

**OPPD Board of Directors – All Committees Meeting  
 Tuesday, April 19, 2022**

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

*Conducted virtually via Webex audio/video conference. Public may attend remotely by going to [www.oppd.com/CommitteeAgenda](http://www.oppd.com/CommitteeAgenda) to access the Webex meeting link or the public may watch the Webex at Energy Plaza, 444 S. 16<sup>th</sup> Street – Conf. Room A, Omaha, NE, which will be set up as a physical location to view the Webex.*

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
1. Chair Opening Statement		Bogner	<b>8:00 A.M.</b>
2. Closed Session			<b>8:05 A.M.</b>
Power with Purpose: Solar Update	Reporting	Underwood	60 min
Acquisition of Land Rights for Enterprise Operations	Action	Focht	15 min
Technology Communications Network Asset Located in Western Sarpy County			
Appointment of Corporate Officers and Compensation Approvals	Action	Fernandez	15 min
<b><i>BREAK – Open Webex to Allow Public to Join</i></b>			<b>9:45 A.M.</b>
3. Public Session – Chair Opening Statement		Bogner	<b>10:00 A.M.</b>
4. Safety Briefing		Fernandez	<b>10:05 A.M.</b>
5. Governance Committee			<b>10:10 A.M.</b>
Governance Chair Report (4/14/22)	Reporting	Moody	15 min
Appointment of Corporate Officers and Compensation Approvals	Action	Fernandez	15 min
SD-1: Strategic Foundation Monitoring Report	Action	Focht	30 min
Board Policies Binder Update: Non-Substantive Changes	Action	Focht	15 min
6. Finance Committee			<b>11:25 A.M.</b>
Finance Chair Report (4/8/22)	Reporting	Yoder	15 min
Authorization for Additional District Financing	Action	Bishop	15 min
Rate Design Review Plan	Reporting	Bishop	30 min
<b><i>BREAK FOR LUNCH</i></b>			<b>12:25 P.M.</b>
7. System Management & Nuclear Oversight Cmte			<b>12:55 P.M.</b>
SM&NO Chair Report (4/6/22)	Reporting	Williams	10 min
Sale of Real Property at 12210 South 114th Street Papillion, Sarpy County, NE	Action	Focht	5 min
Acquisition of Land Rights for Enterprise Operations Technology Communications Network Asset Located in Western Sarpy County	Action	Focht	10 min
RFP No. 5948 – 69/13.8kV 10/12.5MVA Transformer	Action	Via	10 min
SD-4: Reliability Monitoring Report	Action	Via	45 min
Nuclear Oversight Committee Report	Reporting	Via	10 min
<b><i>BREAK</i></b>			<b>2:25 P.M.</b>

**-- Continued Next Page --**

\* 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).

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
<b>8. Public Information Committee</b>			<b>2:35 P.M.</b>
Public Information Chair Report (4/12/22)	Reporting	Mollhoff	10 min
• Customer Trends Quarterly Update <i>[Due to time, will not be presented. Posted on oppd.com.]</i>			
Legislative and Regulatory Update	Reporting	Olson	30 min
SD-5: Customer Satisfaction Monitoring Report	Action	McAreavey	45 min
<b>9. Other Business</b>			<b>4:00 P.M.</b>
Confirmation of Board Meeting Agenda	Action	Bogner	5 min
Review of Board Work Plan	Discussion	Bogner	5 min



## Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
April 14, 2022 7:30 – 8:30 A.M.

1. VP Appointments and Compensation Approval (Fernandez – 15 min)
  - a. Objective: Align around recommendation for appointments and compensation.
2. OPPD Board Policy Binder (Focht – 15 min)
  - a. Objective: Finalize proposed “non-substantive” changes for Board review and approval.
3. SD-1: Strategic Foundation Monitoring Report (Focht – 10 min)
  - a. Objective: Confirm monitoring report recommendation as well as the updated approach regarding a) level of detail within the report and b) allocation of time for general discussion.
4. Board Work Plan (Focht – 10 min)
  - a. Objective: Introduce and orient committee members on the revised Board Work Plan and process.
5. Summary of Committee Direction (5 min)
  - a. Objective: Executive Leadership Team liaison(s) to summarize direction provided by the committee.



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### 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:

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

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 AC399FDCE56247E...  
 L. Javier Fernandez  
 President and Chief Executive Officer

Attachments: Exhibit A – Monitoring Report Resolution

# SD-1: Strategic Foundation Monitoring Report

Governance Committee Report  
Scott M. Focht, Vice President – Corporate Strategy & Governance  
April 19, 2022

# 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.

**The Board of Directors of Omaha Public Power District accepted the Monitoring Reports...and found OPPD to be sufficiently in compliance with the policies as stated.**

Strategic Direction Policy	Board Resolution	
	Number	Date
SD-2: Rates	6445	6/17/21
SD-3: Access to Credit Markets	6431	5/20/21
SD-4: Reliability	6428	4/15/21
SD-5: Customer Satisfaction	6430	4/15/21
SD-6: Safety	6484	1/20/22
SD-7: Environmental Stewardship	6466	10/21/21
SD-8: Employee Relations	6482	1/20/22
SD-9: Resource Planning	6449	8/19/21
SD-10: Ethics	6459	9/16/21
SD-11: Economic Development	6472	11/18/21
SD-13: Stakeholder Outreach and Engagement	6467	10/21/21
SD-14: Retirement Plan Funding	6492	3/17/22
SD-15: Enterprise Risk Management	6437	6/17/21

*Note: The Board accepted SD-1 Strategic Foundation monitoring report on 4/15/21, finding OPPD to be sufficiently in compliance; the above reflect monitoring reports from 4/15/21-3/17/22.*

**The Board of Directors of Omaha Public Power District accepted the Monitoring Report...and found OPPD is taking reasonable and appropriate measures to comply with the policy as stated.**

Strategic Direction Policy	Board Resolution	
	Number	Date
SD-12: Information Management and Security	6462	10/21/21



# OPPD Corporate Scorecard: December 2021

■ 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

		Board Strategic Direction Policies, Targets & Performance				
		Measure	2019	2020	2021	Strat Goal
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>	SD-2: Rates • Rates % below regional average	No General Rate Increase	No General Rate Increase	No General Rate Increase	20.0%
	SD-3: Access to Capital • Debt Coverage	2.0	2.0	2.0	2.0	
	SD-4: Reliability (SAIDI) • System Average Interruption Duration Index	88.6	86.4	74.9	<90	
	SD-4: Reliability • Equivalent Availability	89.2*	87.78*	86.58*	90%	
		87.0	87.63	84.66		
	SD-5: Customer Satisfaction • Overall Satisfaction	Third Quartile Residential 726	Second Quartile Residential 749	First Quartile Residential 758	Top Quartile	
	SD-6: Safety (DART) • Days Away, Restricted or Transferred	0.68	0.57	1.00	<0.50	
	SD-6: Safety (PVIR) • Preventable Vehicle Incident Rate	2.29	2.27	2.26	4.0	
	SD-7: Environmental Stewardship • Net-Zero Carbon**	N/A	N/A	N/A	TBD**	
	SD-8: Employee Relations • Overall Employee Engagement***	69.6%	74%	74.5%	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 2021 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

# 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.

**Any additional reflections on  
what has been  
accomplished ... or  
challenges or gaps**





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 of the Omaha Public Power District hereby 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.



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Board Policies Binder Update: Non-Substantive Changes

### PURPOSE

To ensure full board review, discussion and acceptance of the non-substantive revisions and updates to the OPPD Board of Directors Policies binder.


### FACTS

- a. In December 2014, the Board of Directors confirmed the Corporate Governance Initiative Charter in order to assess and refine OPPD’s corporate governance infrastructure. The Board contracted Leading Resources, Inc. (LRI) to facilitate the process of drafting Board policies.
- b. On July 16, 2015, the Board approved a first set of Board policies. On October 15, 2015, the Board approved a second set of Board policies. The Board policies included Governance Process (GP), Board-Staff Linkage (BL), and Strategic Direction (SD) policies.
- c. The Board has conducted annual policy surveys and workshops, facilitated by LRI, to identify potential revisions to the GP, BL and SD policies. After the October 5, 2021 workshop, the Board discussed making non-substantive revisions and updates to the Board Policies binder.
- d. The Governance Committee has reviewed the proposed non-substantive revisions and updates to the Board Policies binder, as shown in Exhibit A, and recommends Board approval of the revised Board Policies binder.


### ACTION

The Governance Committee recommends Board approval of the non-substantive revisions and updates to the OPPD Board of Directors Policies binder, as shown in the attached Exhibit A.

#### RECOMMENDED:

DocuSigned by:  
  
B626AD4302E3483...  
 Scott M. Focht  
 Vice President – Corporate Strategy and Governance

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
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 L. Javier Fernandez  
 President and Chief Executive Officer

Attachments: Exhibit A – OPPD Board Policies Binder Redline of Proposed Revisions Resolution



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**, the Board regularly reviews its policies in order to continuously improve OPPD's corporate governance framework; and

**WHEREAS**, the Board's Governance Committee (the "Committee") has reviewed the proposed revisions and updates to the Board Policies binder, as shown in the attached Exhibit A, and recommends Board approval of the revisions.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Omaha Public Power District hereby approves the revisions and updates to the Board Policies binder, in the form as set forth on Exhibit A attached hereto and made a part hereof.

Exhibit A - Redline of Proposed Revisions



**Board Policies**

(As of ~~May 20, 2021~~[insert new date])



April 2022

The public power promise holds representative governance as one of its foundational principles. This link to our customer-owners – through our elected board of directors – is key to Omaha Public Power District’s operations.

OPPD is leaning forward into the future and all it offers for our customers. In pursuit of OPPD’s vision and mission, our governance structure will inform all of the decisions we make that will impact our operations and service for decades to come.

The utility industry continues to undergo swift transformation, impacted by changing technology, more frequent extreme weather events and evolving customer expectations, among other factors. OPPD remains fully committed to effective governance practices that will be especially critical during this time.

Since 2015, OPPD’s Corporate Governance Initiative has provided the board and OPPD executive leadership an opportunity to discuss the wishes of our customer-owners, and to confirm strategic performance targets, board governance principles, accountabilities and levels of empowerment through which the organization can achieve these desired results.

OPPD’s board policies consist of three categories, all of which are designed to help optimize decision-making across the utility as well as clarity around the following:

Category	Focus
Governance Process	Principles for how the Board will govern itself.
Board-Staff Linkage	Delegations from the Board to the CEO to carry out the work of OPPD.
Strategic Direction	Performance for which the Board will hold OPPD accountable on behalf of its customer-owners.

This system of policy governance has delivered positive results in the years since it was implemented, including the following:

- A smooth transition and onboarding of newly elected board members
- Trust and cohesion with clarity for management as they carry out the work related to strategic direction policies and initiatives
- Clarity of strategic direction to guide resource prioritization and decisions to serve our more than 350,000 customer-owners, especially in areas of reliability, rate management and innovation for the future.

As part of OPPD’s commitment to transparency, board policies are available to review [online](#), and engaging with the public will remain a priority around any changes to such policies. This oversight provides an opportunity for the board and executive leadership to clarify policy, revise it when necessary and ultimately deliver desired results for OPPD’s customer-owners.

Chair of the Board

President & CEO



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	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-1: Purpose of the Board</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

The corporate powers of OPPD shall be vested in the Board of Directors and shall be exercised in such manner as to confer upon OPPD’s customer-owners the benefits of a successful and profitable operation and conduct of its business. The Board of Directors operates under the provisions of the Nebraska Revised Statutes Chapter 70, Article 6, also known as the “Enabling Act.” As stated in Section 70-619 of the Nebraska Revised Statutes and Section 1 of the OPPD Bylaws, the corporate powers of OPPD are vested in the Board of Directors.

The purpose of the Board of Directors is to:


- Identify and define the vision and mission of OPPD, and establish the strategic directives of OPPD, communicating them in the form of policy.
- Monitor and measure ~~the OPPD’s impacts as a result results~~ of the strategic ~~directives~~direction policies.
- Make certain operational decisions as required by the Enabling Act or other statutes.
- Appoint, evaluate and, when necessary, discharge the President and Chief Executive Officer.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-2: Governance Focus</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

The Board shall govern with an emphasis on: (i) strategic, forward-looking vision and leadership versus administrative detail; (ii) clear distinctions between the Board and President and Chief Executive Officer roles; and (iii) collaborative decision-making that encourages diverse viewpoints.

Specifically:

- *The Board shall cultivate a sense of group responsibility.* The Board shall be responsible for excellence in governing. The Board shall use the experience, input, and expertise of its individual members to enhance the Board as a body.
- *The Board shall set policies.* The Board shall direct, evaluate and inspire the organization through the establishment of written policies reflecting the Board’s standards. The Board’s major policy focus will be on OPPD’s intended impacts outside the organization, not on the functions or methods used to achieve results.
- *The Board shall be responsible for continual Board development.* Development will include orientation of new Board Members, periodic external and internal training of existing Board members, and regular Board discussion regarding process improvement.
- *The Board shall regularly discuss and evaluate its performance.* Self-monitoring will include, but is not limited to, annual Board surveys, annual reports from each Committee Chair, and regular monitoring of the adherence to policies adopted by the Board.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-3: Board Job Description</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

The specific job duty of the OPPD Board of Directors is to ensure appropriate organizational performance.

Specifically, the Board shall:

- Serve as representatives of OPPD’s customer-owners and build relationships throughout OPPD’s service territory and the region.
- Produce and maintain written Strategic ~~Directives~~Direction, Board-Staff Linkage and Governance Process policies that clarify the Board’s role in the decision-making process between the Board and OPPD’s employees.
- Be responsible for the hiring and appointment, as well as compensation and benefit approval, of the CEO.
- Regularly monitor and evaluate the performance of the CEO.
- Upon the recommendation of the CEO, be responsible for the appointment, as well as compensation and benefit approval, of the Vice Presidents.
- Monitor stakeholder processes, when necessary, to ensure the Board hears the strategic viewpoints and values of customer-owners and other interested stakeholders.
- Review the ~~s~~Strategic ~~Directives-direction policies~~ on the timetable specified in each policy and communicate to the CEO whether the Board finds OPPD to be meeting the requirements of the ~~S~~strategic ~~Directivedirection policy~~. Conduct a comprehensive review of the ~~S~~strategic ~~Directives direction policies~~ every three years, ~~commencing in 2018, or sooner if necessary~~.
- Review and approve the Corporate Operating Plan annually.
- Approve the issuance of tax exempt debt and other forms of debt.
- Contract with an external independent auditor to audit OPPD’s finances and procedures on an annual basis.
- Contract with an independent consulting engineer and rate consultant.
- Establish rates that are fair, reasonable, and nondiscriminatory and adjusted as in a fair and equitable manner to confer upon customer-owners the benefits of a successful and profitable operation and conduct of the business of the district.


- Establish benefit plans for employees and provide oversight of investment management and administration of the District's retirement plans.
- Approve contracts and engineer certifications related to contracts, as required by law.
- Establish and approve OPPD's election subdivisions in accordance with Nebraska statutes and other legal requirements.
- Approve the sale and disposition of OPPD real estate, as required by law.
- Approve the use of eminent domain in connection with OPPD's business, as required by law.
- Perform all other actions and duties as required by law.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-4: Agenda Planning</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 September 17, 2020	<b>Resolution No.:</b>	6070 6392

To accomplish its strategic leadership consistent with Board policies, the Board, in collaboration with the President and Chief Executive Officer (CEO), or his/her designees, shall develop and follow an agenda planning process that ensures the Board focuses on the strategic ~~directives~~ direction policies of OPPD and meets its other obligations as stated by law or policy.

Specifically:


- The Board, in conjunction with the CEO, shall develop, monitor, and regularly update a work plan comprised of initiatives, topics and issues it wishes to explore or is required to address over the next 12-month period, in order to guide OPPD staff in preparing agendas for standing committee meetings and regular Board meetings.
- The Corporate Secretary's office, under the direction of the CEO and the Board, shall prepare and issue an agenda for each committee meeting and regular Board meeting.
- Vice Presidents, with the approval of the CEO and Chair, can make necessary changes and additions to the agendas.
- Any individual Board Member may place any matter on the agendas.
- Matters may be placed on agendas for any Board meeting 24 hours preceding the meeting, except for items of an emergency nature.
- Items may be placed on the agendas as either an Action Item or a Reporting Item. Action Items require Board approval at the regular monthly Board meetings.
- The Board Chair shall review the Board's agendas to ensure they address Board items that have been identified on the work plan during the course of the year.
- The Corporate Secretary, under the direction of the CEO, and in coordination with the Committee Chairs and Vice Presidents, shall prepare and issue an agenda for each Board-related meeting.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-5: Election of the Board Officers</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 January 12, 2017	<b>Resolution No.:</b>	6070 6168

The Board shall elect the Board Officers under the following terms and conditions:

- The officers of the Board shall be the Chair, Vice Chair, Secretary and Treasurer. Those Board Officers shall be elected by the Board, from among its members, annually at the Board's regular meeting in January.
- The Chair shall conduct the election, and the Corporate Secretary shall tally the votes. Any Director may place a nomination for the election of a Board Officer. No second is required. Board Officers shall be elected with the approval of a majority of those present and at least five Directors voting in approval. A tie vote will fail. A roll call vote will be taken, unless there is a request for a secret ballot. If there is a request for a secret ballot, the Board shall vote on whether to use a secret ballot by roll call vote before conducting the vote on approval of the Board Officer. No second is required.
- Board Officers shall serve for a term of one year or until the election of their successors.
- Board Officers may be removed from office during such term by the affirmative vote of five Directors at a regular meeting of the Board or a special meeting called for that purpose.
- In the event an office becomes vacant, the Board shall elect one of its members to fill the term of that office at its next regular Board Meeting, using the process described in this policy. The election to fill a vacant term may be postponed to a later meeting by a vote of the Board.



	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-6: Role of the Board Officers</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 February 16, 2017	<b>Resolution No.:</b>	6070 6172

***The Board Chair shall:***

- Ensure that all duties imposed on them as Chair are being completed.
- Be a member of the Governance Committee and a member ex officio, nonvoting member, of all Board committees.
- Preside over and facilitate all regular and special meetings of the Board, and other meetings at which a quorum of the Board is present.
- Ensure that meeting discussion focuses on matters which, according to Board policy, are appropriate for Board consideration.
- Ensure that discussion at Board meetings is fair, open and thorough, but also timely, orderly and to the point.
- Be the spokesperson of the Board in public announcements pertaining to the Board's conduct of OPPD's affairs.
- Appoint the Chairs of the Standing Committees with approval of the Board.
- Schedule and coordinate the annual performance evaluation of the President and Chief Executive Officer.
- Ensure that the Board's agendas meet the goals of the annual work plan.
- Ensure a process is in place for regularly evaluating the Board's adherence to Board policies.
- Ensure the Board is represented to outside stakeholders, organizations, and other groups.
- Have no authority to supervise or direct the President and Chief Executive Officer, apart from the authority expressly granted him or her by the Board.
- Delegate his or her authority as appropriate, but remain accountable for its use.
- Perform all other actions and duties as required by law.

***The Board Vice Chair shall:***


- Shall serve as Chair of the Board in the event of the disability or absence of the Chair.
- Be a member of the Governance Committee.
- Perform all other actions and duties as required by law.

***The Board Treasurer shall:***

- The Board Treasurer may perform any of the customary duties of the Chair and Vice Chair offices, when delegated.
- Serve as the Finance Committee Chair and preside over and facilitate the Finance Committee meetings.
- The treasurer must furnish a corporate surety bond sufficient to cover all monies in his or her possession or control, but not to exceed \$100,000.00, and the bond approved as to form and sureties by the Directors and filed with the Secretary of State.
- Perform all other actions and duties as required by law.

