (December 9, 2020)*

### 2020 Highlights

- **Use of an integrated, clear and transparent engagement process**
  - Use the International Association of Public Participation (IAP2) principles for transparency and consistency.
  - Continuously developed and fostered relationships to inform, gather feedback and build trust.
  - Launched OPPDCommunityConnect in July 2020 – first U.S. utility to us this platform for increasing interactions with stakeholders.
- **Provided meaningful ways for customer-owners to participate and provide feedback**
  - Meetings: livestream committee and board meetings
  - Communications: social media, media releases, Outlets, websites (OPPD.com, OPPDtheWire, Storm & Outage)
  - Engagement Tools: research (power panel, satisfaction studies), local leader meetings, open houses, workshops, OPPDCommunityConnect.com
  - Relationship Building/Feedback: legislative and advocacy roles, community coffees, community events, speakers bureau, representation on boards & orgs
- **Engaged customers on numerous projects**
  - Utilized phased approach for informing and engaging – from broad awareness campaigns to focused outreach for those directly impacted and interested.
  - Power with Purpose, including stakeholder meetings, workshops, walking tours, etc.
  - State of the Utility update and feedback
  - Utility Assistance from CARES Act Funds
  - BNSF outreach
  - Pathways to Decarbonization (discovery sessions)
- **Commitment to evaluation and improvement**
  - We listen, learn and look to improve (lessons learned).
  - Utilized post-event surveys, debriefs, satisfaction studies, research and benchmarking to assess our efforts.
  - We network with other stakeholder practitioners and participate in IAP2 training and development.

# Proactively engage and communicate with our stakeholders (continued)

- Engaged customers on numerous projects:
  - What does Green mean to you workshop?
  - Product Development (ELP, ECO 24/7, Green Power, Surge, Smart Steps)
  - Product Marketing Refresh
  - Customer-owned generation
  - Rates power panel
- Provided presentations to Nebraskans for Solar and several solar contractors about customer-owned generation.
- Provided Energy Efficiency education:
  - Hosted education events for 218 participants and provided energy efficiency consulting to another 60 customer.
  - Led a TikTok challenge to engage our future customers which earned over 3700 views.
  - Produced, in collaboration with KMTV, a series of six energy efficiency tips videos.
  - Delivered 1,000 *Lorax* Energy-Star education booklets and 500 Spanish Energy Efficiency Coloring Booklets which were given to parents and student-customers upon Omaha Public Schools' back to school enrollment, as well as at a few lunch pick-up stations throughout the summer.

# Act transparently and with accountability for the best interest of our customer-owners;

## SD-10: Ethics

*Resolution 6393: Board accepted SD-10: Ethics Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (September 17, 2020)*

### 2020 Highlights

- Livestreamed and archived broadcasts of all OPPD committee and board meetings.
- Held Strategic Direction monitoring report and refinement discussions in public setting.
- Proactively educated customers about key utility and industry topics via The Wire, social and traditional media, including storm restoration efforts, economic development plans and progress, nuclear decommissioning, public power legislation and more.
- Executed outreach efforts to gauge customer owner views and input, including on Power with Purpose, transmission projects and strategic direction policies.
- Leveraged On-Line Panel participation with 5,000 plus stakeholders providing input and feedback.
- The Board of Directors and the District both have Code of Conduct policies that contain provisions for reporting, investigating and dispositioning potential conflicts of interest or violations of the Code of Conduct policy.

# Collaborate, when appropriate, with partners;

## SD-11: Economic Development

*Resolution 6401: Board accepted SD-11: Economic Development Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (November 13, 2020)*

### 2020 Highlights

- Worked closely with economic development partners across the service territory, including state agencies, local government officials, interacting with more than 100 businesses a year on economic development:
  - In the last 12 months, announced projects have generated more than \$95M in new revenue upon completion of construction.
    - Projects also generated 2,500+ direct jobs and \$720+M in investment and are estimated to bring a nearly \$2 billion economic impact to the region.
    - In October 2020, Amazon announced a 700,000+ square foot robotics fulfillment center project in Papillion.
    - In November 2020, Dollar General announced a 800,000+ square foot distribution center project in Blair.
  - Continued implementation of the Integrated Energy Marketplace (IEM) Targeted Economic Development Initiative.
  - For the 4<sup>th</sup> consecutive year, awarded “Top Utilities in Economic Development” by Site Selection magazine – one of 20 utilities receiving this designation.
  - 2020 Greater Omaha Site Selection Award (Top 3 Metro)
  - 2019, 2020 Silver Shovel Area Development Award
- Active leadership roles in the national Mid-America Economic Developers Association, statewide Blueprint Nebraska, Nebraska Economic Developers Association and Nebraska Diplomats, and local organizations including Heartland 2050 and Chair of Omaha Chamber of Commerce
- Leading site initiatives to secure, plan and promote development areas.

# Collaborate, when appropriate, with partners (continued)

## 2020 Highlights Continued

- New key partnerships and leadership roles on Commitment to Opportunity, Diversity and Equity (CODE), the Omaha Chamber's We Rise Taskforce, the state's Economic Inclusion Committee, SourceLink and Entrepreneurs Education Collaborative
- Leading in policy and advocacy for economic development programs (i.e. the ImagiNE Act)
- Awarded \$500K grant in electric vehicle charging rebates for Blair, Syracuse, North Bend, La Vista and Omaha.
- 2019 Volunteer Organization of the Year from United Way of the Midlands
- 2020 Business Excellence Award winner by the Greater Omaha Chamber
- In 2020, although virtually, we continued to support our neighborhoods and non-profit organizations.
- Partnered with Nebraska Community Energy Alliance (NCEA) to administer a grant on their behalf, providing our customer owners opportunity for additional rebates towards electric vehicles.
- Partnered with Dollar Energy Fund to lead the administration of OPPD's Energy Assistance Program and support the acquisition of future assistance dollars. OPPD established a network of community-based agencies across 13 Nebraska counties which provide 42 application intake sites for its Energy Assistance Program. This was an increase from five community-based agency access sites in 2019.
- Partnered with area public school districts to provide education about utility assistance programs and developed a temporary remote learner program to assist families with remote learning needs to avoid classroom and education disruption in our customers' homes.
- Partnered with Habitat of Humanity of Omaha and Southeast Nebraska Community Action Partnership (SENCA) to provide home energy audits and energy efficiency upgrades to income qualified home owners throughout our service area.
- Partnered with state, local governments, and local non-profits to increase access and education on the availability of utility assistance funds for customers.



# Leverage OPPD's leadership to achieve these goals.

SD-6: Safety	SD-8: Employee Relations	SD-10: Ethics	SD-12: Information Management & Security	SD-15: Enterprise Risk Management
<p><i>Resolution 6356: Board accepted SD-6: Safety Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (January 16, 2020)</i></p>	<p><i>Resolution 6408: Board accepted SD-8: Employee Relations Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (December 9, 2020)</i></p>	<p><i>Resolution 6393: Board accepted SD-10: Ethics Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (September 17, 2020)</i></p>	<p><i>Resolution 6398: Board accepted SD-12: Information Management &amp; Security Monitoring Report, finding OPPD to be taking reasonable and appropriate measures to comply with this policy (October 14, 2020)</i></p>	<p><i>Resolution 6379: Board accepted SD-15: Enterprise Risk Management Monitoring Report, finding OPPD to be sufficiently in compliance with this policy (June 11, 2020)</i></p>

## 2020 Highlights

- Received National Safety Council- Nebraska Safest Companies Award with Distinction.
- Achieved Days Away Restrict or Transferred (DART) of 0.57 and a Preventable Vehicle Incident Rate (PVIR) of 2.27.
- Moved to having 700+ employees work remotely in response to the COVID-19 Pandemic.
- Achieved Tier 1 level of employee engagement.
- Involved in many local board affiliations to strengthen the communities we serve.
- Served as presenters at many industry and local community conferences and meetings.
- Tim Burke served as one of 30 participants in the Air Force Civic Leader Program.
- Received Partner of the Year Award from Inclusive Communities.
- Conducted a Town Hall on Race with OPPD employees in response to the civil unrest that occurred in 2020.
- Participated in Cyber Security month (October) by highlighting in weekly Tim Talk video and promoting events that are held across the District for employees.
- Improved metrics on phishing campaigns by positively reinforcing behaviors that are supportive of identification/reporting of phishing emails.
- Throughout the year in various venues discussed the importance of our security program and how employees play a significant role in protecting our organization.
- Engaged with a variety of organizations to build relationships that are supportive of our security program and shares information internally that improves our security posture.

# Recommendation

The Governance Committee has reviewed and accepted this Monitoring Report for SD-1 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-1.



Moody/Focht

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, the Board of the Directors has determined it is in the best interest of the District, its employees, and its customer-owners to establish written policies that describe and document OPPD's corporate governance principles and procedures; and

**WHEREAS**, each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process; and

**WHEREAS**, the Board's Governance Committee (the "Committee") is responsible for evaluating Board Policy SD-1: Strategic Foundation on an annual basis. The Committee has reviewed the SD-1: Strategic Foundation Monitoring Report and finds OPPD to be sufficiently in compliance with the policy as stated.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors accepts the SD-1: Strategic Foundation Monitoring Report, in the form as set forth on Exhibit A attached hereto and made a part hereof, and finds OPPD to be sufficiently in compliance with the policy as stated.



## Pre-Committee Agenda

### FINANCE PRE-COMMITTEE MEETING VIDEOCONFERENCE April 2, 2021 8:00 AM – 9:00 AM

1. Block Rate Project Update (15 min)
  - a. Objective: Review action plan towards elimination of declining block rates for Rate 110 and other applicable rates. Review progress made on demographic and economic data.
2. Biennial Rates Blueprint Update (10 min)
  - a. Objective: Review potential rate design actions that are being developed for action in December 2021.
3. 2021 Financial Update (30 min)
  - a. Objective: Review actual and projected financial performance relative to the 2021 Corporate Operating Plan and access to market financial indicators.
4. Confirmation of Board Work Plan – Finance Committee Items (3 min)
  - a. Objective: Committee members to review and confirm items on the Board Work Plan.
5. Summary of Committee Direction (2 min)
  - a. Objective: Senior management team liaison(s) to summarize direction provided by the committee.



# Board Action

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

Decommissioning Trust Funds

### PURPOSE

Authorize revisions to the 1990 Decommissioning Trust Agreement and clarification regarding persons who may take actions under 1992 Trust Agreement

### FACTS

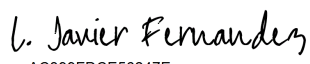
- a. The District has two decommissioning trust agreements originally approved by the Omaha Public Power District (OPPD) Board of Directors on June 7, 1990 (1990 Trust) and October 15, 1992 (1992 Trust).
- b. The 1990 Trust was established to meet a Nuclear Regulatory Commission (NRC) mandate that required OPPD to establish and maintain an external trust fund segregated from OPPD's assets to pay for the license termination costs of decommissioning the Fort Calhoun Nuclear Station (FCS). The 1992 Trust was established to ensure additional funds were available to pay for the costs of decommissioning the FCS that were not covered by the NRC mandate.
- c. The District is revising the 1990 Trust Agreement to allow monthly withdrawals from the Trust as well as eliminating reporting that is not required by the NRC. Additionally, the 1990 Trust Agreement is being updated to allow Treasury Agents to manage investments and make withdrawals. Management also is seeking clarification as to the Treasury Officers authorized to take action under the terms of the 1992 Trust.

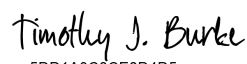
### ACTION

Board approval to revise the 1990 Trust Agreement and clarify the persons authorized to take action under the 1992 Decommissioning Trust Agreement.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
AC200FDCE56247E...  
 L. Javier Fernandez  
 Vice President and Chief Financial Officer

DocuSigned by:  
  
5DB1A0C8CE9D4D5...  
 Timothy J. Burke  
 President and Chief Executive Officer

LJF:jap

Attachments: Exhibit A – Revised 1990 Trust Agreement Resolution

Exhibit A

AMENDED AND RESTATED TRUST AGREEMENT

This Amended and Restated Trust Agreement (the “Amended Agreement”) dated and effective as of \_\_\_\_\_, 2021, by and between Omaha Public Power District, a public corporation and political subdivision of the State of Nebraska (the “District”) and The First National Bank of Omaha, a National Bank chartered and doing business by virtue of the laws of the United States of America with its principal place of business in Omaha, Nebraska, as External Fund Trustee (the “Trustee”).

RECITALS

WHEREAS, the District presently owns the Fort Calhoun Nuclear Power Generating Station Unit No. 1 (the “Station”), which is regulated under Operating License Number DPR-40 (the “License”) issued by the Nuclear Regulatory Commission (the “NRC”); and

WHEREAS, the Station ceased operation in October 2016 and presently is undergoing decommissioning under the DECON process, pursuant to regulations of the NRC (the “Decommissioning”); and

WHEREAS, to ensure that sufficient funds are available to pay the costs of Decommissioning the Station, NRC regulations 10 C.F.R. Part 50, as amended from time to time, require the District to establish and maintain an External Trust Fund (hereinafter defined) by depositing funds in an account segregated from the District’s assets; and

WHEREAS, Resolution No. 3945 was adopted by the Board of Directors of the District on June 7, 1990, (the “Resolution”) which Resolution permits the District to establish such External Trust Fund with the Trustee upon the terms and conditions hereinafter set forth in this Amended Agreement; and

WHEREAS, pursuant to the Trust Agreement dated as of July 2, 1990 (the “Original Trust Agreement”), the District established the External Trust Fund, which has remained in effect; and

WHEREAS, the District and Trustee desire to amend and restate the Original Trust Agreement as set forth herein.

NOW THEREFORE, in consideration of the foregoing and the mutual covenants hereinafter set forth, the parties hereto agree as follows:

## SECTION 1. RESOLUTION

The Trustee acknowledges its previous receipt of a true and correct copy of the Resolution establishing the Fund (as herein defined).

## SECTION 2. ESTABLISHMENT OF FUND

Pursuant to the Original Trust Agreement, the District established for the benefit of the NRC, the customer-owners of the District and the citizens of the State of Nebraska; and for the purpose of discharging the District's legal obligation to accomplish the Decommissioning, a segregated External Trust Fund designated the "Omaha Public Power District Fort Calhoun Station Decommissioning External Trust Fund" (the "Fund") to be held in the custody of the Trustee. On the Original Effective Date (hereinafter defined) of the Original Trust Agreement, the District deposited in the Fund, the initial payment (referred to as the First Annual Payment in the Original Trust Agreement) and has continued to make periodic additional deposits to the Fund since that date. The District shall make periodic additional deposits to the Fund under this Amended Agreement as provided in Section 4 hereof.

## SECTION 3. GRANTOR TRUST

The parties hereby acknowledge that the District is an entity exempt from taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended. The parties agree that the Fund established pursuant to the Original Trust Agreement and maintained in effect pursuant to this Amended Agreement is a Grantor Trust pursuant to Section 671 *et. seq.* of the Internal Revenue Code of 1986, as amended; that the District is the owner of the entire Fund for federal income tax purposes; and that the Trustee shall not be required to file a federal tax return with respect to the Fund for any taxable year during which the Fund is in existence.

## SECTION 4. DEPOSITS TO FUND

Deposits to the Fund shall be made in an amount and frequency as determined by the District in its sole discretion.

## SECTION 5. TRUSTEE DUTIES

The Trustee has established the Fund pursuant to the Original Trust Agreement. The Fund

has accepted the cash and securities deposited therein pursuant to the Original Trust Agreement and will continue to accept cash and securities pursuant to this Amended Agreement. The Trustee has the duty to execute the investment of any and all monies held hereunder in the following investments:

A. Any obligations of the United States Government having the backing of the full faith and credit of the United States of America; and/or

B. Any and all investments permitted to be made by public power districts under the laws of the State of Nebraska, as amended from time to time, (collectively the “Permitted Investments”).

The Trustee shall exercise its investment duties pursuant to this Section 5 only in accordance with the oral instructions (followed by prompt written confirmation thereof) of the District. The District hereby retains sole authority to determine which among the Permitted Investments the Trustee shall make, and the District hereby agrees to be bound by the terms and conditions of the Amended Agreement when making such investment determinations. Notwithstanding any of the foregoing terms to the contrary, the District may, in its sole discretion, and at any time during the term of the Amended Agreement, delegate its power to direct the investment of the Fund’s assets to an investment manager. Any such investment manager to whom the District may delegate its investment powers granted herein, shall be required to execute and deliver to the Trustee any and all documents as may be necessary to evidence said investment manager’s agreement to be bound by all terms and conditions respecting the Permitted Investments contained in this Section 5 of the Amended Agreement. In the event the Trustee allows all such directions received from the District or such investment manager appointed by the District, the Trustee shall not be liable for any losses incurred by reason of any action taken pursuant to such directions provided such directions are in compliance with the requirements of this Section 5.

The maturity date of any Permitted Investment made pursuant to the Original Trust Agreement and this Amended Agreement shall not unreasonably extend beyond the Termination Date (hereinafter defined) of the Amended Agreement.

If the District shall so request the Trustee, in writing, income received on the Permitted Investments shall be paid by the Trustee to the District as received (the “Paid Earnings”). All Paid Earnings shall be used by the District to meet Decommissioning expenses and, should there



be any excess after payment of such expenses, such Paid Earnings may be used by the District for valid corporate purposes.

During the term of the Amended Agreement, the Trustee shall give the District (or the District's representatives) full access, during Trustee's normal business hours, to all books and records relating to the Fund, and shall provide the District (or the District's representatives) with such information regarding the Fund as the District (or the District's representatives) may reasonably request.

#### SECTION 6. DECOMMISSIONING EXPENSES

To enable the District to meet Decommissioning expenses as they arise, the District is hereby empowered to make withdrawals from the Fund at any time upon submittal to the Trustee of an itemized written request setting forth the amount requested and certifying that the withdrawal is to pay Decommissioning expenses ("Withdrawal Request").

All Withdrawal Requests shall be made by the District's Treasurer, or by such Assistant Treasurers or Treasury Agents (or successor term for this position) as may be designated in writing to Trustee from time to time, Provided a Withdrawal Request is in compliance with the requirements of this Section 6, the Trustee shall pay to the District, out of the Fund, the amount requested on or before the date specified by the District in any such Withdrawal Request.

#### SECTION 7. COMPENSATION OF TRUSTEE

The District shall compensate the Trustee for its performance of the services specified in the Amended Agreement, on a quarterly basis, in such amounts and upon such terms as shall be agreed to annually by the parties hereto in writing.

The District shall pay such quarterly invoices no later than thirty (30) days following the end of the applicable calendar quarter or ten (10) days following the receipt by the District of such quarterly invoices, whichever occurs later.

#### SECTION 8. LIMITED USE

Except as provided in Sections 5 and 6 of the Amended Agreement, all monies, deposits, and securities held in the Fund pursuant to the Amended Agreement shall be used solely for the costs of Decommissioning. No principal or income payable to, or to become payable under, the

Fund shall vest in the District for any other purposes except those specifically authorized herein. No principal or income of the Fund shall be taken or reached by any legal or equitable process in satisfaction of any debt of the District.

#### SECTION 9. TERMINATION

This Amended Agreement shall terminate on such date as the Decommissioning shall be completed as determined by the District in accordance with regulations and decisions of the NRC (the "Termination Date").

Prior to the expected Termination Date, the District shall submit its final Withdrawal Request to the Trustee which shall disburse funds to cover final Decommissioning costs. On the Termination Date, the Trust herein established shall terminate, and any amounts remaining in the Fund shall be returned to the District.

#### SECTION 10. STANDARD OF CARE

The Trustee shall perform such duties as are specifically set forth in the Agreement. The Trustee shall exercise its duties with the degree of care and skill that a prudent person would exercise in the conduct of his own affairs.

No provision of the Amended Agreement, however, shall be construed to relieve Trustee from liability for its own neglect or willful misconduct except that:

A. In the absence of bad faith on the part of the Trustee, the Trustee may rely upon the authenticity and correctness of documents and writings, including but not limited to all investment instructions and Certifications pursuant to Sections 5 and 6 of the Amended Agreement, furnished to the Trustee by the District, or by any investment manager appointed under Section 6 of the Amended Agreement;

B. The Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith at the direction of the District or any investment manager designated pursuant to the Amended Agreement; and

C. The Trustee shall have no responsibility to collect from the District any payments necessary to discharge any liabilities of the District established by the NRC.

## SECTION 11. MAINTENANCE OF OFFICE

There shall at all times be a Trustee hereunder which shall be a national bank organized, chartered and doing business by virtue of the laws of the United States of America and authorized under such laws to exercise corporate trust powers, having combined capital and surplus and retained earnings of at least Fifty Million Dollars (\$50,000,000.00), and subject to supervision or examination by Federal authority. For purposes of determining whether such corporation meets the requirement of the preceding sentence, the combined capital and surplus and retained earnings of such corporation shall be deemed to be its combined capital and surplus and retained earnings as set forth in its most recent published report of condition. If at any time the Trustee shall cease to be eligible in accordance with the provisions of this Section 11, the District shall have the authority to request the immediate resignation of the Trustee in the manner and with the effect specified in Section 12 below.

## SECTION 12. RESIGNATION OR REMOVAL OF TRUSTEE

The Trustee may at any time resign by giving 90 days' prior written notice to the District by certified mail of such resignation, provided that no such resignation shall take effect until a successor Trustee is appointed. If a successor Trustee has not: (1) been so appointed; and (2) accepted such appointment within ninety (90) days after the District has received Trustee's resignation, the District may petition any court of competent jurisdiction for the appointment of a successor Trustee. Such court may thereupon, after receiving such petition, appoint a successor Trustee.

Upon written notification by the District, the Trustee may be removed by the District, and a Successor Trustee appointed, upon the occurrence of any of the following:

- A. The Trustee ceases to be eligible in accordance with the provisions of Section 11 above and fails to resign after request by the District;
- B. The Trustee shall become incapable of acting or shall be adjudged bankrupt or insolvent, or a receiver shall have been appointed of the Trustee, or of its property or affairs for the purpose of rehabilitation, conservation or liquidation; or
- C. The District shall determine, in its sole discretion, that the Trustee should be removed.

Any resignation or removal of the Trustee and appointment of a successor Trustee

pursuant to the provisions of this Section 12 shall become effective only upon acceptance of appointment by the successor Trustee as provided in Section 13 below.

#### SECTION 13. SUCCESSOR TRUSTEE

Any successor Trustee appointed as provided in Section 13 herein shall execute, acknowledge and deliver to the District, and to its predecessor Trustee, an instrument accepting such appointment hereunder and thereupon the resignation or removal of the predecessor Trustee shall become effective and such successor Trustee, without any further act, deed or conveyance, shall become vested with all the rights, powers, duties and obligations hereunder, with like effect as if originally named as Trustee herein. Notwithstanding anything in the foregoing sentence to the contrary, on the request of the District, or on the request of the successor Trustee, the Trustee ceasing to act hereunder shall execute and deliver all such instruments of transfer as may be necessary to transfer to such successor Trustee: (1) all assets of the Fund; and (2) all the rights and powers of the Trustee ceasing to act under the Amended Agreement.

No successor Trustee shall accept appointment as provided in this Section 13 unless at the time of such acceptance such successor Trustee shall be eligible under the provisions of Section 11 of the Amended Agreement.

#### SECTION 14. IRREVOCABLE TRUST

The Fund established pursuant to the Original Trust Agreement and confirmed with this Amended Agreement shall constitute an Irrevocable Trust as required by NRC regulations, as amended from time to time, for the purpose of providing sufficient available funds to accomplish Decommissioning. The District shall have no rights to the monies held in the Fund except as provided in the Amended Agreement. Notwithstanding anything herein to the contrary, however, should NRC regulations be amended, the effect of which would be that the Fund is no longer required, the District may terminate the Amended Agreement and revoke the Fund herein established and all assets of the Fund as of the date of any such termination shall be returned to the District.

#### SECTION 15. EFFECTIVE DATE

The Original Trust Agreement commenced and became operative on July 2, 1990 (the

“Original Effective Date”).

#### SECTION 16. SUCCESSORS AND ASSIGNS

All the covenants and representations made by the District and contained in the Amended Agreement shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

#### SECTION 17. SEVERABILITY

If any provision of the Amended Agreement should be determined by a court of competent jurisdiction to be contrary to law, such provision shall be deemed and construed to be severable from the remaining provisions herein contained, and shall in no way affect the validity of the remaining provisions of the Amended Agreement.

#### SECTION 18. ENTIRE AGREEMENT

The Amended Agreement supersedes all prior negotiations, agreements and understandings among the parties with respect to the subject matter hereof, and upon execution by the District and Trustee, the Original Trust Agreement shall be terminated and of no further force and effect. To be effective, any amendment to, or modification of, the Amended Agreement must be in writing, and executed by the District and the Trustee.

#### SECTION 19. NOTICES

Unless otherwise specified herein, all notices required to be given by or to either party pursuant to the terms of the Amended Agreement, including but not limited to, all Withdrawal Requests, invoices, reports, requests and communications, shall be sufficiently given only if in writing and if sent by first class United States mail, postage prepaid, by or to the appropriate addressee indicated below:

To the Trustee:  
First National Bank of Omaha  
One First National Center  
Omaha, NE 68102  
Attn: Corporate Trust Division

To the District:

Director-Treasury and Financial Operations  
Omaha Public Power District  
444 South 16<sup>th</sup> Street Mall  
Omaha, NE 68102

With a Copy To:

Stephen M. Bruckner  
500 Energy Plaza  
Omaha, NE 68102

Changes to the above addresses may be made from time to time by either of the above-listed entities, by notice to the other entity from the above-named representative of the respective entity or from any other duly authorized officer of that entity as certified by the Secretary of that entity.

SECTION 20. HEADLINES

The headings of the Sections used in the Amended Agreement are for convenience only and shall not control or affect the meaning of any of the provisions thereof.

SECTION 21. REPRESENTATIONS

A. The Trustee represents that it has the power, authority and legal right to enter into and perform its obligations set forth in the Amended Agreement and that the execution, delivery and performance hereof have been duly authorized and will not violate any applicable law, regulation or by-law of the Trustee.

B. The District represents that it has the power, authority and legal right to enter into and perform its obligations set forth in the Amended Agreement, and that the Agreement and the Fund are in conformity with requirements set forth in 10 C.F.R. §50.75, as amended from time to time. The District further represents that the execution, delivery and performance of the Amended Agreement have been duly authorized and will not violate any applicable law, regulation or by-law of the District.

SECTION 22. COUNTERPARTS

The Amended Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as an original and shall constitute and be one and the same agreement.

SECTION 23. GOVERNING LAW

The Amended Agreement and any questions concerning its validity, construction or performance shall be governed by the laws of the State of Nebraska.

IN WITNESS WHEREOF, the parties hereto have each caused the Agreement to be executed by their duly authorized officers and their corporate seals to be hereunto affixed and attested as of the date first above written, but actually on June 27, 1990.

ATTEST: OMAHA PUBLIC POWER DISTRICT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST: FIRST NATIONAL BANK OF  
OMAHA, Trustee

By: \_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:  
  
\_\_\_\_\_  
[Name], Trust Officer



Yoder/Fernandez

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, in 1990, the Omaha Public Power District Board of the Directors approved the 1990 Decommissioning Trust Agreement and in 1992, the Omaha Public Power District Board of Directors approved the 1992 Decommissioning Trust Agreement; and

**WHEREAS**, the 1990 Trust Agreement was established in response to a Nuclear Regulatory Commission requirement for the Omaha Public Power District to establish an external trust fund segregated from District assets to pay for the license termination costs of decommissioning the Fort Calhoun Nuclear Station and the 1992 Trust Agreement was established to ensure funds were available to pay for the costs of decommissioning the Fort Calhoun Nuclear Station that were not covered by the Nuclear Regulatory Commission requirement; and

**WHEREAS**, the Trust Agreements were originally established during a period when the Fort Calhoun Station was operational and the trust funds were used to fund for the future decommissioning of the Fort Calhoun Nuclear Station; and

**WHEREAS**, the Fort Calhoun Station has ceased operation and, subsequently, decommissioning of the Station has commenced; and

**WHEREAS**, the form of the 1990 Trust Agreement requires amendment to update sections related to the funding of the Trust, withdrawals from the Trust, external reporting on the Trust, and the appropriate persons to approve transactions under the Trust; and

**WHEREAS**, Management requests clarification of the persons authorized to act on behalf of the District under the terms of the 1992 Trust Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District as follows:

1. The Board approves the amendment of the 1990 Decommissioning Trust Agreement in the form attached hereto as Exhibit A and authorizes Management of the District to execute the amended trust agreement on behalf of the District; and

2. The "Treasury Officers" who shall be authorized to act on behalf of the District pursuant to Section 5 of the 1992 Trust Agreement shall mean the District's Treasurer, any Assistant Treasurer of the District, and any Treasury Agent (or successor term for the Treasury Agent position) who may be designated by Management.





