



**OPPD BOARD OF DIRECTORS**  
**ALL COMMITTEE MEETING MINUTES**

**September 19, 2023**

The regular committee meetings of the Board of Directors of the Omaha Public Power District (“OPPD” or “District”) were held in person with public accessibility both in person and via WebEx audio and video conference on Tuesday, September 19, 2023. The meeting opened at 8:00 a.m.

Present in person were Directors A. E. Bogner, M. J. Cavanaugh, M. R. Core, J. M. Mollhoff, C. C. Moody, M. G. Spurgeon and E. H. Williams. S.E. Howard joined via WebEx. Also present in person were L. J. Fernandez, President and Chief Executive Officer, and Messrs. S. M. Bruckner and T. F. Meyerson of the Fraser Stryker law firm, General Counsel for the District. Chair E. H. Williams presided and E. H. Lane, Sr. Board Operations Specialist, recorded the minutes.

At 8:45 a.m., L. J. Fernandez left the closed session during the CEO Review and Compensation Adjustment discussion and returned for the final two closed session agenda items at 9:30 a.m. The Executive Leadership Team members joined the closed session following the review and compensation adjustment agenda items at 9:30 a.m. Present in person included: J. M. Bishop, K. W. Brown, C. V. Fleener, S. M. Focht, T. D. McAreavey, K.S. McCormick, L. A. Olson, M. V. Purnell, B. R. Underwood and T. R. Via.

***Committee Agenda Item 1: Board Chair Opening Statement***

Chair Williams gave a brief opening statement, including an announcement regarding public notice of meeting, which was publicized by notifying the area news media<sup>1</sup>; by publicizing same in the Omaha World Herald<sup>2</sup>, OPPD Outlets newsletter, oppd.com and social media; by displaying such notice on the Arcade Level of Energy Plaza; and by emailing such notice to each of the District’s Directors on September 15, 2023. He also provided reminders for using the WebEx

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<sup>1</sup> News outlets that received OPPD Board meeting notification emails included: 1. KETV; 2. WOWT; 3. KMTV; 4. KPTM; 5. Telemundo Nebraska; 6. Nebraska Public Media (NET-TV); 7. NewsChannel Nebraska; 8. KFAB; 9. KOIL 1290 AM; 10. KIOS 91.5 FM – Nebraska Public Radio (Omaha); 11. Radio Lobo – 97.7 FM (Omaha); 12. Boomer Blair 97.3 FM (Blair); 13. KHUB 1340 AM/KFMT 101.5 FM (Fremont); 14. Sunny 101.3 FM (Falls City); 15. Omaha World Herald; 16. Washington County Enterprise & Blair Pilot Tribune; 17. Lincoln Journal Star; 18. Omaha Daily Record; 19. Omaha Star; 20. Douglas County Post-Gazette; 21. Papillion Times; 22. Bellevue Leader; 23. Midlands Business Journal; 24. Ralston Recorder; 25. Sarpy Guide and News; 26. Pawnee Republican; 27. Tecumseh Chieftain; 28. Ashland Gazette; 29. Wahoo Newspaper; 30. Nebraska City News Press; 31. Cassgram (Cass County online news publication); and 32. Associated Press.

<sup>2</sup> Public notice of meeting was published in the print version of the *Omaha World Herald* newspaper on September 12, 2023, and in the online version from September 12 through September 19, 2023.

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audio and video conferencing platform. He noted the Board would conduct a closed session to discuss four topics (i) Corporate Officer Performance Reviews and Compensation Adjustments; and (ii) CEO Performance Review and Compensation Adjustment; (iii) Enterprise Risk Management Quarterly Update; and (iv) Near Term Generation Strategic Partner.

**Committee Agenda Item 2: Closed Session**

At 8:01 a.m. Director Bogner moved that the Board go into Closed Session. Director Bogner stated as follows:

*“I move that the Board go into closed session at this time (8:01 a.m.) to discuss four topics (i) Corporate Officer Performance Reviews and Compensation Adjustments; and (ii) CEO Performance Review and Compensation Adjustment; (iii) Enterprise Risk Management Quarterly Update; and (iv) Near Term Generation Strategic Partner.*

*With respect to the **Corporate Officer Performance Reviews and Compensation Adjustments**, a closed session is necessary because the discussion will involve competitive and confidential compensation and retention information, as well as performance evaluation information. A closed session discussion is necessary to prevent needless injury to the reputations of the Corporate Officers and none has requested a public meeting.*