***The Board Secretary shall:***

- Be responsible for assuring that accurate minutes of Board meetings are prepared, in coordination with the Corporate Secretary.
- The Board Secretary may perform any of the customary duties of the Chair and Vice Chair offices, when delegated.
- Perform all other actions and duties as required by law.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-7: Guidelines for Board Member Behavior</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

The Board and its members shall act in a professional, ethical, productive, and lawful manner. Board members should avoid even the appearance of impropriety to ensure and maintain public confidence in OPPD.

Specifically:

- Board members shall conduct themselves in accordance with all laws applicable to their duties as Board members, including but not limited to duties of care, loyalty and oversight.
- Board members should conduct themselves with civility and respect at all times with one another, with staff, and with members of the public.
- Board members are expected to act in the best interest of OPPD and the customer-owners. This supersedes any conflicting duties such as advocacy for a personal cause or on behalf of interest groups and obligations to other organizations, boards or staffs. It also supersedes the personal interest of any Board member acting as a consumer of the organization's activities.
- Board members shall not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.
  - Board members must recognize the limits of authority vested in them as individuals in their interactions with the CEO or with staff.
  - In their interactions with the public, press or other entities, Board members should recognize the same limitation and the inability of any individual Board member to speak for the Board or for other Board members except to repeat explicitly stated Board decisions.
- Board members shall at all times endeavor to express their individual opinions in a responsible manner.
  - Each member of the Board is expected to support the legitimacy and authority of the decisions of the Board.
  - Although it is preferred that Board members refrain from criticism of OPPD decisions, if they do so, they must make it clear that they are expressing their individual opinion, and not the opinion of the Board or other Board members, so long as it complies with the limitations set forth in these policies.
- Members should prepare themselves for all Board meetings in advance.

Board members should discourage former Board members from attempting to influence the Board, individual Board members or staff, on behalf of any third party (other than a governmental entity) from whom the former Board member is receiving compensation, on any matter that the former Board member substantially participated in during his or her tenure with the Board. This provision shall not apply to communications by a former Board member acting in his or her capacity as an individual or customer-owner and for which the former Board member receives no compensation.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-8: Board Committee Principles</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

The OPPD Board may establish standing committees and the Board Chair, with the concurrence of the Board, may establish ad hoc committees.

Standing committees shall assist the Board in its ongoing work and activities. Standing committees shall be composed of at least three Board members, including a Committee Chair, who shall be appointed by the Board Chair, with Board approval. The Board Chair is an ex officio member of all committees. Any Board member may attend and participate in the deliberations of any standing committee, if not a member, providing notice to the Corporate Secretary of their attendance. Each standing committee shall have a charter describing the committee’s purpose.

The standing committees of the OPPD Board are as follows:

- Finance
- Governance
- System Management and Nuclear Oversight
- Public Information


Standing committees shall meet publicly every month prior to the regular Board meeting. Standing Committee Chairs can schedule additional committee meetings as needed. If there is a closed committee meeting, the Committee Chair will present an agenda and summary report from that closed meeting at the next public committee meeting. No public comment will be taken at public committee meetings.

Ad hoc committees shall be created for a limited duration to address a specific topic of interest to the Board. Each ad hoc committee may be composed of up to four Board members, and shall include designation of a Committee Chair and a clear statement of purpose.

All Board Committees shall report back at a publicly noticed Board or standing committee meeting on its activities. Specifically:

- All committees will ordinarily assist the Board by gaining education, considering alternatives and implications, and preparing policy alternatives.
- Board committees may not speak or act for the Board except when formally given such authority.
- Board committees cannot exercise authority over staff nor interfere with the delegation from the Board to the President and Chief Executive Officer (CEO). Because the CEO works for the full Board, he or she will not be required to obtain approval of a Board committee before an executive action.


- As a general rule, items scheduled for Board action (including items requested by a Board member) shall first be presented to a standing committee for review.
- Standing committees shall be reviewed at least annually by the Board to determine whether they should continue.
- This policy applies to any group which is formed by Board action, whether or not it is called a Committee and regardless whether the group includes Board members. It does not apply to committees formed under the authority of the CEO.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-9: Board Committee Chairs</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

The Committee chairs shall preside over and facilitate committee meetings.

Specifically, Committee chairs shall:

- ~~Committee Chairs shall s~~Schedule and cancel any meetings, at their discretion, in addition to the monthly public committee meetings prior to the regular Board meeting.
- ~~Committee Chairs shall r~~Review and approve the committee agendas prior to circulation of the public notice of the meeting.
- ~~Standing Committee Chairs shall p~~Present an agenda and summary report of items discussed at any closed committee meetings held prior to the monthly public committee meetings.
- ~~Committee Chairs shall e~~Ensure that committee meetings focus on those issues which, according to Board policy, belong to the Board to decide.
- ~~Committee Chairs shall e~~Ensure that discussion is fair, open and thorough, but also timely, orderly, and kept to the point.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-10: Board Training, Orientation</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082


The Board will obtain training, development and orientation to assure excellence in governance.

Specifically:

- New Board members shall receive an orientation, which will include an overview of the District's governance policies.
- Board members shall be offered and encouraged to receive training in the skills of effective governance, communication and decision making.
- The Board Chair and Board Committee Chairs shall be offered and encouraged to receive training in the facilitation of public meetings.
- Board members shall receive training on any laws and regulations pertinent to their duties as a Director and Board Officer.
- Board members shall be offered and encouraged to receive regular training with respect to understanding trends and developments in public power and the energy industry.

In consultation with the Board Chair, the President and Chief Executive Officer (CEO) shall prepare annually an appropriate plan of training for Board members, Chairs and Officers.




	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-11: Board Review of Internal Records</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

Board members may review OPPD records, subject to and in compliance with applicable legal requirements, confidentiality requirements, and corporate policies.

Specifically:

- Board member requests to review OPPD records shall be forwarded to the Corporate Secretary, with a copy to the President and Chief Executive Officer (CEO) and Outside Counsel. The Corporate Secretary will be responsible to obtain and provide the requested files for review.
- A Board member may ask for and receive copies of OPPD documents. No confidential documents shall be taken from OPPD premises except with the authorization of the CEO.
- Board members shall follow the same confidentiality requirements applicable to OPPD employees dealing with OPPD documents.
- OPPD employee personnel files will not be subject to Board review except as permitted by law.

The Corporate Secretary shall maintain a log of all documents requested for review by Board members.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-12: Board Compensation and Benefits</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070


Members of the Board of Directors\* of OPPD are eligible to receive certain compensation and benefits for their service.

Under the statutory authority granted by the below Nebraska statutes, the Board adopts the following policies:

- OPPD shall provide and contribute payment for health care benefits, the same as any other eligible active full-time employee, for any Member of the Board of Directors who elects coverage. Newly elected Members of the Board of Directors, effective January 1, 2013 and after, will be offered the same health plan benefits as other eligible active full-time employees hired January 1, 2013 and after. (Neb. Rev. Stat. Section 70-624.03)
- Each Member of the Board of Directors shall be compensated for their service, and such compensation will not exceed statutory limits established under Nebraska law. (Neb. Rev. Stat. Section 70-624.02)
- Each Member of the Board of Directors shall receive the same compensation, with the exception of the Chair of the Board, who is eligible to receive additional compensation under Nebraska law.

***\*TERMS AND DEFINITIONS***


*\*Member of the Board of Directors:* Someone who is elected and is currently serving a term as a director on the Board of Directors of the Omaha Public Power District.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-13: External Auditor Relationship</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

Nebraska State Statute Section 70-623 states that: “The board of directors, at the close of each year’s business, shall cause an audit of the books, records and financial affairs of the district to be made by a certified public accountant or firm of such accountants, who shall be selected by the district.”

Specifically:

- The Board of Directors is responsible for hiring the District’s external auditor. Selection of the external auditor should include input from staff, the Audit Subcommittee and others as deemed necessary.
- The process to hire the external auditor includes obtaining a contract with the external auditor. The selection of the external auditor must be approved by the Board of Directors.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-14: Board Expense Reimbursement</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 March 14, 2019	<b>Resolution No.:</b>	6070 6316

Nebraska Law (Section 70-624.02, as amended) provides that “members of the Board of Directors shall be paid their actual expenses while engaged in the business of the District under the authority of the Board of Directors...” Accordingly, Board members shall be reimbursed for expenses incurred which are appropriate in the performance of their Board-related duties and consistent with their statutory obligations.

The purpose of this policy is to establish procedures relative to expenses incurred by members of the Board of Directors in the performance of their duties; to define authorizations required to incur such expenses; to ensure uniform and fair payment of expenses; and to establish procedures for securing reimbursement.

It is expected that all Board member activities related to any expenses submitted for reimbursement will comply with the “Omaha Public Power District Board of Directors Code of Ethics and Business Conduct.”

### REIMBURSABLE EXPENSES

Expenses eligible for reimbursement under this policy must be actual, reasonable and customary expenses incurred while conducting Board-related duties.

- Board-related duties may include, but are not limited to, Board meetings (any official Board, Committee or related meeting), OPPD business (activities that are directly related to the necessary and required functions of the District), industry-related conferences, and training/learning events.
- Expenses may include related mileage expense, meals (including tips), lodging, transportation, business meeting/events, and other miscellaneous expenses. Expenditures for alcohol and related taxes/gratuities as well as expenses for family members or personal guests are not reimbursable.

Expenses must be documented accurately and completely, and have appropriate authorization.

## **TRAVEL AND TRAINING AUTHORIZATION AND APPROVAL**

Each Director is authorized to travel at OPPD expense on single-day trips within the District's service area when in his/her judgment such travel is required in connection with OPPD business.

Directors shall coordinate all other travel arrangements through the office of the Corporate Secretary. Thirty days in advance, for all business trips which require overnight accommodations and for all single-day trips by commercial transportation to points outside of the District's service area, Directors shall complete a Trip Authorization (TA) form, including the estimated costs, the percentage to be paid by OPPD, and whether the expenditure will span multiple years.

- If OPPD representation is requested with shorter than thirty-day notice and travel is required, the Corporate Secretary shall notify Board members of the pending trip.
- Written travel and training justifications shall be distributed to all Board members in the Board packet for purposes of transparency and oversight.

The Corporate Secretary shall review the TA, and confirm consistency of proposed expenses with Board and OPPD travel policy. If the Corporate Secretary questions the appropriateness of any expense, clarification will first be sought from the respective Director. Any disputes resulting from the review shall be forwarded from the Corporate Secretary to the Audit Subcommittee for review and a final determination.

Each Director is authorized up to \$3,500 during a calendar year to attend training and learning events within the continental United States when in his/her judgment such training and learning events will benefit the District. Budgeted travel and training funds shall expire at the end of each calendar year with no rollover option. If a Board member exceeds the annual authorized expenditure amount, then he/she shall reimburse OPPD within 30 days the difference between the authorized amount and actual expenditures.

Any travel outside the continental United States or any out-of-state travel to attend more than the allowed budget for training and learning will require additional approval. To obtain approval, the Director shall: (1) notify the Corporate Secretary of the travel location, purpose of the trip, date of travel, and an estimated cost; (2) the Corporate Secretary will provide the request to the Audit Subcommittee for approval; and (3) once approved by the Audit Subcommittee, the Corporate Secretary will place an item related to this travel on the next Board meeting consent agenda for full Board approval. If the request is denied, the Director may still attend the event at the Director's expense.

## **EXPENSE REIMBURSEMENT**

Sufficient documentation of expenses is necessary for reimbursement of applicable expenses. All requests for expense reimbursement from Directors shall:

- Be prepared on an OPPD Expense Report form and be submitted for payment within 30 days upon completion of a trip, and no later than sixty days from when any expense was incurred.
- Include an itemization of expenses, provide a brief explanation of the purpose of the expense, and include original receipts for all expenditures, with the exception of mileage, single-trip public transportation and tips on services (e.g. hotel housekeeping, door attendants or bellhops).


- Meal receipts must be itemized and include the name(s) of the person(s) for whom a meal was purchased as well as their respective company when non-OPPD employees are included. Tips on service may not exceed 20% of the total bill, including tax. If a receipt cannot be obtained or has been lost, a statement to that effect shall be made on the expense report form and the reason given.
- For mileage reimbursement, the business purpose, date, origin, destination and number of miles driven must be included in the supporting documentation. Business use of personal vehicles is reimbursed at the IRS standard mileage rate.
- Include a statement, signed by the Director submitting the request for reimbursement, that the expenses are actual expenses incurred while on District business and that the expenses conform to the Board Expense Reimbursement policy.

Directors shall submit their expense reports to the Corporate Secretary for review and determination that: (1) the claims for reimbursement are in accordance with this policy; and (2) the necessary budgetary funds are available for disbursement.

Any disputes resulting from the review shall be forwarded from the Corporate Secretary to the Audit Subcommittee for review and a final determination.

#### **REVIEW OF EXPENDITURES**

All expense statements will be reported to the Board of Directors for review at its next Audit Subcommittee meeting.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Governance Process
	<b>Policy No. and Name:</b>  <b>GP-15: Nuclear Oversight</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	February 11, 2016 February 16, 2017	<b>Resolution No.:</b>	6105 6170

OPPD’s Board of Directors understands and appreciates the unique responsibility of the company’s nuclear electric generating asset and commits to nuclear safety, oversight, and governance. The Board shall ensure its members understand the special nature of nuclear power, establish appropriate oversight responsibilities, and support and strengthen a nuclear safety culture.

The System Management and Nuclear Oversight Committee (SMNOC) shall monitor the safe and ~~reliable operation~~secure storage of nuclear fuel and decommissioning activities of Fort Calhoun Station (FCS). In doing so, the SMNOC will periodically review nuclear business unit metrics to ensure that ~~senior management~~the executive leadership team and the full Board have the necessary information to allow effective monitoring ~~and challenging~~ of FCS ~~operational~~ performance.

The SMNOC Chair shall:

- Attend each of the following meetings, at least once per year:
  - Decommissioning Oversight Committee (DOC) Meeting
  - ~~Schedule and chair at least one SMNOC meeting per year at FCS.~~
- Bring in nuclear industry experts to provide observation and advisement on nuclear safety, decommissioning and operational performance at FCS on an annual basis.
- Fulfill all other requirements of a Board Committee Chair (GP-9).


SMNOC Committee Members shall:

- Attend a Decommissioning Oversight Committee (DOC) meeting at least once per year.

Remaining Board Members may:

- Attend a Decommissioning Oversight Committee (DOC) meeting at least once per year.

Decommissioning metrics shall be established and provided to the full Board on a quarterly basis.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-1: Board – President and Chief Executive Officer Relationship</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>


The corporate powers of OPPD shall be vested in the Board of Directors and shall be exercised in such manner as to confer upon OPPD’s customer-owners the benefits of a successful and profitable operation and conduct of its business. The Board of Directors operates under the provisions of the Nebraska Revised Statutes Chapter 70, Article 6, also known as the “Enabling Act.”

- The Board of Directors shall:
  - In coordination with the President and Chief Executive Officer (CEO), identify and define the vision and mission of OPPD, and establish the strategic directives OPPD is to achieve, communicating them in the form of policy.
  - ~~Monitor and measure OPPD’s impacts as a result of the strategic direction policies~~ ~~Monitor and measure the results of the strategic directives.~~
  - Make certain decisions as designated by the Enabling Act or other statutes.
  - Appoint, evaluate and, when necessary, discharge the CEO.
  
- The CEO shall:
  - Lead, in coordination with the Board, the development and implementation of OPPD’s vision, mission, and strategy.
  - Manage all operations and business affairs of OPPD, with a primary focus on leadership of the OPPD ~~senior management team~~ executive leadership team to implement OPPD ~~strategic strategic directives~~ direction policies.
  - Communicate regularly and effectively with the Board on the business of OPPD.
  - Manage the implementation of systems and policies that enable OPPD to conduct its activities both lawfully and ethically.
  - Prepare and submit the Corporate Operating Plan to the Board for review and approval each year, and ensure all OPPD expenditures are within the authorized annual Corporate Operating Plan.
  - Make recommendations to the Board regarding the appointment of Vice Presidents.
  - Manage the appropriate organization and staffing of OPPD, and exercise the authority to hire



and terminate staff and employees as necessary to enable OPPD to achieve all business objectives.

- Attend meetings of the Board and report on the general affairs of OPPD, ensuring sufficient information is provided to the Board in order to make appropriate judgments or take any necessary actions.
- In coordination with the ~~senior management~~executive leadership team and outside general counsel, assess the principal risks of OPPD and take appropriate and necessary actions to monitor and manage these risks, and, when necessary, report risks to the Board.
- Communicate effectively with customer-owners, employees, government authorities, other stakeholders, and the public in general. The CEO shall assure, in cooperation and consultation with the Board, that OPPD is appropriately represented in the community.
- Perform other duties as may be delegated by the Board either by resolution or through the CEO's contract of employment.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-1A: Board – OPPD Officer Relationship</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
		<b>Resolution No.:</b>	6167
<b>Date of Approval:</b>	January 12, 2017		

OPPPO Officers (Officers) serve as high-level management officials and have day-to-day responsibility of handling the affairs and transacting the business of the District as specified in their specific job descriptions. Officers have the authority to act on behalf of OPPPO. Officer appointments include, but are not limited to, President and Chief Executive Officer (CEO) and Vice Presidents (VPs). The VPs will act as Assistant Secretaries of the District and the Chief Financial Officer will act as Assistant Secretary and Assistant Treasurer of the District.


Upon recommendation of the CEO, the Board is responsible for the appointment, as well as compensation and benefit approval of the Officers. The CEO may recommend to the Board revocation of officer appointments. Such VPs serving as Officers shall carry out such duties as may be delegated to them by the President.

Officers are considered agents of the District, and shall exercise specific fiduciary responsibilities:

- **Duty of Loyalty:** Act in the best interest of the District.
  - The officer should not have any conflicts of interest in a transaction with the District, exploit an opportunity for themselves instead of for the District, compete with the District, or use District assets for themselves.
- **Duty of Care:** Act prudently in light of all reasonably available information.
  - The officer should obtain and consider all relevant information, take time to consider District actions, consider the advice of experts, ask questions and test assumptions, understand the terms of transactions and make deliberate decisions after candid discussions.
- **Duty of Disclosure:** Disclose all information within the District that is material to the action being considered.
  - The officer should fully and fairly disclose all material information to the Board of Directors and other officers regarding decisions being considered.
- **Duty of Good Faith:** Act with honesty and fairness.
  - The officer should ensure actions are taken for the proper purpose in similar circumstances.
- **Duty of Obedience:** Act within the law and District policies.

- The officer must ensure their actions comply with the laws applicable to the District and in accordance with District policies.

If a question should arise about a possible breach of an Officer's fiduciary responsibilities, Outside General Counsel shall be consulted regarding the situation. Outside General Counsel shall inform the Board of any breaches and provide his/her advice or opinion regarding resolution of the situation.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-2: Board – Outside General Counsel Relationship</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070


The Outside General Counsel provides legal counsel to OPPD and to the Board on an as needed basis.

The Board of Directors is ultimately responsible for contracting the Outside General Counsel. As a general practice, the Board and the President and Chief Executive Officer shall participate jointly in contracting the Outside General Counsel.

