

LOUP POWER DISTRICT
BOARD OF DIRECTORS
December 21, 2023

The regular meeting of the Board of Directors of the Loup River Public Power District was held at the Loup Power District Board Room, Columbus, Nebraska on December 21, 2023.

Notification of the meeting was published in the Columbus Telegram and on the Loup Power District website.

Director Heesacker presided as Chairman of the meeting and Assistant Secretary Angell Robak recorded the minutes.

Roll call showed:

Present: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker

Absent: None

Staff Present: Neal Suess, Korey Hobza, Walt Williams, Todd Duren, Amanda Henry

Absent: Dan Hellbusch

Others: None

Chairman Heesacker reminded everyone of the open meetings law and stipulated this meeting would be conducted according to the Nebraska open meetings law. Chairman Heesacker also stated he would be conducting the meeting based on Robert's Rules of Order.

The minutes of the November 28, 2023 meeting were approved.

The following reports were presented to the Directors: the November 2023 Staff Operations Report – Exhibit 23-182; the November 2023 Bank Reconciliation Report – Exhibit 23-183; the November 2023 Vendor Payment Report – Exhibit 23-184. Additional reports presented to the Directors included NPPD's Board of Directors Board Meeting Agendas for the December 13-14, 2023 NPPD Board Meeting – Exhibit 23-185; and NPPD's RRC/PRAB/Customer Meeting Agenda and Presentations for the December 21, 2023 Meeting – Exhibit 23-186.

Executive Committee

The Board information sheet for 2024 is filed as Exhibit 23-187.

Director Aerni made a motion to appoint Walt Williams Deputy Treasurer and Angell Robak Assistant Secretary to the Board for 2024. Director Fleming seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker

Nay: None

Absent: None

The motion carried.

Director Fleming made a motion to approve the 2024 Board committees as presented. Director Zach seconded the motion.

President/CEO Suess reviewed the different committees with the Board, noting the chairman and members of each committee. President/CEO Suess indicated these committees were established in consultation with the incoming Board Chairman, Bob Cerv.

The question was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker

Nay: None

Absent: None

The motion carried.

A letter addressing District Water Issues is filed as Exhibit 23-188.

President/CEO Suess indicated that management is working with the District's attorney to finalize a non-capacity license amendment to be filed with the Federal Energy Regulatory Commission (FERC). Mr. Suess stated that the studies needed to finalize this non-capacity amendment are expected to be completed in early 2024 and then submitted to FERC Staff for approval, with the final application filing with the Commission expected to take place sometime in 2024.

President/CEO Suess stated that the District is working with New Century Environmental to complete the required end-of-year reports for FERC.

President/CEO Suess indicated the District continues to hold in abeyance the Eighth Circuit Court of Appeals filing for review of the License Order, with the next filing expected to take place in early January 2024.

President/CEO Suess reiterated that the District continues to work with the Nebraska federal delegation on collecting money from the Federal Emergency Management Agency (FEMA) related to the mid-March 2019 storm event.

Regarding damage and repair from the mid-March 2019 storm event, President/CEO Suess indicated that the final design drawings on the overflow structure were submitted to and approved by FERC. Mr. Suess noted that the District is waiting on FEMA/NEMA to approve this project before moving forward.

Management and the Board discussed several items related to the District's hydroelectric license and other State of Nebraska water issues.

Rates Committee

A letter on the 2024 Wholesale Rates is filed as Exhibit 23-189.

President/CEO Suess reviewed the wholesale rate proposal and presented a chart showing the rate schedules which were discussed during the Rates Committee meeting on December 14, 2023.

Director Aerni made a motion to accept management's recommendation on the 2024 LWS-1 and LWD-1 wholesale rates effective January 1, 2024. Director Drozd seconded the motion.

**Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.**

A letter addressing the 2024 Retail Rates is filed as Exhibit 23-190.

President/CEO Suess reviewed the retail rate proposal which was discussed in detail during the Rates Committee meeting held on December 14, 2023. Mr. Suess noted that the cost of service study has been completed, and a base retail rate change of 3.5 percent is being recommended, excluding ADM and the Economic Development Rates which are both tied to NPPD wholesale rates and the District's delivery rates. Mr. Suess added this retail rate change will become effective with billing after January 16, 2024. Mr. Suess stated that the budgeted revenue projection will allow the District to pay off its debt principal and interest, as well as most construction items budgeted for 2024.

President/CEO Suess stated that the cost of service reflects no overall change in wholesale purchased power costs; however, the production demand and energy rates and some ancillary service rates did change. Mr. Suess noted that the PCA refund is larger than last year, but smaller than in 2021 and 2022. President/CEO Suess indicated that, based on the latest data from APPA in 2021, the District remains one of the lowest costs utilities in the state, being 9.5 percent below the state average and 30.3 percent below the national average.

Management and the Board discussed additional items relating to the retail rates.

Director Aerni made a motion to approve the recommended 2024 retail rates as proposed and developed by management and discussed with the Rates Committee. Director Fleming seconded the motion.

**Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.**

Personnel, Safety, and Insurance Committee

At 10:25 A.M. Director Aerni made a motion to move into Executive Session to discuss the President/CEO wages and performance evaluation. Director Drozd seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.

At 11:31 A.M. Director Aerni made a motion to return to regular session. Director Drozd seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.

Director Aerni made a motion to approve the pay increase for President/CEO Suess as discussed in Executive Session. Director Fleming seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.

At 11:32 A.M. the Board took a brief break and returned at 11:40 A.M.

At this time, reports to the Board were presented by Vice President of Engineering Hobza, Vice President of Corporate Services Duren and Human Resource Manager Henry. President/CEO Suess presented the Operations report in the absence of Vice President of Operations Hellbusch. There was no financial report this month.

The work order letter is filed as Exhibit 23-191.

Director Cerv made a motion to approve the work order letter as presented. Director Donoghue seconded the motion and roll was called.

Aye: Tooley, Donoghue, Zach, Fleming, Cerv, Aerni, Drozd, Heesacker
Nay: None
Absent: None
The motion carried.

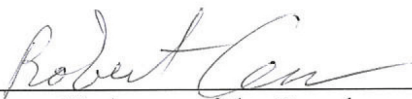
The next regular Board meeting is set for Tuesday, January 23, 2024, at 9:00 A.M. at the General Office.

NPPD Board members Gale and Kemp have invited Board and Staff to an informal meeting to socialize and discuss current issues on Thursday, January 4, 2024, beginning at 11:30 A.M. at the NPPD office in North Platte.

President/CEO Suess stated the District is working with Congressman Flood's office on a weatherization project in Clarkson. There is a meeting set for Thursday, January 25, 2024, which will be held in conjunction with a housing meeting for Columbus on Tuesday, January 23, 2024.

President/CEO Suess wished everyone a Merry Christmas and a Happy New Year.

Director Drozd made a motion to adjourn. Director Donoghue seconded the motion. The motion carried by voice vote.



Chairman of the Board

1/23/2024
Date



Assistant Secretary