*With respect to the **CEO Performance Review and Compensation Adjustment** for Javier Fernandez. A closed session is necessary because the discussion will involve competitive and confidential compensation and retention information, as well as performance evaluation information. A closed session is necessary to prevent needless injury to the reputation of Mr. Fernandez, and he has not requested a public meeting.*

*With respect to the **Enterprise Risk Management Quarterly Update**, a closed session is necessary for the protection of the public interest because the discussion involves matters that are confidential and protected by the attorney-client privilege and attorney work product doctrine and involve the discussion of security for District property and utility infrastructure information.*

*With respect to **Near Term Generation Strategic Partner**, a closed session is necessary for the protection of the public interest because the discussion involves sensitive utility infrastructure information, confidential cost information, and potential resource acquisition strategies, the disclosure of which would disadvantage the District in future negotiations with potential contractors.”*

The motion was seconded by Director Cavanaugh.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Abstain; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (7-0).

Chair Williams read the following:

*“The motion to go into closed session has passed. This closed session will be limited to discussion regarding four topics (i) Corporate Officer Performance Reviews and Compensation Adjustments; and (ii) CEO Performance Review and Compensation Adjustment; (iii) Enterprise Risk Management Quarterly Update; and (iv) Near Term Generation Strategic Partner.*

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After confirming the Board members, S. M. Bruckner and T. F. Meyerson, General Counsel, and E. H. Lane were present, the WebEx Event was locked to prevent additional attendees from joining, the board conducted its closed session discussion of Corporate Officer Performance Reviews and Compensation Adjustments and CEO Performance Review and Compensation Adjustment. At 9:25am, Executive Leadership Team members, and OPPD staff subject matter experts joined the meeting. The Board then conducted its closed session discussion of Enterprise Risk Management Quarterly Update and Near Term Generation Strategic Partner.

At 10:00 a.m., the Board took a break. No further business was discussed. The WebEx Event was unlocked to allow OPPD staff and the public to join.

At 10:08 a.m., a motion was made and seconded to reconvene the meeting in open session.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Abstain; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (7-0).

Chair Williams stated:

*“The motion to come out of closed session at (10:08 a.m.) is carried. This closed session was limited to discussion regarding four topics (i) Corporate Officer Performance Reviews and Compensation Adjustments; and (ii) CEO Performance Review and Compensation Adjustment; (iii) Enterprise Risk Management Quarterly Update; and (iv) Near Term Generation Strategic Partner.*

### **Committee Agenda Item 3: Public Session – Board Chair Opening Statement**

Chair Williams welcomed members of the public and gave an overview of the meeting agenda and reminders for using the WebEx audio and video conferencing platform. He informed the public that per the Board’s Guidelines for Public Participation, the Board does not take public comment during the All Committees meeting. The Board will take public comments at the Board meeting on Thursday, September 19, 2023, which will be conducted in person at the Omaha Douglas Civic Center at 5:00 p.m. The public may attend in person or remotely via WebEx Events by going to oppd.com.

Chair Williams noted all Board members were present, along with members of the OPPD executive leadership team and subject matter experts. Additionally, 20 members of the public and OPPD employees joined via WebEx.

### **Committee Agenda Item 4: Safety Briefing**

A.C. Bottorff with OPPD Corporate Security, provided physical safety reminders . L. J. Fernandez, President and CEO, provided psychological safety reminders, including current safety focus reminders about: (i) Slow is fast; (ii) Behind the wheel; and (iii) Countering complacency.

### **Committee Agenda Item 5: Governance Committee**

#### **Governance Committee Chair Report**

Director Bogner reported the Governance Committee met on September 14, via WebEx videoconference. A copy of the agenda for that meeting was made available in the All Committee

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meeting materials for the Board to review. The committee discussed: (i) Safety Briefing; (ii) Officer's & CEO Performance Reviews and Compensation Adjustments; (iii) Prior Month Pre-Committee Action Items; (iv) Claim Settlements in Excess of \$50,000; (v) Board Governance Workshop; (vi) SD-10 Ethics Monitoring Report; (vii) 2024 Board Meeting Schedule; (viii) Governance Committee Planning Calendar; (ix) Board Work Plan; and (x) Summary of Meeting. Director Bogner also reviewed the three-month outlook for the committee.