With respect to the Board, the Outside General Counsel shall:

- Give his or her advice or opinion whenever he or she deems necessary or when required by the Board.
- Inform the Board of material legal issues impacting OPPD or the Board.
- Provide counsel to the Board and individual Board Members with regard to legal matters affecting OPPD, in general, and their duties, obligations, and liabilities, specifically.
- Provide counsel to the Board and individual Board Members with regard to conflict of interest and other ethical matters.
- Counsel and assist the Board and Board Members in complying with applicable statutes and other legal requirements.


The Outside General Counsel shall not provide legal counsel to Directors except in their role as Board Members.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-3: Board – Corporate Audit Relationship</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 August 15, 2019	<b>Resolution No.:</b>	6070 6338

Corporate Audit provides independent, objective assurance and consulting services to the Board and management designed to improve the organization’s operations.

Specifically:

- The Board shall provide guidance and oversight to Corporate Audit, including review of the organization, plans, and results of such activities.
- Corporate Audit shall report to a CEO-designated member of the ~~senior management~~executive leadership team for all administrative matters. The designated ~~senior manager~~executive leader is responsible for hiring, evaluating and terminating the Director – Corporate Audit.
- The Director – Corporate Audit has an indirect reporting relationship to the President and Chief Executive Officer.
- Corporate Audit shall conduct audits and reviews as identified in the annual audit plan and special audits or reviews requested by management or the Board.
- The Board shall receive the results of the audits from the annual audit plan.
- Corporate Audit shall inform the Board of the results of any audit they reasonably determine that indicates a significant financial or operational risk to OPPD.
- Individual audit reports will be given to individuals, be it the Board or management, who are in positions to see that action is taken on audit findings and recommendations.
- The work of Corporate Audit shall provide reasonable assurance regarding the achievement of the objectives listed in the Corporate Audit Charter.
- In performance of their duties, Corporate Audit shall have unlimited access to all activities, records, property and personnel of OPPD.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-4: Board – Corporate Secretary Relationship</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

The Corporate Secretary provides key logistical and corporate support to the OPPD Board of Directors ~~and Senior Management~~. The Corporate Secretary serves under the direction and control of the President and Chief Executive Officer (CEO).

The Board shall have input into the Corporate Secretary’s performance, though the CEO is responsible for hiring, setting compensation for, evaluating, and terminating the Corporate Secretary.

The Corporate Secretary shall:


- Coordinate and attend all Board of Directors and Board Committee meetings, and provide support of all logistical details.
- Communicate all Director requests to, and coordinate responses with, the appropriate ~~Senior Manager~~executive leader in relation to customer-owner affairs.
- Review and screen all internal and external materials, in relation to Board matters, for Directors and ~~Senior Management~~the executive leadership team to assure appropriateness, and prepare concise summaries of Board communications to facilitate Director or Board review.
- Examine the needs and concerns of the Directors to determine opportunities for improvement.
- Handle all other matters that are properly delegated to him or her by the CEO or the Board, with approval from the CEO.
- Notwithstanding these activities, the Corporate Secretary is not empowered to instruct or direct OPPD’s ~~Senior Management~~executive leadership team or staff.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-5: Unity of Control</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015 December 9, 2020	<b>Resolution No.:</b>	6082 6405

Only decisions of the Board acting as a body are binding on the President and Chief Executive Officer (CEO).

Specifically, in or out of the Board meeting:

- Decisions or instructions of individual Directors, officers, or committees are not binding on the CEO except in instances when the Board has specifically authorized such exercise of authority.
- In the case of individual Directors or committees requesting information or assistance without Board authorization, the CEO must refuse such requests that require, in his or her opinion, a material amount of staff time, or funds, or are disruptive. When individual Directors or committees request information or assistance without Board authorization, and the CEO refuses to provide the requested information or assistance, the CEO shall promptly inform the Board of the request and rationale for the refusal.
- Directors shall have full and open access to the CEO and the Senior Management executive leadership team and may communicate directly with other OPPD employees. However, the Board as a body and individual Directors will never give direction to persons who report directly or indirectly to the CEO, with the exception of General Counsel, Director Corporate Audit, and the Senior Corporate Governance Specialist without the approval of the CEO.
- Individual Directors will refrain from evaluating, either formally or informally, the performance of any staff. The Board as a body will refrain from evaluating, either formally or informally, the performance of any staff, other than the CEO, General Counsel, and the Senior Corporate Governance Specialist.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-6: President and Chief Executive Officer's Performance Evaluation</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>	6070

To ensure that the authority and responsibility delegated to the President and Chief Executive Officer (CEO) by the Board of Directors is carried out, the CEO's job performance shall be evaluated by comparing the organization's results and the CEO's personal performance to the policies established by the Board.

Specifically:

- The Board shall evaluate the CEO's performance on an annual basis.
- The evaluation will be based on an evaluation of the organization's performance and the CEO's personal performance against the desired results established by the Board.
- The Board will use data to determine the degree to which prescribed outcomes and/or actions of Board policies are being met.
- Through the annual strategic planning process, the CEO shall propose a performance scorecard and key accountabilities for the following year that represent his or her reasonable interpretation of achieving the strategic ~~directives~~ direction policies defined by the Board.
- All policies that instruct the CEO shall be monitored at a frequency and by a method chosen by the Board.




	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-7: Delegation to the President and Chief Executive Officer</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	July 16, 2015 September 17, 2020	<b>Resolution No.:</b>	6070 6392

The Board will instruct the President and Chief Executive Officer (CEO) through written policies that define the results that the organization is to achieve, and which describe the delegation of authority to the CEO.

Specifically:


- The Board shall identify and define the vision and mission of OPPD, and establish the strategic directives of OPPD, communicating them in the form of policy.
- The Board shall develop policies that define the delegation to the CEO with regard to the CEO's authority.
- The CEO is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities related to the operations or business affairs of OPPD.
- The CEO shall manage, conduct and administer the affairs of the District in an efficient and economical manner.
- The CEO shall use prudent judgment in the exercise of the delegations and in a manner that is operationally and economically sound, serves the best interests of OPPD's customer-owners and the community, employs prudent business practices, balances the risks and benefits of the actions, and does not expose OPPD to unreasonable risk. If the CEO reasonably determines that an activity related to the delegations presents, regardless of the size of the financial commitment: (i) a unique and significant operational risk to OPPD; (ii) a significant impact to customers; (iii) a significant impact to community relations; (iv) a significant impact to OPPD's reputation; or (v) materially compromises the policies and goals established by the Board, the CEO shall inform the Board in a timely manner and may request that the Board take appropriate actions.
- The Board may change its delegation to the CEO at any time, subject to the conditions of the employment contract with the CEO, thereby expanding or limiting the authority of the CEO. However, as long as any particular delegation is in place, the Board will abide by the CEO's decisions in those areas that are delegated to him or her.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-8: Delegation to the President and Chief Executive Officer – Procurement</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

The CEO shall ensure all procurement activities are performed to the highest ethical standards of conduct and in accordance with all applicable federal, state and local laws, and company policies.

Specifically:


- The CEO shall ensure OPPD’s procurement activities utilize the following attributes:
  - *Use of Competition:* Where applicable, OPPD shall follow procurement requirements specified in Nebraska Revised Statutes §§ 70-637 through 70-640. Other procurement activities that are outside the statutory process shall utilize competitive processes whenever feasible.
  - *Best Evaluated Procurement Selections:* Bids shall be sought, obtained, and evaluated utilizing a “best evaluated total end-use cost” considering costs and benefits of services, quality, delivery timeline, and environmental impacts including life cycle costs for disposal (if applicable). Procurements subject to the statutory process described in Nebraska Revised Statutes §§ 70-637 through 70-640 shall be evaluated and awarded as provided in the applicable statute.
  - *Bid Solicitation:* Bid solicitation shall be inclusive of responsible bidders from within the OPPD’s service territory to the extent practical.
  - *Direct Procurements:* Subject to statutory procurement standards, the District may engage in the direct procurement of goods and services without solicitation of competitive bids when it is in OPPD’s best interest even when multiple sources of supplies exist.
  - *Use of Responsible Bidders:* OPPD shall only do business with reputable and responsible bidders. A responsible bidder demonstrates the attributes of trustworthiness, quality, fitness, capacity, financial capability, safety, and experience to satisfactorily perform OPPD work.
  - *Use of Strategic Alliances:* OPPD may enter into Strategic Alliance contracts for the procurement of goods or services to the extent allowed by Nebraska Revised Statutes §§ 70-637 through 70-640. A Strategic Alliance contract is a competitively bid multi-year contract for goods and/or services in which OPPD and the supplier work collaboratively over the life of the contract to improve quality and to explore design and process improvements to reduce cost of production, service delivery, and the total cost of ownership. These benefits are shared by both OPPD and the supplier.
- Executed contracts with authorized transactional values greater than \$500,000, which are not subject to the statutory procurement process, shall be reported to the Board on a monthly basis.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-9: Delegation to the President and Chief Executive Officer – Local, State and Federal Legislation and Regulation</b>	<b>Monitoring Method:</b>	Public Information Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

Providing dedicated service regarding legislative activities that may have potential impact on the District is key to the success of OPPD. Therefore, OPPD shall provide advocacy, educational, and lobbying efforts to our local, state, and federal governments to protect and advance OPPD’s interests.

Specifically, the Board supports development of legislative and regulatory policies that further the Board’s policies.

- The President and Chief Executive Officer (CEO) is authorized to develop local, state, and federal legislative, regulatory and budget positions consistent with Board policies;
- The CEO shall communicate these positions to the Congress, the Legislature, regulatory agencies, local agencies, and relevant stakeholders; and
- When communicating a position on local, state, or federal legislation or budget proposals, the CEO shall provide advance notice to the Board when feasible.
- As appropriate, during the legislative session, the Board shall receive monthly updates.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-10: Delegation to the President and Chief Executive Officer – Real and Personal Property</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

The President and Chief Executive Officer (CEO) shall be delegated decision making and approval authority for the acquisition, sale and lease of OPPD real and personal property in accordance with the following attributes:


**Real Property:**

- *Purchase or Lease of Real Property for District Use:* Purchase or lease of real property in support of future OPPD operational needs shall be obtained at or near fair market value.
- *Sale of Real Property to Others:* All sale or transfer of property ownership shall require Board approval. All property sales or transfers (except for sale to Local Public Agencies for roadway projects) shall be in accordance with the provisions of the District’s senior lien bond indenture Resolution 1788, as amended.
- *Purchase of Easements, Right-Of-Way, or Licenses for District Use:* Purchases of easements, right-of-way, or licenses in support of OPPD’s operations may be obtained at or near fair market value.
- *Release of Easements, Right-Of-Way, or Licenses:* Any release of easements, right-of-way, or licenses may be granted where OPPD’s current or anticipated future operations are not adversely impacted.
- *Special Assessments, Governmental Fees, and Property Taxes:* Authority to cast all ballots, negotiate, pay taxes, assessments, fees, levies, or charges arising from or related to OPPD’s ownership or other interests in real property.

**Personal Property:**

- *Disposal of Surplus, Scrap, or Obsolete Personal Property:* The disposal of surplus, scrap, or obsolete personal property shall be done in accordance with applicable law.
- *Lease of Personal Property:* Leases shall be for fair market value and shall not adversely impact OPPD’s current or anticipated future operations.


The CEO shall ensure these activities are handled in accordance with all applicable federal, state and local laws.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-11: Delegation to the President and Chief Executive Officer – Settlement of Claims and Litigation</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

Normal business operations require OPPD to enter into settlements of: (i) claims and/or lawsuits filed against OPPD and brought by OPPD against third parties; (ii) regulatory proceedings involving OPPD which involve the payment of District funds (e.g. civil penalties); and (iii) other disputes with third parties.

Specifically:


- The President and Chief Executive Officer (CEO) is delegated authority to enter into settlement agreements and to authorize the payment of District funds to resolve claims, lawsuits, regulatory matters and/or disputes, and the CEO is authorized to execute all necessary documents to resolve such matters in accordance with Board policy and state statutes.
- Claim settlements involving the payment by OPPD of \$50,000 or more will be reported to the Board at a regular committee meeting held prior to the monthly Board meeting as required by Nebraska Revised Statute §84-713.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-12: Delegation to the President and Chief Executive Officer – Transmission, Wholesale Electricity, Fuel and Other Energy Transactions</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015 April 13, 2017	<b>Resolution No.:</b>	6082 6180

The Board of Directors recognizes that the District has a need to manage the physical and financial related risks associated with a complex and volatile commodity market in order to ensure reliable, competitive, cost-effective and environmentally sensitive service for our customer-owners.

Therefore, the President and Chief Executive Officer (CEO) is delegated the authority to execute the following:


- Contracts to purchase and sell physical wholesale electricity, fuel and other commodities needed for the production of electricity.
- Transactions that enable OPPD’s participation as a member of the Southwest Power Pool.
- Contracts to purchase and sell financial products related to energy and fuel as a means to manage price risks.
- Futures and exchange-traded contracts for future delivery of commodities, forward contracts, and instruments as a means to manage price risks.
- Contracts for the transmission of electricity.
- Contracts for the transportation, delivery, storage, and balancing of energy resources.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-13: Delegation to the President and Chief Executive Officer – Grants</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

OPPD, as a special district, political subdivision of the state, and public entity, has the eligibility to apply for grant funding. This funding allows innovative projects to be conducted that might not otherwise be possible without the support of a grant and provides another source of external funds. Participation in grant funded projects shall further strategic ~~directives~~direction policies, provide benefits to customer-owners and the community, and shall be consistent with the principles outlined below.

Therefore, the President and Chief Executive Officer (CEO) is delegated the authority to apply for and receive grants subject to the following conditions:

- All funded grant projects shall further foster the mission to provide affordable, reliable, and environmentally sensitive energy services to customer-owners.
- Only contracts with reputable and financially viable partners will be entered into.
- All existing federal and state laws will be adhered to.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-14: Delegation to the President and Chief Executive Officer – Customer Products, Services and Programs</b>	<b>Monitoring Method:</b>	Public Information Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

OPPD provides customer-owners with innovative products, services and programs to enable enhanced customer-owner business relationships, as well as generate revenue and a profit margin to help maintain affordable electric rates for our customer-owners. OPPD shall provide these products, services and programs as authorized, approved or governed by state law.

Therefore, the President and Chief Executive Officer (CEO) is delegated authority to enter into customer and third-party transactions related to retail products, services and programs. In addition, the CEO is authorized to enter into strategic partnerships related to innovative technologies, new business models, programs or services intended to provide value to OPPD’s customer-owners.

The CEO shall provide advance notice to the Board prior to entering into new strategic partnerships.




	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Board Staff-Linkage
	<b>Policy No. and Name:</b>  <b>BL-15: Delegation to the President and Chief Executive Officer – Funding and Investments</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>	6082

OPPD investments are intended to ensure the safety and preservation of principal, maintenance of adequate liquidity to meet cash flow requirements, and achievement of the best available return within prudent risk management and liquidity requirements.

Therefore, the President and Chief Executive Officer (CEO) is delegated authority to make funding and investment decisions consistent with the following principles:

- Investments are to be managed prudently and within regulatory parameters.
- Only investments authorized by Nebraska Revised State Statutes §§ 77-2353.01 and 77-2341 and the District’s respective Bond Resolutions shall be purchased.
- Pursuant to this policy, the District shall develop a Corporate Investment Management Policy.
- The CEO shall ensure compliance with the any applicable laws and regulations, as well as the Corporate Investment Management Policy.
- Only Assistant Treasurers, Treasury Agents and Investment Agents are authorized to invest and manage OPPD funds.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-1: Strategic Foundation</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
		<b>Resolution No.:</b>	6070 6166 6251
<b>Date of Approval:</b>	July 16, 2015 January 12, 2017 (Merge SD-1A & SD-1B) June 7, 2018		

***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 principles.

***Core Values:***

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


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>		<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-2: Rates</b>		<b>Monitoring Method:</b>	Finance Committee Board Report
			<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 November 16, 2017 November 18, 2021	<b>Resolution No.:</b>	6070 6210 6471

The Board of Directors shall establish a directional rate target of 20% below the West North Central Regional average published rates on a system average basis\*.

In implementing this rate target, OPPD shall adhere to these principles:

- Maintain fair, reasonable and non-discriminatory rates as stated in Nebraska Revised Statute § 70-655;
- Equitably assign costs across and within all customer classes;
- Monitor affordability indicators;
- Pursue rate process and structure changes to reflect the cost of energy when it is used;
- Offer flexibility and options; and
- Be simple and easy to understand.

\*Defined in Glossary.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-3: Access to Credit Markets</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>

In order to achieve a low cost and flexible cost structure, OPPD shall maintain financial ratios and targets to ensure efficient and cost effective access to the credit markets.


Therefore:

- For OPPD’s annual budgets the Board establishes a minimum total debt service coverage\* ratio of 2.0 times.
- When making resource decisions, OPPD shall take into consideration long-term revenue requirements, debt to equity ratios, minimum risk adjusted liquidity\* levels, competitive position, financial risk and financial flexibility.
- OPPD’s goal is to maintain an AA credit rating with the credit rating agencies consistent with the above expectations.

***\*TERMS AND DEFINITIONS***

*Total Debt Service Coverage:* Revenues less expenses divided by total annual senior and subordinate lien debt interest and principal payments.

*Liquidity:* Total cash and unrestricted funds available to meet ongoing daily cash requirements.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <span style="color: orange;">SD-4: Reliability</span>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 October 13, 2016	<b>Resolution No.:</b>

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

Specifically, OPPD shall


- ~~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 steam 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.

***\*TERMS AND DEFINITIONS***

GADS – Generating Availability Data System

NERC – North American Electric Reliability Corporation

SAIDI – System Average Interruption Duration Index

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-5: Customer Satisfaction</b>	<b>Monitoring Method:</b>	Public Information Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 November 16, 2017	<b>Resolution No.:</b>


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, 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 part of this policy, OPPD shall:

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


\*Defined in Glossary.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-6: Safety</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 November 17, 2016 January 11, 2018	<b>Resolution No.:</b>

Through continuous improvement and monitoring, OPPD shall be recognized as a leader in employee safety and ensure the safety of the public in relation to OPPD operations. The Board establishes a long-term goal to continue to improve safety results that:

- Reduce OPPD’s Days Away, Restricted or Transferred (DART\*) rate to < .50, as measured by the industry’s performance metric DART.
- Reduce OPPD’s Preventable Vehicle Incident Rate (PVIR\*) rate to < 4.00, as measured by the industry’s performance metric PVIR.

\*Defined in Glossary.


	<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>Date of Approval:</b>	October 15, 2015 November 15, 2018 November 14, 2019 May 20, 2021	<b>Resolution No.:</b>	6082 6289 6347 6434

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.




	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-8: Employee Relations</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 January 12, 2017 November 14, 2019	<b>Resolution No.:</b>

OPPD shall develop and maintain a diverse and inclusive workplace reflective of OPPD’s core values that engages and inspires employees to commit to the vision and mission of OPPD.

OPPD establishes a goal to achieve top-quartile performance in employee engagement for similar sized companies.

OPPD shall:


- Engage its workforce in personal and professional development.
- Maintain and communicate written policies that define procedures and expectations for staff and provide for effective handling of grievances.
- Bargain in good faith with the official agents of represented employees and comply with Collective Bargaining Agreements.
- Conduct an annual engagement survey and provide a report of results to the Board.
- Provide an annual report to the Board on OPPD’s Affirmative Action Plan.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-9: Resource Planning</b>	<b>Monitoring Method:</b>	System Management and Nuclear Oversight Committee
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	October 15, 2015	<b>Resolution No.:</b>

The Board of Directors recognizes that the District will have to adapt to the rapidly changing electric utility business environment. The OPPD resource planning process will provide the resources and analytical capability to adequately assess OPPD’s Integrated Resource Portfolio (or Supply and Demand Portfolio) to ensure reliable, competitive, cost-effective and environmentally sensitive service for our customers.