# Board Action

April 13, 2021

## ITEM

Audit Subcommittee Charter Revisions

## PURPOSE

Approve revisions to the Audit Subcommittee Charter


## FACTS

- a. On March 14, 2019, the Board of Directors adopted revised standing committee charters.
- b. The Finance, Insurance and Audit Committee was renamed Finance Committee. The Audit Subcommittee is a subcommittee of the Finance Committee, a standing committee of the Board of Directors.
- c. The Audit Subcommittee completes an annual evaluation of its charter. In addition, the charter is reviewed for any recommended revisions.
- d. The recommended charter revisions are attached as Exhibit A.


## ACTION

Authorization by the Board of Directors to approve the revisions to the Audit Subcommittee Charter.

### RECOMMENDED:

DocuSigned by:  
  
 B020AD4392E3483...  
 Scott M. Focht  
 Vice President – Corporate Strategy and Governance

### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 5DD1A0C8CE8D4D6...  
 Timothy J. Burke  
 President and Chief Executive Officer

SMF:mfh

Attachments: Exhibit A Resolution

# Exhibit A

## AUDIT SUBCOMMITTEE CHARTER

### PURPOSE

1. The Audit Subcommittee, which is a subcommittee of the Finance ~~Committee~~, shall be a standing committee appointed by the Chair of the Board of Directors with concurrence of the Board with responsibility to:

- a. provide oversight of the quality and integrity of the accounting, auditing, and reporting practices of the District; and,
- b. maintain free and open communication with the independent auditors, the internal auditors, and the Management of the District, and
- c. provide independent analysis, review and judgment of the District's financial reporting and the independent and internal auditors' activities

**Deleted:** , Insurance, and Audit

**Deleted:** committee

**Deleted:** man or Chairwoman

### STRUCTURE AND OPERATIONS

1. The Subcommittee shall consist of at least three directors, including the Treasurer, appointed in accordance with the Bylaws and the recommendations of the Governance Committee. All members of the Subcommittee shall be free of relationships that would interfere with their exercise of independent judgment.

2. The Subcommittee shall meet as often as it deems appropriate

3. The Subcommittee has the authority to initiate and supervise investigations into any matters within the scope of its authority and responsibilities. The Subcommittee is authorized to utilize the services of legal, accounting and other advisors as it deems necessary in the fulfillment of its duties. The Subcommittee and its designees shall have access to all of the Company's records, property, and employees.

### DUTIES AND RESPONSIBILITIES

1. The Subcommittee shall oversee the independent auditors relationship by discussing with the auditors the nature and rigor of the audit process, receiving and reviewing audit reports, and providing the auditors full access to the Subcommittee to report on any and all appropriate matters.

**Audit Subcommittee**

2. The Subcommittee shall provide guidance and oversight to the internal audit activities of the District including review of the organization, plans, and results of such activities.

3. The Subcommittee shall review the audited financial statements and discuss them with Management and the independent auditors. These discussions shall include consideration of the quality of the District’s accounting principles as applied in its financial reporting, including review of estimates, reserves and accruals, review of judgmental areas, review of audit adjustments whether or not recorded and such other inquiries as may be appropriate.

4. The Subcommittee shall discuss with Management, the internal auditors and the independent auditors the quality and adequacy of the District’s internal controls.

5. The Subcommittee will report the activities of the Subcommittee to the Finance Committee who will report them to the Board of Directors.

Deleted: , Insurance, and Audit  
Deleted: of the Board

**EVALUATION OF THE SUBCOMMITTEE**

1. The annual evaluation of the performance of the Audit Subcommittee shall be included with the annual evaluation and report to the Board regarding the performance of the Finance Committee.

Deleted: , Insurance, and Audit

2. The Subcommittee shall review this Charter at least annually and recommend any appropriate changes to the Board for approval in conjunction with any changes recommended for the Finance Committee Charter.

Deleted: , Insurance, and Audit

While the members of this Subcommittee have the duties and responsibilities set forth in this Charter, nothing contained in this Charter is intended to create, or should be construed as creating any responsibility or liability of members of the Subcommittee, except to the extent otherwise provided under applicable federal or State of Nebraska law.



Yoder/Focht

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, on March 14, 2019, the Board of Directors renamed the Finance Committee from “Finance, Insurance and Audit Committee” to “Finance Committee;” and

**WHEREAS**, the Audit Subcommittee is a subcommittee of the Finance Committee, a standing committee of the Board of Directors; and

**WHEREAS**, under the Audit Subcommittee Charter, the Subcommittee conducts an annual evaluation, which includes review of the Charter and recommendations for any revisions; and

**WHEREAS**, the Audit Subcommittee Charter has been revised and it is recommended that the Board of Directors approve the revised Charter attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that the revised Audit Subcommittee Charter, as set forth on Exhibit A attached hereto, be and hereby is approved, and effective as of April 15, 2021.




## Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT  
PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
March 31, 2021 4:00 – 5:10 P.M.

1. SD-7: Environmental Stewardship (30 min)
  - a. Objective: Review and discuss potential revisions to board policy SD-7: Environmental Stewardship to include language regarding climate change
2. Power with Purpose – Equipment Options – Deep Dive (30 min) *Confidential Information*
  - a. Inform the System Committee on the equipment selection decision options
3. Confirmation of Board Work Plan – System Committee Items (3 min)
  - a. Objective: Committee members to review and confirm items on the Board Work Plan
4. Summary of Committee Direction (2 min)
  - a. Objective: Senior management team liaison(s) to summarize direction provided by the committee

**PROPOSED REVISIONS FOR DISCUSSION**

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-7: Environmental Stewardship</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
		<b>Resolution No.:</b>	6082 6289 6347 <u>64xx</u>
<b>Date of Approval:</b>	October 15, 2015 November 15, 2018 November 14, 2019 <u>[TBD]</u>		

Managing its interactions with the environment is essential to OPPD’s ability to serve customers, create value for stakeholders, and contribute to the well-being of the communities it serves and its employees. The OPPD Board of Directors recognizes the scientific consensus that climate change is occurring and that greenhouse gas emissions, including carbon dioxide, from human activity contribute to climate change impacts.

Therefore, OPPD shall:

- Operate in an environmentally responsible manner and strive for the continuous improvement of its environmental performance.
- Conduct all of its operations (including operations such as building services and transportation) in a manner that strives for the goal of net zero carbon production by 2050.
- Conduct its business in a manner that meets all environmental regulatory standards, and go beyond compliance where practical.
- Be transparent by measuring and reporting its environmental performance on OPPD’s website.
- Engage customers and stakeholders to promote energy conservation and efficiency and minimize environmental impact.
- Advocate and educate local, state and federal governments to protect and advance OPPD’s environmental interest.



*Williams/Fisher*

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, the Board of Directors of Omaha Public Power District establishes policies through strategic directives to Management; and

**WHEREAS**, Strategic Directive 7: Environmental Stewardship (SD-7) has been adopted by the Board of Directors and revised most recently on November 14, 2019, pursuant to Resolution No. 6347; and

**WHEREAS**, consistent with the District's mission to provide affordable, reliable and environmentally sensitive energy services to its customer-owners, the Board of Directors recognizes the scientific consensus that climate change is occurring due to greenhouse gas emissions, including carbon dioxide, from human activity which affect the environment and our customer-owners; and

**WHEREAS**, work is underway at the District that will help address the effects of climate change, including large-scale renewable energy projects, the District's decarbonization strategic initiative, and emissions reductions across the District's generation fleet; and

**WHEREAS**, the Systems Management and Nuclear Oversight Committee of the Board of Directors recommends revision of SD-7 in the form attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that OPPD Strategic Directive 7: Environmental Stewardship is hereby approved, as amended, in the form attached hereto as Exhibit A.



# Board Action

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

SD-4: Reliability Monitoring Report

### PURPOSE

To ensure full board review, discussion and acceptance of the 2020 SD-4: Reliability Monitoring Report.


### FACTS

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The System Management and Nuclear Oversight Committee is responsible for evaluating Board Policy SD-4: Reliability.
- d. The System Management and Nuclear Oversight Committee has reviewed the 2020 SD-4: Reliability Monitoring Report and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.


### ACTION

The System Management and Nuclear Oversight Committee recommends Board approval of the 2020 SD-4: Reliability Monitoring Report.

#### RECOMMENDED:

DocuSigned by:  
  
181467221FA24AE...  
Troy R. Via  
Vice President – Energy Delivery

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
5DD4A0C8CE8D4D5...  
Timothy J. Burke  
President and Chief Executive Officer

TRV:mfh

Attachments: Exhibit A – Monitoring Report  
Resolution





Exhibit A

# SD-4: Reliability Monitoring Report

System Management & Nuclear Oversight Committee Report  
April 13, 2021

Troy Via  
Vice President – Energy Delivery



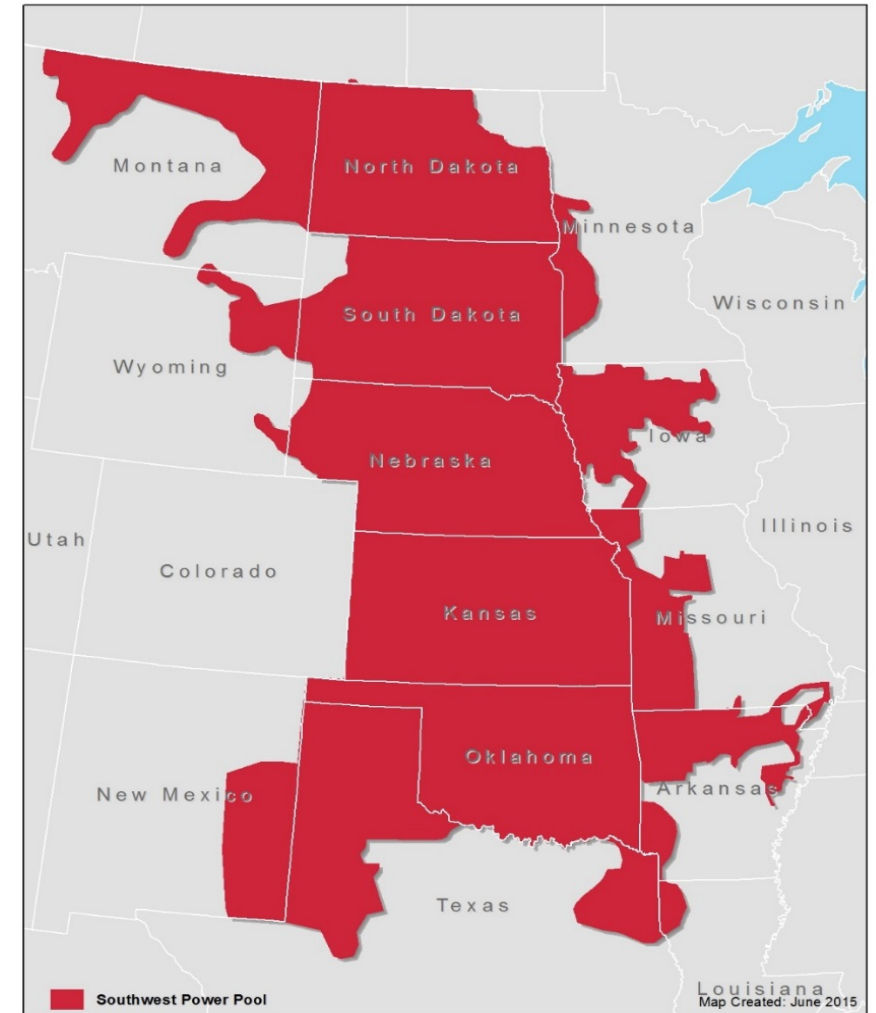
# SD-4: Reliability

Generation and delivery systems must perform at a high level to provide reliable service to customer-owners. The Energy Delivery, Energy Production and Nuclear Decommissioning, and Financial Services Business Units of OPPD contribute to reliable electric service to customer-owners.

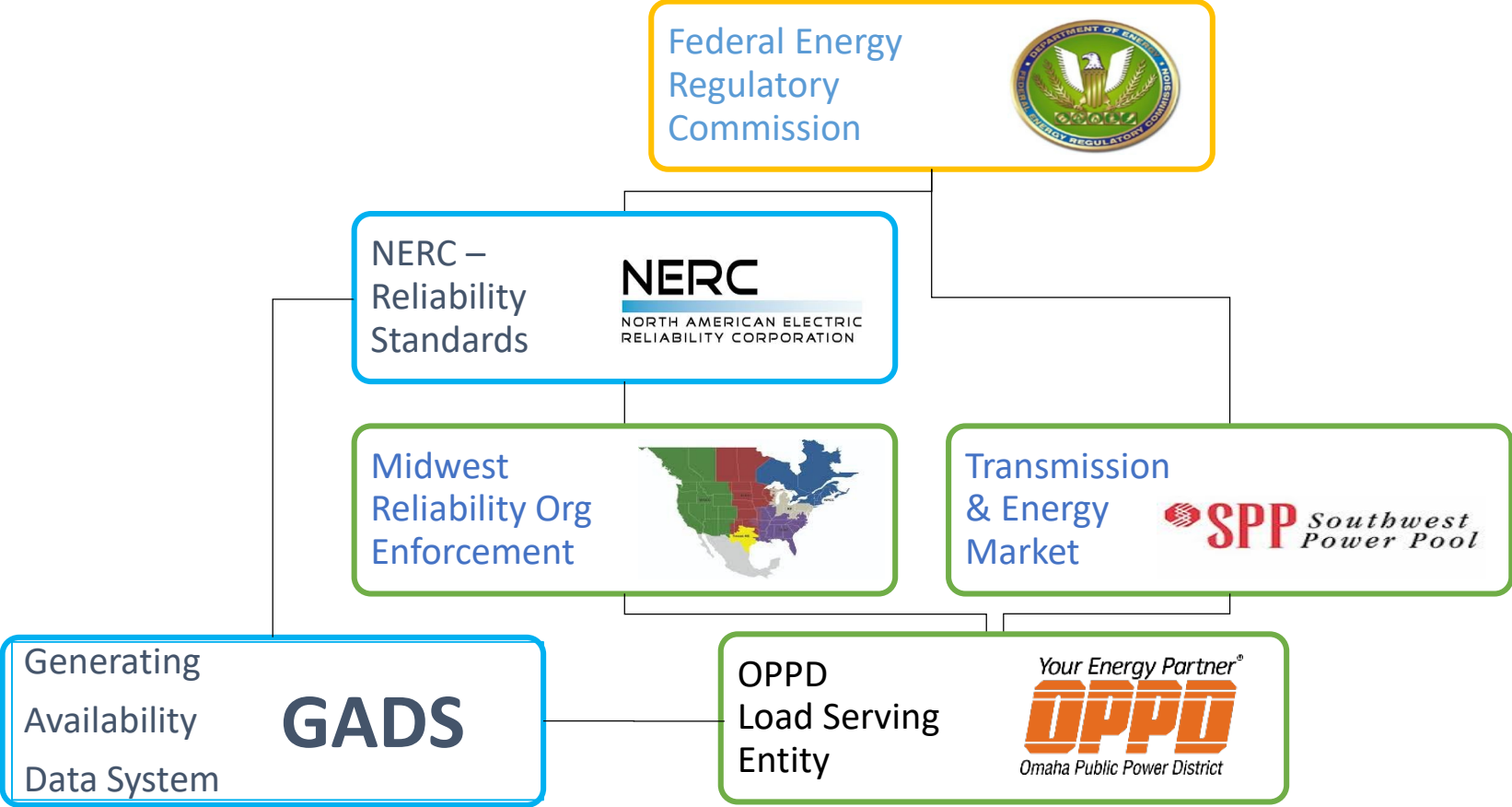
- OPPD shall assure all customer energy requirements are met through the use of its generation resources and purchase power portfolio 100 percent of the time.
- OPPD shall achieve generation reliability by:
  - Maintaining baseload unit equivalent availability factor at or above 90% on a three-year rolling average; and,
  - Maintaining unit availability above benchmark levels per industry measures such as the NERC GADS.
- OPPD shall achieve electric system reliability by:
  - Limiting the SAIDI to 90 minutes. This is the average outage duration per customer per year excluding declared major storms; and,
  - Maintaining a reliable transmission and distribution system. This will be achieved through performing the necessary maintenance and upgrades in accordance with NERC standards.

## OPPD shall assure all customer requirements are met through the use of its generation resources and purchase power portfolio 100 percent of the time

- Resource planning assessments allow us to diligently plan for sufficient generation capacity/reliability in the future
- As required, OPPD plans for accredited generation resources that are 112% of expected peak load
- As necessary, transmission ‘reservations’ are in place to ensure firm delivery of electricity creating ‘right of way’ for electricity to get to OPPD load from OPPD resources
- The SPP integrated market provides OPPD with real time access to liquid power markets
- Generation (both owned and purchased) supply requirements met 100% of the time



# Regulation Framework



# Generation Reliability Metric

- Equivalent Availability Factor (EAF):
  - Percentage of time a unit was available to generate over a total period of time. Outages and derates impact this factor.
  - OPPD's corporate EAF is megawatt weighted. Goals are established on a 12-month basis in support of the corporate 3-year target to normalize outages across the fleet.
  - Target based on top quartile NERC/GADS benchmarking.

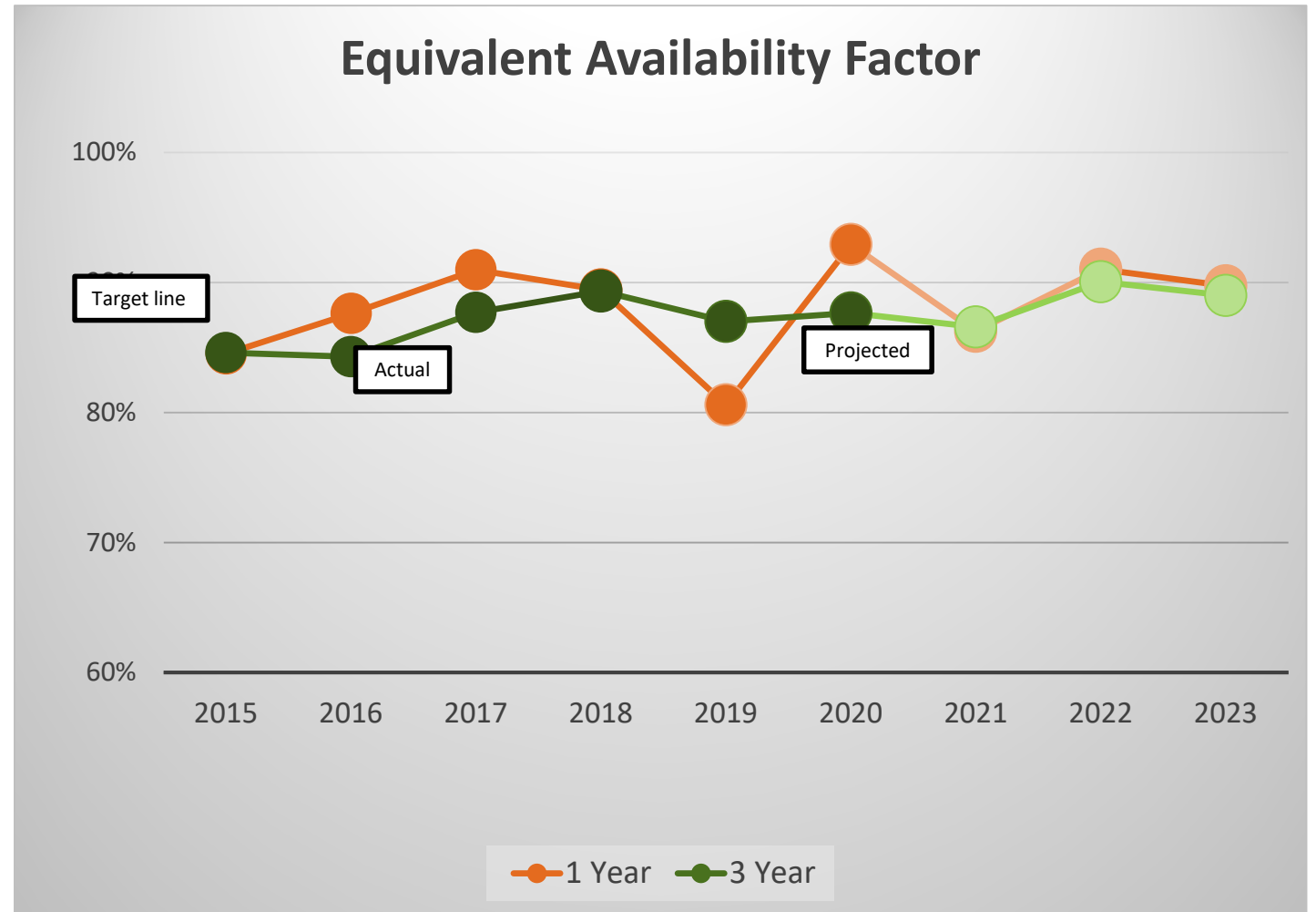


# 2020 Generation Performance

OPPD establishes a long term goal to achieve generation reliability by maintaining baseload unit equivalent availability factor at or above 90% on a three-year rolling average.

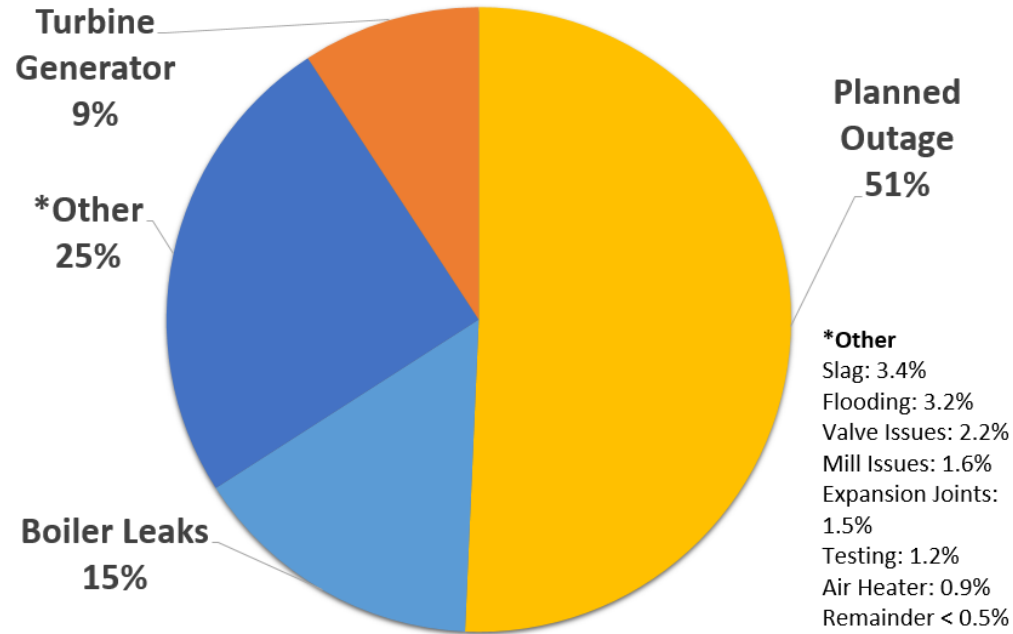
2020 year end was 87.6% vs a target of 87.8%.

In 2020, 90% EAF represents top quartile of industry peers.



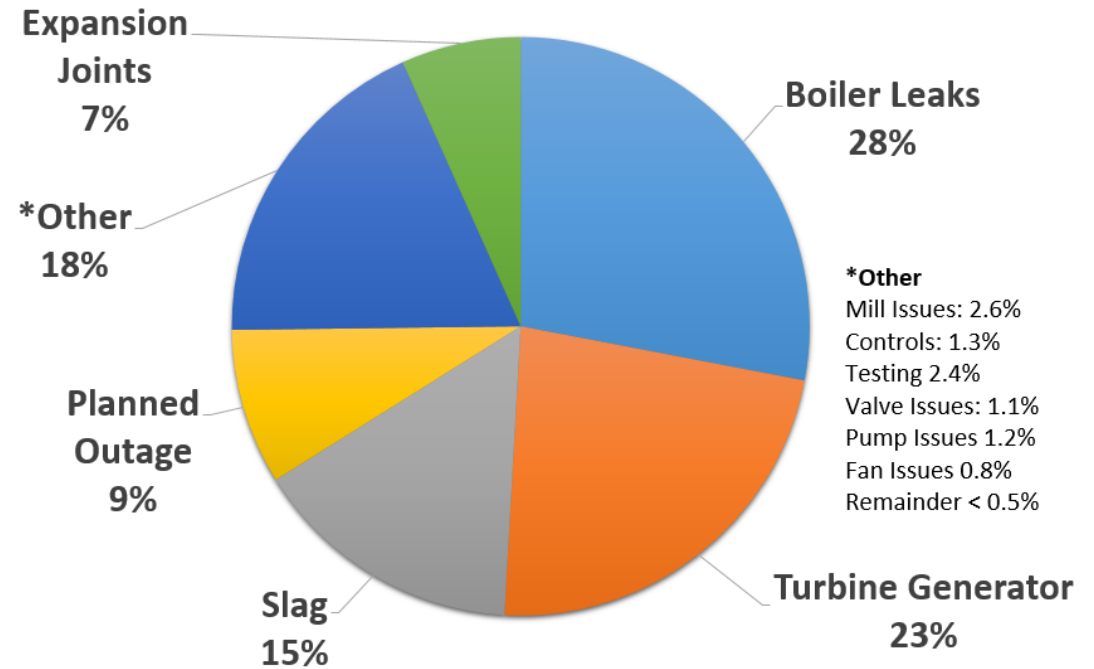
# Generation Reliability Drivers

2019 EAF Outages and Derates  
(With more than 5% of annual total)



2,861,000 Equivalent Megawatt Hours  
Unavailable

2020 EAF Outages and Derates  
(With more than 5% of annual total)



1,042,000 Equivalent Megawatt Hours  
Unavailable

# Generation Reliability Programs



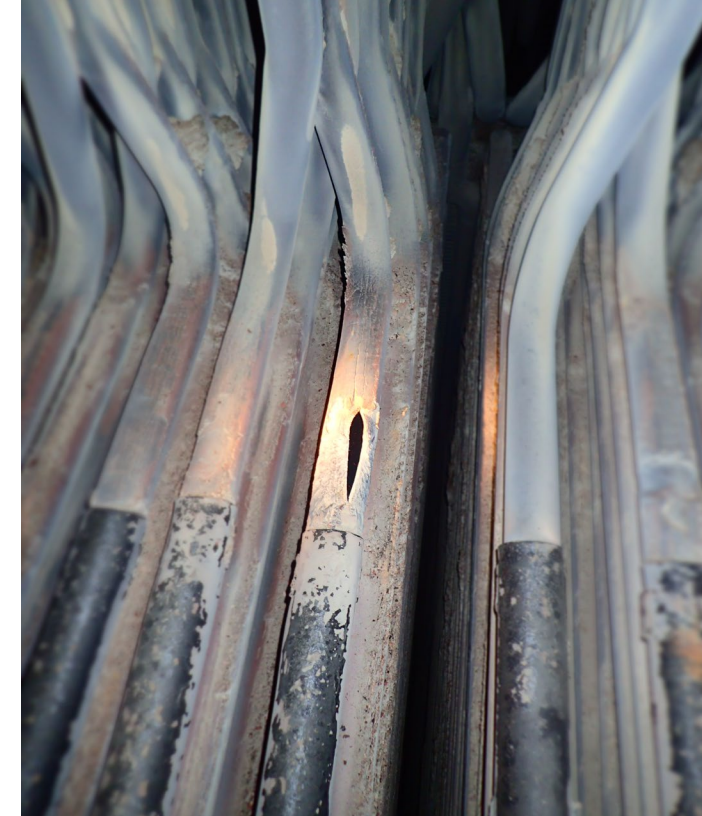
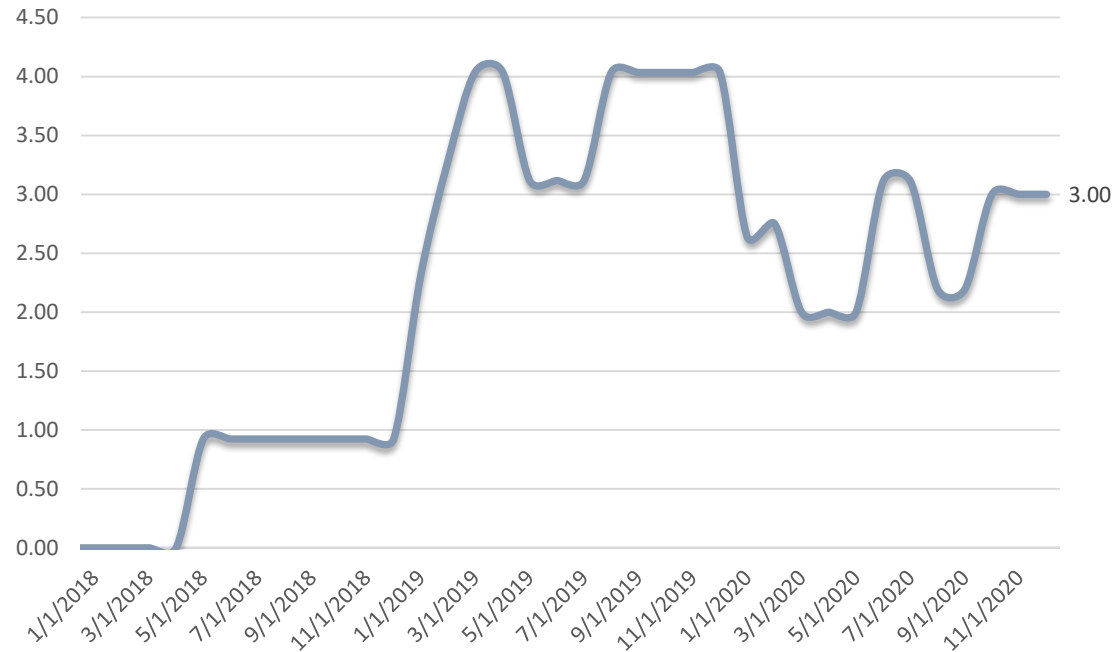
- GREAT focused on tracking availability losses and related causes.
- Plant Equipment Reliability Program in development.
- Predictive Maintenance Program
  - Vibration Monitoring
  - Oil Sampling
  - Motor Testing Program
  - Ultrasonic Testing
  - Acoustic Testing
  - Boiler Chemistry Analysis and Monitoring
- FACT focused on specific boiler reliability issues.