### Supporting Data

Agenda

Three Month Outlook

### **Claim Settlement in Excess of \$50,000 - W 32nd Ave and Calhoun Street, Bellevue, NE**

L.S. Hough, Director, Legal Operations, provided the following report on a settlement claim in excess of \$50,000.

- a. On April 26, 2023, a District crew was installing new conduit and bored into a private water service line and a sewer lateral at or about 812 W 32nd Avenue, Bellevue NE. As a result of the bore damage to the two utilities, water and mud flowed into seven residences along W 32nd Avenue, Bellevue NE. Total claimed damages from all affected properties exceeded \$118,000.
- b. Nebraska State Statute §84-713 requires a report to the Board of Directors for the settlement of any claim in excess of \$50,000.
- c. The District and the seven affected property owners have agreed to a settlement in the amount of \$100, 047.38 without any admission of liability by the District. One of the seven affected properties sustained damages in excess of \$50,000. The parties have entered into written settlement for each claim.

### **2024 Board Meeting Schedule**

S.M. Focht, Vice President, Corporate Security and Governance, provided the following information regarding the proposed 2024 Regular Board Meeting Schedule

- a. Article IV, Section 1 of the Bylaws of the Omaha Public Power District directs that the Board annually shall approve a schedule of regular Board meetings.
- b. The proposed 2024 OPPD Board of Directors meeting schedule is outlined on the attached Exhibit A.

Requesting board approval for the 2024 Board meeting schedule.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

### Supporting Data

Exhibit A

### **SD-10 Ethics Monitoring Report**

J.F. Rainey, Director, Employee Relations, provided the following report to ensure full board review, discussion, and acceptance of the 2023 SD-10: Ethics Monitoring Report.

- a. The first group of Board policies was approved by the Board on July 16, 2015.

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- b. A second group of Board policies was approved by the Board on October 15, 2015.
- c. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- d. The Governance Committee is responsible for evaluating Board Policy SD-10: Ethics.
- e. The Governance Committee has reviewed the SD-10: Ethics Monitoring Report and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

Requesting Board of Directors approval of SD-10 Ethics monitoring report as outlined in Exhibit A.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Exhibit A – SD-10: Ethics Monitoring Report

Resolution

**Corporate Officer Performance Reviews and Compensation Adjustments**

L.J. Fernandez, President and CEO, provided the compensation adjustments for the following corporate officers:

- Kathleen W. Brown, Vice President – Technology & Security & CIO
  - Tim D. McAreavey, Vice President – Customer Service
  - Kevin S. McCormick, Vice President – Safety & Facilities
  - Lisa A. Olson, Vice President – Public Affairs
  - McKell V. Purnell, Vice President – Human Capital
  - Scott M. Focht, Vice President – Corporate Strategy & Governance
  - Bradley R. Underwood, Vice President – Systems Transformation
  - Jeffrey M. Bishop, Vice President – Financial Services & CFO
  - Troy R. Via, Vice President – Utility Operations & COO
- a. Compensation adjustments for corporate officers are approved by the Board of Directors on an annual basis.
  - b. The compensation adjustments recommended are identified in Exhibit A for the above-named corporate officers.
  - c. The adjustments for the above corporate officers are effective as identified in Exhibit A.

Requesting Board approval of the compensation adjustments for members of the Executive Leadership Team, as shown in Exhibit A.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

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Datasheet

Exhibit A

Resolution

**CEO Performance Review and Compensation Adjustment**

E.H. Williams, Board Chair, provided the compensation adjustment for the following corporate officer:

- L. Javier Fernandez
  - a. Compensation adjustments for corporate officers are approved by the Board of Directors on an annual basis.
  - b. The compensation adjustment recommended is identified on Exhibit B for the above-named corporate officer.
  - c. The adjustment for the above corporate officer is effective as identified on Exhibit B.

Requesting Board approval of the compensation adjustment for L. Javier Fernandez, as shown in Exhibit B.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

**Supporting Data**

Datasheet

Exhibit B

Resolution

***Committee Agenda Item 6: Finance Committee***

**Finance Chair Report**

Director Spurgeon reported the Finance Committee did not meet this month.