To attain this goal, OPPD shall:


- Periodically assess, for strategic and integrated resource plans, OPPD’s mix of generation assets, demand-side management programs, purchased power agreements and renewable energy resources.
- Utilize multiple scenarios to properly evaluate the range of risks posed by varying future assumptions such as, but not limited to fuel costs, economic growth, regulations and emerging technologies.
- Ensure all integrated resource strategic plans support and align with OPPD’s **Strategic Directives**strategic direction policies.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-10: Ethics</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	October 15, 2015 October 13, 2016	<b>Resolution No.:</b>

It is essential that OPPD maintain the public trust and confidence in the integrity and ethical conduct of its Board of Directors and the OPPD employees. Therefore, to ensure the public interest is paramount in all official conduct, the Board shall adopt and update, as necessary, a Code of Ethics and Business Conduct (the “Code”). OPPD shall also maintain and enforce a code of conduct applicable to all employees.

Among other things the Code shall:


- Require high ethical standards in all aspects of official conduct;
- Establish clear guidelines for ethical standards and conduct by setting forth those acts that may be incompatible with the best interests of OPPD and the public;
- Require disclosure and reporting of potential conflicts of interests; and
- Provide a process for: (i) reporting suspected violations of the Code and policies; (ii) investigating suspected violations of the Code and policies; and (iii) providing an annual report to the Board.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-11: Economic Development</b>	<b>Monitoring Method:</b>	Public Information Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015	<b>Resolution No.:</b>

Promoting economic growth and vitality through the production of affordable, reliable, and environmentally sensitive energy is key to the success of OPPD. Therefore, OPPD shall exercise strategic leadership and actively participate in regional economic development.

Specifically, OPPD shall:

- Create and retain revenue for the District through the attraction of new business, the retention and expansion of existing business, and by fostering economic growth in our communities.
- Align and maintain leadership with regards to economic development activities with local, regional, and statewide initiatives.
- Promote innovation while maintaining rate affordability, aligned with SD-2, by offering economic programs or rates.
- Assist with site development by carrying out site due diligence and marketing efforts for large businesses and industrial customer-owners.
- Give periodic updates to the Board on economic development projects.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-12: Information Management and Security</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b> October 15, 2015 March 10, 2016 October 13, 2016		<b>Resolution No.:</b>

Robust information management and security practices are critical to effective risk management and to ensure regulatory compliance, business resiliency and customer-owner satisfaction.

OPPD shall safeguard and protect data, information and assets from inappropriate use, improper disclosure and unauthorized release.

OPPD shall take prudent and reasonable measures to ensure:

- *Information Security:* OPPD will implement processes and methodologies to protect print, electronic, or any other form of information or data from unauthorized access, misuse, disclosure, destruction, or modification.
- *Customer Privacy:* Except as provided by law or for a business purpose, OPPD will not disseminate customer-owner information to a third party for non-OPPD business purposes without customer-owner consent.
- *Records Management:* The efficient and systematic control of OPPD records inclusive of, identification, classification, storage, security, retrieval, tracking and destruction or permanent preservation of records.
- *Compliance:* Comply with contractual and legal requirements through the use of technical controls, system audits and legal review.


	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-13: Stakeholder Outreach and Engagement</b>	<b>Monitoring Method:</b>	Public Information Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b>	July 16, 2015 February 15, 2018	<b>Resolution No.:</b>

As a publicly owned utility, OPPD is committed to engaging its customers, the community and other stakeholders\*.

OPPD shall:

- Share context with customer-owners for key decisions.
- Use an integrated, clear and transparent engagement process that:
  - Provides meaningful ways for customer-owners to participate and provide feedback.
  - Is representative of the interested and impacted customer-owner segments that OPPD serves.
- Continuously evaluate and improve its outreach and engagement processes.


\*Defined in Glossary.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-14: Retirement Plan Funding</b>	<b>Monitoring Method:</b>	Finance Committee Board Report
		<b>Frequency:</b>	Annually
		<b>Resolution No.:</b>	6082
<b>Date of Approval:</b>	October 15, 2015		

The Retirement Plan Funding Policy is intended to provide guidance for funding and budgeting for pension obligations, demonstrate prudent financial management practices, re-assure bond rating agencies, and provide transparency to stakeholders on how the Retirement Plan (“Plan”) is funded. OPPD intends to provide for systematic funding of future benefit payments for Plan participants and their beneficiaries.

Therefore:

- A nationally recognized actuarial firm should be utilized to perform the analysis to determine the annual required contribution to the Plan.
- The discount rate to be used to determine the Plan’s current funded status and required contribution will be established with the assistance of an investment consultant.
- OPPD intends to achieve long-term full funding of the cost of benefits provided by the Plan by funding the actuarially determined annual required contribution each year.

	<b>OMAHA PUBLIC POWER DISTRICT Board Policy</b>	<b>Category:</b>	Strategic Direction
	<b>Policy No. and Name:</b>  <b>SD-15: Enterprise Risk Management</b>	<b>Monitoring Method:</b>	Governance Committee Board Report
		<b>Frequency:</b>	Annually
	<b>Date of Approval:</b> July 16, 2015 June 15, 2017 April 15, 2018		<b>Resolution No.:</b>

OPPPO shall maintain an enterprise risk management (ERM) program to perform an independent oversight function of the District’s risk management activities to ensure significant risks are identified, assessed, managed, and reported through organizational policies, procedures, and processes to maintain risk exposures within agreed upon risk tolerance levels.

The Board of Directors shall:

- Ensure the District is maintaining an ERM program that fulfills this policy.
- Review the District’s most significant risks on a quarterly basis to validate assumptions and assess the impacts of changes since initial risk review.
- When necessary, request additional explanation of the risk from the corresponding **Senior Manager** member of OPPPO’s executive leadership team responsible for the risk or request additional expertise to supplement the review.
- Review additional ERM information, related risk activities, and strategies on an as-needed basis.



## Glossary

<b>DART</b>	<i>Days Away, Restricted or Transferred:</i> The rate is calculated by multiplying the number of DART cases times 200,000 divided by the hours worked.
<b>general rate</b>	OPPD general rates service retail customers. These are rates that are charged to all residential, commercial and industrial customers. These revenues exclude charges such as connection and service charges.
<b>liquidity</b>	Total cash and unrestricted funds available to meet ongoing daily cash requirements.
<b>nationally syndicated studies</b>	National customer satisfaction studies performed by an independent third party, regardless of OPPD's interest in participating, that provide objective measures by which electric utility companies can analyze their residential and commercial customer satisfaction relative to others in the industry.
<b>PVIR</b>	<i>Preventable Vehicle Incident Rate:</i> The rate is calculated by multiplying the number of PVIR cases times 1,000,000 divided by the miles driven.
<b>stakeholders</b>	Customer-owners, employees, community leaders, media, retirees, and any other person of interest or concern regarding OPPD business matters.
<b>system average basis</b>	Total revenue billed to retail customers divided by total kWh sold to retail customers. The result is measured in cents per kWh or the average system basis.
<b>total debt service coverage</b>	Revenues less expenses divided by total annual senior and subordinate lien debt interest and principal payments.



## Pre-Committee Agenda

FINANCE PRE-COMMITTEE MEETING  
VIDEOCONFERENCE  
April 8, 2022 8:00 – 9:30 AM

1. Safety Briefing (Bishop – 3 min)
  - a. Promote awareness of current safety focus
2. Chair Report (Yoder – 20 min)
  - a. Objective: Review status of Finance Committee work items
    - Finance Committee Charter
      - Discussion on SD-9 referenced in the Finance Committee Charter
    - SD-2: Rates Policy Revision
      - Memorialize prior decisions made by the Finance Committee
    - Other Topics
      - Cost of Living Adjustment – Provide background on questions raised and future work expected by staff
      - Solar Installer question on net metering – Provide staff response
3. Debt Authorization (Bishop – 5 min)
  - a. Objective: Review management’s recommendation and answer questions from the Committee; develop recommendation for Board action
4. SD-2: Rates Policy Revision Benchmarking (Bishop – 15 min)
  - a. Objective: Review benchmarking research and develop consensus for SD-2 goals
5. Rate Review Plan (Bishop – 20 min)
  - a. Objective: Staff to present plan for rate design review
6. Board Work Plan – Finance Committee Items (Focht – 15 min)
  - a. Objective: Introduce and orient committee members on the revised Board Work Plan and process
7. Summary of Committee Direction (2 min)
  - a. Objective: Executive leadership team liaison(s) to gain alignment and summarize direction provided by the Committee



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Reauthorization for the 2021-2022 Series Electric System Revenue Bonds

### PURPOSE

Authorize an increase in the amount of authorized Electric System Revenue Bonds

### FACTS

- a. The Board of Directors authorized Management on June 17, 2021 to sell up to \$600 million of Electric System Revenue Bonds, 2021 or 2022 (“Authorized Bonds”) through December 31, 2022 to issue new debt to replenish liquidity by reimbursing previously incurred capital expenditures, refund existing higher yielding debt, or by funding anticipated capital expenditures and related transaction costs.
- b. As of the current date, Management has issued \$438,935,000 of Authorized Bonds (2021 Series A and B Bonds), which was reported to the Board at its November 2021 meeting. Management has not issued any additional Authorized Bonds. Therefore, \$161,065,000 of potential issuance is available through 2022.
- c. The District continually monitors its liquidity/cash needs to assure that adequate funds are available to manage the District’s operations. From time to time, Management concludes that it is in the best interests of the District to use cash accumulated from District operations or other liquidity resources for various purposes, give then-existing market conditions or timing imperatives, including, without limitation, to fund unexpected operating expenditures, to pay for capital improvements to the District’s electric system or to prepay or defease outstanding indebtedness of the District. Should the District elect to use its cash for any such purpose, it is in the best interests of the District that it have the ability to act promptly, given favorable market conditions, to issue new debt to replenish liquidity by reimbursing previously incurred capital expenditures or by funding anticipated capital expenditures and related transaction costs.
- d. It is advisable for the Board of Directors to increase the authorization amount by an additional \$280 million, for a total authorization amount of \$880 million. This authorization would allow the President and Chief Executive Officer or the Vice President and Chief Financial Officer to complete the sale upon acceptable market interest rates. This would be accomplished by a completed and executed Pricing Certificate(s) accompanied with written opinion(s) of the District’s Financial Advisor which would certify to the Board that the terms of the debt reflect rates competitive with current market conditions.
- e. The Board of Directors will receive quarterly updates on the status of the Authorized Bonds. Final pricing of a series of Authorized Bonds will be presented at the next regularly scheduled Board Meeting immediately following the execution of the Bond Purchase Agreement.

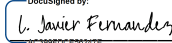
### ACTION

Board authorization to increase the amount to a total of \$880 million upon acceptable market conditions.

### RECOMMENDED:

DocuSigned by:  
  
 \_\_\_\_\_  
 Jeff M. Bishop  
 Vice President and Chief Financial Officer

### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 \_\_\_\_\_  
 L. Javier Fernandez  
 President and Chief Executive Officer

JMB: jap

Attachment: Resolution



Yoder/Bishop

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

**WHEREAS**, the Omaha Public Power District (the “District”), a public corporation and political subdivision of the State of Nebraska, is vested pursuant to the provisions of 70-631 of the Reissue Revised Statutes of Nebraska, as amended, with the power to borrow money and incur indebtedness for any corporate use or purpose upon such terms and in such manner as the District shall determine; and

**WHEREAS**, the District by Resolution No. 1788, adopted by the Board of Directors of the District (the “Board”) on January 20, 1972, as amended by Resolution No. 5432 adopted by the Board of Directors of the District on April 14, 2005 and Resolution No. 5882 adopted by the Board of Directors of the District on October 13, 2011 (together, the “General Resolution”), supplemented by various series resolutions, has authorized the issuance of its bonds for the purposes therein stated and has heretofore issued and has currently outstanding as of the date hereof pursuant to the General Resolution bonds of the District designated as Electric System Revenue Bonds (the “Bonds”); and

**WHEREAS**, the General Resolution permits the issuance of bonds on a parity with and in addition to the Bonds currently outstanding (“Additional Bonds”), for any corporate purpose of the District, upon compliance with the provisions and conditions of the General Resolution; and

**WHEREAS**, the Board has determined and hereby determines that it is advisable and in the best interest of the District to authorize management of the District to borrow funds on behalf of the District by means of the issuance and sale pursuant to the General Resolution of Additional Bonds for the purpose of refunding outstanding indebtedness of the District, funding any required reserves and paying the costs and expenses incurred in the issuance of the Additional Bonds issued hereunder; and

**WHEREAS**, the Board previously adopted Resolution No. 6439 (“Resolution No. 6439”), pursuant to which the Board authorized the issuance of Additional Bonds in accordance with the terms of Resolution No. 6439 and the General Resolution; and

**WHEREAS**, the Board previously adopted Resolution No. 6440 (“Resolution No. 6440” and, together with Resolution No. 6439, the “Operative Resolutions”), pursuant to which the Board authorized, among other things, management to negotiate, execute and deliver one or more investment banking agreements with one or more groups of local and national investment banks (the “Underwriters”) for Additional Bonds; and

**WHEREAS**, the authorizations provided by the Board in the Operative Resolutions limit the aggregate principal amount of the Bonds that may be issued pursuant thereto to \$600 million; and

**WHEREAS**, the authorizations provided by the Board in the Operative Resolutions required that any Authorized Bonds issued pursuant thereto have a Dated Date no later than December 31, 2022; and

**WHEREAS**, the Board now wishes, in recognition of current financing needs, to increase such limit and extend such date for purposes of each of the Operative Resolutions and to make conforming changes to each of the Operative Resolutions.

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

**Section 1. Definitions.** Unless the context shall clearly indicate otherwise, the terms used in this Resolution No. [\_\_\_\_], including the preambles hereto, which are not defined in this Resolution No. [\_\_\_\_] shall have the meanings set forth in Resolution No. 6439.

**Section 2. Increase in Authorized Bonds Authority Under the Operative Resolutions.** The Board hereby increases the aggregate principal amount of the Authorized Bonds authorized by the Board under the Operative Resolutions to \$880 million.

**Section 3. Extension of Dated Date Limit Under the Operative Resolutions.** The Board hereby modifies the Operative Resolutions to authorize the issuance of Authorized Bonds with Dated Dates no later than December 31, 2022.

**Section 4. Approval of Offering Documents.** The Board hereby modifies Resolution No. 6440 to authorize and approve the use of a Preliminary Official Statement in substantially the form of the Official Statement of the District issued in connection with its 2021 Series A Bonds and 2021 Series B Bonds dated October 7, 2021 (together with such further modifications, updates and amendments as, in the judgment of the Vice President and Chief Financial Officer and/or the President and Chief Executive Officers of the District, are necessary or appropriate for use in connection with the offering and sale of the Authorized Bonds), and one or more Official Statements (in substantially the form of the Preliminary Official Statement, as modified) completed to reflect the terms of the applicable Authorized Bonds as set forth in the relevant Pricing Certificate, the information contained therein and the documents and material referred to in the applicable Bond Purchase Agreement to be used in connection with the public offering and sale of the Authorized Bonds, and directs the Chair or Vice Chair or Vice President and Chief Financial Officer or the President and Chief Executive Officer to express such approval and the District's approval of any additional revisions to the Official Statement by executing and delivering the Official Statement to the Underwriters as required by the applicable Bond Purchase Agreement.

**Section 5. Authorization of Conforming Changes.** The Board hereby authorizes management of the District, in connection with actions taken under the Operative Resolutions as amended hereby, to (i) reference, in the form of each Additional Bond and elsewhere in the proceedings relating thereto, as appropriate, this Resolution No. [\_\_\_\_] as an amendment to the Operative Resolutions and (ii) make such other changes to the name or form of any Additional Bonds and to any related documents necessary and appropriate, in the judgment of the persons executing such documents, to reflect the provisions of this Resolution No. [\_\_\_\_].

**Section 6. Confirmed Effectiveness of Operative Resolutions.** Except as otherwise provided herein, the terms and conditions of the Operative Resolutions shall remain effective in accordance with their terms. The Board hereby affirms the provisions of the Operative Resolutions as of the date hereof, subject only to the modifications set forth herein.

**Section 7. Section Headings, Table of Contents.** The headings or titles of the several sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning or construction, interpretation or effect of this Resolution No. [\_\_\_\_].



# OPPDP Senior Bond Financing Authorization

Jeffrey M. Bishop

Vice President – Financial Services & CFO

April 19, 2022

# Senior Debt Board Authorization for 2021-2022

- In June 2021, Board approved authorization to issue up to \$600 million of tax-exempt senior bonds through December 31, 2022
- As reported to the Board in November 2021, the District issued \$439 million of bonds in 2021
- Approximately \$161 million of authorization remains through December 31, 2022

# Senior Debt Issuances for 2022

- As indicated in the Corporate Operating Plan, there is a need for additional debt proceeds
  - \$363 million for capital expenditure program
  - \$75 million to repay commercial paper
  - Total of approximately \$440 million
- Requesting additional debt authorization of \$280 million for a total authorization amount of \$880 million
- Additional \$280 million of authorization plus the \$161 million of remaining authorization would allow the District to issue an additional \$441 million of bonds in 2022



# Senior Debt Issuance Recommendation

- OPPD staff recommends additional debt authorization of \$280 million for a total authorization amount of up to \$880 million of tax-exempt senior debt through December 31, 2022
  - Provides flexibility to issue as market conditions warrant
  - Bonds will be issued to reimburse previous capital expenditures and to fund future capital expenditures
  - Bond proceeds can only be used for capital expenditure purposes as directed by IRS regulations
- Upon Board's authorization, issue bonds in 2022 for:
  - Capital expenditure program related to Power with Purpose
  - Other capital expenditures reviewed and approved as part of the 2022 COP
  - Liquidity needs
  - Refundings



**BOARD OF DIRECTORS**

# Reporting Item

April 19, 2022

ITEM

Rate Design Project

PURPOSE

To provide an update on the Rate Design Project

FACTS

- a. In response to the Finance Committee's interest in continuing a robust conversation on rate principle refinement at the District, the Rate Design Project was presented and agreed upon by the Finance Committee.
- b. The project includes an eleven (11) month engagement and outreach process to align on rate principles with customer preferences, and create a modern foundational document for future rate design.
- c. The objective of the project will be to align on principles that will guide future rate design in the near-term and also the long-term, so that OPPD is consistently working towards the long term goals for rates and also align on priorities to create a rate design roadmap. This roadmap will feed into the Biennial Rates Package that prioritizes rate work that supports OPPD's rate principles.
- d. The project is scheduled to start in April 2022 and be completed in February 2023.