# Boiler Reliability Progress in 2020

NO4 boiler maintenance and preparation for NC2 reheater tubing replacement were areas of focus

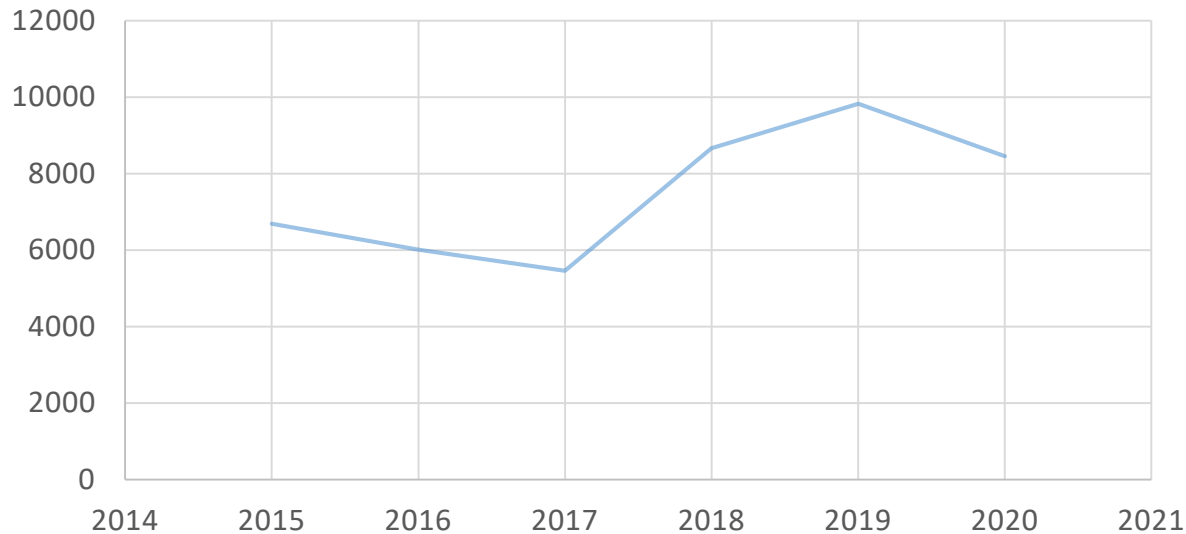
### NC2 Boiler Unavailability 2018 -2020



Reheat tube failures on NC2

# Reliability Work in 2020

Annual Preventative Maintenance Tasks Performed  
at North Omaha & Nebraska City Stations



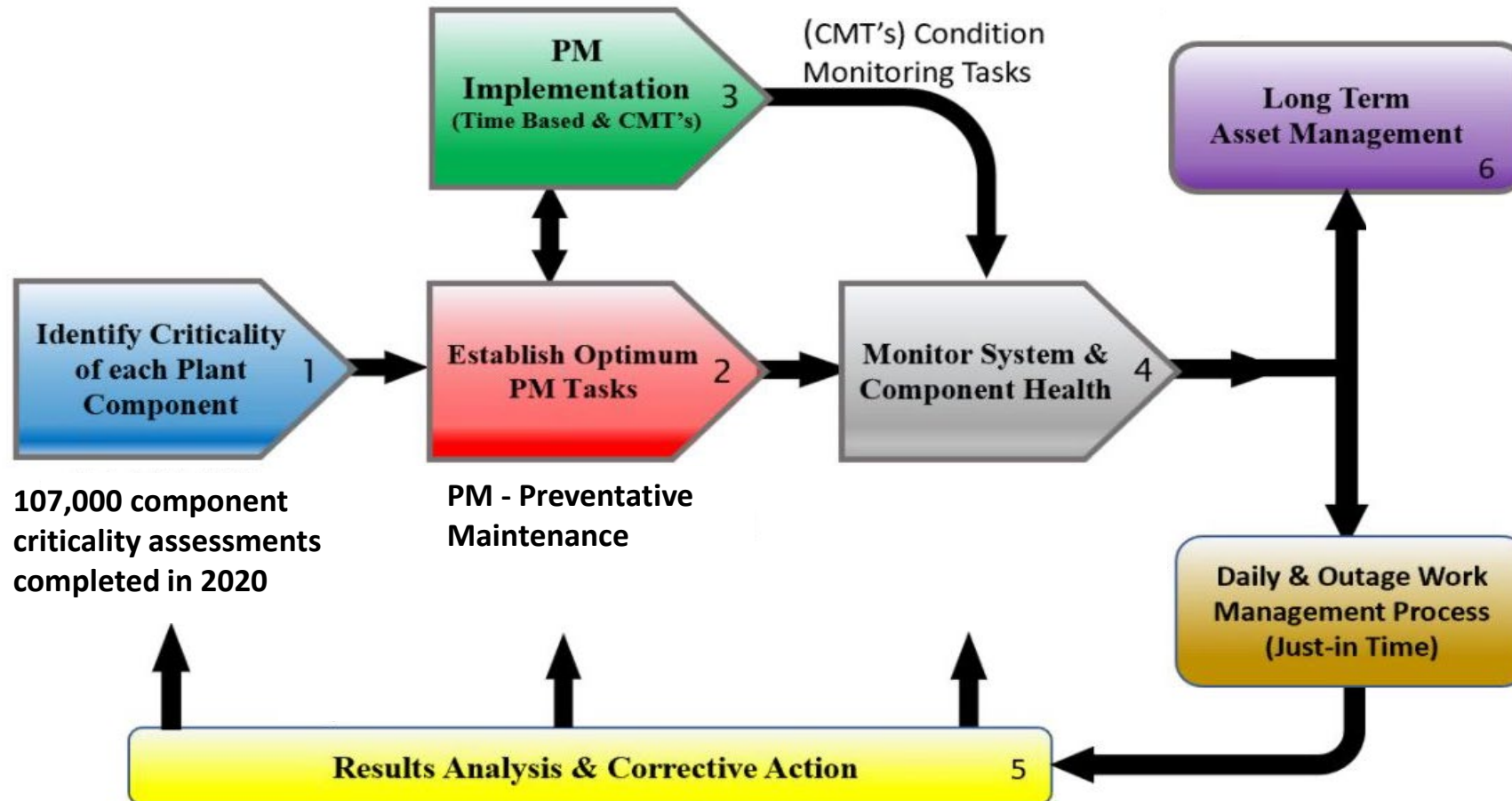
## Continuous Improvement Technologies:

- Pursuing state of the art data analytics service
- Expanded drone inspection capabilities with boiler safe drones

- Over 8,000 Preventative Maintenance tasks performed
- 172 pieces of equipment monitored monthly for vibration
- Oil analysis semi-annually on 83 pieces of equipment
- 108 large electric motors tested annually
- Predictive Maintenance Program Formalized
  - Vibration monitoring now performed in house
  - New oil lab procured for in house oil analysis
  - Equipment condition reports issued for rotating equipment

# Equipment Reliability Program

Aligning with industry best practices and asset management principles



# System Reliability Metric

**OPPD shall achieve electric system reliability by:**

**Limiting SAIDI to 90 minutes. This is the average outage duration per customer per year excluding declared major storms.**

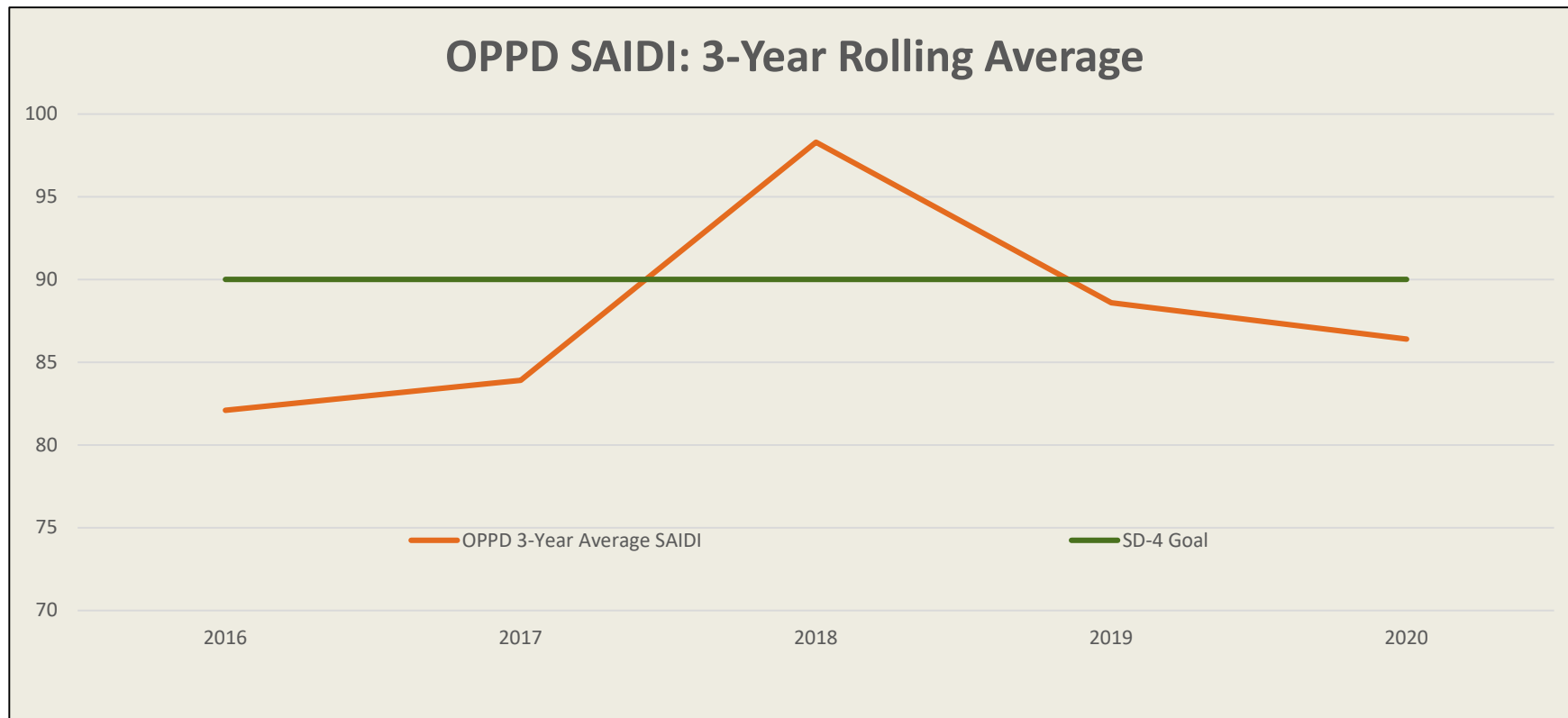
- SAIDI: System Average Interruption Duration Index
- Nationally recognized standard
- A SAIDI of 90 minutes = 99.98% availability, generally first quartile



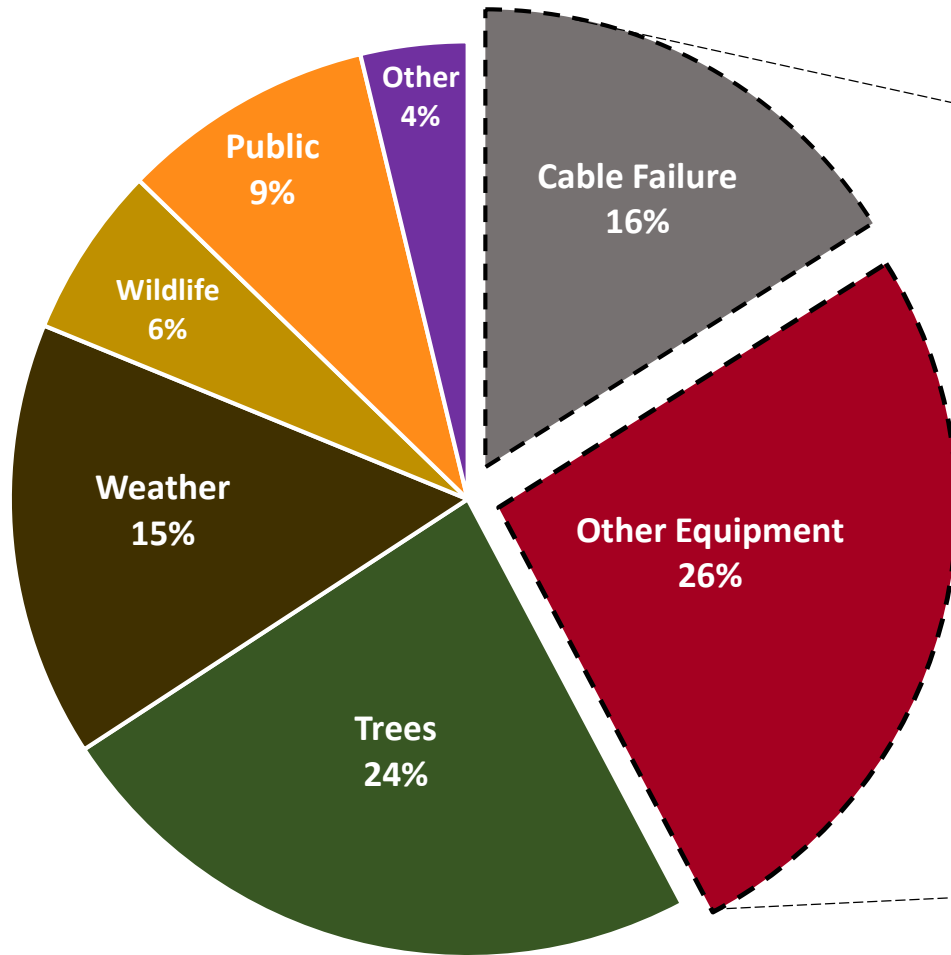
# System Reliability Metric: SAIDI

SAIDI at the end of 2020 was 86.4 minutes

- After exceeding the 90 Minute threshold in 2018, system performance continued its positive downward improvement trend

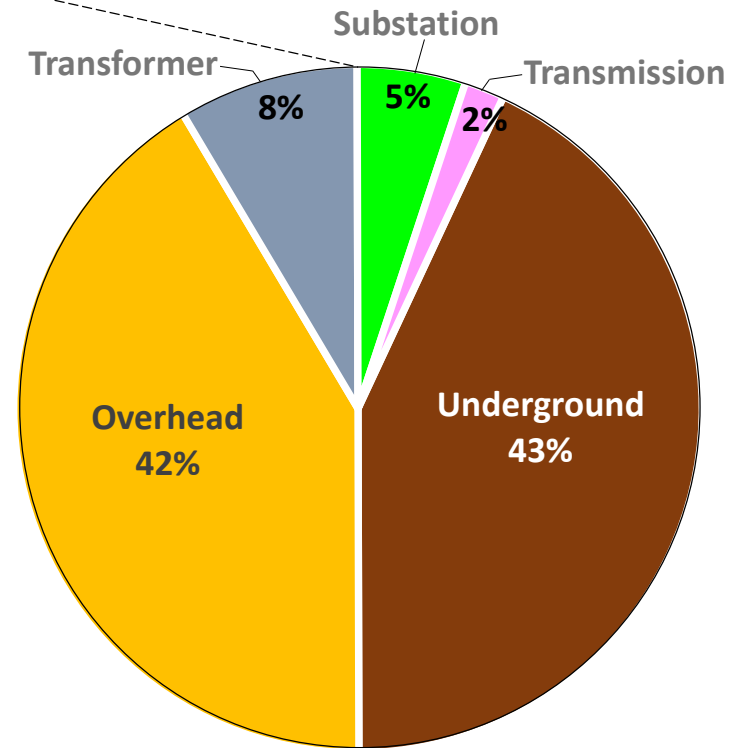


# 2020 Outage Causes



Customer Outage Minutes by Cause

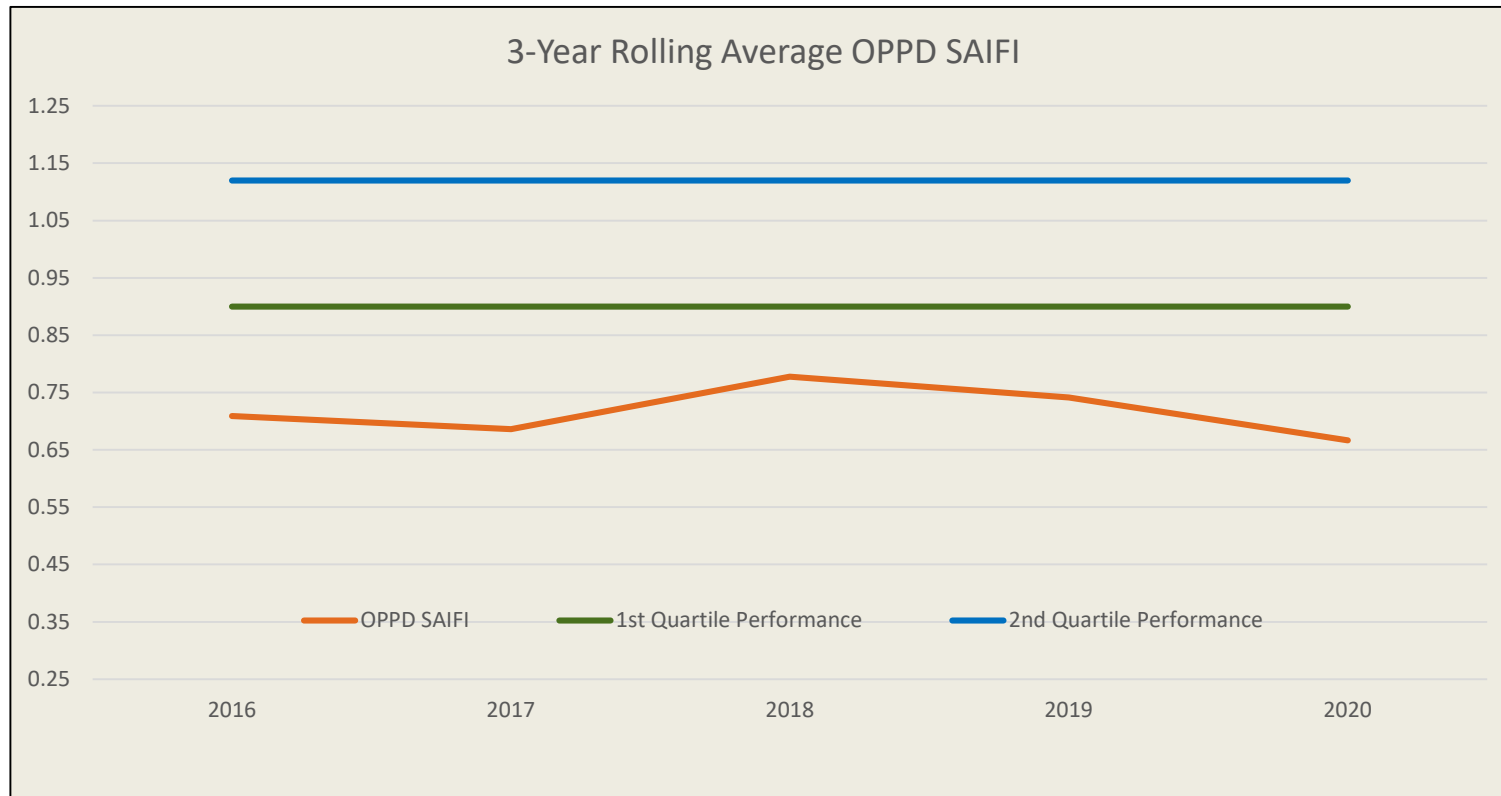
Overhead & Underground Equipment Impacts Nearly Equal



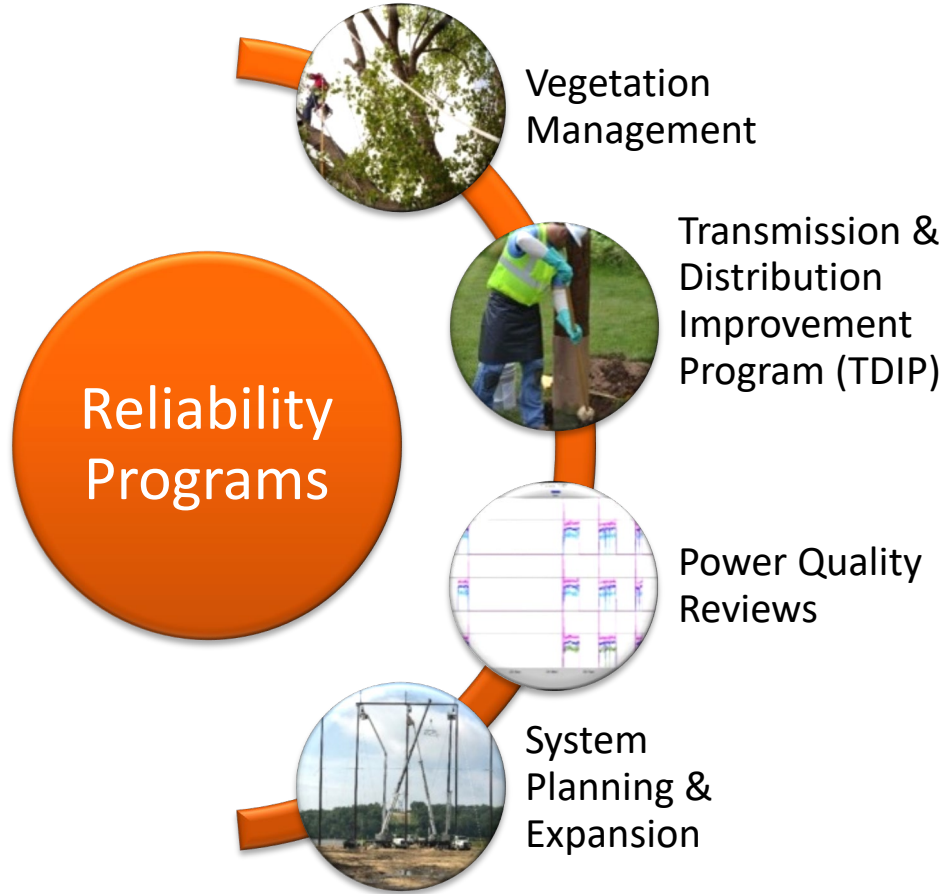
Equipment Failure Breakdown

# Outage Frequency (SAIFI)

- SAIFI (System Average Interruption Frequency Index) measures outage frequency. This metric represents the frequency of sustained outages (>5 Minutes) any given customer on the system will see during a year.
- Per the IEEE Distribution Reliability Working Group annual benchmarking survey, a SAIFI of 0.90 or less will typically be first quartile performance.
- Improvements in SAIFI = a reduction in the frequency of outages.



# Reliability Improvement Programs



- A more extensive vegetation management program was launched in 2019 with increased funding
- TDIP funding is focused on
  - Underground cable replacement
  - Wood poles evaluation and replacement
  - Downtown Network upgrades
  - Overhead conductor
  - Substation Modernization
- Power quality programs continued to focus on addressing pocketed areas needing additional attention
- System Planning & Expansion continues to add new facilities to strengthen reliability



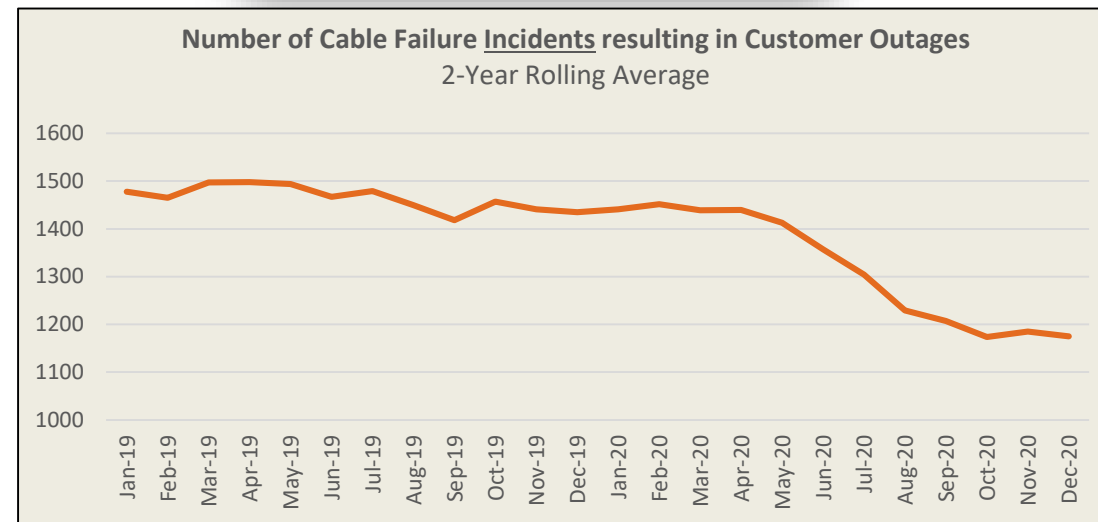
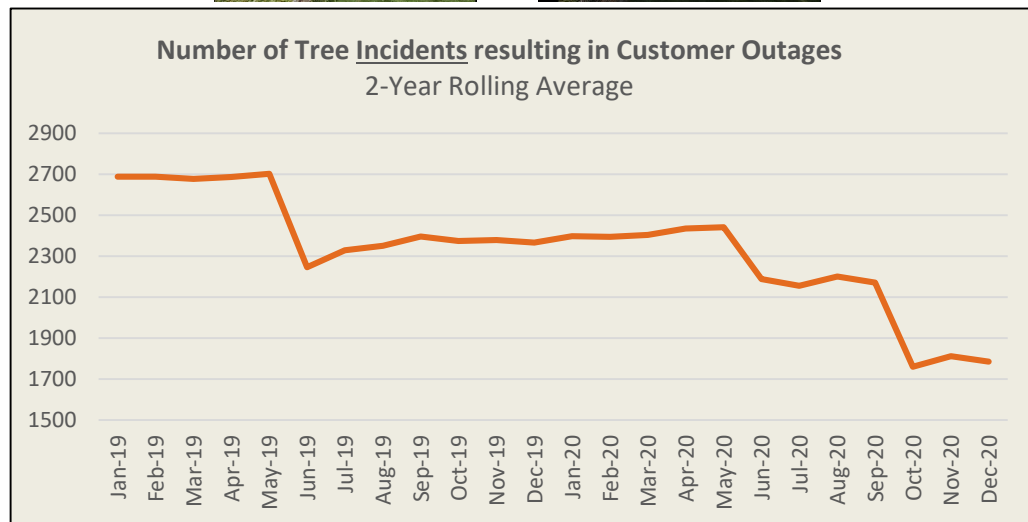
# Program Effectiveness Examples

Vegetation Management & Cable Replacement have been targeted for increased spend and programmatic replacement programs in 2018 due to an increasing trend in negative reliability performance.