**Supporting Data**

**Revisions to Rate Rider Schedules 467, 467H & 467L**

B. J. Seier , Director Financial and Planning Analysis, provided the following report to update Rider Schedule Nos. 467,467H and 467L to enhance customer choice and facilitate greater customer participation.

- a. To update the incentive credits offered to customers participating in Rider Schedule No. 467 & 467H – General Service/Large General Service – Curtailable and Rider Schedule No. 467L – General Service – Curtailable – Leased Capacity Option.
- b. To clarify that capacity must be available year-round for Rider Schedule No. 467L General Service – Curtailable – Leased Capacity Option.
- c. To lower the size limit from 500 kW to 100 kW for Rider Schedule No. 467 & 467H General Service/Large General Service – Curtailable.

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Requesting Board approval Board approval to update Rider Schedule No. 467 & 467H General Service/Large General Service – Curtailable and Rider Schedule No. 467L General Service – Curtailable – Leased Capacity Option.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Exhibit A – Service Regulations and Schedules

Exhibit B – Rider 467 – OPPD Brattle Letter

Resolution

**Committee Agenda Item 7: Customer and Public Engagement Committee**

**Customer and Public Engagement Committee Chair Report**

Director Howard reported the Customer and Public Engagement Committee did not meet in September.

Supporting Data

*The board took a break for lunch at 11:30 a.m. and reconvened at 12:10 p.m.*

**Committee Agenda Item 8: System Management & Nuclear Oversight Committee**

**System Management & Nuclear Oversight Committee Chair Report**

Director Moody reported the System Management & Nuclear Oversight Committee met on September 14 in person and via WebEx videoconference. A copy of the agenda for that meeting was made available in the All Committee meeting materials for the Board to review. The Committee discussed: (i) Safety Briefing; (ii) SD-9 Integrated System Planning Monitoring Report; (iii) Near Term Generation Strategic Partner; (iv) Acquisition of Land Rights for Utility Operations Infrastructure Reports; (v) Smart Operations Center Update; (vi) September Board Approval Items; (vii) Board Work Plan; and (viii) Summary of Meeting.

Supporting Data

Agenda

**Acquisition of Land Rights for Utility Operations Infrastructure Projects**

S.M. Focht, Vice President, Corporate Strategy and Governance, provided the following report to support Board authorization to use eminent domain as necessary to acquire permanent and temporary easements for electric transmission facilities on approved projects including the Bennington Expansion Substation and Transmission Line Rebuild and the Transmission Line Expansion and New Substation at 114th and State Streets to support load growth and reliability in the northern Douglas County area.

- a. This requested eminent domain authorization covers land rights that need to be acquired for Utility Operations infrastructure to connect substations to the transmission grid, enhance system resiliency and reliability and support load growth.

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- b. As part of Bennington Expansion Substation and Transmission Line Rebuild, Omaha Public Power District (OPPD) is planning to rebuild approximately 2.8-miles of an existing 161-kilovolt transmission line between its OPPD Substation located near 140th and State Streets and the new Bennington Substation located near 144th Street and Bennington Road.
- c. Omaha Public Power District (OPPD) is planning to build approximately 2.5-miles of 161-kilovolt transmission line to connect the new substation located at 114th and State Streets to support load growth and reliability in the northern Douglas County area.
- d. Approximately 17 permanent easements are required for the construction, operation and maintenance of transmission facilities. Temporary easements may be required for pre-engineering survey access as well as temporary construction needs.
- e. OPPD will commence negotiations during the Fall of 2023 to voluntarily acquire the necessary land rights for the transmission facilities.
- f. OPPD will undertake reasonable efforts to voluntarily acquire the necessary land rights through good faith negotiations. However, the use of eminent domain may be necessary if voluntary agreement cannot be achieved by the District and landowners.
- g. Management will report the filing of eminent domain actions to the Board.
- h. This requested authorization extends through May 31, 2024. Additional authorizations after that date for the covered projects will be requested, as needed.

Requesting authorization by the Board of Directors to commence eminent domain proceedings for permanent and temporary easements as needed on parcels not acquired voluntarily after all reasonable efforts have been made.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

### Supporting Data

Datasheet

Exhibit A – Maps

Resolution

### **SD-9: Integrated System Planning Monitoring Report**

B.R. Underwood, VP – Systems Transformation provided the following report to ensure full board review, discussion, and acceptance of SD-9: Integrated System Planning monitoring report:

- a. The Board confirmed the Corporate Governance Initiative Charter in December 2014, in order to assess and refine OPPD's corporate governance infrastructure.
- b. 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. A third set of Board policies was approved by the Board on November 16, 2017.