**RECOMMENDED:**

DocuSigned by:

*Jeffrey M. Bishop*

65F002772CFE45A

Jeffrey M. Bishop  
Vice President and Chief Financial Officer

**APPROVED FOR REPORTING TO BOARD:**

DocuSigned by:

*L. Javier Fernandez*

AC399EDCE56247E

L. Javier Fernandez  
President and Chief Executive Officer

JMB:bjs

Attachments: Rate Design Project Proposal

# Rate Design Project

Jeff Bishop, VP Financial Services & Chief Financial Officer  
April 19, 2021

# Rate Design Project

## Approach

- Develop a two- phase rate design process to align on the rate principles for OPPD that will guide future rate design



### Phase 1:

- Duration: 11 Months

- Project kick-off: April
- Initial customer outreach: April - June
- Board sessions: June - August
- Identification of concepts: July – October
- Report out on concepts: October
- Additional customer outreach: October – January
- Report out of customer feedback: January
- Final report on rate design: January - February

- Phase 2:

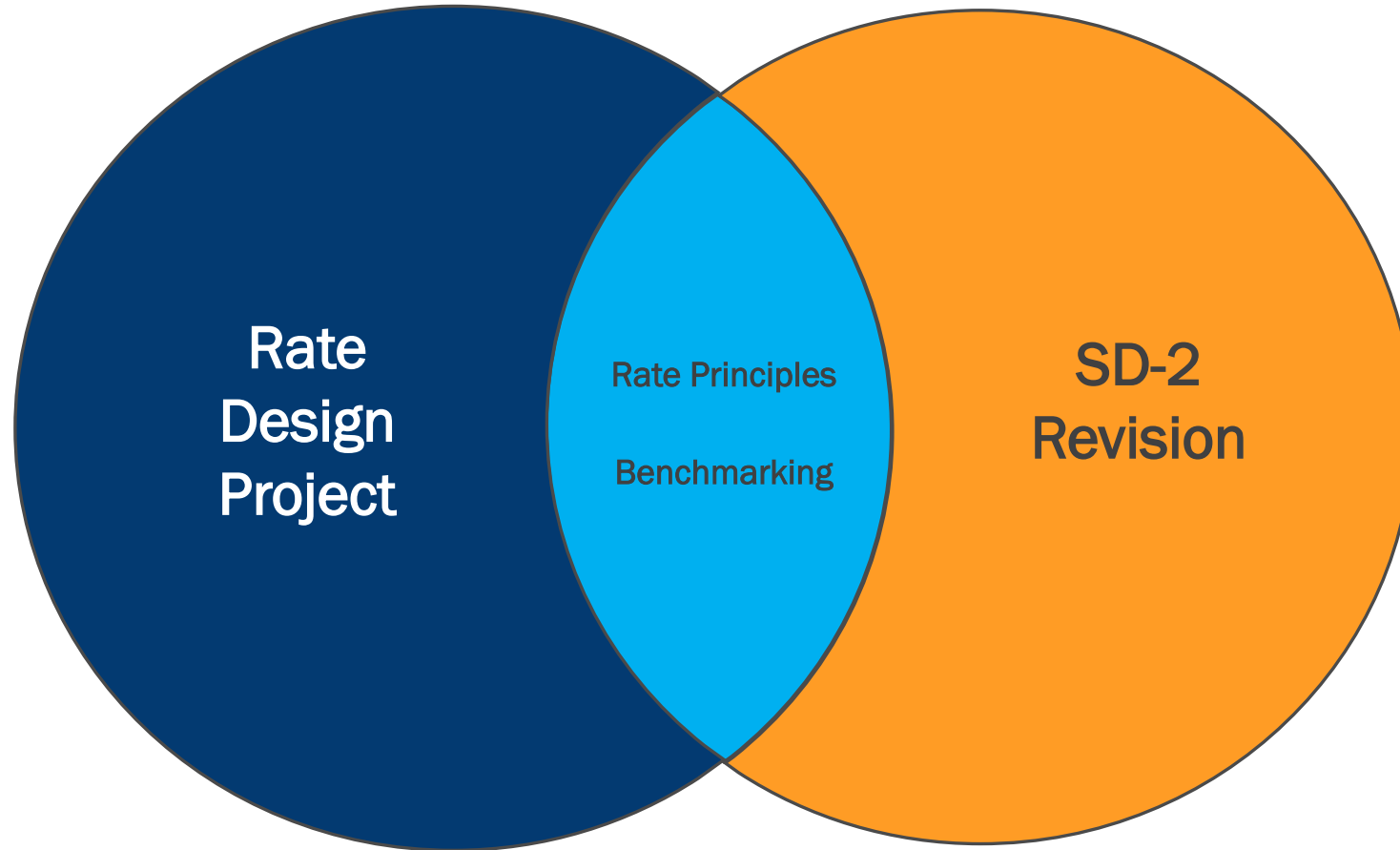
- Multi-year outreach, rate design, piloting, and implementation
- Phase 2 rate design will be executed through the biennial rate package process



-Focus of today's presentation.

# Rate Design Project

## Rate Design Project vs SD-2 Revision



# Phase 1



# Rate Design Project

## Background for Phase 1

- Problem Statement:

In a time of dynamic technology, environmental concerns, and generation mix, OPPD is in need of a long term vision on rate design principles aimed to best serve and represent our OPPD customers and guide the organization's investment of resources, as well as guide future rate and product offerings.

- An 11-month engagement and outreach process will seek to align on rate principles with customer preferences, and create a modern foundational document for future rate design.

- Objectives:

- Align on principles that will guide future rate design in the near-term and also the long-term, so that OPPD is consistently working towards the long term goals for rates.
- Align on priorities to create a rate design roadmap. This roadmap will feed into the Biennial Rates Package that prioritizes rate work that supports OPPD's rate principles.

# Rate Design Project

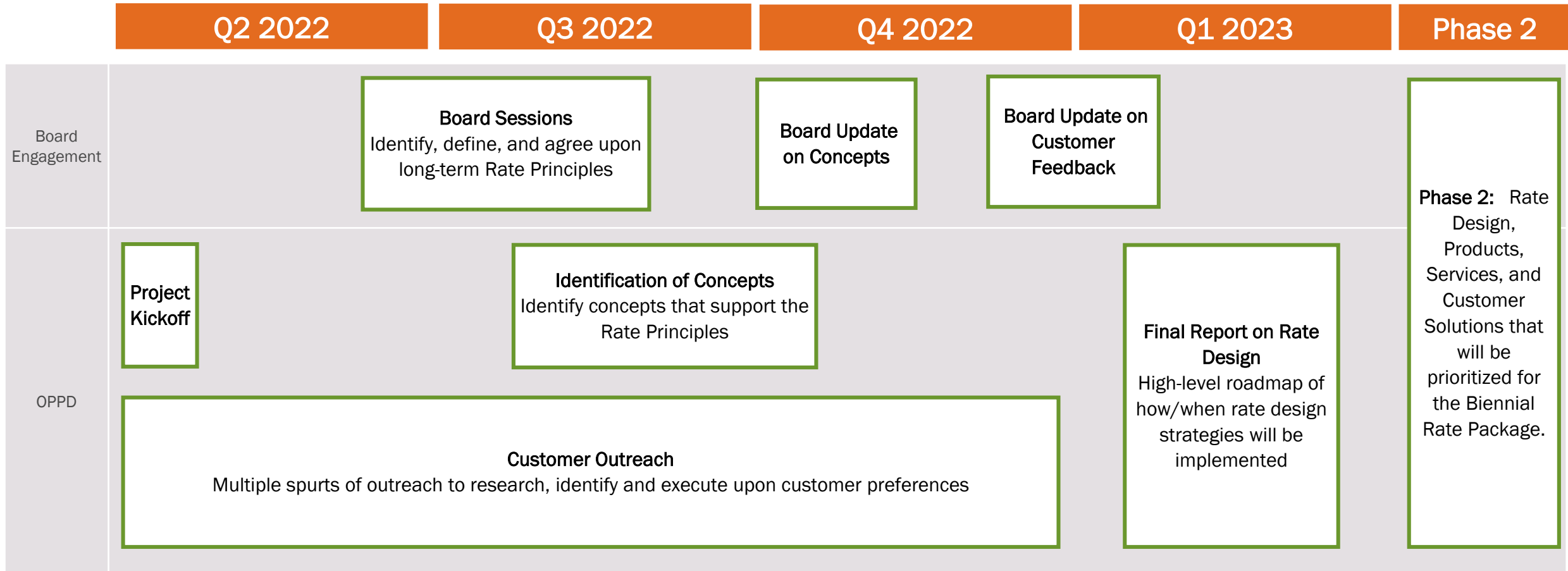
## Phase 1: Internal Team Members and External Resources

Project Meetings	Meeting Objective	Frequency	Team Members	
Steering Committee	Review of progress for alignment and key decisions.	Monthly	Brad Seier – Financial Planning & Analysis Heather Siebken – Product Development & Marketing Kate Thomas– Corporate Marketing & Communications Tim O’Brien– Economic Development & External Relations Jim Krist – Customer Sales & Service	
Core Team	Core team checkpoints for iterative review, buildout of work and project progression status.	Weekly/ Bi-Weekly	Jessica de la Torre (PM) Beth Hoyle Paul Fortney Sarah Lake	Laura King-Homan Michael Leary Karisa Vlasek Jarrod Benson CS&G (TBD)
Subject Matter Experts	Individual discovery sessions with core team members and functional / process experts for review.	As needed	Corey Dejong Jen Iwanski Laurie Zagurski Nicole Luna Moe Hinnners	Steve Bruckner (Legal) Steve Sauer Wyndle Young TS (if needed) D&I (TBD)
External Resources	Consultants to facilitate and advise. Customer focus group to give feedback and input.	As needed	GDS Associates – Rate Principle and Design Consultant Needledrop – Customer Engagement Consultants Qualtrics – Customer Experience Research Firm The Brattle Group- OPPD’s Rate Consultant Power Panel, Next Generation LPPC members OPPD Customers	



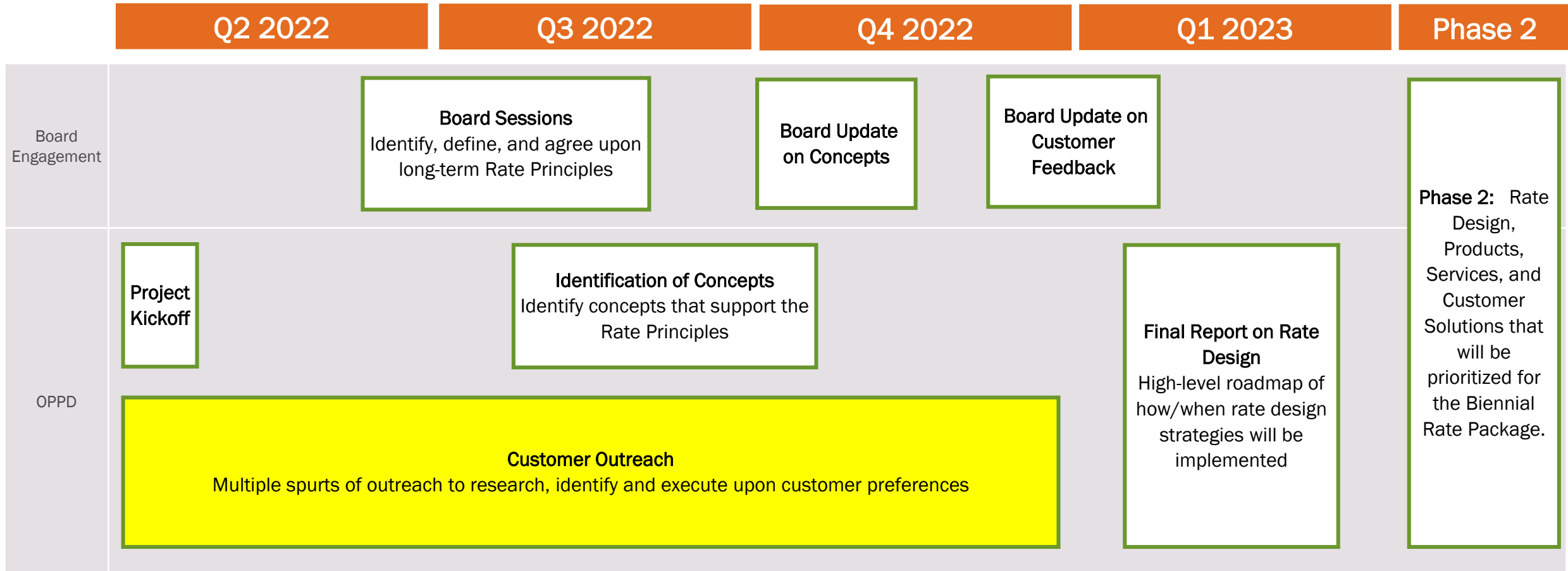
# Rate Design Project

## Phase 1



# Rate Design Project

## Phase 1



# Rate Design Project

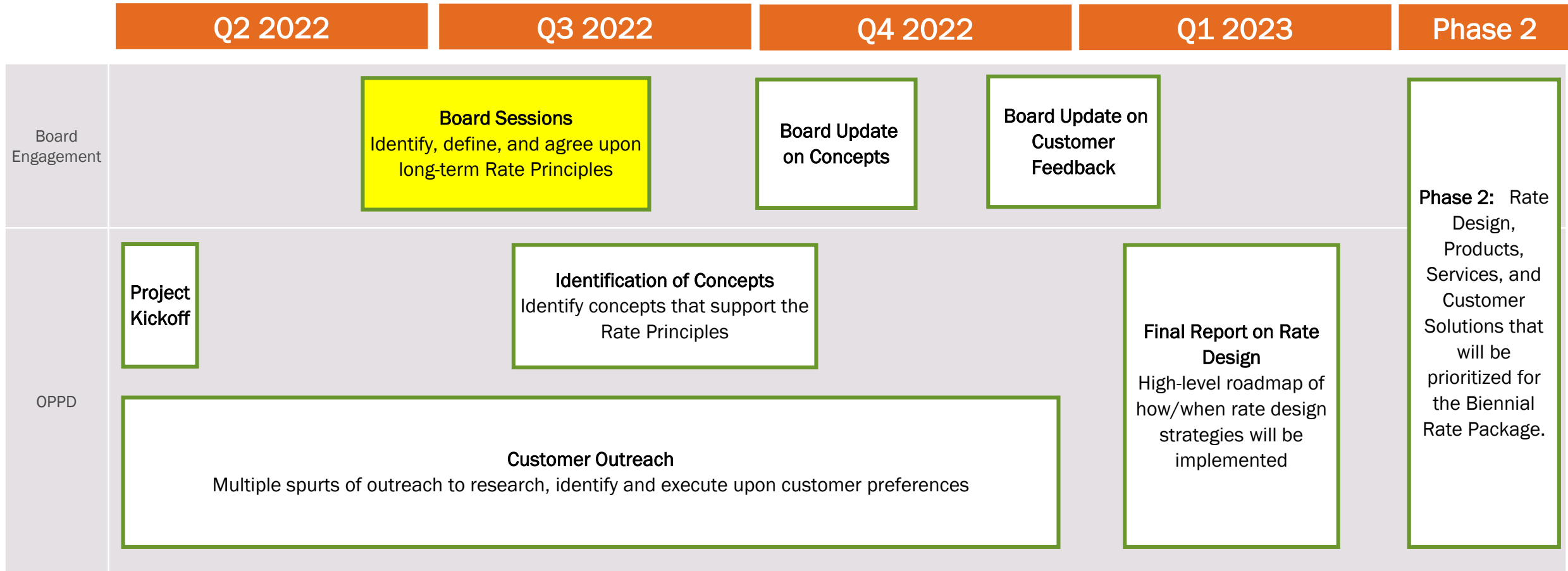
## Initial Customer Research/Outreach

- To deeply understand our customer's values, attitudes and beliefs regarding the principles behind the price they pay for a good or service, and what drives those perceptions and thoughts.
- Results will be shared at Board sessions



# Rate Design Project

## Phase 1



# Rate Design Project

## Board Sessions with GDS/EES

- Board Sessions:
  - Three full day sessions
  - Facilitated by GDS Associates
  - In-person sessions
  - Conducted over three months: June - August
  - Attendees:
    - 8 Board members
    - Select ELT members
    - Legal
    - Steering Committee and Core Team
- These sessions will be available to the public through Webex
- The public will be able to leave comments through OPPD Community Connect on the Rate Design Project Page

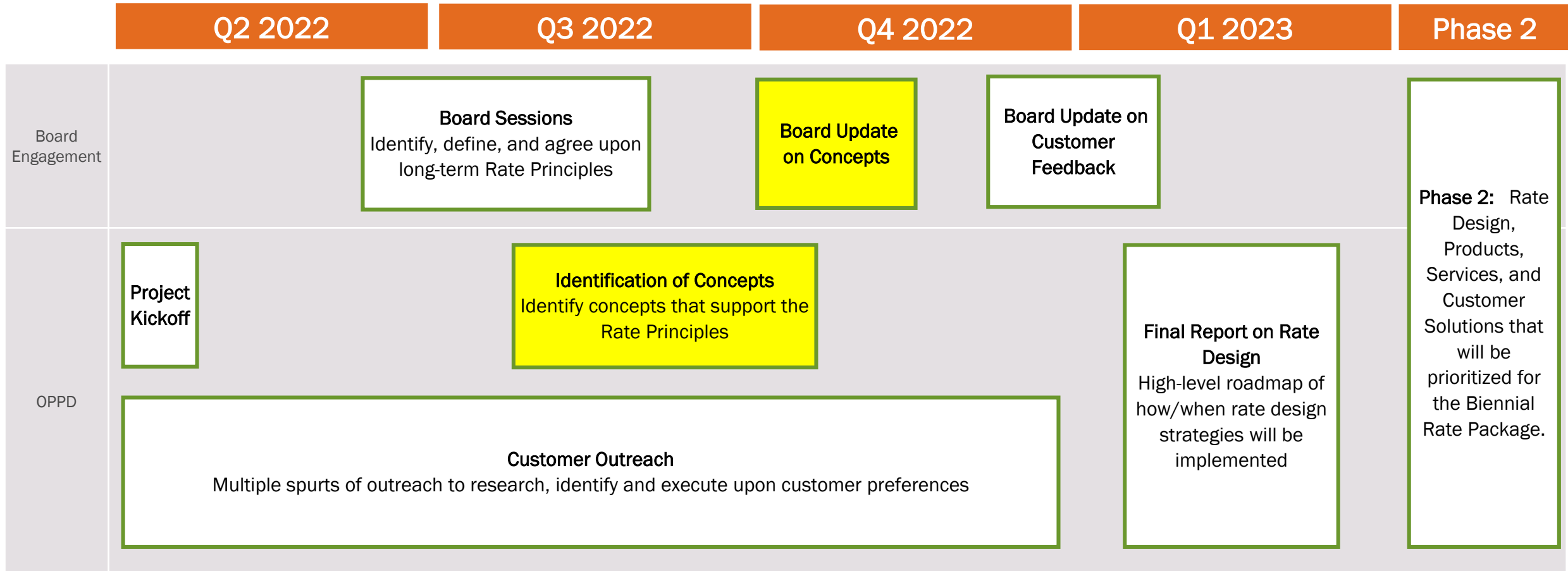
# Rate Design Project

## Board Sessions with GDS/EES

- Preliminary topics for the 3 sessions:
  - Current Status of utility rate setting
  - Current principles in SD-2
  - Outline principles for rate setting for OPPD
  - Customer Research/Outreach results
  - Define Generally Accepted Rate Setting Practices (GARP) for OPPD
    - Overview of current rates
    - Overview of rate trends
    - Benchmarking against other utilities
    - Alignment with PF 2050
  - Understanding current shortcomings and discussing areas of concern
  - Refine and agreement on the rate principles
- **As a result of these sessions, the Board will identify and have an agreement on the recommended rate principles to be used for future rate design**

# Rate Design Project

## Phase 1



# Rate Design Project

## Identify Concepts

- Now that the Principles have been identified, defined, and accepted by the Board, the next step is to identify the concepts to be achieved through rate design, products, services, or solutions.
- The core team will identify the concepts, that support the Principles, based on the Board sessions and also the customer engagement that was summarized for the Board sessions. The concepts will be presented to the Board before they go through the additional customer outreach.