## Vegetation Management

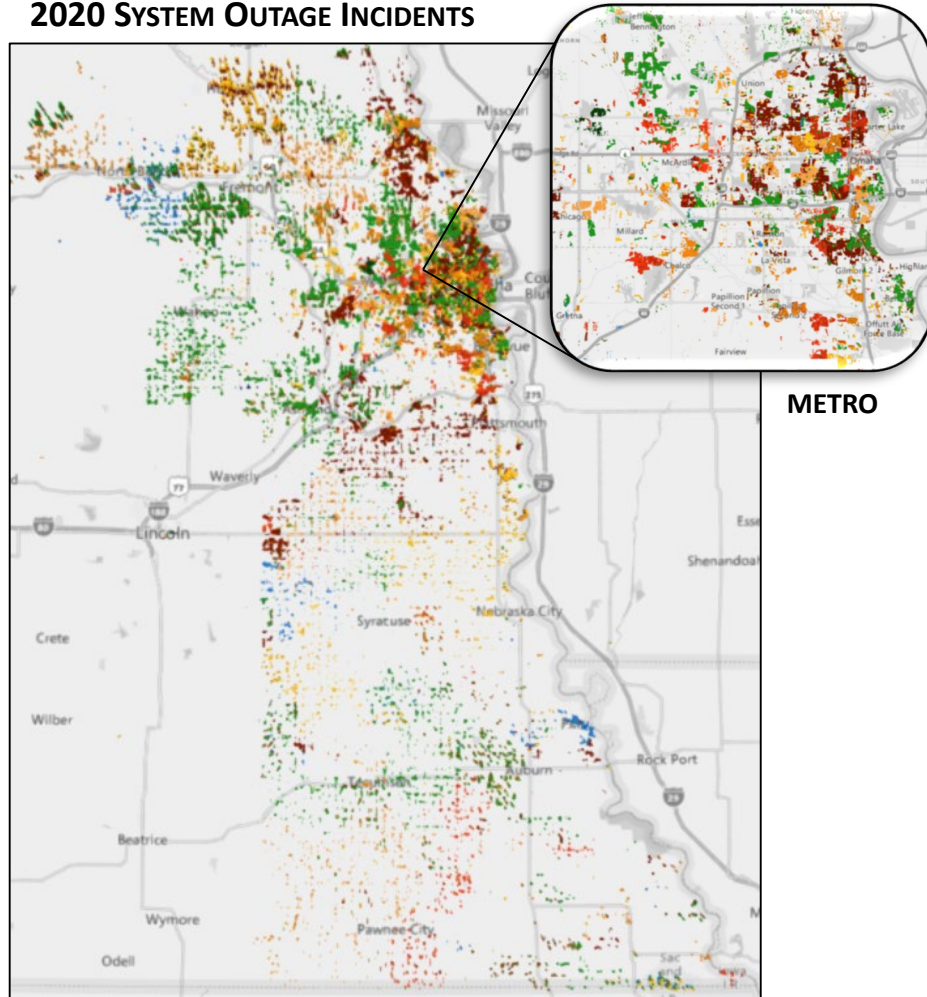


## Proactive Cable Replacement



# Circuit Analytics Improvements

2020 SYSTEM OUTAGE INCIDENTS



## Distribution Circuit Performance Management & Conductor Replacement Improvements

REVIEW CIRCUIT PERFORMANCE



LINE MAINTENANCE TECHNICIANS PATROL CIRCUIT TO IDENTIFY ISSUES



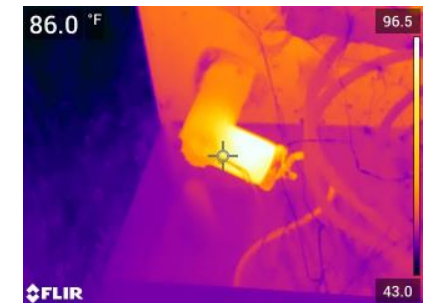
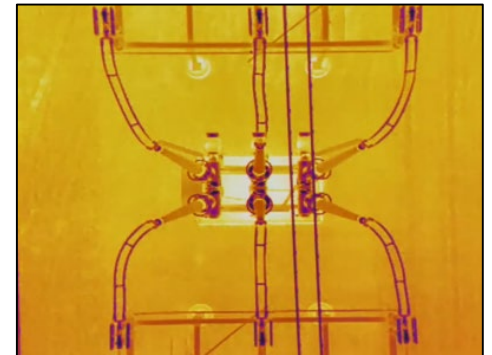
DESIGN CIRCUIT IMPROVEMENTS



FIELD CONSTRUCTION

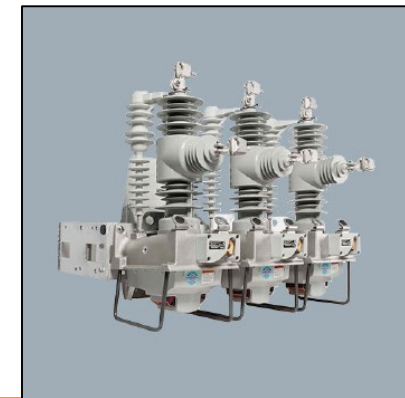
# Inspection Programs

- OPPD inspects transmission, substation, and distribution equipment through formal programs
- These programs improve the resiliency and reliability of the system and also help ensure the safety of our equipment for OPPD personnel and the public
  - GLIT (Ground-Line Inspection and Treatment) inspects poles across all of OPPD's service territory on a 10-year cycle
  - Aerial drone inspections of all 345kV substations in 2020
  - Substation inspections look at equipment at all 125 substations
    - Annual infrared thermography and dissolved gas analysis of substation power transformers
  - Transmission lines are inspected on a 3-year cycle
    - In 2020, 75 miles were inspected using drones and 123 miles were inspected using a helicopter.
  - The Surface Mount Equipment Inspection (SMEI) program was revitalized in 2020
    - Program inspects the outside and inside of equipment, including assessment of paint and recommended maintenance
  - Downtown Network annually inspected utilizing methods such as dissolved gas analysis and thermography



# Continuous Improvement

- Drones continue to see increased use in inspection applications
- The installation of Smart Line Reclosers began in 2020 and will continue in 2021
- Air Flow Spoilers to prevent the galloping of transmission lines were installed while lines were 'hot' to eliminate the need for outages
- Twisted pair conductor is being piloted for distribution to limit galloping of lines during icing events
- Collaborating with neighboring utilities to build mutually beneficial distribution ties

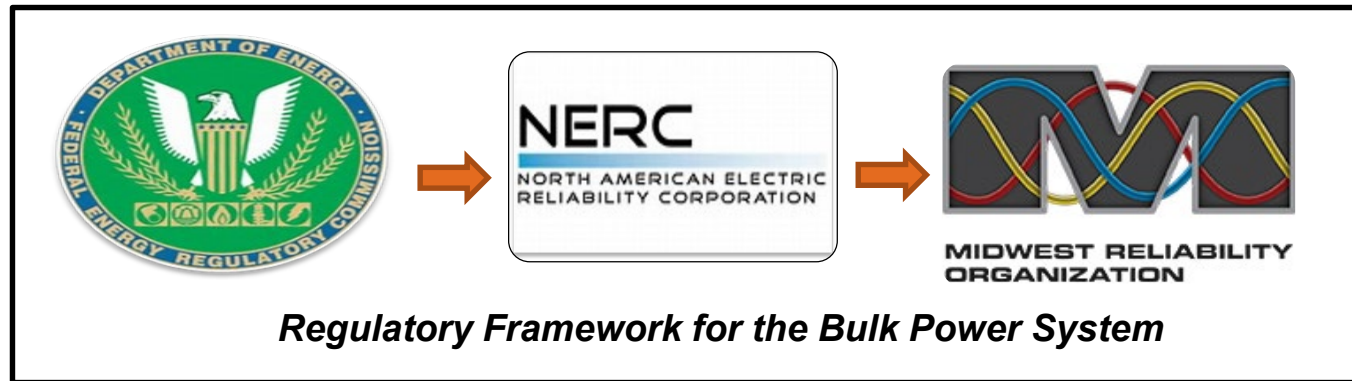


# Reliability Focus Areas 2020-2021

- **Arlington**
  - Piloting two (2) miles twisted pair distribution conductor on a line that has had past galloping issues
  - Rebuilding 18 additional miles of overhead conductor, six (6) miles will transition to underground
- **SE Nebraska / Rulo Area**
  - Over 12 miles of new construction to add stronger ties to this load area.
- **Colon**
  - Rebuild of almost 20 miles of aging conductor
  - Created loops and converted many areas from overhead to underground
- **Fort Calhoun**
  - Detailed circuit wide inspection and work package including fusing and creature guarding for 109 transformers, 44 poles, and rebuild of distribution conductor
- **West of Humboldt**
  - Detailed circuit wide inspection and work package including transformer fusing and creature guards
  - 20 miles of distribution rebuild and replacement of 52 transformers
- **168<sup>th</sup> & Pacific**
  - Proactive Substation Transformer replacement
- **Bellevue**
  - Fused and creature guarded 103 transformers, replaced 46 transformers, and creature guarded 13 poles
  - Three (3) miles of distribution rebuild in 2021
- **132<sup>nd</sup> & Giles**
  - Addition of Faulted Circuit Indicators (FCIs) in underground loops to facilitate faster trouble shooting of cable outages

# System Reliability Standards

Achieved through performing the necessary maintenance and upgrades in accordance with NERC standards.



- OPPD is audited on-site every 3-years, with the next in 2022
  - MRO Self-Certification is performed Quarterly
- OPPD has had no enforceable violations since the last SD-4 update

# Recommendation

The System Management & Nuclear Oversight Committee has reviewed and accepted this Monitoring Report for SD-4 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-4.



Williams/Via

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, the Board of the Directors has determined it is in the best interest of the District, its employees, and its customer-owners to establish written policies that describe and document OPPD's corporate governance principles and procedures; and

**WHEREAS**, each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process; and

**WHEREAS**, the Board's System Management and Nuclear Oversight Committee (the "Committee") is responsible for evaluating Board Policy SD-4: Reliability on an annual basis. The Committee has reviewed the 2020 SD-4: Reliability Monitoring Report and finds OPPD to be sufficiently in compliance with the policy as stated.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors accepts the 2020 SD-4: Reliability Monitoring Report, in the form as set forth on Exhibit A attached hereto and made a part hereof, and finds OPPD to be sufficiently in compliance with the policy as stated.





# Reporting Item

April 13, 2021

## ITEM

Nuclear Oversight Committee Report

## PURPOSE

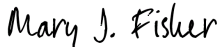
The Nuclear Oversight Committee provides a regular oversight of items related to the Fort Calhoun Station (FCS) nuclear plant.

## FACTS


In addition to safe and secure dry cask storage of fuel, the required Preventative Maintenance tasks and Surveillance Tests, the following major decommissioning activities were conducted in March:

- The project will be progressing into a more active demolition mode as the preparatory work for many of the structures concludes. By the end of next month, visible changes to the skyline are expected with demolition of support structures slated to begin soon. In parallel, crews will be working to finish preparing the remaining structures for demolition.
- The Waste Processing Structure construction is nearing completion, with support systems currently being installed. This structure, integrated with the new rail spur, will provide a safe, effective, and efficient means of processing waste for disposal.
- Development of the License Termination plan is underway. The plan provides the strategy for eventual release of the majority of the site for unrestricted use following decommissioning. The plan is scheduled to be submitted in the third quarter of this year to the Nuclear Regulatory Commission for their review and approval.

RECOMMENDED:

DocuSigned by:  
  
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 \_\_\_\_\_  
 Mary J. Fisher  
 Vice President – Energy Production  
 and Nuclear Decommissioning

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:  
  
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 \_\_\_\_\_  
 Timothy J. Burke  
 President and Chief Executive Officer

MJF:tsu



## Pre-Committee Agenda

PUBLIC INFORMATION PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
Tuesday, April 6, 2021 4:00 – 5:00 P.M.

1. Legislative and Regulatory Update (20 min)
  - a. Objective: Provide brief update on federal and state legislative and regulatory activities
2. SD-5 Customer Satisfaction Monitoring Report (15 min)
  - a. Objective: Provide brief update on monitoring report
3. Customer Trends Update (5 min)
  - a. Objective: Provide brief update on customers experiencing financial challenges
4. Block Rate Update (10 min)
  - a. Objective: Provide brief update on block rate effort
5. Public Information Board Work Plan (5 min)
  - a. Objective: Discuss Public Information Committee items on the Board work plan
6. Summary of Committee Direction (5 min)
  - a. Objective: Senior management team liaison(s) to summarize direction provided by the committee



# Reporting Item

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

Customer Trends Update **[Note: Not presented due to time. Update posted on oppd.com.]**

### PURPOSE

To provide an update on customer trends during the COVID-19 pandemic

### FACTS

1. In response to COVID-19 Directed Health Measures declared in March 2020, the Omaha Public Power District developed a Customer First Solutions Package, a variety of programs to assist customers during the COVID-19 pandemic.
2. The Board requested that management provide regular reports on the progress of customer programs and trends.
3. Management will provide an update on aged debt and related trends as of March 31, 2021.

### RECOMMENDED:

DocuSigned by:

*Juli A. Comstock*

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Juli A. Comstock  
Vice President – Customer Service

### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*Timothy J. Burke*

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Timothy J. Burke  
President and Chief Executive Officer

JAC:rak



# Customer Trends Update

Public Information Committee Meeting

April 13, 2021



Continuing to monitor and adjust OPPD's solutions as our customers' needs are changing.



## Summary of Q1 Customer First Solutions

- Maintain flexible bill payment options to help customers financially
- Automatically waive collection & reconnect fees on first field visit in 2021
- Empower customer service representatives to waive up to 3 late payment charges for a customer in a 12-month period
  - Additional fees may be waived upon approval and customer request (e.g. late payments, return check fees, collection & reconnect fees, etc..)
- Suspend assessing additional deposits due to field collection visits
- Small and mid-sized business customers will continue to receive personalized collection efforts prior to disconnection
- Continue personalized field visits and outreach to ensure impacted customers are aware of their options (via Connecting with Customers effort)



## Energy Assistance

- Electronic Application for Douglas County COVID-19 Utility Assistance Program reopened on March 30, 2021.



## Promotional/Marketing Campaign

- Once all Emergency Rental Assistance (ERA) Programs are open throughout the service area, we will explore communication opportunities through multiple channels.
- Transitional communications to begin for Remote Learners as we transition back to collection/disconnection activities.



## Next Steps

- Operationalize Customer First effective Q2 while continuing Q1 solutions.

# Summary of Aged Debt

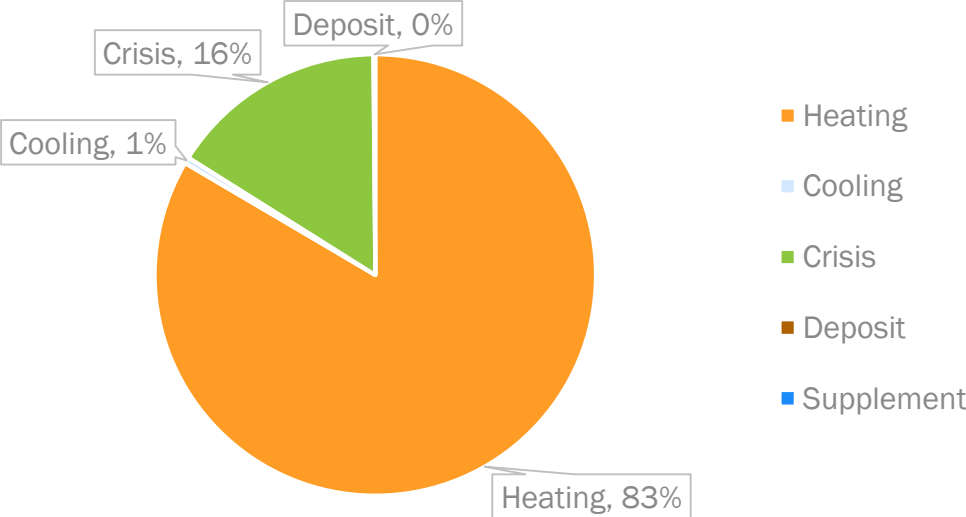
	Residential			Commercial & Industrial		
	March 2021	February 2021	March 2020	March 2021	February 2021	March 2020
% of Accounts Current	91.3%	90.1%	89.7%	93.3%	92.8%	95.2%
% of Accounts in Arrears	8.7%	9.9%	10.3%	6.7%	7.2%	4.8%
Total Aged Debt > 30 days (in millions)	\$5.0	\$6.3	\$5.7	\$2.0	\$2.5	\$3.1
Total Aged Debt 91+ Days (in millions)	\$0.9	\$1.8	\$1.2	\$0.2	\$0.2	\$0.8
Total Service Agreement Count > 30 Days (in thousands)	33.0	37.6	38.4	1.8	2.1	2.1
Total Service Agreement Count > 91+ Days (in thousands)	6.3	9.4	6.8	0.4	0.6	0.4
LIHEAP Only Accounts	March 2021	February 2021	March 2020			
% of Accounts Current	66%	61%	65%			
% of Accounts in Arrears	34%	39%	35%			
Total Aged Debt > 30 days (in millions)	\$0.6	\$0.7	\$0.5			
Total Aged Debt 91+ Days (in millions)	\$0.3	\$0.5	\$0.2			
Total Service Agreement Count > 30 Days (in thousands)	4.7	5.2	4.2			
Total Service Agreement Count > 91+ Days (in thousands)	1.3	1.9	1.1			

# Energy Assistance March 2021 YTD

Funding Source	March 2021 YTD	Average Benefit	Distinct Accounts	# of Payments	2020 Year End Total
Energy Assistance Program	\$56,824	\$325	175	175	\$377,571
COVID Relief Programs	\$1,142,928	\$341	3027	3,335	\$1,641,914
LIHEAP	\$409,484	\$378	1,061	1,082	\$5,846,198
Other Agencies Assistance	\$514,355	\$301	1,491	1,707	\$1,489,902
<b>Total</b>	<b>\$2,123,591*</b>	<b>\$337</b>	<b>5,468</b>	<b>6,299</b>	<b>\$9,355,585</b>

\*YTD 2020, OPPD had received a total of \$580,361 in Energy Assistance Payments

## LIHEAP Distribution



Douglas County COVID-19 Utility Assistance Program	4/5/2021
Completed Applications*+##	2,419
Approved Applications^	1,403
Average benefit	\$500
<b>Total Dollars Granted</b>	<b>\$701,500</b>

\*Total applications completed for the program.  
 +Program closed for application on 3/2/2021. Dollar Energy Fund received 2,229 applications as of 2/28/2020.  
 #Electronic application for application on 3/30/2021.  
 ^Customers approved for the Douglas County COVID-19 Utility Assistance Program.



# Board Action

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

SD-5: Customer Satisfaction Monitoring Report

### PURPOSE

To ensure full board review, discussion and acceptance of the SD-5: Customer Satisfaction Monitoring Report

### FACTS

- a. The first set of Board policies, including SD-5: Customer Satisfaction, was approved by the Board on July 16, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process, and revised as needed. SD-5 was amended by the Board on November 16, 2017.
- c. The Public Information Committee is responsible for evaluating Board Policy SD-5: Customer Satisfaction.
- d. The Public Information Committee has reviewed and accepted the SD-5: Customer Satisfaction Monitoring Report as outlined on Exhibit A, and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

### ACTION

The Public Information Committee recommends Board approval of the SD-5: Customer Satisfaction Monitoring Report.

#### RECOMMENDED:

DocuSigned by:

*Juli A. Comstock*

Juli A. Comstock

Vice President – Customer Service

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

*Timothy J. Burke*

Timothy J. Burke

President and Chief Executive Officer

JAC:mfh

Attachments: Exhibit A – Monitoring Report  
Resolution





Exhibit A

# Monitoring Report SD-5: Customer Satisfaction

Public Information Committee Report  
April 13, 2021

Ms. Juli Comstock, Vice President Customer Service

# SD-5: Customer satisfaction

Achieving a high level of customer satisfaction is key to OPPD's vision.

The Board will ensure that OPPD shall obtain feedback from its customer-owners through nationally syndicated studies, which allow OPPD to evaluate and prioritize its strategic plans, and to guide investments and operational activities to ensure high satisfaction in all aspects of OPPD's interactions with our customer-owners.

OPPD establishes a goal to achieve top quartile performance in customer satisfaction for similar-sized utilities in the region across customer classes.

*As a part of this policy:*

- *Interact with customer-owners in a respectful, dignified and civilized manner.*
- *Communicate a procedure to customers who believe they have not received fair treatment from OPPD.*
- *Provide periodic customer-owner trend updates to the Board.*

# SD-5 Accountabilities

Aligned with OPPD's Core Values, we are committed to the following actions as part of this policy:

- 1)** Regularly obtain feedback from customer-owners
- 2)** Measure customer satisfaction
- 3)** Use voice of customer (VOC) to prioritize investments and operational activities
- 4)** Interact with customer-owners in a respectful, dignified manner
- 5)** Communicate a procedure to customers who believe they have not received fair treatment from OPPD.
- 6)** Provide periodic customer-owner trend updates to the Board

# 1) Regularly obtain feedback from customer-owners

## **Syndicated Customer Satisfaction Studies**

Provides national satisfaction benchmark data on a wide range of electric service attributes

## **Online Power Panel & Oppdcommunityconnect.com**

Allows OPPD to get rapid feedback on pertinent issues that is projectable to the customer base

## **Transactional and Journey Surveys**

Provides rapid feedback on service interactions

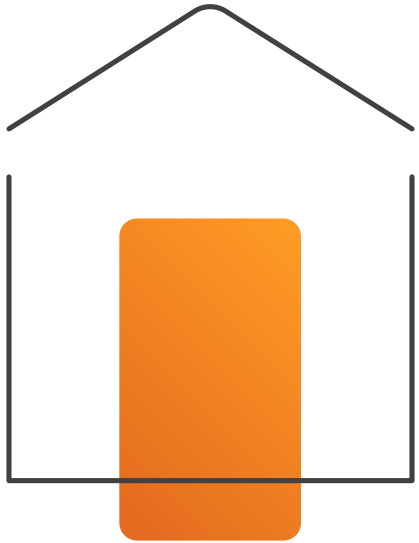
## **Communications tracking study**

Allows for broad sentiment and awareness tracking on key messages and events

## **Qualitative, in-person and virtual sessions**

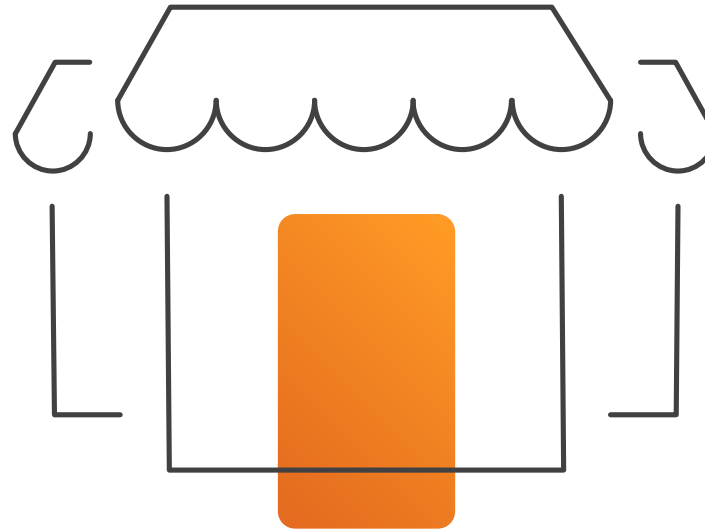
Provides nuanced initial insights, opportunities for dialogue and engagement

## 2) Measure customer satisfaction



### **Residential**

customer  
satisfaction  
measured via J.D.  
Power syndicated  
study



### **Commercial & industrial**

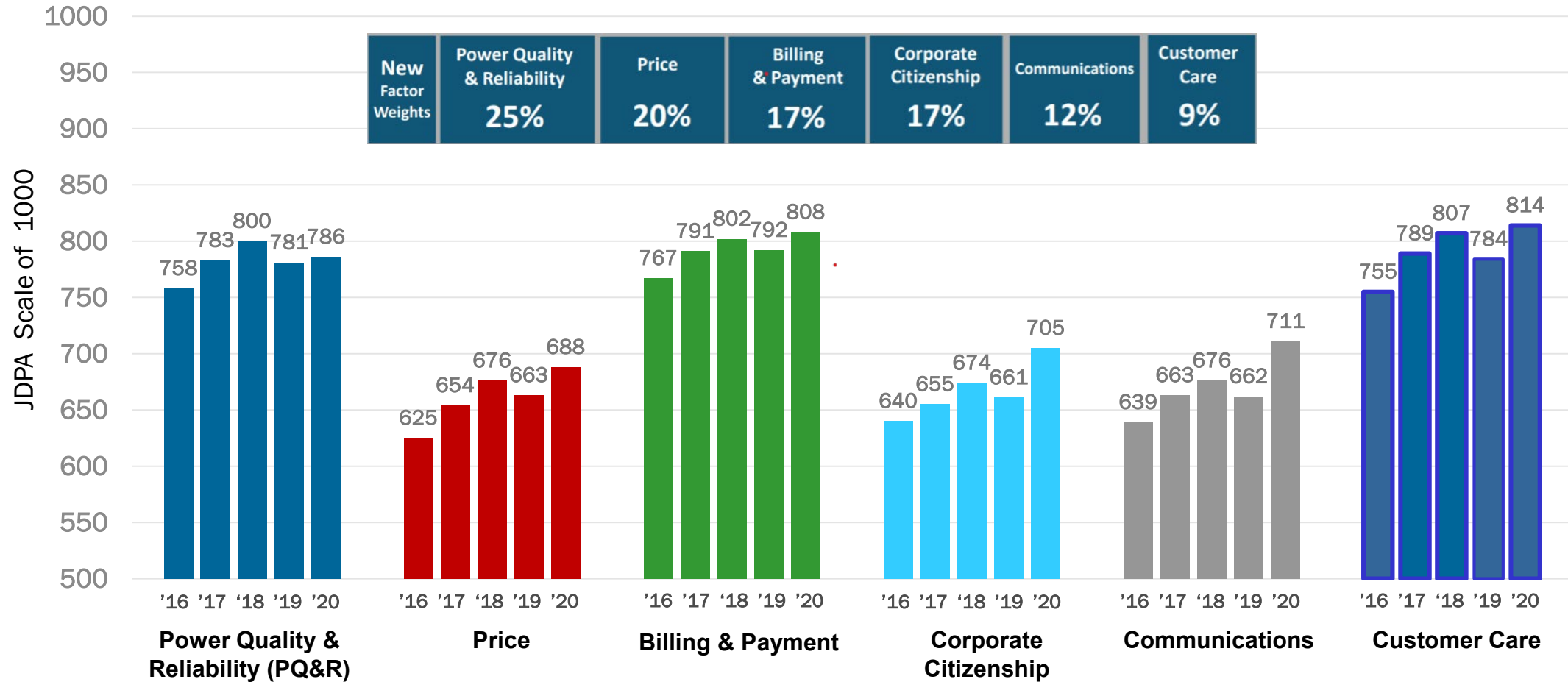
customer  
satisfaction  
measured via  
Escalent's Cogent  
syndicated study.