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- c. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- d. The System Management and Nuclear Oversight Committee is responsible for evaluating Board Policy SD-9: Integrated System Planning on an annual basis.
- e. The Board approved revisions to SD-9 on August 18, 2022 and renamed the strategic directive from SD-9: Resource Planning to SD-9: Integrated System Planning. A second set of revisions was approved by the Board on August 17, 2023.
- f. The System Management and Nuclear Oversight Committee has reviewed the SD-9: Integrated System Planning Monitoring Report as outlined in Exhibit A and is recommending that OPPD be found to be sufficiently in compliance with the policy that was in effect prior to the August 17, 2023 policy revisions. Requesting Board of Directors approval of SD-9: Integrated System Planning policy, as outlined in Exhibit A.

Requesting Board of Directors approval of SD-9: Integrated System Planning monitoring report as outlined in Exhibit A.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

### Supporting Data

Datasheet

Exhibit A – Monitoring Report

Resolution

### **Nuclear Oversight Committee Quarterly Report**

T.S. Uehling, Senior Director, FCS Decommissioning, provided the following regular oversight report of items related to the Fort Calhoun Station (FCS) nuclear plant.

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:

- a. Reactor vessel segmentation continues as the project's highest priority activity. Since the last update, the vessel was lifted from its installed location and the insulation around the vessel was removed. Several challenges have been incurred during this project, which has resulted in approximately a three-month impact to the schedule. Set up of the tooling to begin cutting the vessel is underway and will be followed by segmentation and disposal of the reactor vessel material.
- b. Following reactor vessel segmentation, the focus throughout 2024 will shift to removal of the remainder of the components inside the containment structure.
- c. The Nuclear Regulatory Commission ("NRC") recently completed the fourth regularly scheduled inspection of 2023. The inspectors reviewed documentation, observed several meetings, and performed observations of project activities. The inspectors exited with positive comments and opportunities for improvement.

### Supporting Data

Datasheet

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**Cass to Sarpy Transmission Project Routing Update**

T.R. Via, Vice President, Utility Operations and COO, provided an update on the Cass to Sarpy Transmission Project.

- a. OPPD was issued the Notification to Construct (NTC) from Southwest Power Pool (“SPP”) on November 16, 2022.
- b. The NTC was to build a new 345kV transmission line from an OPPD substation off 180<sup>th</sup> and Giles to OPPD’s Cass County Balancing Station northwest of Murray, Nebraska.
- c. From February 2023 to April 2023, OPPD began gathering data in the proposed study area and established the Routing and Public Involvement plan for the new transmission line.
- d. First round of Public Open Houses was held in Springfield, Nebraska and Louisville, Nebraska on July 12, 2023 and July 13, 2023, respectively.
- e. Second round of Public Open Houses are scheduled for October 4, 2023 and October 5, 2023 in Springfield, Nebraska and Louisville, Nebraska.
- f. Final Route Announcement is tentatively scheduled to happen at the December 2023 OPPD Board Meeting.

**Supporting Data**

Datasheet

**RFP No. 6054 Substation Foundations, Ductlines, and Miscellaneous Work**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to award RFP No. 6054 to provide materials and labor for Substation Foundations, Ductlines, and Miscellaneous Work to support development of a new substation.

- a. Development of this substation supports load growth in the Douglas County area.
- b. Substation foundations provide structural bases for placement of steel supports and equipment including breakers, transformers and buildings. Ducts provide a conduit to electrically connect various devices. Grounding ensures safety to personnel in the substation and provides the ground connection for various devices.
- c. Three (3) proposals were received which were legally and technically responsive.
- d. Desired completion of the substation foundations, ductlines, and miscellaneous work is December 2023.
- e. The proposal from Midwest Infrastructure, Inc. was evaluated as the lowest and best bid.

Requesting authorization by the Board to award the contract for RFP 6054 Substation Foundations, Ductlines, and Miscellaneous Work to Midwest Infrastructure, Inc. in the amount of One Million, One Hundred Ninety-Eight Thousand, Seven Hundred Eighty-Seven Dollars and Fifty-Six Cents (\$1,198,787.56).