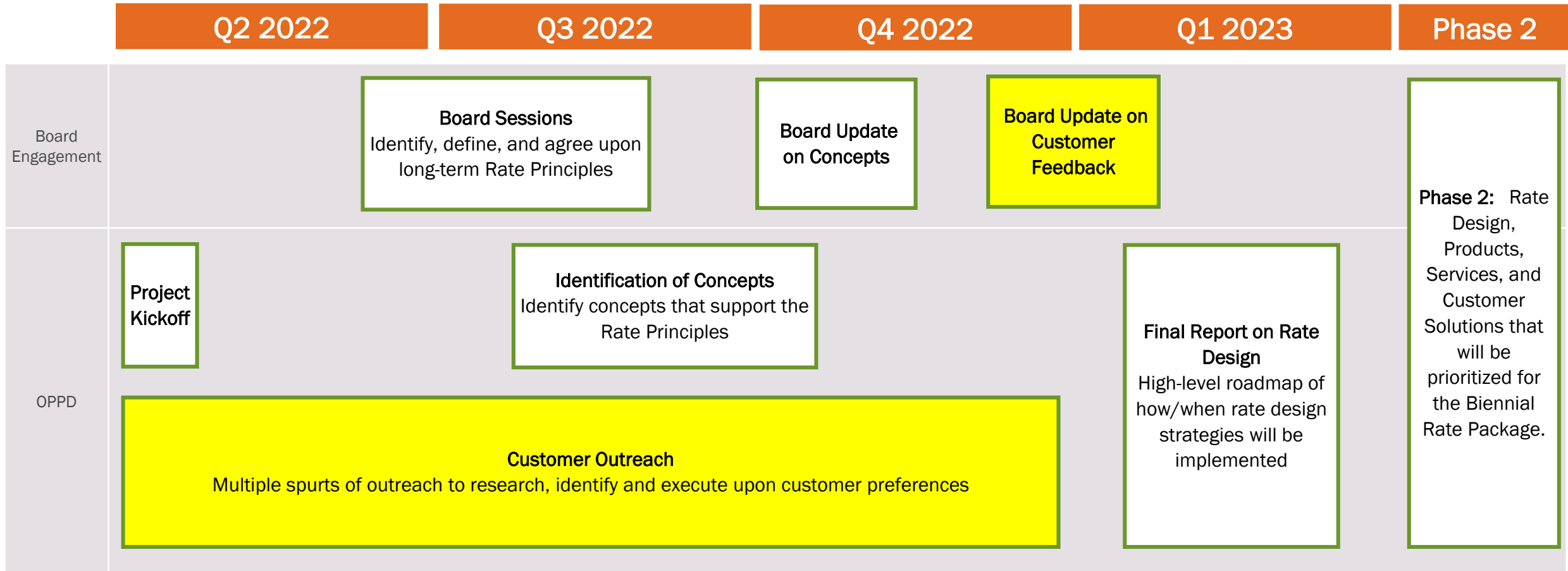
Examples (based on current SD-2 Principles):

Rate Principle	Concept
Simple and Easy to Understand	Redesign bills/Customer Education
Pursue rate structures to reflect the cost of energy when it is used	Time of Use Rate/Tiered Service Charge/EV
Offer Flexibility and Options	Green Option



# Rate Design Project

## Phase 1



# Rate Design Project

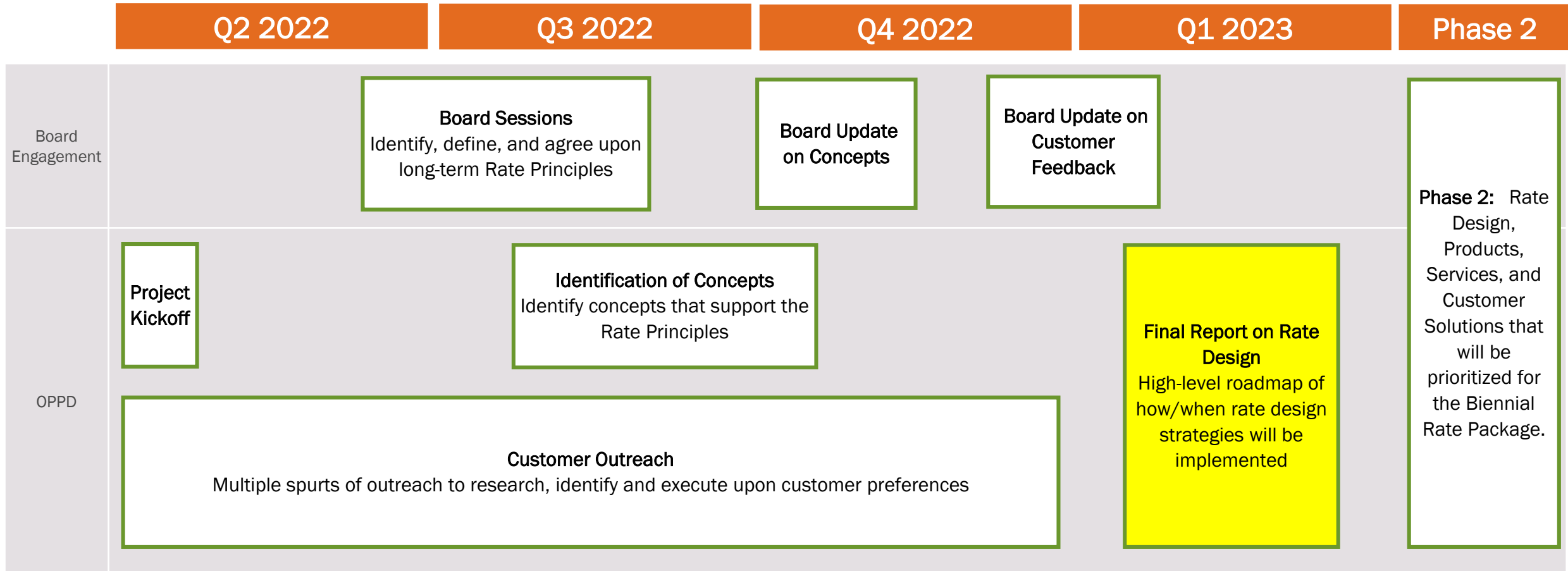
## Outreach and Rate Design Analysis

- Utilize multiple outlets to gather feedback from both internal and external customers on the concepts identified
- The core team will put together recommendations on the concepts that will be prioritized for Phase 2 based on the feedback through all outreach channels and present the recommendations to the Board. This could include multiple concepts.



# Rate Design Project

## Phase 1



# Rate Design Project

## Final Report on Rate Design

- The Final Report on Rate Design will document:
  - The Rate Principles accepted by the Board
  - The concepts that were identified and how they support the principles set by the Board
    - Customer outreach that was done to gather feedback on the concepts
  - What rate design strategies (concepts) were recommended and will move forward to Phase 2 and into the Biennial Rate Package
  - High level roadmap of how/when the rate design strategies will be implemented

# Questions



## Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT  
PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
April 6, 2022, 4:00 – 5:00 P.M.

1. SD-9: Resource Planning Update (Underwood – 25 min)
  - a) Objective: Debrief and discussion regarding feedback, timeline and potential future metrics.
2. SD-4: Reliability Monitoring Report (Via – 15 min)
  - a) Objective: Collect comments on the SD-4 monitoring report and discuss recommendation for approval.
3. RFP #5948 69-13.8kV 10/12.5 (14)MVA OLTC Transformer Procurement (Via – 5 min)
  - a) Objective: Discuss transformer procurement process.
4. Board Work Plan – Systems Committee Items (Focht – 8 min)
  - a) Objective: Introduce and orient committee members on the revised Board Work Plan and process.
5. Independent Decarbonization Oversight Committee (IDOC) Discussion (Underwood – 5 min)
  - a) Objective: Discuss and review next steps.
6. Summary of Committee Direction (Williams – 2 min)
  - a) Objective: Executive leadership team liaison(s) to summarize direction provided by the committee.



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Sale of a portion of property located at 12210 South 114<sup>th</sup> Street, Papillion, Sarpy County, NE.

### PURPOSE

To widen 114<sup>th</sup> Street from two lanes to three lanes along the east property line with the sale of 6,619 square feet (0.152 acres), as shown on Exhibit A.


### FACTS

- a. OPPD's Board-Staff Linkage Policy, *BL-10: Delegation to the President and Chief Executive Officer – Real and Personal Property*, directs that "All sale or transfer of property ownership shall require Board approval."
- b. The sale of property does not adversely affect operations now or in the future.
- c. An independent appraiser valued the acquisition at \$6,840.00. OPPD believes the offer is reasonable and fair compensation.

### ACTION

Authorization by the Board of Directors to convey the property to Sarpy County, Nebraska for \$6,840.00.


#### RECOMMENDED:

DocuSigned by:  
  
B626AD4392E3493...  
Scott M. Focht  
Vice President – Corporate Strategy and Governance

SMF:jdf/bel

Attachment: Exhibit A  
Resolution

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
AC399EDCE56247E  
L. Javier Fernandez  
President and Chief Executive Officer

**EXHIBIT "A"**  
**TRACT 2**

**HATCH LEGEND**



RIGHT OF WAY ACQUISITION



UNDERLYING ROADWAY EASEMENT



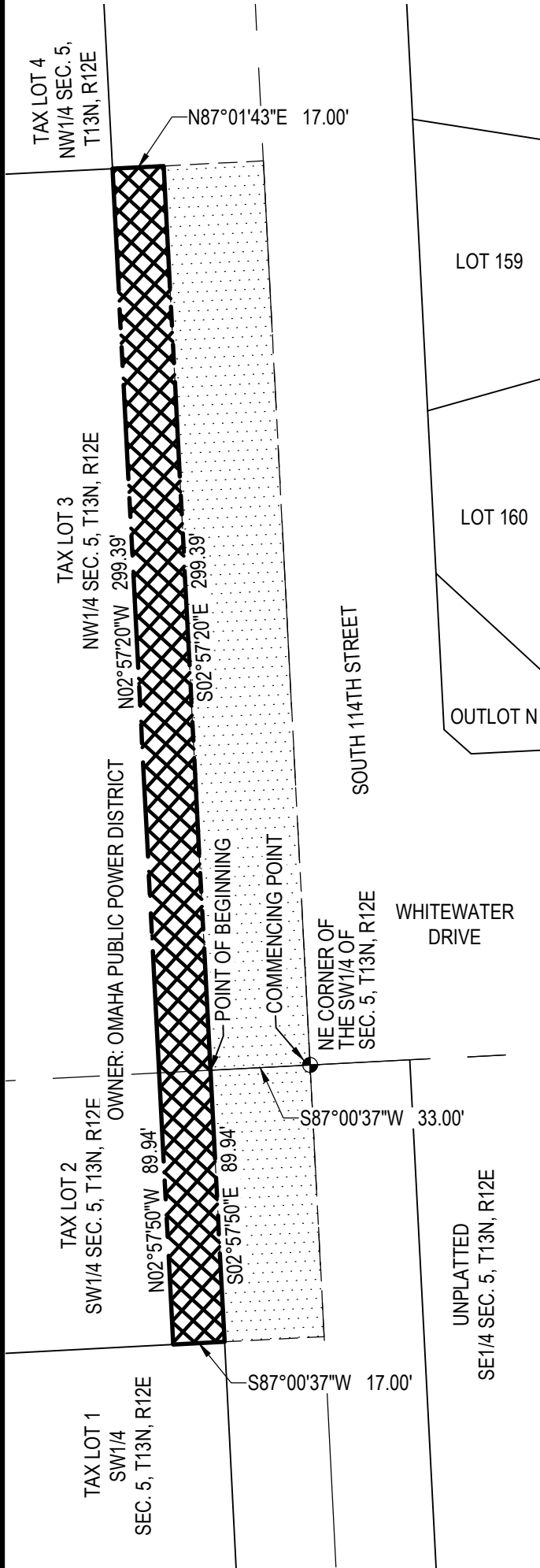
1 inch = 50 ft.

**LEGAL DESCRIPTION-TRACT 2**

A TRACT OF LAND BEING PART OF TAX LOT 2, A TAX LOT LOCATED IN THE NE1/4 OF THE SW1/4 OF SECTION 5, ALSO TOGETHER WITH PART OF TAX LOT 3, A TAX LOT LOCATED IN THE SE1/4 OF THE NW1/4 OF SAID SECTION 5, ALL LOCATED IN TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SW1/4 OF SECTION 5; THENCE S87°00'37"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SW1/4 OF SECTION 5, SAID LINE ALSO BEING THE SOUTH LINE OF SAID NW1/4 OF SECTION 5, A DISTANCE OF 33.00 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT 3, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TAX LOT 2, AND ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH 114TH STREET AS OCCUPIED BY UNDERLYING ROAD EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S02°57'50"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH 114TH STREET, SAID LINE BEING 33.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SW1/4 OF SECTION 5, SAID LINE ALSO BEING THE EAST LINE OF SAID TAX LOT 2, A DISTANCE OF 89.94 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT 2; THENCE S87°00'37"W ALONG SAID SOUTH LINE OF TAX LOT 2, A DISTANCE OF 17.00 FEET TO A POINT 50.00 FEET WEST OF SAID EAST LINE OF SAID SW1/4 OF SECTION 5; THENCE N02°57'50"W ALONG SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SW1/4 OF SECTION 5, A DISTANCE OF 89.94 FEET TO A POINT ON THE NORTH LINE OF SAID SW1/4 OF SECTION 5, SAID LINE ALSO BEING THE NORTH LINE OF SAID TAX LOT 2, AND ALSO BEING THE SOUTH LINE OF SAID TAX LOT 3; THENCE N02°57'20"W ALONG SAID LINE BEING 50.00 WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW1/4 OF SECTION 5, A DISTANCE OF 299.39 FEET TO A POINT ON THE NORTH LINE OF SAID TAX LOT 3, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE REMAINDER OF TAX LOT 4, A TAX LOT LOCATED IN THE SE1/4 OF THE NW1/4 OF SAID SECTION 5; THENCE N87°01'43"E ALONG SAID NORTH LINE OF TAX LOT 3, A DISTANCE OF 17.00 FEET TO THE NORTHEAST CORNER OF SAID TAX LOT 3, SAID POINT ALSO BEING ON SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH 114TH STREET; THENCE S02°57'20"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH 114TH STREET, A DISTANCE OF 299.38 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 6,619 SQUARE FEET OR 0.152 ACRES, MORE OR LESS.



E & A CONSULTING GROUP, INC.  
Engineering Answers

**E & A CONSULTING GROUP, INC.**

Engineering • Planning • Environmental & Field Services

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154 Phone: 402.895.4700 • Fax: 402.895.3599

Drawn by: FCE Chkd by:

Date: 09/11/2020

Job No.: P2016.420.001

**RIGHT-OF-WAY ACQUISITION**  
**SOUTH 114TH STREET C77 (19-15)**  
**TRACT 2**

**(OMAHA PUBLIC POWER DISTRICT)**

SARPY COUNTY, NEBRASKA





Williams/Focht

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

**WHEREAS**, Sarpy County wishes to purchase 0.152 acres of land that is part of the District's property at 12210 South 114<sup>th</sup> Street, Papillion, Sarpy County, Nebraska to allow for 114<sup>th</sup> Street widening improvements by Sarpy County; and

**WHEREAS**, the sale of the property will not adversely affect District operations now or in the future; and

**WHEREAS**, the appraised value of the property being sold is \$6,840.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that Management is authorized and directed to sell to Sarpy County, Nebraska District real property consisting 0.152 acres of land located at 12210 South 114<sup>th</sup> Street, as described on Exhibit A attached hereto, for the amount of \$6,840.00.



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Acquisition of Land Rights for Enterprise Operations Technology Communications Network Asset Located in Western Sarpy County.

### PURPOSE

Authorize use of eminent domain as necessary to acquire fee ownership and/or permanent easements of land for an existing Enterprise Operations Technology Communications Network asset through December 31, 2022.

### FACTS

- a. This requested eminent domain authorization covers land rights that need to be acquired for an existing Enterprise Operations Technology Communications Network asset that supports District operations.
- b. OPPD entered into a lease agreement on June 29, 1982, with an expiration date of June 29, 2022.
- c. It may be necessary to acquire fee ownership of land and/or permanent easements for the asset.
- d. OPPD will commence negotiations to voluntarily acquire the necessary land rights for the asset.
- e. OPPD will undertake reasonable efforts to voluntarily acquire the necessary land rights. However, the use of eminent domain may be necessary if voluntary agreement cannot be achieved by the District and landowners.
- f. Management will report the filing of eminent domain actions to the Board.
- g. This requested authorization extends through December 31, 2022. Additional authorizations after that date will be requested, as needed.

### ACTION

Authorization by the Board of Directors to commence eminent domain proceedings to acquire fee ownership of land and/or permanent easements of land for an existing Enterprise Operations Technology Communications Network asset, with this authorization extending through December 31, 2022.

### RECOMMENDED:

DocuSigned by:

*Scott M. Focht*

B626AD4392E3483...

Scott M. Focht  
Vice President – Corporate Strategy and Governance

### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

*L. Javier Fernandez*

AG399FDCE56247E...

L. Javier Fernandez  
President and Chief Executive Officer

SMF:jdf/bel

Attachment: Resolution



Williams/Focht

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

**ACQUISITION OF LAND RIGHTS**  
**FOR ENTERPRISE OPERATIONS TECHNOLOGY COMMUNICATIONS NETWORK ASSET**

**WHEREAS**, the District will need to acquire land rights for an existing Enterprise Operations Technology Communications Network asset located in western Sarpy County; and

**WHEREAS**, the District is authorized by Nebraska law to acquire property and easements by eminent domain; and

**WHEREAS**, the use of eminent domain may become necessary to acquire the fee ownership of land and/or permanent easements that cannot be obtained voluntarily through negotiations by the District.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that Management and the District's General Counsel are authorized to commence eminent domain proceedings, as necessary, to acquire all necessary fee ownership of land and/or permanent easements of land for an existing Enterprise Operations Technology Communications Network asset, with this authorization extending through December 31, 2022.



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Award RFP No. 5948 “69-13.8kV 10/12.5(14)MVA OLTC Transformer”

### PURPOSE

Board of Directors authorization to reject the proposals received for RFP No. 5948, and for the District to enter into a negotiated contract for the purchase of one (1) 69-13.8kV 10/12.5(14)MVA OLTC Transformer and to enter into a contract for an initial term of one (1) year with the option to renew for up to four (4) additional one (1) year terms.

### FACTS

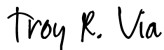
- a. The 69-13.8kV 10/12.5(14)MVA OLTC Transformers are required to support strategic spares, proactive replacements and provide flexibility for future projects. Twenty-five (25) similar units are in-service today ranging in age.
- b. This contract will initially procure a quantity of one (1) unit to support OPPD’s sparing program.
- c. Five (5) proposals were received; three (3) are legally responsive, and zero (0) are technically responsive.
- d. Renewable contract provision includes an escalation/de-escalation formula based on indices.
- e. Transformers purchased through renewals of the contract would be based on need and be used to support future spares, future load growth, or replacement projects.