# 2020 Residential customer satisfaction

# OPPD Factor Performance Recovery in 2020

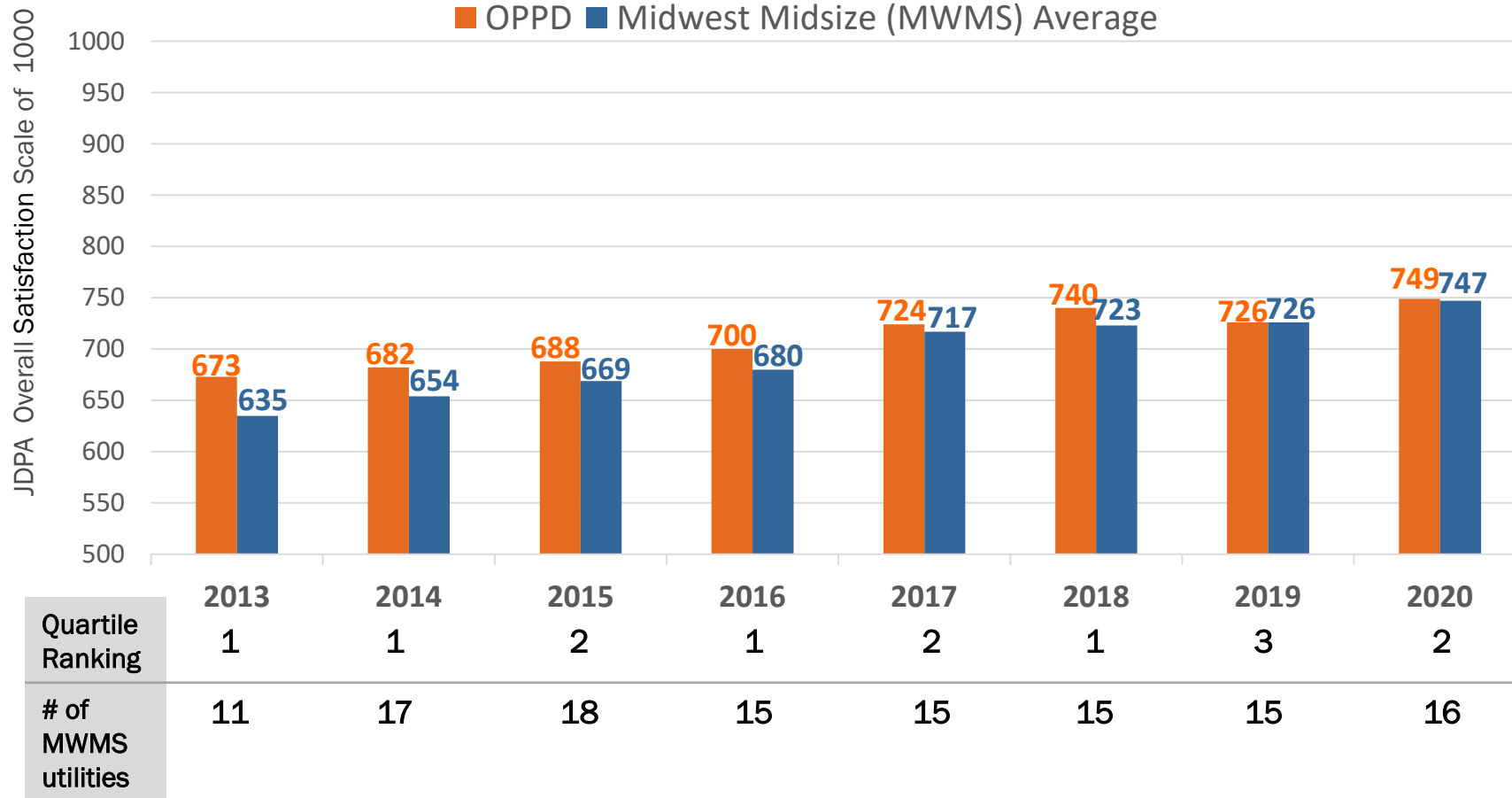
Factor Performance 2016 – 2020



Source: 2016-2020 JD Power Associates Electric Utility Residential Customer Satisfaction Study<sup>SM</sup>

# In 2020, OPPD continued to regain ground with overall satisfaction

## Residential JDPA Customer Satisfaction Index 2013-2020 Historical Results<sup>1</sup>



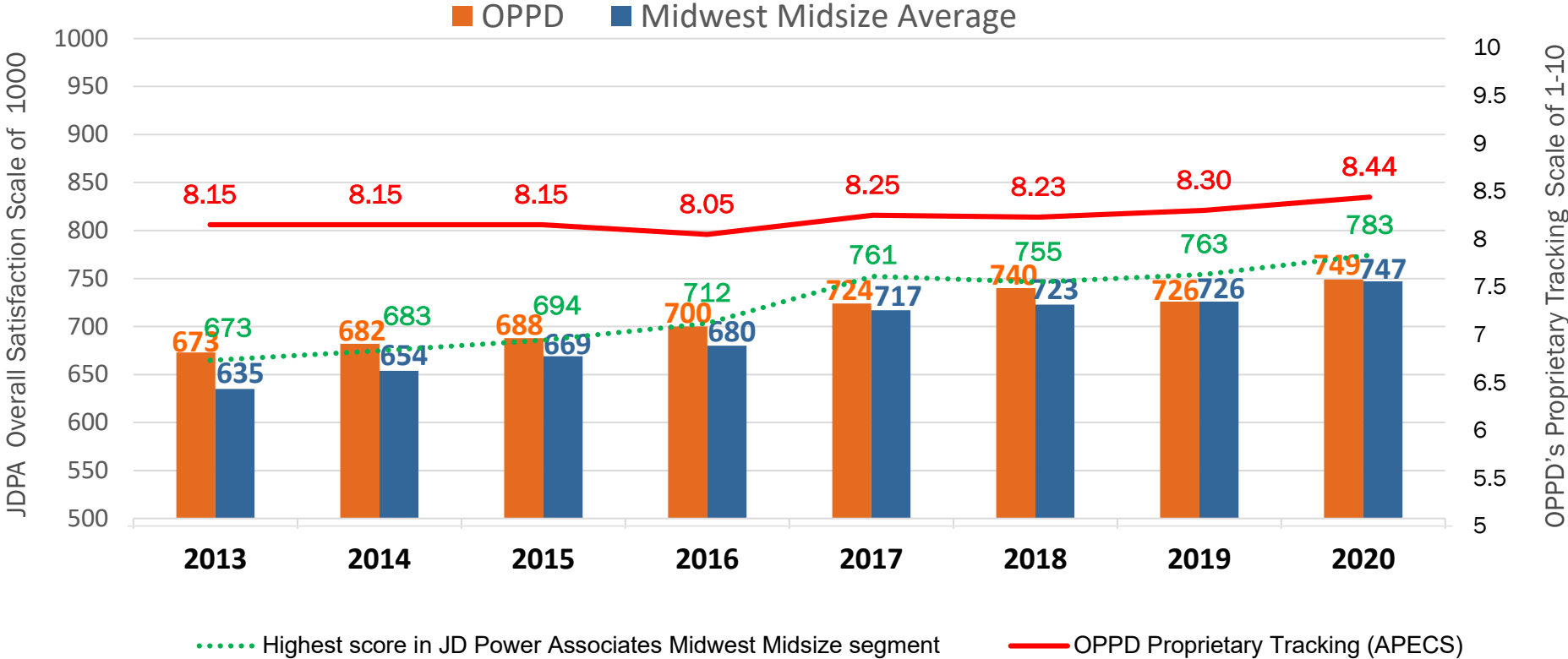
<sup>1</sup>Results are from 2013-2020 JD Power Associates Electric Utility Residential Customer Satisfaction Study<sup>SM</sup>



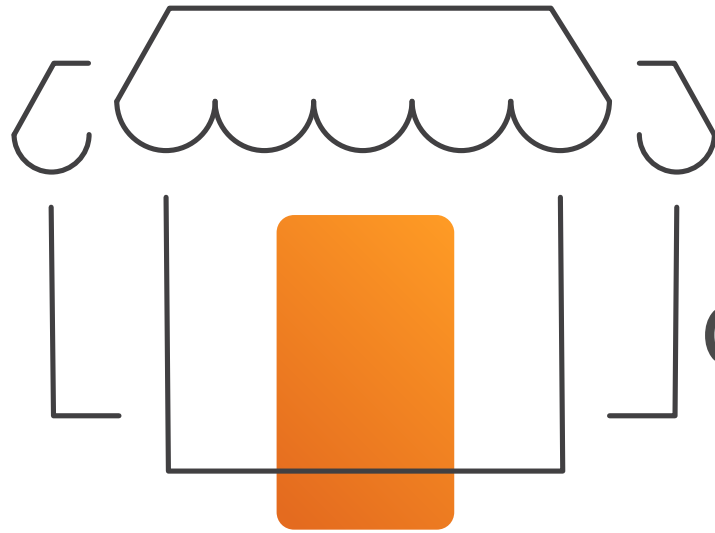
# Satisfaction is trending upward, and our own tracking results show greater satisfaction compared to JDP

## Residential JDPA Customer Satisfaction Index

2013-2020 Historical Results<sup>1</sup>



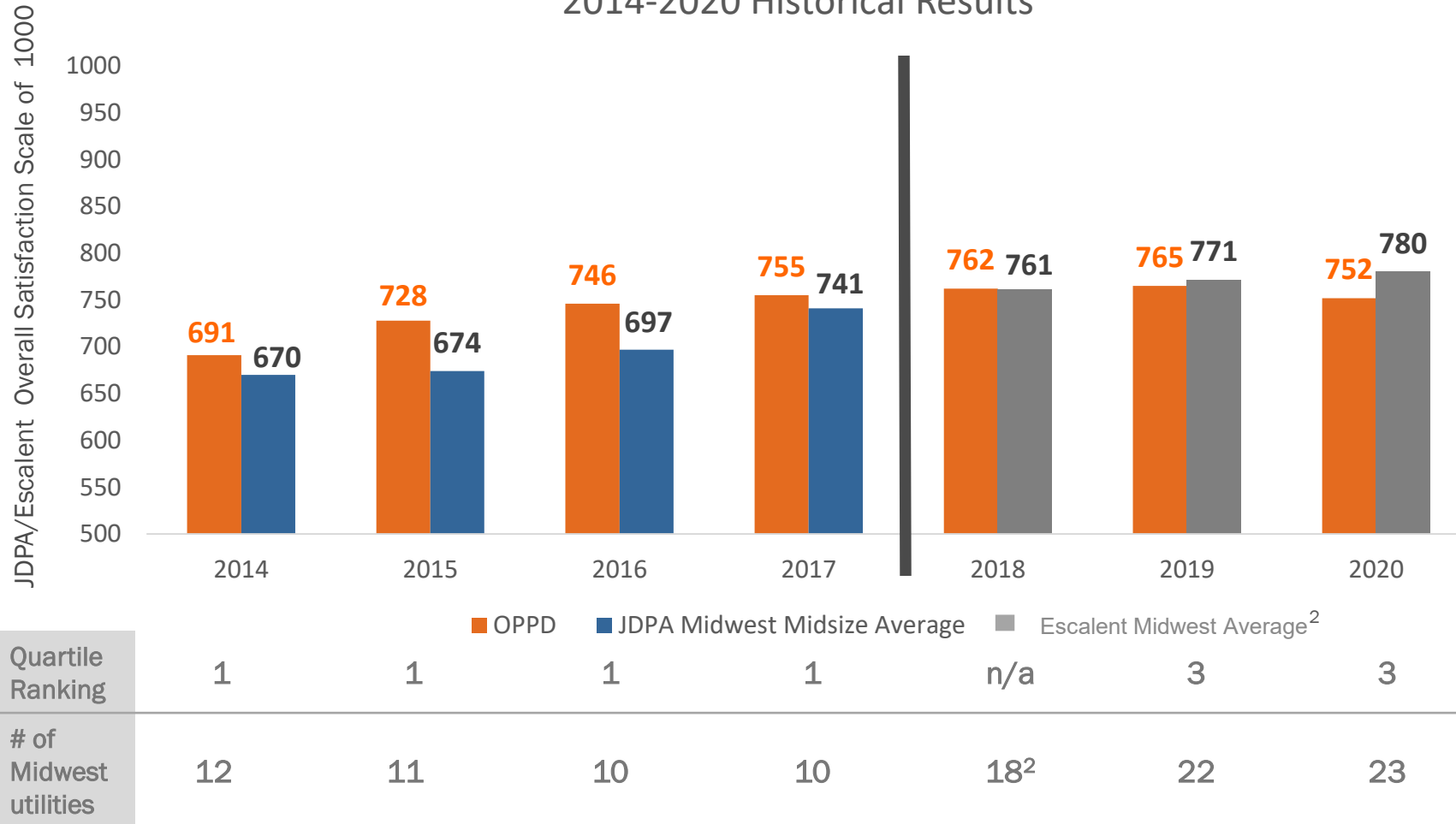
<sup>1</sup>Results are from 2013-2020 JD Power Associates Electric Utility Residential Customer Satisfaction Study<sup>SM</sup>



# 2020 Business customer satisfaction

# Overall Business Customer Satisfaction is down, but we have direction moving forward

Business JD Power/Escalett Customer Satisfaction Index  
2014-2020 Historical Results<sup>1</sup>



<sup>1</sup> Results are from 2014–2017 JD Power Electric Utility Business Customer Satisfaction Study<sup>SM</sup> and 2018–2020 Escalett Business Customer Engagement Study

<sup>2</sup> Midwest Midsize utility scores were not available at this point so comparison is to Midwest overall

### 3) Prioritize using Voice of the Customer (VOC)

*Use VOC to prioritize strategic plans, investments, and operational activities to ensure high satisfaction in all aspects of OPPD's interactions with our customer-owners.*

Customer feedback has influenced the following initiatives in positive ways:

- ❖ **Customer First Solutions** package
- ❖ **Green Power** – ‘What Does Green Mean to You’ customer workshop
- ❖ **Green Power** – Phase I and II product testing with Power Panel
- ❖ **Customer-Owned Generation** – Customer outreach efforts for launch of new COG process(es)
- ❖ **Electric Line Plan** – research around program value, benefits, and desired price (for the price increase)
- ❖ **Rates Project** – Power Panel, external customer focus groups and internal employee focus groups
- ❖ **New EAP Administrator** – Dollar Energy Fund – Survey and discussions
- ❖ **CARES Act** – **Outreach with non-profits to figure** out how to best implement new funding
- ❖ **Empathy interviews** for customer-owned generation and solar calculator
- ❖ Auto-calls, door hangers
- ❖ Reliability improvement webpage

## 4) Interact respectfully

*Interact with customer-owners in a respectful, dignified and civil manner.*

- OPPD's Core Values
- Robust Call Monitoring Program
- Customer Surveys
- Customer Service Training

# Customer First Solutions Overview

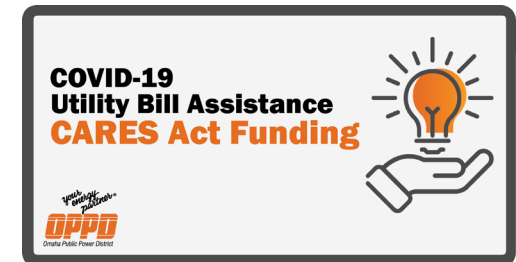
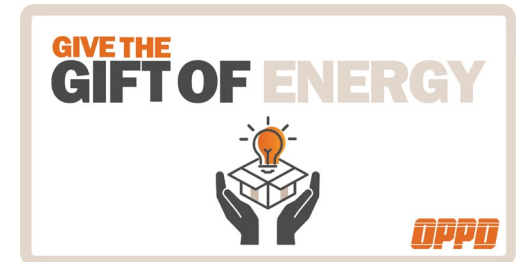
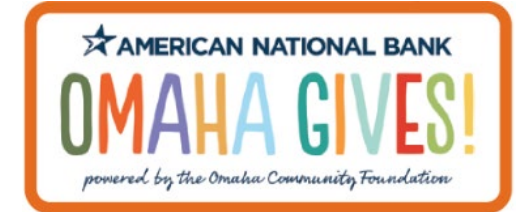


## Objective:

*Reduce the financial burden of those impacted from the pandemic by providing simple, effective and financially responsible solutions for all Customers.*

## Areas of Focus:

- *Monitoring Economic and OPPD Impact*
- *Offer New Billing & Payment Solutions*
- *Expand the Flexibility of Existing Offerings*
- *New and Improved Utility Assistance Options*
- *Providing Customer Education*



## 5) Treat with fairness

*OPPD shall communicate a procedure to customer-owners who believe they have not received fair treatment from OPPD.*

### Escalation Options

- Account Supervisor
- OPPD.com
- Dispute process on disconnect notice

## 6) Provide trends and updates

*Provide periodic customer-owner trend updates to the Board.*

Trends in the following topics have been reported to the Board:

- Credit & Collections
- Customer Experience
- Income Qualified Programs
- LED Street Lights
- Electric Vehicles



# Summary

## 1) **We're making gains.**

Overall, OPPD continues to make progress to meeting its SD-5 objective of top quartile performance within its regional segment(s).

## 2) **Residential customer satisfaction continues to rebound.**

OPPD moved up to 2<sup>nd</sup> quartile in 2020 with above average overall performance within our peer segment.

## 3) **Business customer engagement is down, and we're learning more about what that means.**

OPPD is tasked with improving a few key areas – digital customer experience, reducing customer effort and focusing on communications. That being said, we're looking even more closely at the measurement tools themselves.

## 4) **Additional OPPD efforts have correlated to higher scores.**

Correlation is not causation, but areas in which we've invested have shown improvement.

## 5) **The industry continues to evaluate the impact of the pandemic on customer satisfaction.**

Many utilities reported higher satisfaction earlier in 2020 only to have scores fade over the course of the year. OPPD's performance is relatively stable and is slightly ahead of the industry average in perceptions of utility response to the pandemic.

## 6) **The team is nearing the end of its residential analysis and recommendations on next steps to continue our climb.** We'll partner across the business to present and implement recommendations.

# Recommendation

The Public Information Committee has reviewed and accepted this Monitoring Report for SD-5 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-5.



Mollhoff/Comstock

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, the Board of Directors has determined it is in the best interest of the District, its employees, and its customer-owners to establish written policies that describe and document OPPD's corporate governance principles and procedures; and

**WHEREAS**, each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process; and

**WHEREAS**, the Board's Public Information Committee (the "Committee") is responsible for evaluating Board Policy SD-5: Customer Satisfaction on an annual basis. The Committee has reviewed the SD-5: Customer Satisfaction Monitoring Report and finds OPPD to be sufficiently in compliance with the policy as stated.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors accepts the SD-5: Customer Satisfaction Monitoring Report, in the form as set forth on Exhibit A attached hereto and made a part hereof, and finds OPPD to be sufficiently in compliance with the policy as stated.



# Reporting Item

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

Legislative and Regulatory Update

### PURPOSE

To provide an update on 2021 state and federal legislative matters and regulatory matters

### FACTS

- a. Nebraska’s 107th Legislature began on January 6, 2021 and is expected to end by June 10, 2021.
- b. The 117<sup>th</sup> Congress began on January 3, 2021 and is expected to end January 3, 2023.

### ACTION

Reporting item

#### RECOMMENDED:

DocuSigned by:

*Lisa A. Olson*

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Lisa A. Olson

Vice President – Public Affairs

#### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*Timothy J. Burke*

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Timothy J. Burke

President and Chief Executive Officer

Attachment: State and Federal Legislative Update

# State Legislative Update 4/6/2021

Tim O'Brien, Director – Economic Development & External Relations

# State Legislative Update



# 2021 Nebraska Legislative Calendar

## Nebraska's 107th Legislature

- January 6<sup>th</sup> – Legislature convened at 10 am
- January 20<sup>th</sup> – Last day of bill introduction
- January 25<sup>th</sup> – All day public hearings begin
- March 4<sup>th</sup> - Date to complete committee hearings, except Judiciary Committee on introduced bills
- March 10<sup>th</sup> – Deadline for Speaker priority requests
- March 12<sup>th</sup> – Deadline for designation of Committee and Senator priority bills (extended)
- March 12<sup>th</sup> - Judiciary Committee hearings to be completed
- March 15<sup>th</sup> – Full-day debate
- June 10<sup>th</sup> – Day 90, sine die

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 52 Lathrop	Provide for immunity for injury or death resulting from COVID-19 exposure
<i>Neutral</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Judiciary Committee, 2/18/21 Hearing held</i>
LB 83 Flood	Change the Open Meetings Act to provide for virtual conferencing
<i>Support</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Government, Military and Veterans Affairs Committee, 1/27/21 Hearing held OPPD submitted a letter in support, Placed on General File with AM127, 3/10/21 Government, Military and Veterans Affairs priority bill, 3/17/21 Advanced to Select File</i>
LB 84 Bostelman	Redefine terms relating to tax incentive performance audits and the ImagiNE Nebraska Act
<i>Support</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Revenue Committee, 2/26/21 Hearing held, OPPD submitted a letter in support, 3/10/21 Placed on General File, 3/17/21 Speaker priority bill</i>
LB 112 Albrecht	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act
<i>Neutral</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Government, Military and Veteran Affairs Committee, 1/27/21 Hearing held</i>
LB 120 Hunt	Prohibit discrimination based upon sexual orientation and gender identity
<i>Support</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Judiciary Committee, 2/26/21 Hearing held, OPPD submitted a letter in support.</i>
LB 126 Halloran	Require use of headlights and taillights when windshield wipers are in operation
<i>Support</i>	<i>1/7/21 Introduced, 1/11/21 Referred to Transportation and Telecommunications Committee, 1/26/21 Hearing held, OPPD submitted a letter in support, 2/25/21 Indefinitely postponed.</i>



# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 139 Briese	Adopt the COVID-19 Liability Protection Act
<i>Neutral</i>	<i>1/8/21 Introduced, 1/12/21 Referred to Judiciary Committee, 2/18/21 Hearing held, 3/11/21 Slama priority bill</i>
LB 140 Stinner	Provide funding for enforcement of railroad safety standards
<i>Neutral</i>	<i>1/8/21 Introduced, 1/12/21 Referred to Appropriations Committee, 2/19/21 Hearing held</i>
LB 212 M. Cavanaugh	Prohibit charging members of the Legislature fees for public records requests
<i>Oppose</i>	<i>1/8/21 Introduced, 1/12/21 Referred to Executive Board, 2/25/21 Hearing held</i>
LB 239 Hilkemann	Change provisions relating to the use of handheld wireless communication devices under the Nebraska Rules of the Road
<i>Support</i>	<i>1/11/21 Introduced, 1/13/21 Referred to Transportation and Telecommunication Committee, 1/26/21 Hearing held, OPPD submitted a letter in support, 2/25/21 Indefinitely postponed</i>
LB 240 Hilkemann	Require use of occupant protection systems for each vehicle occupant
<i>Support</i>	<i>1/11/21 Introduced, 1/13/21 Referred to Transportation and Telecommunications Committee, 1/26/21 Hearing held, OPPD submitted a letter in support, 2/25/21 Indefinitely postponed.</i>
LB 266 McCollister	Adopt the Renewable Energy Standard Act
<i>Neutral</i>	<i>1/12/21 Introduced, 1/14/21 Referred to Natural Resources Committee, 2/11/21 Hearing held</i>

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 279 Bostar	Authorize certain activities that are eligible for assistance from the Affordable Housing Trust Fund
	<i>1/12/21 Introduced, 1/14/21 Referred to Appropriations Committee, 2/26/21 Hearing held</i>
LB 306 Brandt	Provide eligibility requirements for the low-income home energy assistance program
Support	<i>1/12/21 Introduced, 1/14/21 Referred to Health and Human Service Committee, 1/29/21 Hearing held, OPPD testified in support, 3/9/21 Placed on General file, 3/12/21 Brandt priority bill</i>
LB 339 Bostelman	Require a utility coordination plan for certain highway and bridge contracts
Neutral	<i>1/13/21 Introduced, 1/15/21 Referred to Transportation and Telecommunications Committee, 1/20/21 Hearing 1/26/21 cancelled, 2/16/21 Hearing held</i>
LB 344 Friesen	Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee
Oppose	<i>1/13/21 Introduced, 1/15/21 Referred to Transportation and Telecommunications Committee, 2/1/21 Hearing held, OPPD submitted written testimony in opposition, Placed on General File with AM83</i>
LB 346 Wishart	Adopt the Fueling Station Tax Credit Act
Neutral	<i>1/13/21 Introduced, 1/15/21 Referred to Revenue Committee, Hearing held 2/5/21</i>
LB 368 Sanders	Provide the Auditor of Public Accounts enforcement powers for failure of political subdivisions to file reports
Neutral	<i>1/13/21 Introduced, 1/15/21 Referred to Government, Military and Veterans Affairs Committee, 1/29/21 Hearing held, 2/8/21 Placed on General File with AM66, 3/12/21 Advanced to Select File, 3/23/21 Advanced to Final Reading, 3/25/21 Passed on Final Reading 46-0-3.</i>

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 409 Brewer	Provide a moratorium on construction of electric transmission lines and create the Electric Transmission Line Study Committee of the Legislature
Oppose	<i>1/14/21 Introduced, 1/20/21 Referred to Executive Board, 1/22/21 Brewer priority bill, 2/3/21 Hearing held, OPPD submitted opposition letter</i>
LB 424 Brewer	Provide and change zoning requirements for wind energy generation projects
Oppose	<i>1/15/21 Introduced, 1/20/21 Referred to Government, Military and Veterans Affairs Committee, 2/26/21 Hearing held</i>
LB 449 Wishart	Appropriate funds to the Department of Environment and Energy
Support	<i>1/15/21 Introduced, 1/20/21 Referred to Appropriations Committee, 2/26/21 Hearing held</i>
LB 455 Friesen	Adopt the Broadband Pole Attachment Act
Oppose	<i>1/15/21 Introduced, 1/20/21 Referred to Transportation and Telecommunications Committee, 2/8/21 Hearing held</i>
LB 460 Brandt	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission
Support	<i>1/15/21 Introduced, 1/20/21 Referred to Transportation and Telecommunications Committee, 2/9/21 Hearing held</i>
LB 474 Wishart	Adopt the Medicinal Cannabis Act
Neutral	<i>1/15/21 Introduced, 1/20/21 Referred to Judiciary Committee, 3/10/21 Hearing scheduled, 3/12/21 Wishart priority bill, 3/31/21 Placed on General File with AM824.</i>

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 483 J. Cavanaugh	Provide for climate change study and action plan
<i>Neutral</i>	<i>1/15/21 Introduced, 1/20/21 Referred to Natural Resources Committee, 2/11/21 Hearing held</i>
LB 486 Day	Require train crews of at least two individuals
<i>Neutral</i>	<i>1/15/21 Introduced, 1/20/21 Referred to Transportation and Telecommunications Committee, 3/1/21 Hearing held</i>
LB 506 J. Cavanaugh	Change provisions relating to net metering provided by local distribution utilities
<i>Neutral</i>	<i>1/19/21 Introduced, 1/22/21 Referred to Natural Resources Committee, 2/10/21 Hearing held</i>
LB 512 Brewer	Adopt the Critical Infrastructure Utility Worker Protection Act
<i>Support</i>	<i>1/19/21 Introduced, 1/22/21 Referred to Business and Labor Committee, 3/1/21 Hearing held</i>
LB 520 Friesen	Provide for applications for the collocation of certain wireless facilities
<i>Neutral</i>	<i>1/19/21 Introduced, 1/22/21 Referred to Transportation and Telecommunications Committee, 2/8/21 Hearing held</i>
LB 539 Walz	Provide for the limit on the length of trains
<i>Neutral</i>	<i>1/19/21 Introduced, 1/22/21 Referred to Transportation and Telecommunications Committee, 3/1/21 Hearing held</i>

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 557 M. Hansen	Change provisions relating to public records and include body-worn camera recordings in certain circumstances <i>1/19/21 Introduced, 1/22/21 Referred to Government, Military and Veterans Affairs Committee, 2/25/21 Hearing held</i>
LB 573 Bostar <i>Neutral</i>	Change the definition of qualified facility for purposes of net metering <i>1/19/21 Introduced, 1/22/21 Referred to Natural Resources Committee, 2/10/21 Hearing held</i>
LB 619 Sanders <i>Neutral</i>	Change excavation requirements under the One-Call Notification System Act <i>1/20/21 Introduced, 1/22/21 Referred to Transportation and Telecommunications Committee, 2/1/21 Hearing held, AM 70 introduced which writes OPPD out of the bill</i>
LB 683 Wayne <i>Oppose</i>	Change provisions relating to net metering <i>1/20/21 Introduced, 1/22/21 Referred to Natural Resources Committee, 2/10/21 Hearing held</i>
LR 48 Bostelman	Recognize the need for the Legislature to understand the circumstances and practices surrounding the interruptions in electricity to residents in the state <i>3/3/21 Hearing held</i>
LR 49 Wayne	Provide the need for the Legislature to understand the reasons for and circumstances surrounding the natural gas shortages <i>3/9/21 Hearing held</i>

# Federal Legislative Update



# Federal Update

- 21 of 23 Cabinet nominees confirmed. (slide 28 in appendix).
- Infrastructure package is the next major focus after COVID-19 stimulus.
  - President Biden’s \$2 trillion, 8 year infrastructure package.
  - House Energy & Commerce Committee’s Leading Infrastructure for Tomorrow’s America Act (H.R. 1848 LIFT America Act) introduced March 11<sup>th</sup>.
- Other major bills of interest:
  - H.R. 848, the GREEN Act (renewable energy tax incentives).
  - H.R. 1512, the CLEAN Future Act (Clean Energy Standard) – the basis for the House Climate Package.
- 3334 bills introduced in the 117<sup>th</sup> Congress as of March 31<sup>th</sup>
- Hearings are starting on energy and environmental policies to set the groundwork for future legislation on climate.
- Federal bill tracker included.