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The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet  
Analysis of Proposals  
Tabulation of Bids  
Legal Opinion  
Resolution

**NC1 Air Preheater Basket & Seal Replacement -- Labor Contract Award**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to reject the proposals received in response to RFP No. 6071, and for the District to enter into a negotiated contract for labor to replace the air preheater baskets and seals for Nebraska City Station Unit 1.

- a. The existing baskets and seals are at the end of their expected life. Recent inspection reports have confirmed replacement of the baskets and seals is needed to maintain unit reliability.
- b. The air preheater basket and seal work will be completed during the planned spring 2024 outage.
- c. Purchase of materials will be provided separate from this contract.
- d. Two (2) bids were received, and both were determined to be legally non-responsive.

Requesting authorization by the Board to reject all proposals received in response to RFP No. 6071 and allow Management to enter into a negotiated contract.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet  
Letter of Recommendation  
Tabulation of Bids  
Legal Opinion  
Resolution

**NO5 Air Preheater Basket & Seal Replacement -- Labor Contract Award**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to reject the proposals received in response to RFP No. 6065, and to replace the air preheater baskets and seals for North Omaha Station Unit 5.

- a. The existing baskets and seals are at the end of their expected life. Recent inspection reports have confirmed replacement of the baskets and seals is needed to maintain unit reliability.
- b. The air preheater basket and seal work will be completed during the planned spring 2024 outage.
- c. Purchase of materials will be provided separate from this contract.

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- d. Two (2) bids were received, and both were determined to be legally non-responsive.

Requesting authorization by the Board to to reject all proposals received in response to RFP No. 6065 and allow District Management to enter into a negotiated contract.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Letter of Recommendation

Tabulation of Bids

Legal Opinion

Resolution

**NC1 HCV-15 Installation – Labor Contract Award**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to reject the proposals received for RFP No. 6076, and for the District to enter into a negotiated contract for installation of replacement valve HCV-15 for the Nebraska City Station Unit 1.

- a. The existing valve can no longer perform its intended function and repairs occur every outage to keep the valve serviceable.
- b. The valve replacement work will be completed during the planned spring 2024 outage. Material procurement will be provided separate from this contract.
- c. Three (3) bids were received and all bids were determined to be legally non-responsive.

Requesting authorization by the Board to reject all proposals received for RFP No. 6076 and allow District Management to enter into a negotiated contract.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Letter of Recommendation

Tabulation of Bids

Legal Opinion

Resolution

**NC1 DCS Modular Power System Replacement Project – Engineer’s Certification**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to replace existing Distributed Control System (DCS) power supplies for Nebraska City Station Unit 1 (NC1)

- a. The modular power system for the NC1 DCS is entering obsolescence and demonstrating reliability issues for the generating unit.

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- b. The needed replacement parts are proprietary and only the original equipment manufacturer (OEM), ABB, is known to have the proprietary parts and expertise to perform the necessary replacements.
- c. The District's engineer has certified the proprietary nature of the work and that the OEM is the only available source of supply for this work.

Requesting Board approval of the Engineer's Certificate and authorization for Management to negotiate and enter into a contract with ABB for replacement of the Nebraska City Station Unit 1 DCS power supplies.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Letter of Recommendation

Engineer's Certificate

Legal Opinion

Resolution

**Jones Street Station Unit 2 – Repair Parts and Services – Engineer's Certification**

T.R. Via, Vice President, Utility Operations and COO, provided the following information to support Board authorization to provide parts and services needed for the repair of Jones Street Station Unit 2.

- a. The Jones Street Station Unit 2 engine was inspected in the fall of 2022 and found to have major components that are degraded and in need of repair.
- b. The unit is required to be disassembled and repaired to ensure a reliable and resilient supply of electricity. These repairs will be completed during a future planned outage that will be scheduled based upon the operational risk, labor resources, and parts availability.
- c. The District's engineer has certified the complex nature of the work and that use of the sealed bid process is impractical and not in the public's best interest.

Requesting Board approval of the Engineer's Certification and authorization for management to negotiate and enter into contract(s) for the replacement/refurbishment of parts and specialized services for repair of the Jones Street Station Unit 2 engine.

The Board was scheduled to vote on this matter at the September 21, 2023, meeting.