### ACTION

Authorization by the Board to reject all proposals received for RFP No. 5948 “69-13.8kV 10/12.5(14)MVA OLTC Transformer” and allow District Management to enter into a negotiated contract.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
181167221FA24AE...  
 Troy R. Via  
 Chief Operating Officer and  
 Vice President – Utility Operations

DocuSigned by:  
  
AC399FDGE56247E...  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:jgb

Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution



## MEMORANDUM

**DATE:** April 8, 2022  
**FROM:** D. D. Buelt  
**TO:** T.R. Via

RFP No. 5948  
“69-13.8kV 10/12.5(14)MVA OLTC Transformer”

### Analysis of Proposals

#### 1.0 GENERAL

RFP No. 5948 was advertised for bid on February 15, 2022.

RFP No. 5948 provides the opportunity to purchase 69-13.8kV 10/12.5(14)MVA transformers for initial term of one (1) year with the option to renew up to four (4) additional one (1) year terms pursuant to the escalation/de-escalation provisions. OPPD will initially procure a quantity of one (1) 69-13.8kV 10/12.5(14)MVA transformer to support spare needs with desired delivery in May 2023.

No RFP Addendums or Letters of Clarification were issued.

Bids were requested and opened at 2:00 p.m., C.D.T., Wednesday, March 16, 2022.

Five (5) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Niagara Transformer Power Corporation	\$725,864	No	No
WEG Transformers USA	\$951,500	Yes	No
Pennsylvania Transformer Technology, Inc.	\$989,346	Yes	No
Delta Star Inc.	\$1,250,808	Yes	No
Hitachi Energy USA Inc.	\$1,287,165	No	No

#### 2.0 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD’s legal counsel noted the proposal of Hitachi Energy USA, Inc. states it will provide a price escalation policy at the time OPPD places an order. Accordingly, the Hitachi proposal is materially nonresponsive to the contract documents and cannot be considered for the award.

OPPD’s legal counsel noted that Niagara Power Transformer Corporation did not include an escalation method as required by the RFP documents. Without the escalation method, the District

is unable to evaluate pricing for this procurement. Therefore, the Niagara Power proposal is materially nonresponsive to the contract documents and cannot be considered for the award of this contract.

For the Pennsylvania Transformer Technology proposal to receive consideration, OPPD must obtain a letter of clarification stating the following: 1) It withdraws the "subject to prior sale" language in its shipping schedule and withdraws the pre-printed contract terms included in its proposal; and 2) It withdraws the statement that it reserves the right to adjust pricing. Pricing must be firm, or subject to a specified escalation methodology included with the proposal, to be considered. Finally, the proposal states it is open only for thirty (30) days. If additional time is needed, a letter should be obtained extending the validity of the proposal. Other exceptions in the RFP proposal to the contract terms are acceptable, but must be evaluated. Upon clarification, Pennsylvania Transformer did not withdraw the pre-printed contract terms in their entirety. Therefore, OPPD considers the bid as materially nonresponsive.

The WEG proposal takes exception to the liquidated damages, payment, and limit of liability terms in the contract documents. The exceptions do not render the proposal materially nonresponsive, but are subject to OPPD's evaluation.

Delta Star proposal includes preprinted contract terms that must be withdrawn by Delta Star in a letter of clarification if their proposal is to receive further consideration. Upon clarification, Delta Star withdrew their standard terms and conditions and accepted OPPD's form of agreement for this RFP.

### 3.0 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposals received from Delta Star, Hitachi Energy USA, Inc., Niagara Power Transformer, and WEG Transformer USA did not meet the desired delivery date and are deemed technically nonresponsive.

The proposal from Pennsylvania Transformer Technology did not remove their pre-printed contract terms in their entirety and is deemed technically nonresponsive.

### 4.0 RECOMMENDATION

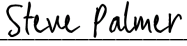
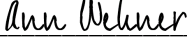
On the basis of compliance with the legal and technical requirements, it is recommended that all proposals received for RFP No. 5948 "69-13.8kV 10/12.5(14)MVA OLTC Transformer" be rejected by the Board of Directors and that District Management be authorized to enter into a negotiated contract.

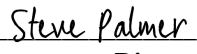
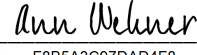
DocuSigned by:

*Dannie D. Buelt*

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Dannie Buelt, PE  
Director, Engineering  
Utility Operations

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Wednesday,                  March 16, 2022, in Omaha, Nebraska</p> <hr/> <p align="center">Anticipated Award Date                  April 21, 2022</p> <hr/> <p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$700,000.00</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5948</b>  <b>69-13.8kV 12.5MVA OLTC Transformer</b></p> <p align="right">Page 1 of 2</p>		<p>DocuSigned by:                    C171422F7655422  <b>Director</b></p> <p>DocuSigned by:                    E8B5A0097DAD4E8C  <b>Supply Chain Management</b>                  Compiled by and Certified Correct</p>
<p align="center"><b>BID ITEM</b></p>			<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>
<p><b>1. Price Proposal:</b></p> <p>Firm base price to furnish and deliver one (1) 69-13.8kV 10/12.5(14)MVA OLTC Transformer</p> <p><b>A. Transformer Only:</b></p> <p><b>B. Shipping Only, FOB Destination:</b></p> <p><b>C. Assembly Only:</b></p> <p><b>Total Bid Price (A+B+C):</b></p> <p><b>2. Delivery Guarantee(s):</b></p> <p><b>Desired Delivery Date:</b></p>	<p align="center">Delta Star Inc.                  3550 Mayflower Drive                  Lynchburg, VA 24501</p>	<p align="center">Hitachi Energy USA Inc.                  101 Kuhlman Drive                  Crystal Springs, MS 39059</p>	<p align="center">Niagara Transformer Power Corp.                  1755 Dale Road                  Buffalo, NY 14225</p>
	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>
	<p align="center"><u>\$1,175,864.00</u></p> <p align="center"><u>\$48,164.00</u></p> <p align="center"><u>\$26,780.00</u></p> <p align="center"><u>\$1,250,808.00</u></p> <p align="center"><b><u>Guaranteed Delivery Date</u></b>  <u>148-152 ARO plant availability at time                  of order</u></p>	<p align="center"><u>\$1,202,565.00</u></p> <p align="center"><u>\$30,000.00</u></p> <p align="center"><u>\$54,600.00*</u></p> <p align="center"><u>\$1,287,165.00</u></p> <p align="center"><b><u>Guaranteed Delivery Date</u></b>  <u>62-66 AAO</u>  <u>*includes testing</u></p>	<p align="center"><u>\$643,514.00</u></p> <p align="center"><u>\$23,500.00</u></p> <p align="center"><u>\$58,850.00</u></p> <p align="center"><u>\$725,864.00</u></p> <p align="center"><b><u>Guaranteed Delivery Date</u></b>  <u>November 1, 2023</u></p>

<b>TABULATION OF BIDS</b> Opened at 2:00 p.m., C.D.T., Wednesday, March 16, 2022, in Omaha, Nebraska	<b>REQUEST FOR PROPOSAL NO. 5948</b> <b>69-13.8kV 12.5MVA OLTC Transformer</b>	DocuSigned by:  C171422F76E4122 Director
Anticipated Award Date April 21, 2022		DocuSigned by: Supply Chain Management
<b>ENGINEER'S ESTIMATE</b>  \$700,000.00		 F8B5A3C97DAD4F8 Compiled by and Certified Correct
Page 2 of 2		

BID ITEM	BIDDER'S NAME & ADDRESS		
	Pennsylvania Transformer Technology, Inc. 30 Curry Avenue Canonsburg, PA 15317	WEG Transformers USA 6350 WEG Drive Washington, MO 63090	
	SUPPLIER'S BID	SUPPLIER'S BID	SUPPLIER'S BID
<b>1. Price Proposal:</b>  Firm base price to furnish and deliver one (1) 69- 13.8kV 10/12.5(14)MVA OLTC Transformer  <b>A. Transformer Only:</b> <b>B. Shipping Only, FOB Destination:</b> <b>C. Assembly Only:</b> <b>Total Bid Price (A+B+C):</b>  <b>2. Delivery Guarantee(s):</b>  Desired Delivery Date:	\$950,246.00  \$18,100.00  \$21,000.00  \$989,346.00  <u>Guaranteed Delivery Date</u>  May 1, 2023	\$910,100.00  \$16,400  \$25,000.00  \$951,500.00  <u>Guaranteed Delivery Date</u>  90 - 95 Weeks ARO	\$ _____ \$ _____ \$ _____ \$ _____  <u>Guaranteed Delivery Date</u>  _____



# FRASER STRYKER

PC LLO

LAWYERS

500 ENERGY PLAZA  
409 SOUTH 17TH STREET  
OMAHA, NEBRASKA 68102-2663  
TELEPHONE 402.341.6000  
TELEFAX 402.341.8290  
WWW.FRASERSTRYKER.COM

STEPHEN M. BRUCKNER  
DIRECT DIAL: 402.978.5225  
SBRUCKNER@FRASERSTRYKER.COM

March 21, 2022

Omaha Public Power District  
444 South 16<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 5948-69: 13.8kV – OLTC Transformer (RFP No. 5948)

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to RFP #5948 and provide the following legal opinion.

The proposal of Hitachi Energy USA, Inc. states that it will provide an escalation policy for the prices in the proposal, at the time that OPPD places a purchase order. This is unacceptable, as OPPD must have each bidder's proposed escalation method now, in order to determine the lowest and best bid for this RFP. Accordingly, the Hitachi proposal is materially nonresponsive to the contract documents and cannot be considered by the District's Board of Directors for the award of this contract.

The proposal of Niagara Power Transformer Corporation did not include an escalation method as required by the RFP documents. Without the escalation method, the District is unable to evaluate pricing for this procurement. Therefore, the Niagara Power proposal is materially nonresponsive to the contract documents and cannot be considered for the award of this contract.

The proposal of Pennsylvania Transformer Technology requires a letter of clarification from the bidder. In order for that proposal to receive consideration, the District must obtain a letter of clarification from the Pennsylvania Transformer stating the following: 1) that it withdraws the "subject to prior sale" language in its shipping schedule and withdraws the pre-printed contract terms included with its proposal; and 2) that it withdraws the statement that it reserves the right to adjust pricing. Pricing must be firm, or subject to a specified escalation method included with the proposal, in order to be considered by the Board. Finally, I note that the proposal states it is open only for thirty (30) days. If additional time is needed for Board consideration, then a letter should be obtained extending the validity of the proposal. The other exceptions in the proposal to the RFP contract terms are acceptable, but must be evaluated by the District.

The proposal of WEG Transformers USA includes an escalation method that applies to the pricing stating in the proposal. The WEG proposal takes exception to the liquidated damages, payment,

and limit of liability terms in the contract documents. Those exceptions do not render the proposal materially nonresponsive, but they are subject to the District's economic evaluation.

The proposal of Delta Star also includes a price escalation method. Further, the Delta Star proposal includes preprinted contract terms that must be withdrawn by Delta Star in a letter of clarification if this proposal is to receive further consideration.

Subject to the foregoing comments and the District's technical and economic evaluation, all of the proposals, except the proposals of Hitachi Energy and Niagara Power, may be considered by the District's Board of Directors for the award of this contract. The form of performance and payment bond for the successful bidder also must be approved by the Board.

Alternatively, pursuant to Section 70-637(5) of the Nebraska Revised Statutes, the Board may reject all bids and enter into a negotiated contract for this procurement if the Board finds that no responsive bids were received or the bids are in excess of fair market value for the subject matter of the RFP.

Very truly yours,



Stephen M. Bruckner  
FOR THE FIRM

SMB/jmp  
2779990



Williams/Via

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

**WHEREAS**, sealed bids were requested and advertised, as required by law, for the following:

**REQUEST FOR PROPOSAL (RFP) NO. 5948**  
**69-13.8kV 10/12.5(14) MVA OLTC TRANSFORMER**

**WHEREAS**, bids were received and opened at the time and place mentioned in the published notices and the interim Director – Supply Chain Management supervised the tabulations, which have been submitted to this Board; and

**WHEREAS**, the Board of Directors has carefully considered the bids submitted, as well as the recommendations of the District’s Management and General Counsel; and

**WHEREAS**, Section 70-637(5) of the Nebraska Revised Statutes authorizes the District’s Board of Directors to reject proposals if they are not responsive to the Request for Proposal or exceed the fair market value for the proposed scope of work, and to authorize Management to pursue a negotiated contract without compliance with the sealed bidding provisions of Section 70-637 through 70-639; and

**WHEREAS**, the Board of Directors concurs with Management’s recommendation that all five of the proposals received for RFP No. 5948 are technically and/or legally non-responsive.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that all proposals received in response to Request for Proposal No. 5948 are rejected and Management is authorized to negotiate and enter into a contract or contracts for the procurement of 69-13.8kV 10/12.5(14) MVA OLTC Transformers, subject to review and approval of the final contract(s) by the District’s General Counsel.

# 69-13.8kV 10/12.5(14)MVA OLTC Transformer





# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

SD-4: Reliability Monitoring Report

### PURPOSE

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

### FACTS

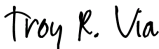
- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The System Management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

#### RECOMMENDED:

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
181187221FA24AE...  
 Troy R. Via  
 Chief Operating Officer and  
 Vice President – Utility Operations

DocuSigned by:  
  
AC999FD0E56247E...  
 L. Javier Fernandez  
 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  
Troy Via, Chief Operating Officer & Vice President – Utility Operations  
April 19, 2022



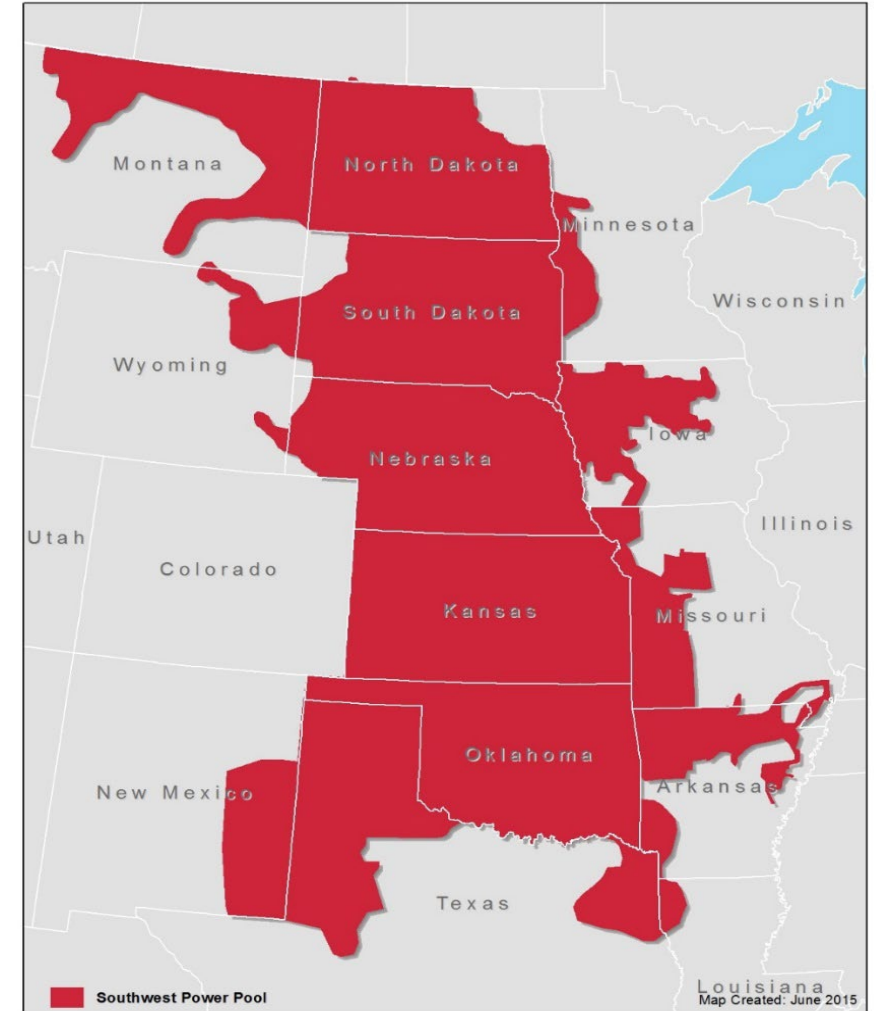
# SD-4: Reliability

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.

## SD-4: 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 by SPP, OPPD plans for accredited generation resources to meet 112% of expected peak load
- Transmission reservations are in place to ensure firm delivery of electricity creating 'right of way' for electricity to get from OPPD generation to OPPD load
- The SPP integrated market provides real time access to liquid power markets
- Generation (both owned and purchased) supply requirements met 100% of the time<sup>1</sup>



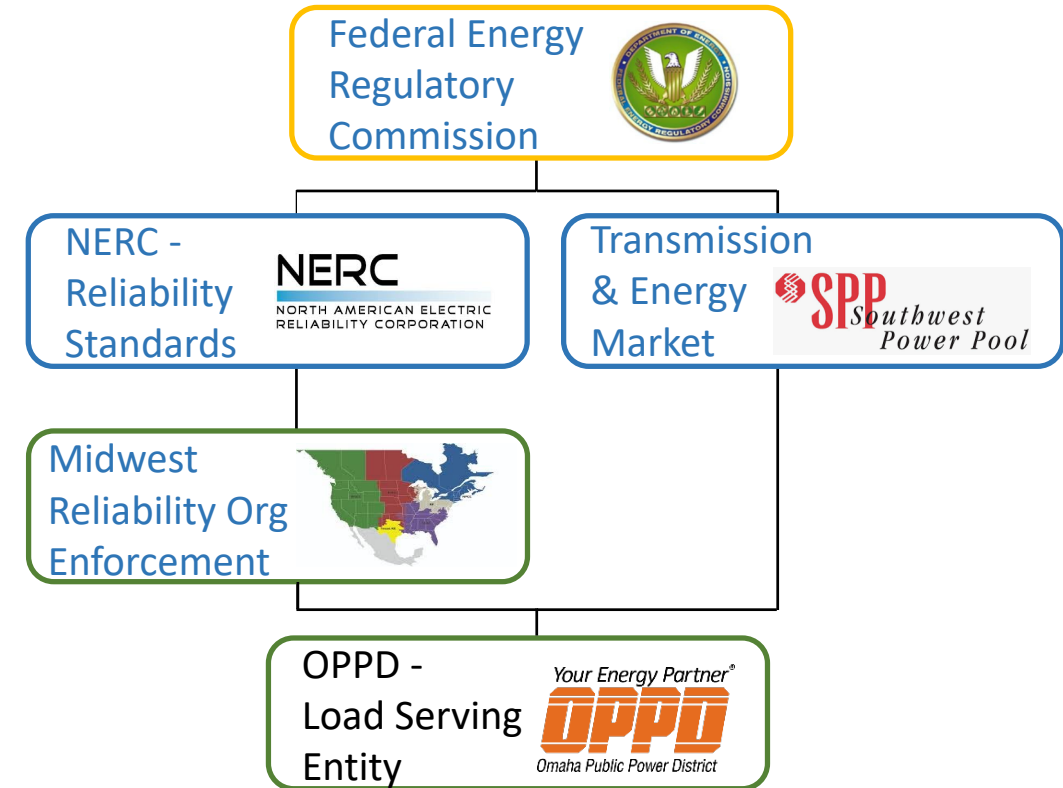
<sup>1</sup> 2021 Winter Storm Uri controlled outages were a result of a regional event, not OPPD's system or generation



# Federal Regulatory Framework & Compliance

SD-4: System reliability will be achieved through performing the necessary maintenance and upgrades in accordance with NERC standards.