SOURCE Congress.gov, Politico, Whitehouse.gov

# Energy and environment look-ahead



## Budget reconciliation and climate spending

- Some Democrats are considering at least one more infrastructure-focused **budget reconciliation package** following the COVID-19 stimulus reconciliation bill
- Some have also called for the legislation to contain provisions related to **climate change mitigation** and **environmental justice**

## Outlook

- Democrats may divide an approximately \$3 trillion infrastructure proposal into two separate packages
- Enactment, however, will **depend largely on the stance of moderate Sen. Joe Manchin** (D-WV), chair of the Senate Energy and Natural Resources Committee



## Pres. Biden's actions on climate

- In Jan. 2021, Biden **began reentering the Paris Agreement**, **canceled the Keystone XL pipeline**, and placed a **temporary moratorium on new oil and gas leases** for public waters and lands
- The Biden administration **delayed March oil lease sales** in four states

## Outlook

- Future executive orders and regulations may include:
  - Reinstatement or extension of Obama administration **methane standards**
  - Stricter **auto emissions** requirements
  - Additional **oil and gas extraction restrictions**



## Climate summit

- Biden plans to convene world leaders for a climate summit on Earth Day, April 22, 2021

## Outlook

- At the summit, he is expected to reveal updated US plans to measurably reduce carbon emission by 2030
- US plans will likely influence the climate pledges other countries make at the UN climate conference occurring in fall 2021



# Overview of Biden's first 100 days as president

An overview of Biden and congressional Democrats' priorities for the first 100 days of his presidency

## Senate confirmations and impeachment trial

- Trump's impeachment trial likely to start soon after inauguration and unknown how long it will last
- National security positions (Defense, CIA, DHS) usually confirmed first
- The rest of the cabinet will likely be filled faster with a Democrat-controlled Senate



## Addressing the coronavirus pandemic

- Passing a major stimulus bill
- Creating a nation-wide testing strategy
- Managing vaccine development and distribution



## Reversing Trump admin policies

- Start the process of **rejoining international orgs**: Paris Climate Accord, WHO, Iran nuclear deal
- Reverse orders on immigration, reproductive health and civil rights



## Advancing legislative priorities

- Climate change and infrastructure
- Political reform (H.R. 1), reinstating the Voting Rights Act
- Immigration reform



# Status of legislative priorities for the first 100 days

## COVID-19 stimulus

- **H.R.1319** – American Rescue Plan Act of 2021: **Passed House and Senate.**

## Health care

- **H.R.153** – Protecting Consumer Access to Generic Drugs Act of 2021: **Introduced**
- The Biden administration has not yet proposed a plan to reduce prescription drug prices

## Climate change/infrastructure

- **H.R. 1512** - Climate Leadership and Environmental Action for our Nation's Future Act of 2021: **Introduced**
- The White House is expected to release a proposal to invest in infrastructure and clean energy later this month

## Immigration

- **S.264** – Dream Act of 2021: **Introduced**
- **H.R.1177/S.348** - To provide an earned path to citizenship, to address the root causes of migration and responsibly manage the southern border, and to reform the immigrant visa system, and for other purposes: **Introduced**

## Education

- **H.Res.100** – Calling on the President of the United States to take executive action to broadly cancel Federal student loan debt: **Introduced**
- **S.96/H.R.604** – Reopen and Rebuild America's Schools Act of 2021: **Introduced**

## Political/government reform

- **H.R.1** – For the People Act of 2021: **Passed House**

# Energy and environment sector legislative outlook for the 117<sup>th</sup> Congress

## Must pass legislation



**Surface transportation reauthorization:** Congress passed a one-year surface transportation extension in September 2020; five-year surface transportation reauthorization is still outstanding

## Likely Potential Actions (OPPD Perspective)

- Extension of wind and solar Production and Investment Tax Credits (PTC & ITC)
- Energy R&D
- Enhanced Grid Security
- Increasing subsidies for advanced biofuels

## Democratic priorities

- Instituting a federal Clean Energy Standard
- Greening COVID-19 recovery efforts
- Extending clean energy tax credits
- Introducing environmental justice measures

## Republican priorities

- Advancing market-based conservation through the Trillion Trees initiative
- Limiting the cost and regulatory burden of climate change mitigation efforts
- Investing in Carbon Capture and Storage and energy efficiency

**Omaha Public Power District**

**107th Session of the Nebraska State Legislature - April 9, 2021**

Bill No	One Liner and Summary	Proposed Position	Status	Strategic Directive(s)	Rationale & Actions
<b>Priority Bills</b>					
<a href="#">LB 52</a> <a href="#">Lathrop</a>	<p><b>Provide for immunity for injury or death resulting from COVID-19 exposure.</b> <i>COVID Liability placeholder bill. No person shall be liable in any civil action for any injury or death resulting from an alleged exposure to COVID-19 if such exposure occurred after the effective date of this act.</i></p>	<p align="center">Neutral</p>	<p>1/11/21 Referred to Judiciary Committee. 2/18/21 Hearing held.</p>	<p>SD-15</p>	<p>Senior management team &amp; Subject matter expert review.</p>
<a href="#">LB 83</a> <a href="#">Flood</a>	<p><b>Change the Open Meetings Act to provide for virtual conferencing.</b> <i>Allows virtual conferencing in emergencies. Relieves regional entities of the simulcasting requirement.</i></p>	<p align="center">Support NPA Support</p>	<p>1/11/21 Referred to Govt., Military and VA Committee. 1/27/21 Hearing held. 2/16/21 Placed on General File with AM127. 3/10/21 Government, Military and Veterans Affairs priority bill. 3/17/21 Advanced to Select File with ER23.</p>	<p>SD -5 SD-13</p>	<p>OPPD submitted a letter in support.</p>

<a href="#">LB 84 Bostelman</a>	<b>Redefine terms relating to tax incentive performance audits and the ImagiNE Nebraska Act.</b> <i>Includes nuclear energy in the definition of renewable energy for purposes of the ImagiNE Act tax incentive.</i>	Support	1/1/21 Referred to Revenue Committee. 2/26/21 Hearing held. 3/10/21 Placed on General File. 3/17/21 Speaker priority bill.	SD-9	Senior management team & Subject matter expert review. OPPD submitted a letter in support.
<a href="#">LB 112 Albrecht</a>	<b>Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act.</b>	Neutral	1/11/21 Referred to Govt., Military and VA Committee. 1/27/21 Hearing held.	SD-5 SD-13	
<a href="#">LB 120 Hunt</a>	<b>Prohibit discrimination based upon sexual orientation and gender identity.</b>	Support	1/11/21 Referred to Judiciary Committee. 2/26/21 Hearing held.	SD-8	Senior management team review. Final SMT review to support. OPPD submitted a letter in support.
<a href="#">LB 126 Halloran</a>	<b>Require use of headlights and taillights when windshield wipers are in operation.</b>	Support	1/11/21 Referred to Transp. and Telecom Committee. 1/26/21 Hearing held. 2/25/21 Indefinitely postponed.	SD-6	OPPD submitted a letter in support.
<a href="#">LB 139 Briese</a>	<b>Adopt the COVID-19 Liability Protection Act.</b> <i>Provides immunity from civil liability, generally, and specifically for health care providers and facilities, landlords and tenants, and those following public health guidance. Clear and convincing evidence is required. Exception for gross negligence or willful misconduct causing hospitalization or death. Liability protections begin on the effective date of this act and end on the earlier of Dec. 31, 2022, or one year after the end of the COVID-19 state of emergency. Cause of action must be brought within two years.</i>	Neutral	1/12/21 Referred to Judiciary Committee. 2/18/21 Hearing held. 3/11/21 Slama priority bill.	SD-15	Senior management team & Subject matter expert review.

<a href="#">LB 140 Stinner</a>	<b>Change provisions relating to enforcement of railroad safety standards.</b>	Neutral	1/12/21 Referred to Appropriations Committee. 2/19/21 Hearing held.	SD-6	Senior management team & Subject matter expert review.
<a href="#">LB 212 M. Cavanaugh</a>	<b>Prohibit charging members of the Legislature fees for public record requests.</b>	Oppose NPA Oppose	1/12/21 Referred to Executive Board. 2/25/21 Hearing held.	SD-12	Senior management team review.  OPPD's position will be neutral with amendment. 3/22/21 Wayne name added.
<a href="#">LB 239 Hilkemann</a>	<b>Change provisions relating to the use of handheld wireless communication devices under the Nebraska Rules of the Road. <i>Prohibits use of handheld wireless devices while driving.</i></b>	Support	1/13/21 Referred to Transp. and Telecom Committee. 1/26/21 Hearing held. 2/25/21 Indefinitely postponed.	SD-6	OPPD submitted a letter in support.
<a href="#">LB 240 Hilkemann</a>	<b>Require use of occupant protection systems for each vehicle occupant. <i>All occupants in a motor vehicle must wear a seat belt.</i></b>	Support	1/13/21 Referred to Transp. and Telecom Committee. 1/26/21 Hearing held. 2/25/21 Indefinitely postponed.	SD-6	OPPD submitted a letter in support.
<a href="#">LB 266 McCollister</a>	<b>Adopt the Renewable Energy Standard Act. <i>Requires Public Power to achieve net-zero carbon emissions by 2050. The Act shall not apply to PP if the board of directors of the PP makes a declaration that compliance will negatively reliable operations.</i></b>	Neutral NPA Oppose	1/14/21 Referred to Natural Resources Committee. 2/11/21 Hearing held.	SD-4 SD-7	Senior management team & Subject matter expert review.

<a href="#">LB 279</a> <a href="#">Bostar</a>	<b>Authorize certain activities that are eligible for assistance from the Affordable Housing Trust Fund.</b> <i>Adds weatherization and solar or other energy improvements to make utilities for housing more affordable. Bill does not change funding but rather allows utilization of the funds for solar energy, weatherization and energy improvements.</i>	Neutral	1/14/21 Referred to Appropriations Committee. 2/26/21 Hearing held. <b>4/9/2021 Amended into LB 380 budget bill. 4/1/21 LB 380 Placed on General File with AM393.</b>	SD-7	
<a href="#">LB 306</a> <a href="#">Brandt</a>	<b>Provide eligibility requirements for the low-income home energy assistance program.</b> <i>Increases eligibility for LIHEAP from 130% below poverty level to 150%.</i>	Support NPA Support	1/14/21 Referred to HHS Committee. 1/29/21 Hearing held. 3/9/21 Placed on General File. 3/12/21 Brandt priority bill.	SD-5	OPPD bill. 3/23/21 Wayne name added. 3/25/21 Pansing Brooks name added. 4/8/21 Flood name added. 4/8/21 Aguilar name added.
<a href="#">LB 339</a> <a href="#">Bostelman</a>	<b>Require a utility coordination plan for certain highway and bridge contracts.</b> <i>Requires contracts exceeding \$50,000 for construction, repair, etc. of roads and bridges in any city or county with more than 25,000 habitants to have a utility coordination plan.</i>	Neutral	1/15/21 Referred to Trans and Telecom Committee. 1/20/21 Hearing cancelled. 2/16/2021 Hearing held.		
<a href="#">LB 344</a> <a href="#">Friesen</a>	<b>Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee.</b> <i>Members of committee are; State Fire Marshall, two representatives of operators, two representatives of excavators. Governor shall appoint the representative members. Only by a unanimous vote of the committee shall the recommendation include a civil penalty.</i>	Oppose	1/15/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held. 2/24/21 Placed on General File with AM83.	SD -6	OPPD submitting testimony in opposition.  Creates an unnecessary committee adding time and cost to the process.

<a href="#">LB 346</a> <a href="#">Wishart</a>	<b>Adopt the Fueling Station Tax Credit Act.</b> <i>Creates a tax credit for any taxpayer equal to 75% of the cost of a qualified alternative-fuel fueling station placed in service during calendar year 2021 or 2022. Qualified alternative-fuel fueling station means a metered-for-fee, public access recharging system for EV or in part EV's.</i>	Neutral	1/15/21 Referred to Revenue Committee. 2/5/21 Hearing held.	SD-2 SD-5 SD-7 SD-9	Same bill from last session, watching fiscal note and amendments.
<a href="#">LB 368</a> <a href="#">Sanders</a>	<b>Provide the Auditor of Public Accounts enforcement powers for failure of political subdivisions to file reports.</b> <i>Bill would impose a \$20 per day fine not to exceed \$2000 for late filing and at the auditor's discretion, can audit the political subdivision. Audit expenses shall be paid by the political subdivision.</i>	Neutral	1/15/21 Referred to Govt, Military and VA Committee. 1/29/21 Hearing held. 2/8/21 Placed on General File with AM66. 3/12/21 Advanced to Select File. 3/23/21 Advanced to Final Reading. 3/25/21 Passed on Final Reading 46-0-3. 3/31/21 Signed by Governor.	SD-14	Senior management team & Subject matter expert review.



<a href="#">LB 409 Brewer</a>	<b>Provide a moratorium on construction of electric transmission lines and create the Electric Transmission Line Study Committee of the Legislature.</b> <i>Moratorium would be in effect until 1/1/23 for transmission lines 200 miles or more in length.</i>	Oppose NPA Oppose	1/20/21 Referred to Executive Board. 1/22/21 Brewer priority bill. 2/3/21 Hearing held.	SD-9	OPPD sending opposition letter.
<a href="#">LB 424 Brewer</a>	<b>Provide and change zoning requirements for wind energy generation projects.</b> <i>Requires counties to incorporate zoning regulations for setbacks, noise standards, decommissioning terms and fees for conditional use permits for industrial wind projects.</i>	Oppose	1/20/21 Referred to Govt, Military and VA Committee. 2/26/21 Hearing held.	SD-9	Creates unnecessary steps for renewable energy development. OPPD submitted a letter in opposition.
<a href="#">LB 449 Wishart</a>	<b>Appropriate funds to the Department of Environment and Energy.</b> <i>Appropriates \$100,000 from General fund in FY 21-22 and FY22-23 to the Low-Income Weatherization Program to aid in EE audits and weatherization improvements.</i>	Support NPA Support	1/20/21 referred to Appropriations Committee. 2/26/21 Hearing held. <b>4/9/2021 Amended into LB 380 budget bill. 4/1/21 LB 380 Placed on General File with AM393.</b>	SD-5	Senior management team & Subject matter expert review. OPPD testified in support.
<a href="#">LB 455 Friesen</a>	<b>Adopt the Broadband Pole Attachment Act.</b>	Oppose NPA Oppose	1/20/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held.		Adopts provisions to regulate electric utility easements and pole attachments in favor of telecommunication providers and with oversight by the Public Service Commission.

<a href="#">LB 460 Brandt</a>	<b>Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission.</b>	Support NPA Support	1/20/21 Referred to Trans and Telecom Committee. 2/9/21 Hearing held.	SD-9	OPPD bill. Javier testified for OPPD.
<a href="#">LB 474 Wishart</a>	<b>Adopt the Medicinal Cannabis Act.</b> <i>Nothing in the bill affects the ability of an employer to restrict the use of marijuana, cannabis, or cannabis products.</i>	Neutral	1/20/21 Referred to Judiciary Committee. 3/10/21 Hearing held. 3/12/21 Wishart priority bill. 3/31/21 Placed on General File with AM824.	SD-8	Senior management team & Subject matter expert review.
<a href="#">LB 483 J. Cavanaugh</a>	<b>Provide for climate change study and action plan.</b>	Neutral	1/20/21 Referred to Natural Resources Committee. 2/11/21 Hearing held.	SD-7	Discussed with Senator - May move to support with amendment for eminent domain, electric utilities part of the process and funding.
<a href="#">LB 486 Day</a>	<b>Require train crews of at least two individuals.</b>	Neutral	1/21/21 Trans and Telecom Committee. 3/1/21 Hearing held.		Senior management team & Subject matter expert review.
<a href="#">LB 506 J. Cavanaugh</a>	<b>Change provisions relating to net metering provided by local distribution utilities.</b> <i>Increases the distribution utility total generating capacity for all customer-generators using net metering from 1% to 3% of the capacity necessary to meet the utility's average aggregate customer monthly peak demand forecast for the calendar year.</i>	Neutral NPA Oppose	1/22/21 Referred to Natural Resources Committee. 2/10/21 Hearing held.	SD-2	OPPD is not in need of a change to 3% for more net metering offerings. OPPD submitted letter in the neutral capacity.
<a href="#">LB 512 Brewer</a>	<b>Adopt the Critical Infrastructure Utility Worker Protection Act.</b>	Support NPA Support	1/22/21 Referred to Business and Labor Committee. 3/1/21 Hearing held.	SD-6	OPPD bill. Javier to testify in support.

<a href="#">LB 520 Friesen</a>	<b>Provide for applications for the collocation of certain wireless facilities.</b>	Neutral NPA Oppose	1/22/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held.		
<a href="#">LB 539 Walz</a>	<b>Provide for the limit on the length of trains.</b> Length of trains <i>not to exceed 7500 feet in length on a main track or a branch line within the state.</i>	Neutral	1/22/21 Referred to Trans and Telecom Committee. 3/1/21 Hearing held.		Senior management team & Subject matter expert review.
<a href="#">LB 557 M. Hansen</a>	<b>Change provisions relating to public records and include body-worn camera recordings in certain circumstances.</b>	NPA Oppose	1/22/21 Referred to Govt., Military and VA Committee. 2/25/21 Hearing held.		Senior management team & Subject matter expert review.
<a href="#">LB 573 Bostar</a>	<b>Change the definition of qualified facility for purposes of net metering.</b>	Neutral NPA Support	1/22/21 Referred to Natural Resources Committee. 2/10/21 hearing held.	SD-2	Technical change to measure in alternating current (AC). OPPD submitted a letter in the neutral capacity.
<a href="#">LB 619 Sanders</a>	<b>Change excavation requirements under the One-Call Notification System Act.</b> <i>Would put electric lines at 36 inch below grade. Exempts fine grading from Act. AM 70 replaces the bill and would exempt electric utilities.</i>	Neutral	1/22/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held.	SD-6	If amendment introduced our position will become Neutral.
<a href="#">LB 683 Wayne</a>	<b>Change provisions relating to net metering.</b>	Oppose NPA Oppose	1/22/21 Referred to Natural Resources Committee. 2/10/21 hearing held.	SD-2	Similar bill to last year, OPPD opposed previously. Bill allows for all types of generation outside of intent for renewables. This will allow retail choice. OPPD submitted written testimony in opposition.

Bill No	One Liner and Summary	Proposed Position	Status	Strategic Directive(s)	Rationale & Actions
<b>Bills of General Interest (MONITOR)</b>					
<a href="#">LB 18</a> <a href="#">Kolterman</a>	<b>Change provisions relating to equivalent employees and qualified locations under the ImagiNE Nebraska Act.</b> <i>Changes ImagiNE Nebraska Act “equivalent employee” definition from residents of this state to employees who were employed in Nebraska and subject to Nebraska income tax on compensation received from the taxpayer. Adds to qualified location definition a location at which the majority of business activities conducted are postharvest crop activities or the processing of tangible personal property.</i>	Monitor	1/11/21 Referred to Revenue Committee. 2/26/21 Hearing held. 3/11/21 Stinner priority bill. 3/31/21 Placed on General File.		
<a href="#">LB 40</a> <a href="#">Groene</a>	<b>Adopt the Nebraska Rural Projects Act.</b> <i>Allows for nonprofit economic development corporations to apply to DED through 2022 for matching funds of up to \$10 million for a project (an investment by the applicant of up to \$10 million at one qualified location within a county with a population of less than 100,000). Makes the program subject to legislative appropriations.</i>	Monitor	1/11/21 Referred to Revenue Committee. 2/18/21 Hearing held. 3/10/21 Groene priority bill. 3/12/21 Placed on General File with AM575. 3/29/21 Advanced to Select File.		

LB 54 Lathrop	<b>Change immunity for intentional torts under the Political Subdivisions Tort Claims Act and the State Tort Claims Act.</b>	Monitor	1/11/21 Referred to Judiciary Committee. 2/18/21 Hearing held. 3/12/21 Lathrop priority bill.		
LB 58 Pahls	<b>Change requirements for service by publication for delinquent liens arising from city or village special assessments.</b>	Monitor	1/11/21 Referred to Judiciary Committee. 3/4/21 Hearing held. 3/10/21 Placed on General File.		
LB 65 Williams	<b>Change contractual conflict of interest provisions under the Nebraska Political Accountability and Disclosure Act.</b>	Monitor	1/11/21 Referred to Govt, Military and VA Committee. 2/10/21 Hearing held. 2/16/21 Placed on General File. <b>4/7/21 Advanced to Select File.</b>		
LB 71 Wayne	<b>Change provisions relating to intentional tort claims under the Political Subdivisions Tort Claims Act and State Tort Claims Act</b>	Monitor	1/11/21 Referred to Judiciary Committee. 2/18/21 Hearing held.		

LB 113 Albrecht	<b>Change provisions relating to motor vehicle titling, licensing, registration, and fees and operators' licenses and permits and authorize a new motor carrier services system</b>	Monitor	1/11/21 Referred to Trans and Telcom Committee. 1/25/21 Hearing held. 2/2/21 Placed on General File. 2/16/21 Albrecht AM226 filed. 2/24/21 Advanced to Select File with ER9. 3/15/21 Advanced to Final Reading with ST2. 3/25/21 Passed on Final Reading with Emergency Clause 47-0-2. 3/31/21 Signed by Governor.		
LB 133 Erdman	<b>Adopt the Nebraska EPIC Consumption Tax Act and eliminate certain other taxes.</b>	Monitor	1/11/21 Referred to Revenue Committee. 2/3/21 Hearing held.		
LB 134 Brandt	<b>Require the posting and reporting of tax incentive information under the Taxpayer Transparency Act. The State Treasurer's website shall contain the information for each taxpayer receiving a tax incentive under a tax incentive program</b>	Monitor	1/11/21 Referred to Revenue Committee. 2/26/21 Hearing held.		

<p>LB 148 Bostelman</p>	<p><b>Transfer certain environmental safety programs to the Department of Environment and Energy</b></p>	<p>Monitor</p>	<p>1/12/21 Referred to Natural Resources Committee. 1/27/21 Hearing held. 2/4/21 Placed on General File with AM28. 2/24/21 Advanced to Select File. 3/16/21 Advanced to Final Reading with ST1. 3/25/21 Passed on Final Reading with Emergency Clause 47-0-2. 3/31/21 Signed by Governor.</p>		
<p>LB 149 Albrecht</p>	<p><b>Adopt changes to federal law regarding motor vehicles and motor carriers</b></p>	<p>Monitor</p>	<p>1/15/21 Referred to Trans and Telcom Committee. 1/25/21 Hearing held. 2/2/21 Placed on General File. 2/24/21 Advanced to Select File. 3/9/21 Advanced to Final Reading. 3/9/21 Passed on Final Reading 47-0-2. 3/17/21 Signed by the Governor.</p>		

<p>LB 156 Wayne</p>	<p><b>Adopt the Municipal Inland Port Authority Act.</b> <i>Allows for the creation of inland port authorities, which shall have the power to plan and develop the inland port district.</i></p>	<p>Monitor</p>	<p>1/12/21 Referred to Urban Affairs Committee. 2/2/21 Hearing held. 2/18/21 Placed on General file with AM223. 3/11/21 Urban Affairs priority bill. 3/30/31 Advanced to Select File.</p>		
<p>LB 161 Urban Affairs Committee</p>	<p><b>Provide for the applicability of state and local construction codes</b></p>	<p>Monitor</p>	<p>1/12/21 Referred to Urban Affairs Committee. 2/9/21 Hearing held. 2/18/21 Placed on General File.</p>		
<p>LB 163 Urban Affairs Committee</p>	<p><b>Change and eliminate provisions relating to cities, villages, and metropolitan utilities districts.</b> <i>Bill is a product of the LR 370 interim study. Chapter 18 clean up.</i></p>	<p>Monitor</p>	<p>1/12/21 Referred to Urban Affairs Committee. 1/26/21 Hearing held. 1/28/21 Placed on General File with AM 9. 2/23/21 Advanced to Select File. 3/10/21 Wayne AM334 adopted. 3/15/21 Advanced to Final Reading. 3/25/21 Passed on Final Reading 47-0-2. 3/31/21 Signed by Governor.</p>		



LB 170 M. Hansen	<b>Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act.</b>	Monitor	1/12/21 Referred to Business and Labor Committee. 1/22/21 Bill withdrawn.		
LB 171 M. Hansen	<b>Change provisions of the Employment Security Law relating to weekly benefit amounts and maximum annual amounts</b>	Monitor	1/12/21 Referred to Business and Labor Committee. 2/8/21 Hearing held.		
LB 172 M. Hansen	<b>Change provisions relating to benefit payments under the Employment Security Law</b>	Monitor	1/11/21 Referred to Business and Labor Committee. 3/1/21 Hearing held.		
LB 174 Friesen	<b>Change provisions relating to highways and highway funding, road classifications, licensure of local highway and street superintendents, motor vehicle safety responsibility, accident reports, and the Nebraska Rules of the Road</b>	Monitor	1/12/21 Referred to Trans and Telcom Committee. 1/25/21 Hearing held. 2/2/21 Placed on General File. 2/24/21 Advanced to Select File. 3/9/21 Advanced to Final Reading. 3/11/21 Passed on Final Reading 49-0-0. 3/17/21 Signed by Governor.		
LB 175 Friesen	<b>Change the distribution of sales tax revenue and authorize the use of funds for certain infrastructure projects</b>	Monitor	1/12/21 Referred to Revenue Committee. 2/19/21 Hearing held.		
LB 191 Hughes	<b>Redefine elector for the Irrigation District Act</b>	Monitor	1/1/21 Referred to Natural Resources Committee. 1/27/21 Hearing held.		

LB 194 Vargas	<b>Change the Nebraska Job Creation and Mainstreet Revitalization Act.</b> <i>Narrows definition of historically significant real property to mean a structure at-grade or above-ground .</i>	Monitor	1/11/21 Referred to Revenue Committee. 2/4/21 Hearing held.		3/22/21 Lindstrom name added.
LB 199 Vargas	<b>Adopt the Face Surveillance Privacy Act</b>	Monitor	1/12/21 Referred to Judiciary Committee. 3/11/21 Hearing held.		
LB 205 Hunt	<b>Change provision relating to unpaid periodic rent under the Uniform Residential Landlord and Tenant Act</b>	Monitor	1/12/21 Referred to Judiciary Committee. 1/27/21 Hearing held.		
LB 207 McDonnell	<b>Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act</b>	Monitor	1/12/21 Referred to Business and Labor Committee. 3/1/21 Hearing held.		
LB 209 McDonnell	<b>Change provisions relating to treatment of deferred compensation by certain political subdivisions, state agencies and the Public Employees Retirement Board</b>	Monitor	1/12/21 Referred to Nebraska Retirement Systems Committee. 3/3/21 Hearing held. <b>4/8/21 Placed on General File with AM880.</b>		
LB 213 Briese	<b>Provide for an efficiency review of state agencies</b>	Monitor	1/13/21 Referred to Govt., Military and VA Committee. 1/28/21 Hearing held.		
LB 220 Wayne	<b>Change applicability provisions for building codes</b>	Monitor	1/13/21 Referred to Urban Affairs Committee. 2/9/21 Hearing held.		