Supporting Data

Datasheet

Letter of Recommendation

Engineer's Certificate

Legal Opinion

Resolution

**Committee Agenda Item 9: Other Business**

**Confirmation of Board Meeting Agenda**

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The Board members reviewed the agenda for the Board meeting on Thursday, September 19, 2023, and it was decided items 18 and 19 on the agenda will be moved to Discussion Action Items. The meeting will be conducted in person at the Omaha Douglas Civic Center, 2<sup>nd</sup> Floor Legislative Chamber, at 5:00 p.m. The public may attend in person or remotely via WebEx audio and video conference.

### **Review of Board Work Plan**

The Board reviewed items added to the board work plan since the August board meeting.

### **New Generation & Transmission: Natural Gas Generation, Energy Delivery and Solar Updates**

M. A. Walker, Manager Construction Management, and Joe Lang, Director, Generation Strategy and Origination, presented construction updates on New Generation and Transmission projects for September 2023:

#### **TURTLE CREEK STATION & STANDING BEAR LAKE STATION FACTS**

- a. Engineering, procurement, and construction activities are in progress. As all procurement and material receipt is not complete, the teams continue to monitor and work through supply chain, resource, and schedule challenges including project completion delays and cost impacts associated with the delays.
- b. At Standing Bear Lake Station, the fire water pump house has been set on its foundation and on the west side of the engine hall, the exhaust duct work for each engine is being erected and insulation installed. Delay of low voltage switchgear has negatively impacted project schedule which the team is evaluating. In the substation area, connections between breakers and associated switches have been completed and final installation and testing of the three generator step-up transformers nears completion.
- c. At Turtle Creek Station, progress is being made on the water treatment building, erection of the stacks for units 1 and 2 continues, and all the station service transformers have been set on their foundations. Commissioning challenges are actively being defined and resolved. In the substation area as construction nears completion, a turnover kickoff meeting was held and a preliminary quality control walkdown was conducted.
- d. Various supply challenges have pushed out the completion dates by approximately six (6) to seven (7) months due to various supply challenges. This is incremental to the earlier turnover impacts due to soil complications.

#### **ENERGY DELIVERY FACTS**

- a. Control cable installation and device commissioning continues on the remote end substation associated with Standing Bear Lake Station interconnection. The transmission contractor has re-mobilized to the Standing Bear Lake site and construction is progressing on the transmission line that will connect the new generation facility to the existing transmission system. Structure framing and setting will take place through early September, with conductor installation taking place mid-September through October.

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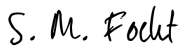
SOLAR FACTS

- a. The 81-megawatt Platteview Solar facility in Saunders County continues to make progress. AES and their engineering, procurement, and construction (EPC) contractor, Blue Ridge Power, have completed various civil work activities including site access, grading cuts and fills, laydown and office areas, and perimeter fence erection. Construction focus has moved to the solar field erection with driving of the structural piles, installation of torque tubes and trackers, installation of Direct Current and medium voltage cables, and installation of Photovoltaic panels. Construction on the OPPD interconnection substation is complete until AES finishes their collector substation.
- b. K Junction Solar is a 310-megawatt solar project in the developmental stages that's located in York County near McCool Junction, Nebraska. OPPD acquired the rights to K Junction on July 14, 2023, and facilitated the execution of the Generation Interconnection Agreement (GIA) between OPPD, NPPD, and Southwest Power Pool (SPP) effective August 1, 2023. OPPD staff continue with community engagement efforts and are supporting York County in the development of solar regulations.
- c. The industry continues to seek further details and guidance for the Inflation Reduction Act (IRA) from the Department of Treasury and Internal Revenue Service (IRS). IRS Notice 2023-38, Domestic Content Bonus Credit, guidance was issued on May 12, 2023. OPPD is currently reviewing the guidance for understanding and application. Additionally, OPPD staff continue to work with industry experts, including financial, tax, legal, and suppliers, to evaluate these policies and understand how to optimize the pursuit of solar deployment for customer owners.
- d. Staff continue to track and maintain a development pipeline of potential projects, informed by ongoing discussions with project developers, suppliers, and other industry experts.
- e. OPPD staff continue to engage with local jurisdictions to support the development of solar regulations and provide education on solar technology.

Supporting Data

Datasheet

There being no further business, the meeting adjourned at 2:05 p.m.

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S. M. Focht  
Vice President – Corporate Strategy and  
Governance

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E. H. Lane  
Sr. Board Operations Specialist