LB 226 Hilkemann	<b>Change motor vehicle tax exemptions as prescribed under the Motor Vehicle Registration Act</b>	Monitor	1/13/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held.		
LB 227 Morfeld	<b>Adopt the Doxing Prevention Act and change and provide penalties and a civil action for false reporting</b>	Monitor	1/11/21 Referred to Judiciary Committee. 3/11/21 Hearing held.		
LB 228 Morfeld	<b>Change the Property Assessed Clean Energy Act.</b> <i>Would allow retroactivity eligibility for PACE financing up to 36 months after completion.</i>	Monitor	1/13/21 Referred to Urban Affairs Committee. 2/2/21 Hearing held.		
LB 249 Pansing Brooks	<b>Prohibit employers from inquiring about wage rate history under the Nebraska Fair Employment Practice Act.</b>	Monitor	1/13/21 Referred to Business and Labor Committee. 1/25/21 Hearing held.		
LB 255 M. Hansen	<b>Adopt the In the Line of Duty Compensation Act</b>	Monitor	1/13/21 Referred to Business and Labor Committee. 1/25/21 Hearing held. 2/10/21 Placed on General File. 3/16/21 Advanced to Select File. 3/24/21 Advanced to Final Reading.		
LB 256 M. Hansen	<b>Change provisions relating to lump-sum settlement approval and the filing of releases under the Nebraska Workers' Compensation Act</b>	Monitor	1/13/21 Referred to Business and Labor Committee. 2/1/21 Hearing held. 3/12/21 Placed on General File.		

LB 257 M. Hansen	<b>Change provisions relating to vacancies on public power and irrigation district boards.</b> <i>Gives the board of directors the authority to fill vacancies on boards. Removes Governor appointments.</i>	Monitor	1/13/21 Referred to Govt, Military and VA Committee. 2/25/21 Hearing held.		
LB 258 Vargas	<b>Adopt the Healthy and Safe Families and Workplaces Act</b>	Monitor	1/11/21 Referred to Business and Labor Committee. 2/8/21 Hearing held. 3/11/21 M. Hansen priority bill. 3/17/21 Placed on General File.		
LB 265 Blood	<b>Change provisions of the Property Assessed Clean Energy Act.</b> <i>Would grant an exemption to eliminate report requirements for municipalities that allow PACE but do not have PACE activity.</i>	Monitor	1/14/21 Referred to Urban Affairs Committee. 2/2/21 Hearing held. 2/18/21 Placed on General File. <b>4/7/21 Advanced to Select File.</b>		
LB 272 Morfeld	<b>Adopt the Apprenticeship Training Program Tax Credit Act.</b> <i>Sets out requirements for a qualified apprenticeship training program and allows for a non-refundable tax credit for taxpayers who employ an apprentice as part of a qualified program. Sets out requirements for applying for the tax credit, which shall not exceed the lesser of \$2000 or 50% of the total wages expected to be paid to such apprentice during the year, with an overall cap of \$2.5 million per year.</i>	Monitor	1/14/21 Referred to Revenue Committee. 2/5/21 Hearing held.		

LB 284 M. Cavanaugh	<b>Provide requirements regarding federal funds under the Governor's Emergency Program</b>	Monitor	1/14/21 Referred to Govt., Military and VA Committee. 2/26/21 Hearing held.		
LB 285 Brewer	<b>Change provisions relating to elections conducted pursuant to the Election Act</b>	Monitor	1/14/21 Referred to Govt., Military and VA Committee. 2/5/21 Hearing held. 3/9/21 Placed on General File with AM431. 3/10/21 Government, Military and Veterans Affairs priority bill. 3/16/21 Advanced to Select File.		
LB 290 M. Cavanaugh	<b>Adopt the Paid Family and Medical Leave Insurance Act.</b>	Monitor	1/14/21 Referred to Business and Labor Committee. 2/8/21 Hearing held.		
LB 293 Flood	<b>Change the number of and qualifications for members of the Public Service Commission.</b> <i>Redistricts commission territory. Adds two commissioners for a total of seven. Commissioners are allowed to hold other jobs as long as the position is not under the regulation of the PSC.</i>	Monitor	1/14/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held.		

LB 298 McDonnell	<b>Change provisions of the Employment Security Law relating to the disqualification of certain aliens.</b>	Monitor	1/14/21 Referred to Business and Labor Committee. 1/25/21 Hearing held. 3/12/21 McDonnell priority bill. 3/29/21 Placed on General File with AM251.		
LB 332 Wayne	<b>Change provisions relating to the city council of a city of the metropolitan class. <i>Would divide the city council districts into 9 districts starting in 2025.</i></b>	Monitor	1/15/21 Referred to Urban Affairs Committee. 2/2/21 Hearing held. 2/18/21 Placed on General file with AM118.		
LB 338 Bostelman	<b>Provide powers and duties for the Public Service Commission regarding redirection of funding for broadband services.</b>	Monitor NPA Support	1/15/21 Referred to Transp. and Telecom Committee. 2/9/21 Hearing held. 3/12/21 Bostelman priority bill. 3/17/21 Placed on General File with AM110. 4/1/21 Advanced to Select File with ER43.		3/23/21 Kolterman name added.

LB 366 Briese	<b>Change the Nebraska Advantage Microenterprise Tax Credit Act.</b> <i>Amends the Nebraska Advantage Microenterprise Tax Credit Act to narrow the definition of related party for purposes of limiting the amount of lifetime credits (no longer based on being relatives) and requires the Tax Commissioner to include in its annual report pursuant to § 77-5907, information on project-specific total credits used every two years for each approved application and make other certain disclosures.</i>	Monitor	1/15/21 Referred to Revenue Committee. 2/4/21 Hearing held. 3/15/21 Placed on General File with AM436. 3/17/21 Speaker priority bill.		
LB 369 Sanders	<b>Provide the Auditor of Public Accounts access to working papers and audit files</b>	Monitor	1/11/21 Referred to Govt., Military and VA Committee. 1/29/21 Hearing held. 2/8/21 Placed on General File with AM67. 3/17/21 Speaker priority bill. 3/25/21 Passed on Final Reading 46-0-3. 3/31/21 Signed by Governor.		
LB 370 Sanders	<b>Adopt the Personal Privacy Protection Act</b>	Monitor	1/15/21 Referred to Judiciary Committee. 3/11/21 Hearing held.		

LB 388 Friesen	<b>Adopt the Nebraska Broadband Bridge Act.</b> <i>Creates the Broadband Bridge Program to develop broadband networks in unserved and underserved areas, administered by the Public Service Commission, to distribute \$20 million annually beginning FY21-22. Allows providers, a cooperative (undefined), or a political subdivision (undefined) to apply to the commission for a grant to provide broadband Internet service scalable to 100x100mbps, or greater.</i>	Monitor	1/20/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held. 3/11/21 Hilger priority bill. 3/11/21 Placed on General File with AM530.		3/30/21 Albrecht name added. 4/8/21 B. Hansen name added.
LB 391 Bostar	<b>Transfer funds to the Customized Job Training Cash Fund.</b> <i>Provides that the State Treasurer will transfer \$10 million from the General Fund to the Customized Job Training Cash fund by Oct. 1, 2021.</i>	Monitor	1/20/21 Referred to Appropriations Committee. 2/26/21 Hearing held.		
LB 393 Hughes	<b>Eliminate the Next Generation Business Growth Act.</b> <i>Outright repeals and eliminates the Next Generation Business Growth Act, which created a task force to cultivate entrepreneurship and innovation in the state and terminated Jan. 1, 2017.</i>	Monitor	1/20/21 Referred to Executive Board. 3/1/21 Hearing held.		
LB 398 Bostelman	<b>Change provisions relating to broadband speeds and services.</b> <i>Speed 100 up 100 down.</i>	Monitor NPA Support	1/20/21 Referred to Trans and Telecom Committee. 2/9/21 Hearing held.		
LB 399 Bostelman	<b>Change provisions relating to rural water districts</b>	Monitor	1/20/21 Referred to Natural Resources Committee. 1/28/21 Hearing held. 3/12/21 Natural Resources priority bill.		



LB 406 McDonnell	<b>Create the Lower Platte River Infrastructure Task Force and provide funding</b>	Monitor	1/20/21 Referred to Natural Resources Committee. 1/28/21 hearing held. 3/17/21 Speaker priority bill.		
LB 408 Briese	<b>Adopt the Property Tax Request Act</b>	Monitor	1/20/21 Referred to Revenue Committee. 1/27/21 Hearing held. 3/2/21 Placed on General File with AM371. 3/9/21 Geist priority bill.		
LB 414 Wishart	<b>Change provisions of the Political Subdivisions Construction Alternatives Act</b>	Monitor	1/11/21 Referred to Govt., Military and VA Committee. 2/4/21 Hearing held. 2/16/21 Placed on General File.		
LB 440 M. Hansen	<b>Change provisions of the Nebraska Fair Employment Practice Act</b>	Monitor	1/20/21 Referred to Business and Labor Committee. 2/8/21 Hearing held. 3/12/21 Placed on General File.		
LB 441 M. Hansen	<b>Change provisions relating to compensation for individuals affected by COVID -19 under the Nebraska Workers Compensation Act</b>	Monitor	1/11/21 Referred to Business and Labor Committee. 3/1/21 Hearing held.		
LB 456 Friesen	<b>Adopt the Nebraska Enhancing Broadband act</b>	Monitor	1/20/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held.		

LB 463 Arch	<b>Change provisions relating to physical examinations of injured employees under the Nebraska Workers Compensation Act</b>	Monitor	1/11/21 Referred to Business and Labor Committee. 2/1/21 Hearing held.		
LB 467 Bostar	<b>Adopt the updated electrical standards.</b> <i>Updates codes from 2017 to 2020.</i>	Monitor NPA Support	1/20/21 Referred to Urban Affairs Committee. 2/9/21 Hearing held. 3/3/21 Placed on General File with AM136.		
LB 498 DeBoer	<b>Require the Public Service Commission to implement a broadband service testing and mapping program.</b>	Monitor NPA Support	1/22/21 Referred to Trans and Telecom Committee. 2/9/21 Hearing held. 3/17/21 Placed on General File with AM363.		
LB 501 Flood	<b>Adopt the Uniform Easement Relocation.</b> <i>Does not apply to public utility easements.</i>	Monitor	1/22/21 Referred to Judiciary Committee. 2/4/21 Hearing held. 3/10/21 Placed on General File with AM526. 3/17/21 Speaker priority bill.		
LB 502 Flood	<b>Change sales tax incentives under the Nebraska Advantage Act</b>	Monitor	1/11/21 Referred to Judiciary Committee. 2/18/21 Hearing held.		

LB 513 Brewer	<b>Change qualifications and terms of public power district board members.</b> <i>If enacted bill would change the board of directors term to 4 years and require the director to be a retail customer of the public power district. Senator Brewer introduced an amendment to eliminate the retail requirement of the bill.</i>	Monitor NPA Oppose	1/22/21 Referred to Natural Resources Committee. 2/3/21 Hearing held.		Subject matter expert review and Government Affairs team monitoring
LB 538 Walz	<b>Adopt the Community Schools Act and change the distribution of income from solar and wind agreements on school lands</b>	Monitor	1/22/21 Referred to Education Committee. 2/16/21 Hearing held.		
LB 566 McDonnell	<b>Adopt the Shovel-Ready Capital Recovery and Investment Act</b>	Monitor	1/22/21 Referred to Appropriations Committee. 2/26/21 Hearing held. 3/11/21 Appropriations priority bill. 3/16/21 Placed on General File with AM606.		
LB 567 Bus and Labor	<b>Change provisions relating to the maximum annual amount of benefits under the Employment Security Law</b>	Monitor	1/11/21 Referred to Business and Labor Committee. 2/1/21 Hearing held. 3/29/21 Placed on General File with AM301.		
LB 574 Bostar	<b>Change motor vehicle identification inspection requirements</b>	Monitor	1/11/21 Referred to Trans and Telcom Committee. 2/2/21 Hearing held. 2/25/21 Indefinitely postponed.		

LB 576 Bostar	<b>Appropriate funds to the University of Nebraska</b>	Monitor	1/22/21 Referred to Appropriations Committee. 2/16/21 Hearing held.		
LB 600 Brandt	<b>Provide and change powers and duties of public power districts and electric cooperatives regarding broadband facilities and infrastructure</b>	Monitor NPA Support	1/22/21 Referred to Trans and Telecom Committee. 2/9/21 Hearing held. 2/8/21 Brandt AM148 filed.		
LB 604 Geist	<b>Adopt the Nebraska Accelerated Broadband Deployment Grant Program Act and change telecommunications provisions</b>	Monitor	1/22/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held.		
LB 606 Hilgers	<b>Clarify term relating to power districts. <i>Spells out the number 107 in ergs.</i></b>	Monitor	1/22/21 Referred to Natural Resources Committee. 1/29/21 Hearing held.		
LB 627 Morfeld	<b>Change provisions relating to qualified voters for certain public power district elections</b>	Monitor NPA Oppose	1/22/21 Referred to Natural Resources Committee. 2/3/21 Hearing held.		Subject matter expert review and Government Affairs team monitoring

LB 650 Flood	<b>Adopt the Nebraska Geologic Storage of Carbon Dioxide Act.</b> <i>Carbon sequestration.</i>	Monitor	1/22/21 Referred to Natural Resources Committee. 2/11/21 Hearing held. 3/11/21 Hughes priority bill. 3/12/21 Placed on General File with AM548. 3/30/21 Natural Resources AM548 adopted. 4/1/21 Advanced to Select File with ER44.	Subject matter expert review and Government Affairs team monitoring  - focused on ethanol industry segment
LB 656 Wayne	<b>Authorize municipalities to provide broadband and internet services</b>	Monitor	1/22/21 Referred to Trans and Telecom Committee. 1/28/21 MO5 Wayne rerefer to Urban Affairs Committee. 2/9/21 Hearing held. 2/25/21 Indefinitely postponed.	
LR 1 Blood	<b>Express support for the United States Air Force to reestablish the United States Space Command headquarters at Offutt Air Force Base</b>	Monitor	1/11/21 Referred to Govt., Military and VA Committee. 1/27/21 Hearing held. 2/1/21 Speaker signed.	

LR11CA Erdman	<b>Constitutional amendment to require enactment of a consumption tax and prohibit certain other forms of taxation.</b>	Monitor	1/11/21 Referred to Revenue Committee. 2/3/21 Hearing held. 3/10/21 Erdman priority resolution. 3/31/31 Placed on General File.		
LR18CA Wayne	<b>Constitutional amendment to change legislative term limits to three consecutive terms</b>	Monitor	1/15/21 Referred to Executive Board. 2/17/21 Hearing held. 3/12/21 Executive Board priority resolution.		
LR 48 Bostelman	<b>Recognize the need for the Legislature to understand the circumstances and practices surrounding the interruptions in electricity to residents in the state.</b>	Monitor	1/19/21 Introduced. 2/19/21 Referred to Natural Resources Committee. 3/3/21 Hearing held.		
LR 49 Wayne	<b>Provide the need for the Legislature to understand the reasons for and circumstances surrounding the natural gas shortages.</b>	Monitor	2/25/2021 Introduced. 2/26/21 Referred to Urban Affairs. 3/9/21 Hearing held.		

Bill Number	Title	Summary	Issue Area	Introduced/Pref	Sponsor	Cosponsors	Latest Action Date	Latest Action
H.R. 156	Blue Collar to Green Collar Jobs Development Act of 2021	To amend title II of the Department of Energy Organization Act to reauthorize an office within the Department of Energy, to direct the Secretary of Energy to establish and carry out a comprehensive, nationwide energy-related industries jobs program, and for other purposes.	Labor and Employment	1/3/2021	Rep. Rush Bobby L. (IL-1) D	1	2/2/2021	Referred to the Subcommittee on Energy.
H.R. 218	Saving America's Energy Future Act	To prohibit the Secretary of the Interior and the Secretary of Agriculture from issuing moratoriums on issuing new oil and gas leases and drill permits on certain Federal lands.	Energy	1/5/2021	Rep. Pfluger August (TX-11) R	23	2/24/2021	Referred to the Subcommittee on Conservation and Forestry.
H.R. 245	New Source Review Permitting Improvement Act	To amend sections 111, 169, and 171 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification or construction, and for other purposes.	Environmental Protection	1/10/2021	Rep. Griffith H. Morgan (VA-9) R	4	2/2/2021	Referred to the Subcommittee on Environment and Climate Change.
H.R. 448	Energy Resilient Communities Act	To direct the Secretary of Energy to carry out a grant program to improve the energy resilience, energy democracy, and security of communities, prioritizing environmental justice communities, and for other purposes.	Energy	1/24/2021	Rep. Barragan Nanette Diaz (CA-4)	43	2/2/2021	Referred to the Subcommittee on Energy.
H.R. 512	Green Bus Act of 2021	To require any bus purchased for use in public transportation with funds provided by the Federal Transit Administration to be a zero-emission bus, and for other purposes.	Transportation and Public Works	1/27/2021	Rep. Brownley Julia (CA-26) D	19	2/4/2021	Referred to the Subcommittee on Highways and Transit.
H.R. 516	Environmental Justice Mapping and Data Collection Act of 2021	To establish the Environmental Justice Mapping Committee, and for other purposes.	Environmental Protection	1/27/2021	Rep. Bush Cori (MO-1) D	41	2/2/2021	Referred to the Subcommittee on Environment and Climate Change.
H.R. 520	Safeguarding Coal Leasing Act of 2021	To provide that an order or action by the President, Secretary of the Interior, or Department of the Interior official imposing a moratorium on coal leasing shall not take effect unless a joint resolution of approval is enacted, and for other purposes.	Energy	1/27/2021	Rep. Cheney Liz (WY-At Large) R	23	1/28/2021	Referred to the House Committee on Natural Resources.
H.R. 543	POWER Act (with S. 76)	To prohibit the President from issuing moratoria on leasing and permitting energy and minerals on certain Federal land, and for other purposes.; Protecting Our Wealth of Energy Resources Act	Energy	1/27/2021	Rep. Herrell Yvette (NM-2) R	50	2/24/2021	Referred to the Subcommittee on Conservation and Forestry.
H.R. 551	Energy Debt Relief for American Families Act	To amend the Low-Income Home Energy Assistance Act of 1981 to provide for supplemental assistance for COVID-19 relief, and for other purposes.	Energy	1/27/2021	Rep. Kuster Ann M. (NH-2) D	33	2/2/2021	Referred to the Subcommittee on Energy.
H.R. 575	Promoting Cross-border Energy Infrastructure Act	To establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.	Energy	1/27/2021	Rep. Mullin Markwayne (OK-2) R	49	2/4/2021	Referred to the Subcommittee on Economic Development
H.R. 794	Climate Emergency Act of 2021 (W/S. 938)	To require the President to declare a national climate emergency under the National Emergencies Act, and for other purposes	Emergency Management	2/3/2021	Rep. Blumenauer Earl (OR-3) D	46	2/5/2021	Referred to the Subcommittee on Economic Development
H.R. 806	Clean Energy and Sustainability Accelerator Act	To establish a Clean Energy and Sustainability Accelerator, and for other purposes.	Energy	2/3/2021	Rep. Dingell Debbie (MI-12) D	4	3/3/2021	Referred to the Subcommittee on Commodity Exchanges
H.R. 848	GREEN Act of 2021	Growing Renewable Energy and Efficiency Now Act of 2021; To amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes.	Taxation	2/3/2021	Rep. Thompson Mike (CA-5) D	37	2/4/2021	Referred to the House Committee on Ways and Means.
H.R. 870	National Broadband Plan for the Future Act of 2021 (W/S. 279)	To require the Federal Communications Commission to update the national broadband plan, and for other purposes.	Broadband	2/4/2021	Rep. Eshoo Anna G. (CA-18) D	8	2/5/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1062	ACCESS 45Q Act	Accelerating Carbon Capture and Extending Secure Storage through 45Q Act; To amend the Internal Revenue Code of 1986 to extend and allow an elective payment of the tax credit for carbon oxide sequestration.	Taxation	2/14/2021	Rep. McKinley David B. (WV-1) R	10	2/15/2021	Referred to the House Committee on Ways and Means.
H.R. 1374		To amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement review and revise State energy security plans and for other purposes.	Energy	2/24/2021	Rep. Rush Bobby L. (IL-1) D	1	2/25/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1375		To amend the Department of Energy Organization Act to establish an Office of Energy Equity and for other purposes.	Energy	2/24/2021	Rep. Rush Bobby L. (IL-1) D	1	2/25/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1512		To build a clean and prosperous future by addressing the climate crisis protecting the health and welfare of all Americans and putting the Nation on the path to a net-zero greenhouse gas economy by 2050 and for other purposes.	Energy	3/1/2021	Rep. Pallone Frank Jr. (NJ-6) D	17	3/3/2021	Referred to the Subcommittee on Environment and Climate Change.
H.R. 1514		To amend the Federal Power Act to increase transmission capacity for clean energy reduce congestion and increase grid resilience.	Energy	3/1/2021	Rep. Peters Scott H. (CA-52) D	1	3/2/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1559		To direct the Nuclear Regulatory Commission to submit a report on facilitating efficient timely environmental reviews of nuclear reactors through expanded use of categorical exclusions environmental assessments and generic environmental impact statements and for other purposes.	Environmental Protection	3/2/2021	Rep. Duncan Jeff (SC-3) R	1	3/3/2021	Referred to the House Committee on Energy and Commerce.

Bill Number	Title	Summary	Issue Area	roduced/Pref	Sponsor	sponsc	Latest Action Date	Latest Action
H.R. 1578		To streamline nuclear technology regulatory permitting and licensing and for other purposes.	Energy	3/2/2021	Rep. Kinzinger Adam (IL-16) R	1	3/3/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1616		To provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act and for other purposes.	Energy	3/7/2021	Rep. Burgess Michael C. (TX-26) R	1	3/8/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1684		To amend the Internal Revenue Code of 1986 to provide tax credits for energy storage technologies and for other purposes.	Taxation	3/8/2021	Rep. Doyle Michael F. (PA-18) D	2	3/9/2021	Referred to the House Committee on Ways and Means.
H.R. 1761		To amend title XVII of the Energy Policy Act of 2005 relating to the eligibility for loan guarantees for carbon capture utilization and storage projects and for other purposes.	Environmental Protection	3/9/2021	Rep. McKinley David B. (WV-1) R	6	3/10/2021	Referred to the Committee on Energy and Commerce
H.R. 1788		To amend title XVII of the Energy Policy Act of 2005 relating to the eligibility for loan guarantees for projects relating to hydrogen production delivery infrastructure storage fuel cells and end uses and for other purposes.	Energy	3/10/2021	Rep. Pence Greg (IN-6) R	2	3/11/2021	Referred to the Committee on Energy and Commerce
H.R. 1805	Clean Air Act tradeable performance standard	To amend the Clean Air Act to establish a tradeable performance standard covering emissions from the electricity generation and industrial sectors and for other purposes.	Energy	3/10/2021	Rep. Casten Sean (IL-6) D	1	3/11/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1833		To amend the Homeland Security Act of 2002 to provide for the responsibility of the Cybersecurity and Infrastructure Security Agency to maintain capabilities to identify threats to industrial control systems and for other purposes.	Cybersecurity	3/10/2021	Rep. Katko John (NY-24) R	8	3/18/2021	Ordered to be Reported (Amended).
H.R. 1848		To rebuild and modernize the Nation's infrastructure to expand access to broadband and Next Generation 9-1-1 rehabilitate drinking water infrastructure modernize the electric grid and energy supply infrastructure redevelop brownfields strengthen health care infrastructure create jobs and protect public health and the environment and for other purposes.	Broadband	3/10/2021	Rep. Pallone Frank Jr. (NJ-6) D	32	3/11/2021	Referred to the Committee on Energy and Commerce
H.R. 1855		To promote new manufacturing in the United States by providing for greater transparency and timeliness in obtaining necessary permits and for other purposes.	Labor and Employment	3/10/2021	Rep. Scalise Steve (LA-1) R	2	3/11/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1879	USA Electrify Forward Act	To promote American leadership in vehicle manufacturing job creation improved air quality and climate protection through domestic manufacturing of low- and zero-emission vehicles and development of electric vehicle charging networks and for other purposes.	Transportation and Public W	3/12/2021	Rep. Debbie Dingell	0	3/12/2021	Referred to the House Committee on Energy and Commerce.
H.R. 1951		To increase the Federal share provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for a certain time frame during fiscal year 2020.	Emergency Management	3/15/2021	Rep. Thompson Mike (CA-5) D	18	3/24/2021	Ordered to be Reported (Amended) by the Yeas and Nays: 46 - 11.
H.R. 1992	SCALE Act – CCS	To require the Secretary of Energy to establish programs for carbon dioxide capture transport utilization and storage and for other purposes.	Environmental Protection	3/16/2021	Rep. Veasey Marc A. (TX-33) D	7	3/18/2021	Referred to the Subcommittee on Water Resources and Environment.
H.R. 2021	Environmental Justice for ALL Act	To restore reaffirm and reconcile environmental justice and civil rights and for other purposes.	Environmental Protection	3/18/2021	Rep. Raúl Grijalva	29	3/18/2021	Referred to the Committee on Energy and Commerce and in addition to the Committees on Natural Resources the Judiciary Transportation and Infrastructure Agriculture and Education and Labor
H.R. 2097		To direct the Secretary of Energy to establish a program for the interim storage of high-level radioactive waste and spent nuclear fuel and for other purposes.	Environmental Protection	3/18/2021	Rep. Matsui Doris O. (CA-6) D	5	3/19/2021	Referred to the House Committee on Energy and Commerce.
H.R. 2115		To require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate of public convenience and necessity for a proposed pipeline project and for other purposes.	Environmental Protection	3/18/2021	Rep. Watson Coleman Bonnie (NJ)	3	3/19/2021	Referred to the House Committee on Energy and Commerce.
H.R. 2307		To create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier more stable and more prosperous nation for future generations.	Energy	4/1/2021	Rep. Ted Deutch	28	4/1/2021	Referred to the Committee on Ways and Means and in addition to the Committees on Energy and Commerce and Foreign Affairs
S. 70	National Guard Cybersecurity Support Act	A bill to amend title 32, United States Code, to authorize cybersecurity operations and missions to protect critical infrastructure by members of the National Guard in connection with training or other duty.	Cybersecurity	1/26/2021	Sen. Hassan Margaret Wood (NH)	3	1/27/2021	Read twice and referred to the Committee on Armed Services.
S. 76	POWER Act of 2021 (With H.R. 543)	A bill to prohibit the President from issuing moratoria on leasing and permitting energy and minerals on certain Federal land, and for other purposes.; Protecting Our Wealth of Energy Resources Act of 2021	Energy	1/27/2021	Sen. Lummis Cynthia M. (WY) R	28	1/28/2021	Read twice and referred to the Committee on Energy and Natural Resources.
S. 279	National Broadband Plan for the Future Act of 2021 (W/H.R. 870)	To require the Federal Communications Commission to update the national broadband plan, and for other purposes.	Broadband	2/7/2021	Sen. Markey Edward J. (MA) D	1	2/8/2021	Read twice and referred to the Committee on Commerce
S. 283	National Climate Bank Act	To establish a National Climate Bank.	Environmental Protection	2/7/2021	Sen. Markey Edward J. (MA) D	5	2/8/2021	Read twice and referred to the Committee on Environment and Public Works.
S. 395	Electric CARS Act of 2021	Electric Credit Access Ready at Sale Act of 2021; A bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.	Taxation	2/22/2021	Sen. Merkley Jeff (OR) D	9	2/23/2021	Read twice and referred to the Committee on Finance.



Bill Number	Title	Summary	Issue Area	roduced/Pref	Sponsor	nsponsc	Latest Action Date	Latest Action
S. 479	LOCAL Infrastructure Act	Lifting Our Communities through Advance Liquidity for Infrastructure Act; A bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.	Taxation	2/24/2021	Sen. Wicker Roger F. (MS) R	19	2/25/2021	Read twice and referred to the Committee on Finance.
S. 563	Fair Access to Banking Act	A bill to amend the Federal Reserve Act to prohibit certain financial service providers who deny fair access to financial services from using taxpayer funded discount window lending programs and for other purposes.		3/2/2021	Sen. Cramer Kevin (ND) R	31	3/18/2021	Committee on Banking
S. 588	Addressing Climate Financial Risk Act	A bill to establish the Advisory Committee on Climate Risk on the Financial Stability Oversight Council.	Finance	3/4/2021	Sen. Dianne Feinstein	6	3/4/2021	Read twice and referred to the Committee on Banking Housing and Urban Affairs.
S. 606		A bill to require the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change and for other purposes.	Environmental Protection	3/3/2021	Sen. Merkley Jeff (OR) D	1	3/4/2021	Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
S. 622		A bill to amend the Internal Revenue Code of 1986 to enhance the qualifying advanced energy project credit.	Taxation	3/8/2021	Sen. Manchin Joe III (WV) D	2	3/9/2021	Read twice and referred to the Committee on Finance.
S. 627		A bill to amend the Internal Revenue Code of 1986 to provide tax credits for energy storage technologies and for other purposes.	Taxation	3/8/2021	Sen. Heinrich Martin (NM) D	11	3/9/2021	Read twice and referred to the Committee on Finance.
S. 641		A bill to amend the Natural Gas Act to require the Federal Energy Regulatory Commission to consider certain factors in issuing certificates of public convenience and necessity under that Act to modify the requirements for the right to exercise eminent domain in construction of pipelines under that Act to provide that the right of eminent domain may not be exercised under that Act for projects for the exportation of natural gas and for other purposes.	Environmental Protection	3/8/2021	Sen. Wyden Ron (OR) D	2	3/9/2021	Read twice and referred to the Committee on Commerce
S. 655		A bill to amend the Natural Gas Act to provide that the United States district courts shall not have jurisdiction to condemn property in which a State holds any interest and for other purposes.	Environmental Protection	3/9/2021	Sen. Merkley Jeff (OR) D	1	3/10/2021	Read twice and referred to the Committee on Commerce
S. 658		A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training and for other purposes.	Cybersecurity	3/9/2021	Sen. Cornyn John (TX) R	2	3/17/2021	Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably.
S. 685	Carbon Tax	A bill to amend the Internal Revenue Code of 1986 to establish a carbon fee to reduce greenhouse gas emissions and for other purposes.	Taxation	3/9/2021	Sen. Durbin Richard J. (IL) D	1	3/10/2021	Read twice and referred to the Committee on Finance. (text: CR S1461-1469)
S. 704	Disaster Safe Power Grid Act	A bill to require the Secretary of Energy to establish a grant program to improve the resiliency of the power grid to natural disasters and reduce the risk of wildfires caused by power lines and for other purposes.	Energy	3/10/2021	Sen. Wyden Ron (OR) D	1	3/11/2021	Read twice and referred to the Committee on Energy and Natural Resources.
S. 799		A bill to require the Secretary of Energy to establish programs for carbon dioxide capture transport utilization and storage and for other purposes.	Environmental Protection	3/16/2021	Sen. Coons Christopher A. (DE) D	10	3/17/2021	Read twice and referred to the Committee on Energy and Natural Resources.
S. 873	Climate Change Advisory Commission	A bill to establish the Climate Change Advisory Commission to develop recommendations frameworks and guidelines for projects to respond to the impacts of climate change to issue Federal obligations the proceeds of which shall be used to fund projects that aid in adaptation to climate change and for other purposes.	Environmental Protection	3/17/2021	Sen. Durbin Richard J. (IL) D	1	3/18/2021	Read twice and referred to the Committee on Finance. (text: CR S1649-1651)
S. 874	Better Utilizing Investments to Leverage Development and Generating Renewable Energy to Electrify the Nation's (BUILD GREEN) Infrastructure and Jobs Act (W/H.R. 2038)	A bill to establish a green transportation infrastructure grant program and for other purposes.	Transportation and Public W	3/18/2021	Sen. Elizabeth Warren	7	3/18/2021	Read twice and referred to the Committee on Commerce Science and Transportation.
S. 922		A bill to amend the Communications Act of 1934 to provide funding to States for extending broadband service to unserved areas in partnership with broadband service providers and for other purposes.	Broadband	3/22/2021	Sen. Cornyn John (TX) R	1	3/23/2021	Read twice and referred to the Committee on Commerce
S. 938	Climate Emergency Act of 2021 (W/H.R. 794)	A bill to require the President to declare a national emergency relating to climate change under the National Emergencies Act and for other purposes.	Emergency Management	3/22/2021	Sen. Sanders Bernard (VT) I	2	3/23/2021	Read twice and referred to the Committee on Environment and Public Works.
S. 965		A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards guidelines best practices methodologies procedures and processes and for other purposes.	Cybersecurity	3/24/2021	Sen. Markey Edward J. (MA) D	1	3/25/2021	Read twice and referred to the Committee on Commerce

To Be Introduced

Title	Summary	Bill Number In 116th Congress (if applicable)	Issue Area
Clean Energy for America Act – Senate energy tax reform	A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for increased investment in clean energy.	S. 1288	Taxation
UNSHACKLE Act	Undoing NEPA’s Substantial Harm by Advancing Concepts that Kickstart the Liberation of the Economy Act of 2020; A bill to amend the National Environmental Policy Act of 1969 to impose time limits on the completion of certain required actions under the Act, and for other purposes.	S. 4862	Environmental Protection
GOP Clean Energy Package – Securing Cleaner American Energy (not introduced yet)	<a href="https://republicans-energycommerce.house.gov/news/republican-ec-leaders-release-agenda-for-securing-cleaner-american-energy/">https://republicans-energycommerce.house.gov/news/republican-ec-leaders-release-agenda-for-securing-cleaner-american-energy/</a>	N/A	Energy
Trillion Trees Act – Repairing Existing Public Land by Adding Necessary Trees Act	To establish forest management, reforestation, and utilization practices which lead to the sequestration of greenhouse gases, and for other purposes.	H.R. 5859	Environmental Protection
Climate Risk Disclosure Act	A bill to amend the Securities Exchange Act of 1934 to require issuers to disclose certain activities relating to climate change, and for other purposes.	S. 2075	Finance
Growing Climate Solutions Act	A bill to authorize the Secretary of Agriculture to develop a program to reduce barriers to entry for farmers, ranchers, and private forest landowners in certain private markets, and for other purposes.	S. 3894	Agriculture



# DRAFT Agenda

**OPPDP BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
Thursday, April 15, 2021 at 5:00 P.M.**

*Attend in person at Omaha Douglas Civic Center, 1819 Farnam Street,  
2<sup>nd</sup> Floor – Legislative Chamber, Omaha, NE 68183*

*Public may attend remotely by going to [www.oppd.com/BoardAgenda](http://www.oppd.com/BoardAgenda) to access the Webex meeting link and view instructions.*

### **Preliminary Items**

1. Chair Opening Statement
2. Safety Briefing
3. Guidelines for Participation
4. Roll Call
5. Announcement regarding public notice of meeting

### **Board Consent Action Items**

6. Approval of the January and February 2021 Comprehensive Financial and Operating Reports, March 2021 Meeting Minutes and the April 15, 2021 Agenda
7. SD-1: Strategic Foundation Monitoring Report – Resolution No. 64xx
8. Amendment to 1990 and 1992 Decommissioning Trust Agreements – Resolution No. 64xx
9. Audit Subcommittee Charter Revision – Resolution No. 64xx
10. SD-4: Reliability Monitoring Report – Resolution No. 64xx
11. SD-5: Customer Satisfaction Monitoring Report – Resolution No. 64xx

### **Board Discussion Action Items**

[to be determined]

### **Other Items**

12. President's Report ( mins)
13. Opportunity for comment on other items of District business
14. Adjournment

Please use the link below to find all committee and board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at [www.oppd.com/BoardMeetings](http://www.oppd.com/BoardMeetings).



# Board Work Plan

Board of Directors  
All Committees Meeting  
April 13, 2021

# Board Work Plan Process

1. Board member requests Senior Corporate Governance Specialist to add topic to Parking Lot
2. At the next regular monthly All Committee meeting, the Board as a whole discusses with SMT Parking Lot items to move to Board Work Plan. The following steps occur once an item is moved to the Work Plan:
  - a. Evaluate and determine resource requirements and availability of resources to complete research, etc. [Board Chair/Committee Chair/CEO]
  - b. Confirm proposed steps and timing of when work will be reasonably completed [Board Chair/Committee Chair/CEO]
  - c. Insert “Target Completion Date” on Board Work Plan [Senior Corporate Governance Specialist]
  - d. Provide regular updates to Board and public on items [Committee Chair]
  - e. If assignment of a particular topic to a standing committee is unclear, determine if an ad hoc committee should be created [Board Chair]
3. When appropriate, topic moves from Board Work Plan to SMT agenda for Board meeting Report (Discussion or Presentation), or Action

*Note the process outlined in Step 2 is iterative and could repeat for many months before going to Step 3 for Board presentation and/or action.*

2021 Agenda Planning Calendar

**BOARD IDENTIFIED WORK PLAN PRIORITIES**  
(as of 4/9/21)

TOPIC	ACKNOWLEDGED	CMTE	SMT	STATUS	STATUS DESCRIPTION	TARGET COMPLETION DATE
SD-7: Environmental Stewardship (Next monitoring report 9/14/21)	1/19/2021	SM	Fisher	Work In Progress	Revise policy to include statement on climate change; System Cmte discussed proposed language 3/10/21; System Cmte reviewed and finalized changes 3/31/21 and will recommend to Board during 4/13/21 meeting	5/13/2021
SD-11: Economic Development Policy Revision (Next monitoring report 11/16/21)	1/19/2021	PI	Olson	Work In Progress	Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021	
SD-13: Stakeholder Outreach & Engagement (Next monitoring report 12/14/21)	1/19/2021	PI	Olson	Work In Progress	Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021	
SD-9: Resource Planning Policy Revision (Next monitoring report 8/17/21)	8/26/2020	SM	Fisher / Fernandez	Work In Progress	System Committee (Mollhoff, Williams, Moody & Yoder) discussion 12/3/20; Met 1/7/21; Met 1/25/21; per 3/31/21 meeting, Williams to speak with Bogner and Burke re prioritization and timing	
SD-2: Rates Policy Revision (Next monitoring report 6/15/21)	8/26/2020	FIN	Fernandez	Work In Progress	Finance Cmte discused 4/2/21; Management will provide a proposal to replace the 5-year no-general rate increase language in the current SD-2. The Committee Chair offered to provide proposed language to address the concept of affordability in SD-2.	
SD-4: Reliability Policy Revision (Next monitoring report 4/13/21)	8/26/2020	SM	Via	Not Started	System Committee to propose revisions	
BL-5: Unity of Control Policy Revision	8/26/2020	GOV	Focht	Complete	Proposed revisions reviewed by Gov Cmte 9/10/20; Gov Cmte determined more review required; Board approved 12/9/20	12/9/2020
BL-7: Delegation to the President & CEO	8/26/2020	GOV	Focht	Complete	Revise policy with regard to communication from CEO; Board approved 9/17/2020	9/17/2020
GP-4: Agenda Planning	8/26/2020	GOV	Focht	Complete	Revise policy to include development of a Board Work Plan; Board approved 9/17/2020	9/17/2020

2021 Agenda Planning Calendar

**BOARD IDENTIFIED WORK PLAN PRIORITIES**

(as of 4/9/21)

TOPIC	ACKNOWLEDGED	CMTE	SMT	STATUS	STATUS DESCRIPTION	TARGET COMPLETION DATE
BL-9: Delegation to President & CEO - Local, State and Federal Legislation and Regulation -- Legislative Resolution	2019	PI	Olson	Complete	Discussed in PI Cmte and with full Board in August and September 2020; referred back to PI Cmte for further review; 10/13/20 All Committee meeting determined to include topics of interest in OPPD's annual legislative agenda and the PI Cmte and Board would receive timely updates on emerging issues and positions.	10/13/2020

2021 Agenda Planning Calendar

**PARKING LOT - For Board Discussion**

TOPIC	SUGGESTED BY	ACKNOWLEDGED	STATUS
SD-1: Strategic Foundation Policy Refinement	Yoder	2/12/2021	
Governance discussion re: handling of concepts that span multiple SDs	Yoder	2/12/2021	
Ad Hoc Committee on Market Transformation	Gov Workshop discussion	8/26/2020	





# Reporting Item

## BOARD OF DIRECTORS

April 13, 2021

### ITEM

Power with Purpose Report

### PURPOSE

Provide updates on the Power with Purpose project for April 2021.

### SOLAR FACTS

1. Negotiations are progressing on the technical and commercial sections of potential solar contracts.
2. A twenty (20) year Purchase Power Agreement (PPA) contract was signed with one supplier. Formal announcement timing is being coordinated with the supplier.
3. A public community meeting for landowners and neighbors was held by one supplier, Community Energy, in Yutan on March 31, 2001. OPPD employees were present to answer questions related to Power with Purpose.

### NATURAL GAS FACTS

1. Continued evaluation of fuel supply options to support gas generation facilities.
2. Negotiations continue with simple-cycle combustion turbine and reciprocating internal combustion engine suppliers.
3. Engineer, Procure, and Construct (EPC) Request for Proposal development continues.
4. Technical assessments of both natural gas project sites continues to be conducted.

### ENERGY DELIVERY FACTS

1. Continued technical specification development for the substation scope of work for the EPC Request for Proposals.
2. Detailed scoping under way for transmission and substation network upgrades required to support the new gas generation facilities.
3. The Phase 2 Public Meeting for the Routing Siting and Public Involvement process for the Sarpy Southwest Transmission Project was completed on March 30, 2021.

#### RECOMMENDED:

DocuSigned by:

*Mary J. Fisher*

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Mary J. Fisher

Vice President – Energy Production and Nuclear Decommissioning

#### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*Timothy J. Burke*

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Timothy J. Burke

President and Chief Executive Officer

MJF:sae

Information as of April 1, 2021



# Power with Purpose Open Session April 2021 Update

April 13, 2021



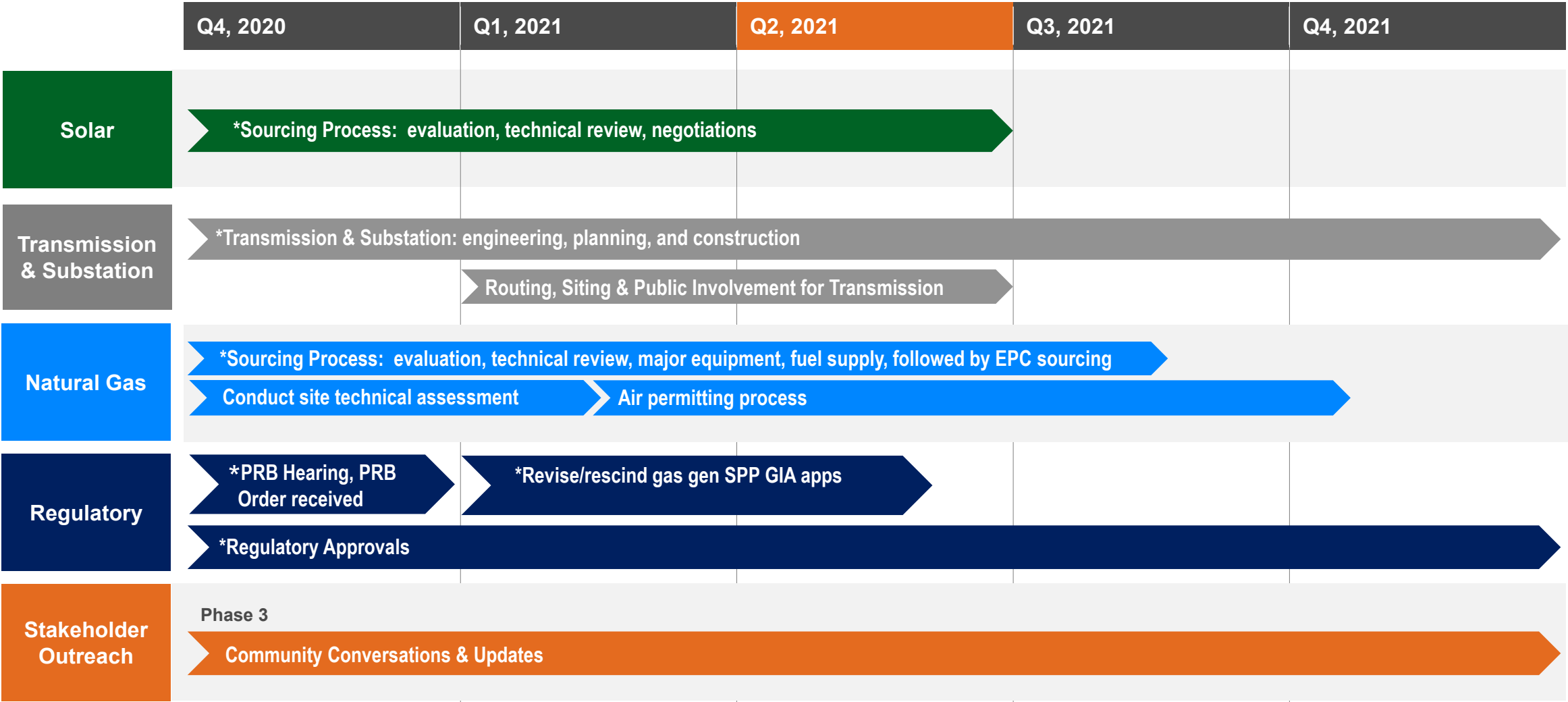
# Power with Purpose Updates

- Where We Are
- Solar Project
- Transmission Routing, Siting & Public Involvement
- Community Stakeholder Outreach

# Power with Purpose – Where We Are

Today

\*Ongoing modeling support as needed



# Solar Project

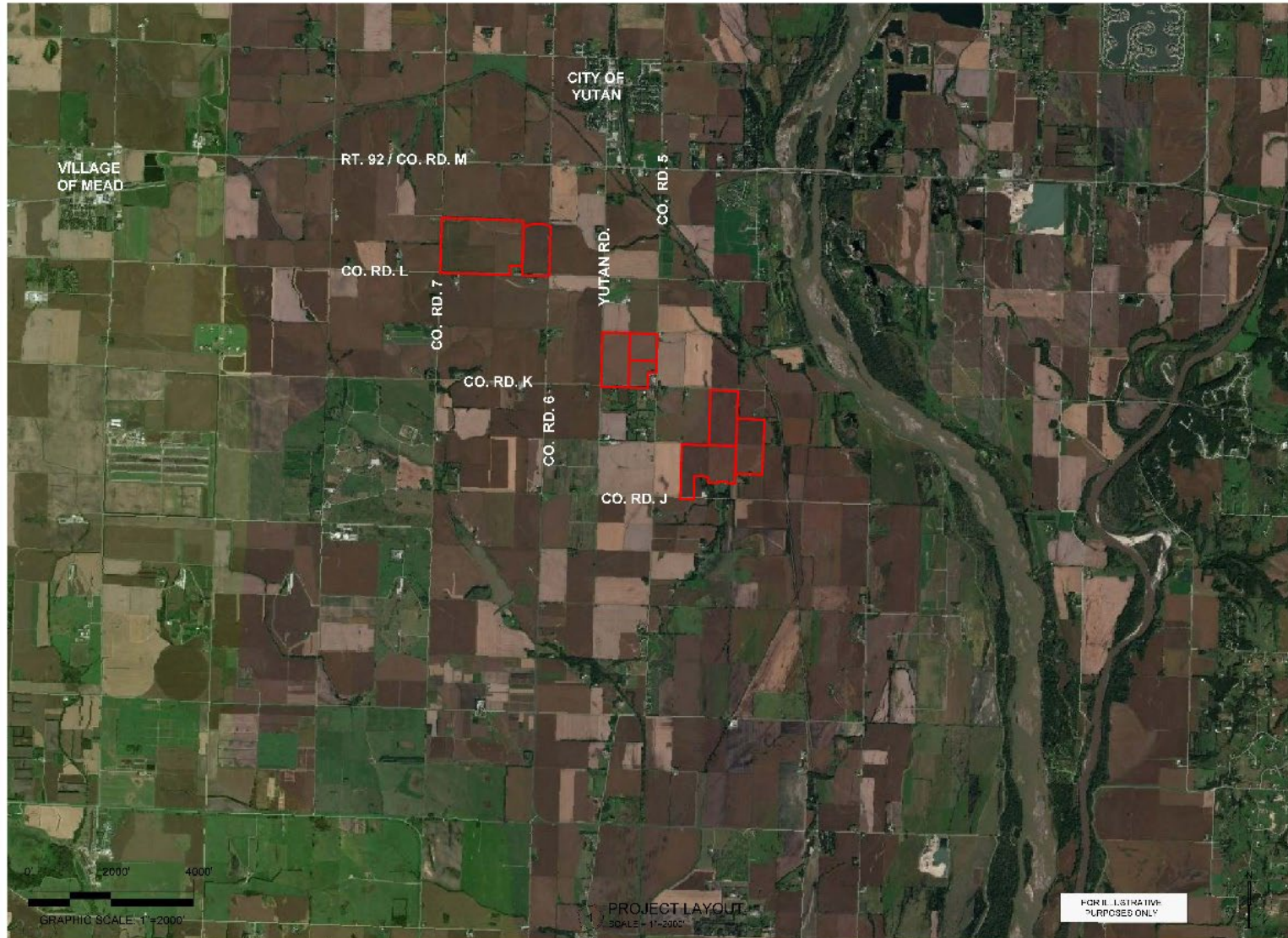


# Solar Project Update

- Ongoing technical and commercial negotiations with multiple suppliers for potential solar contracts
- Announcement of OPPD's first utility-scale solar project!



# First Power with Purpose Solar Announcement: Platteview Solar



- **Size:** 81 MW<sub>AC</sub>
- **Location:** South of Yutan in Saunders County, NE
- **Planned operation date:** Spring 2023
- **Contract term:** 20 years



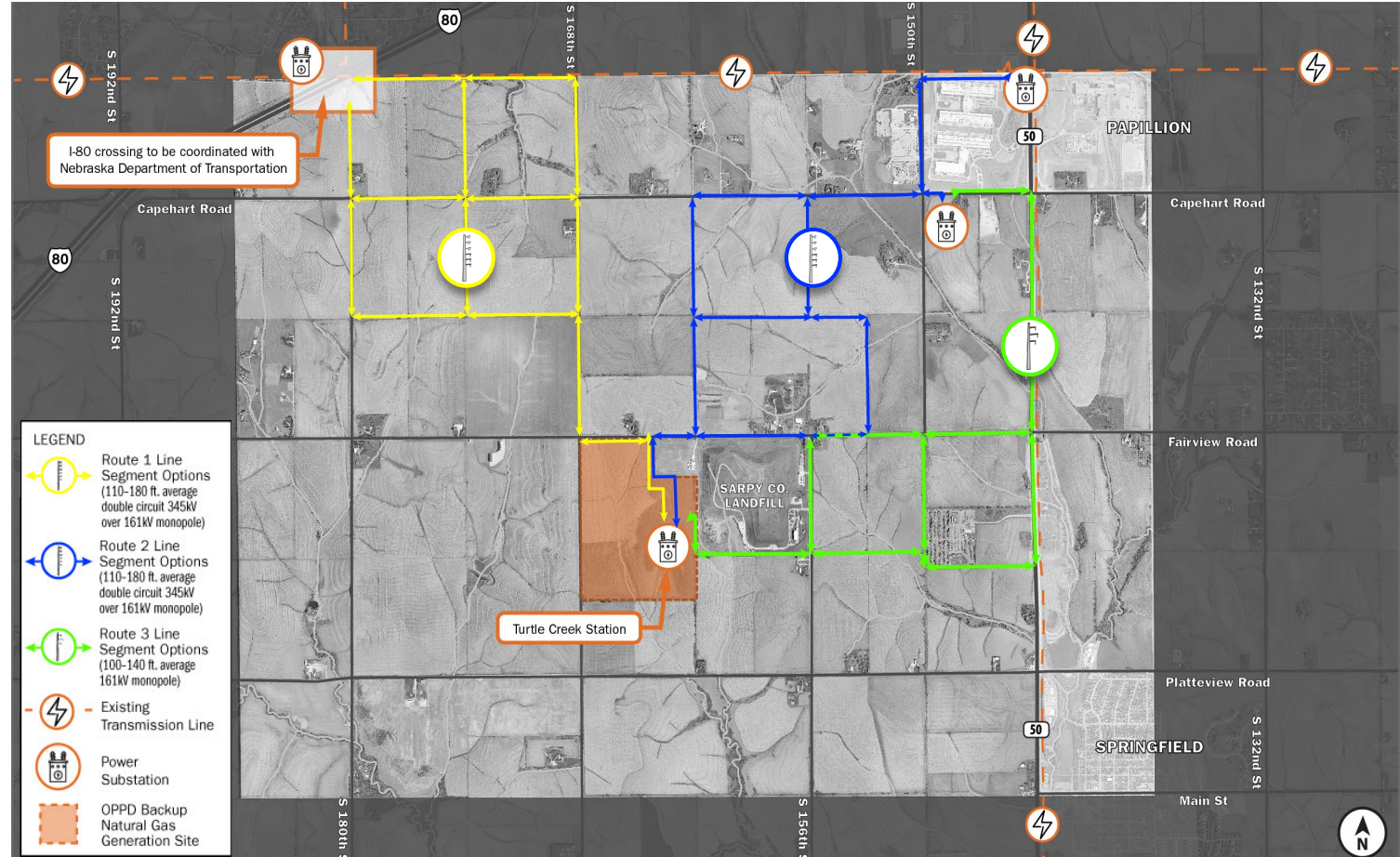
# Transmission Routing, Siting & Public Involvement





# Sarpy Southwest Transmission Project

- Project Need
  - Support increasing demand for electricity from customer load growth
  - Connect new generation to existing transmission system
  - Maintain system resiliency and reliability
- Project Scope
  - Route and construct 3 new transmission lines



# Sarpy Southwest Transmission Project

- Phase 2 Online Public Meeting – March 30, 2021
  - 39 Attendees
  - 8 Attendees completed survey (7 satisfied/very satisfied)
- OPPDCommunityConnect SSWTP (\*as of 4/8/21)
  - 312 Site visits
  - 40 Document downloads
  - 1 Question submitted and answered by team
- OPPD Comment Mapping Tool
  - Live through April 13, 2021
  - 10 Comments received to date
  - Comment themes: Impact to future land development, agricultural impacts, property value concerns

# Sarpy Southwest Transmission Project - Timeline

Phase 2 - Outreach	Date
Phone Calls, Emails, Webex (Elected Officials)	Mar 8, 2021
Press Release	Mar 15, 2021
OPPD ON Story (Internal Communication)	Mar 15, 2021
OPPDCommunityConnect Web Page Content Update	Mar 16, 2021
Public Notice (Newspapers)	Mar 17, 2021
Invitation Letter to Stakeholders	Mar 17, 2021
Reminder Postcard to Stakeholders	Mar 25, 2021
Social Media Posts	Mar 23 – Apr 13, 2021
Reminder Email to Customers	Mar 29, 2021
Public Meeting	Mar 30, 2021 at 6:00pm
Survey of Public Meeting Participants	Mar 30, 2021 – post meeting
<b>Web Feedback Open</b>	<b>Mar 30 – Apr 13, 2021</b>
Phase 3 – Route Alternative Analysis	Date
Finalize a Preferred Route Option Based on Phase 2 Feedback	Apr 13 – May 18, 2021
Phase 4 – Final Route Announcement	Date
Route Announcement - Board Committee Meeting (Reporting Item)	May 18, 2021

# Stakeholder Outreach and Communication



# Stakeholder Outreach and Communication

## Turtle Creek Station

- March 30 – 2<sup>nd</sup> Routing, Siting & Public Involvement (RSPI) meeting
- Comments open through the end of the day April 13th at [OPPDCommunityConnect.com](http://OPPDCommunityConnect.com)

## Standing Bear Lake

- Mid-June – Next “update” meeting to residents
  - Updates on site layout, grading, construction, etc.

## Solar

- Project Announcement & Education



# Outreach and Engagement



## Phase of Engagement

### Phase I

Broad awareness campaigns

### Phase II

Conversations and Updates with Potentially Impacted Areas

### Phase III

Engage with Directly Impacted and Interested

## Ways to Engage

- [OPPDCommunityConnect.com](http://OPPDCommunityConnect.com)
- Awareness ad campaigns (digital, print)
- [OPPDtheWire.com](http://OPPDtheWire.com)
- Outlet's newsletter (monthly updates)
- OPPD social media channels
- Contact your OPPD board member or community leader/elected official
- Community meetings; Speakers Bureau
- OPPD Public Affairs & Customer Service Teams