- MRO off-site audits (generally quarterly)
  - 2021 off-site audits → no enforceable violations
- MRO on-site audits (every 3-years)
  - Upcoming in June 2022
- OPPD performs continuous monitoring
- No enforceable NERC violations since the last SD-4 update



Strong Culture of Compliance



Positive Performance



Strong Regulatory Standing

# Generation Reliability Metric

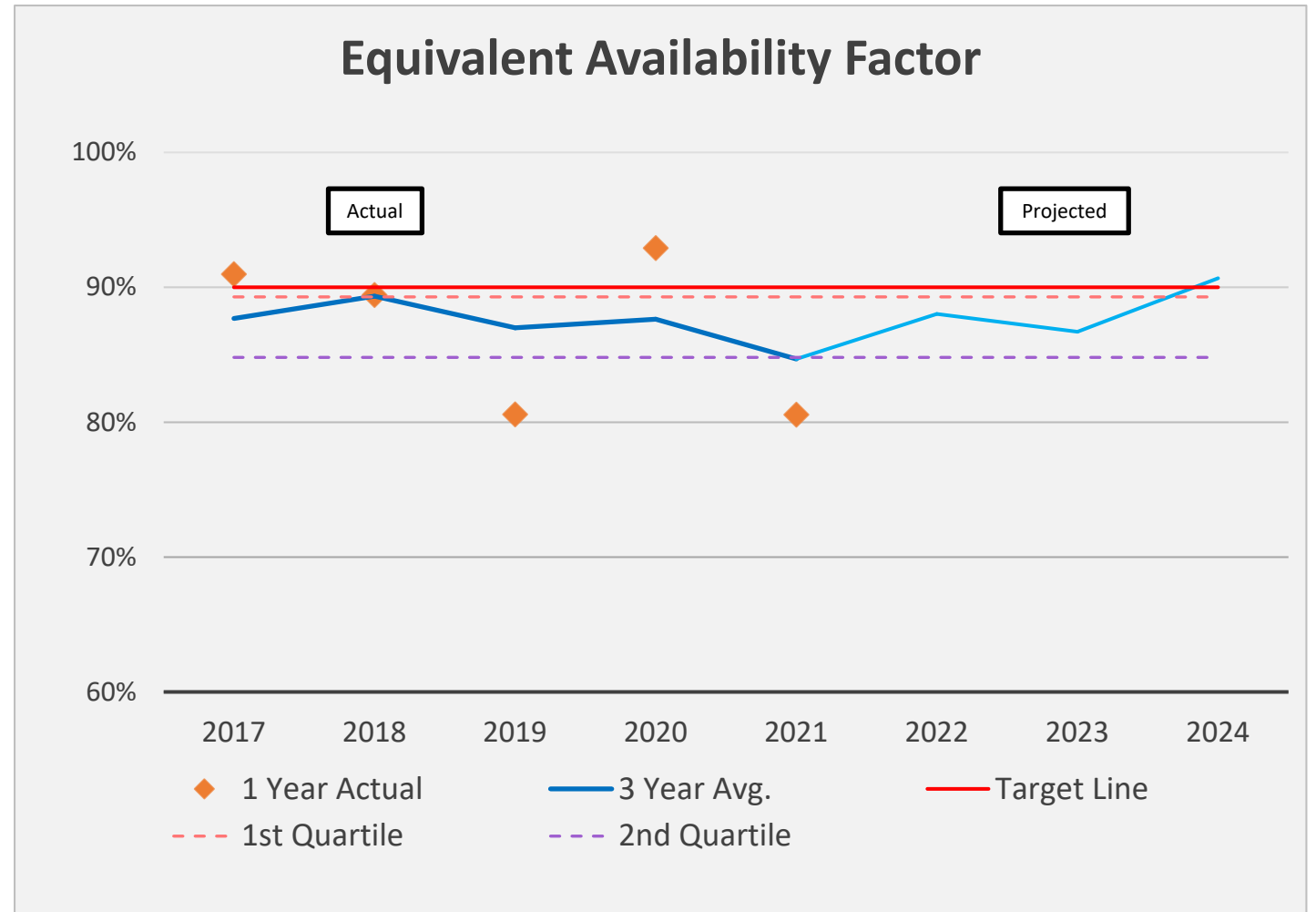
## Equivalent Availability Factor (EAF):

- Percentage of time a unit was available
- OPPD's corporate EAF is megawatt weighted
- Goal established is a 3-year target to normalize outages
- Target based on top quartile NERC Generating Availability Data System (GADS) benchmarking
- EAF is impacted by all planned or forced generating unit outages and derates



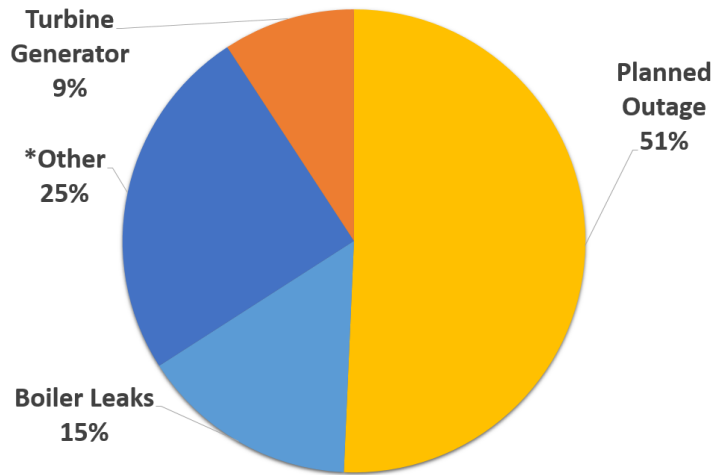
# 2021 Generation Performance

- OPPD long term goal to achieve generation reliability by maintaining baseload unit EAF at or above 90% on a three-year rolling average.
- 2021 year end was 84.7% vs a target of 86.6%.
- In 2021, 89% EAF represents top quartile of industry peers.



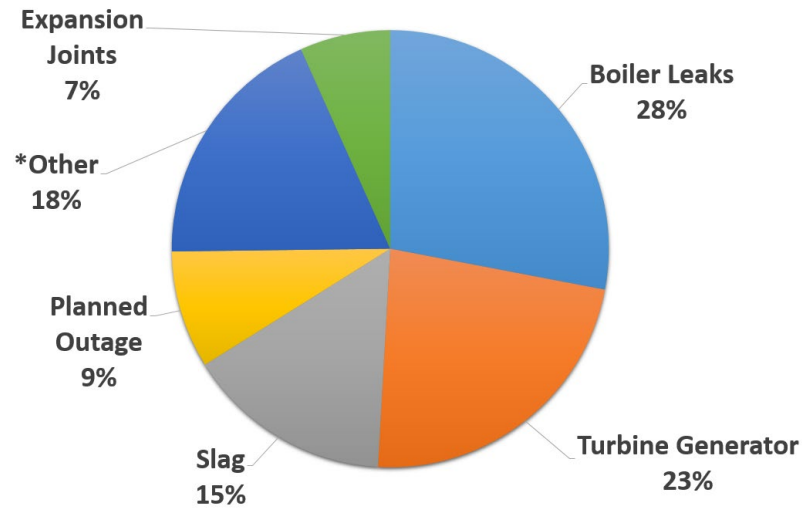
# Generation Reliability Drivers

2019



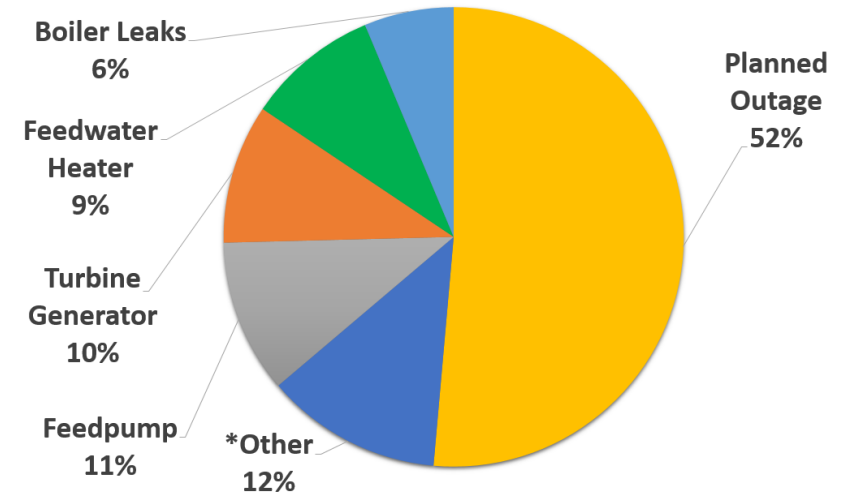
2,861,000 Equivalent Megawatt Hours  
Unavailable

2020



1,042,000 Equivalent Megawatt Hours  
Unavailable

2021



2,855,233 Equivalent Megawatt Hours  
Unavailable

\*Examples of items classified as Other: Valve Issues, Mill Issues, Testing, Pump Issues, Fan Issues, Electrical Equipment, etc.

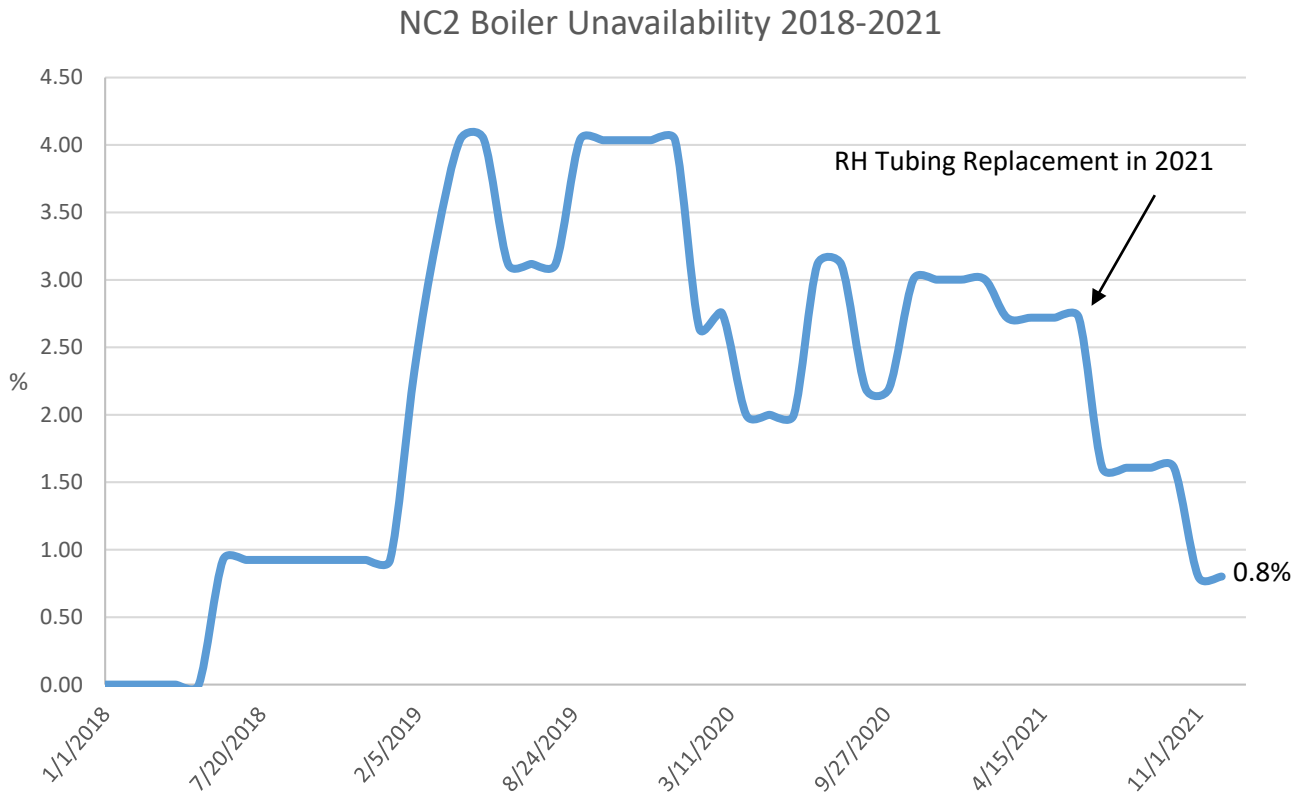
# Asset Management - Reliability



## Strategic Asset Management Plan Development in 2022

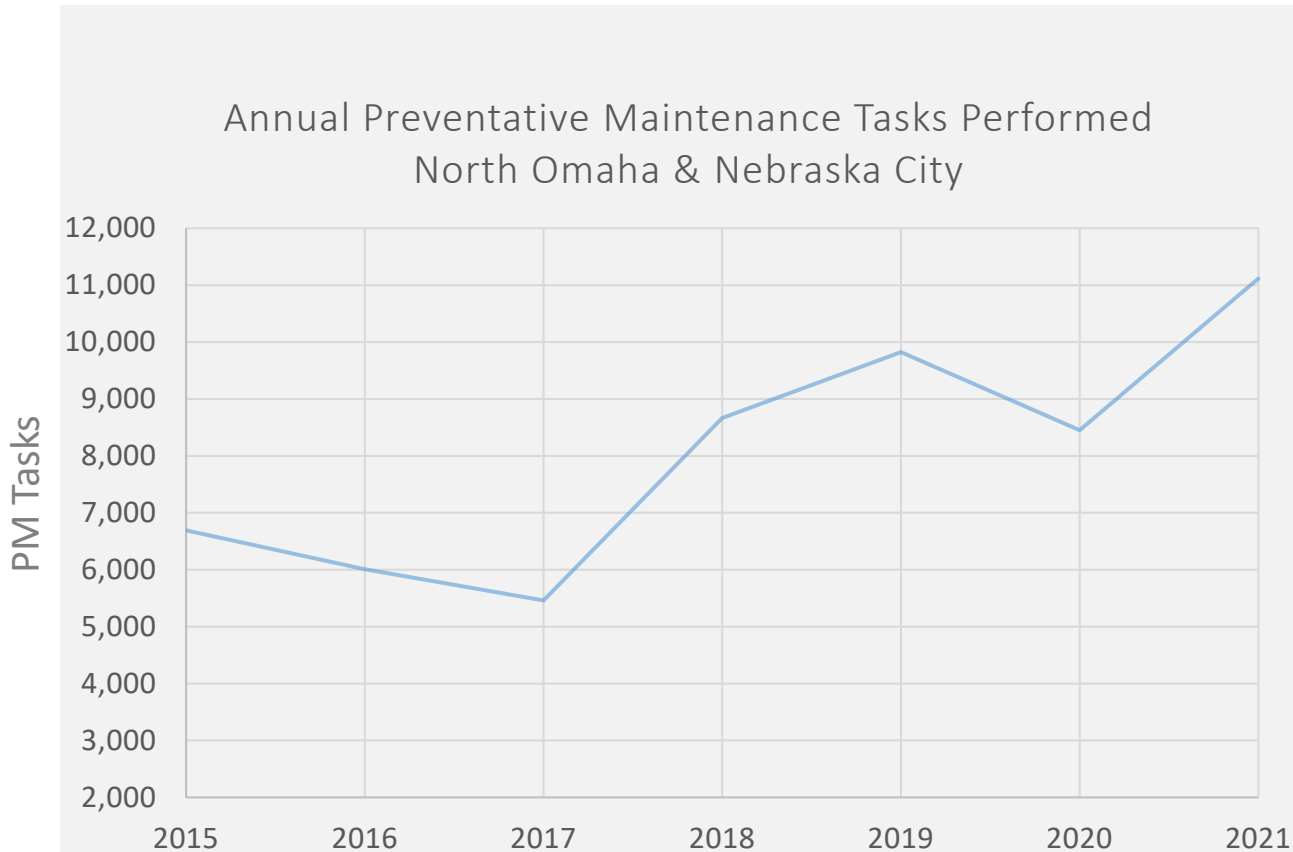
# Boiler Reliability Progress in 2021

## NC2 reheater tubing replacement impact



Reheat tube failures on NC2

# Reliability Programs Growth



- Record Number Preventative Maintenance tasks performed
- Regular Plant / System Health Reviews
- Predictive Maintenance Program Growth
- Expanding Drone Inspection Capability
- Asset 360

# 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 Major Event Days (MEDs).

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

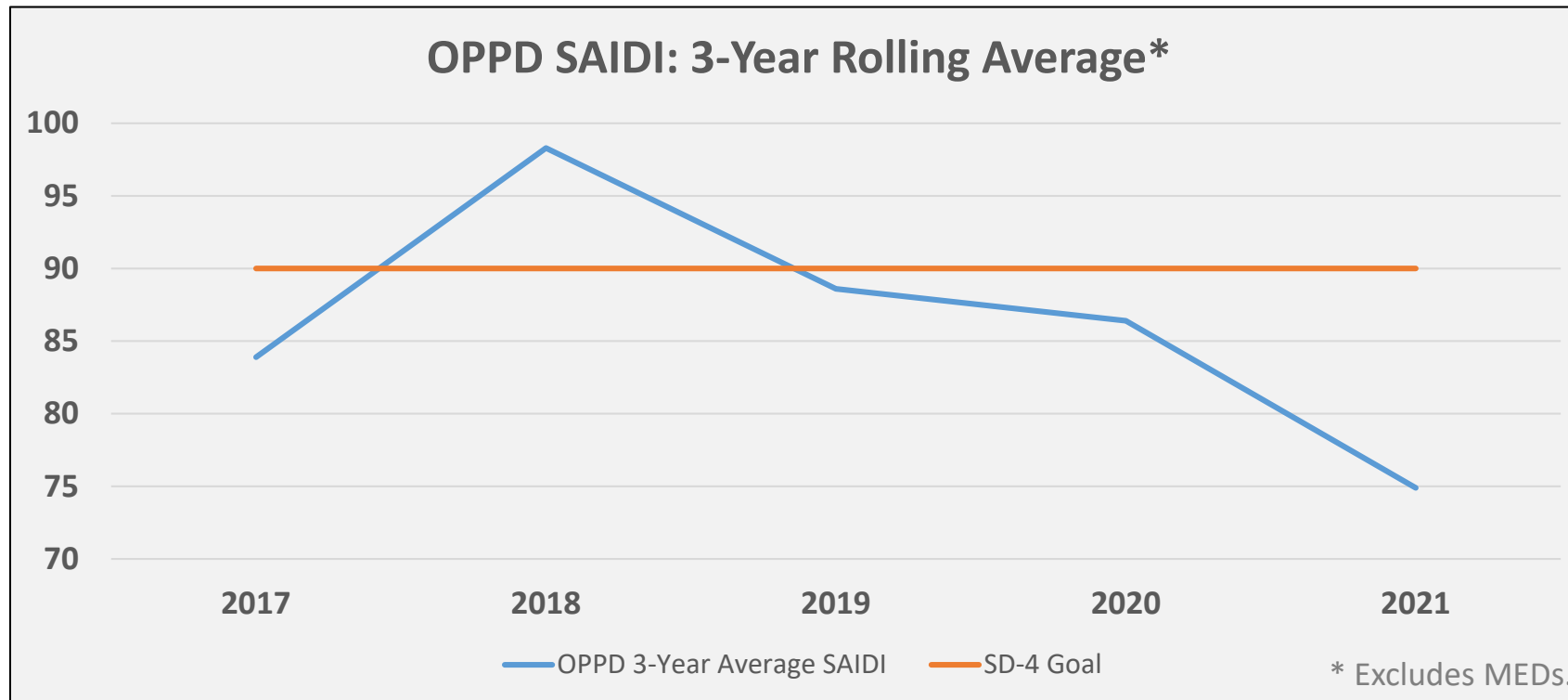




# System Reliability Metric: SAIDI

SAIDI at the end of 2021 was 74.9 minutes

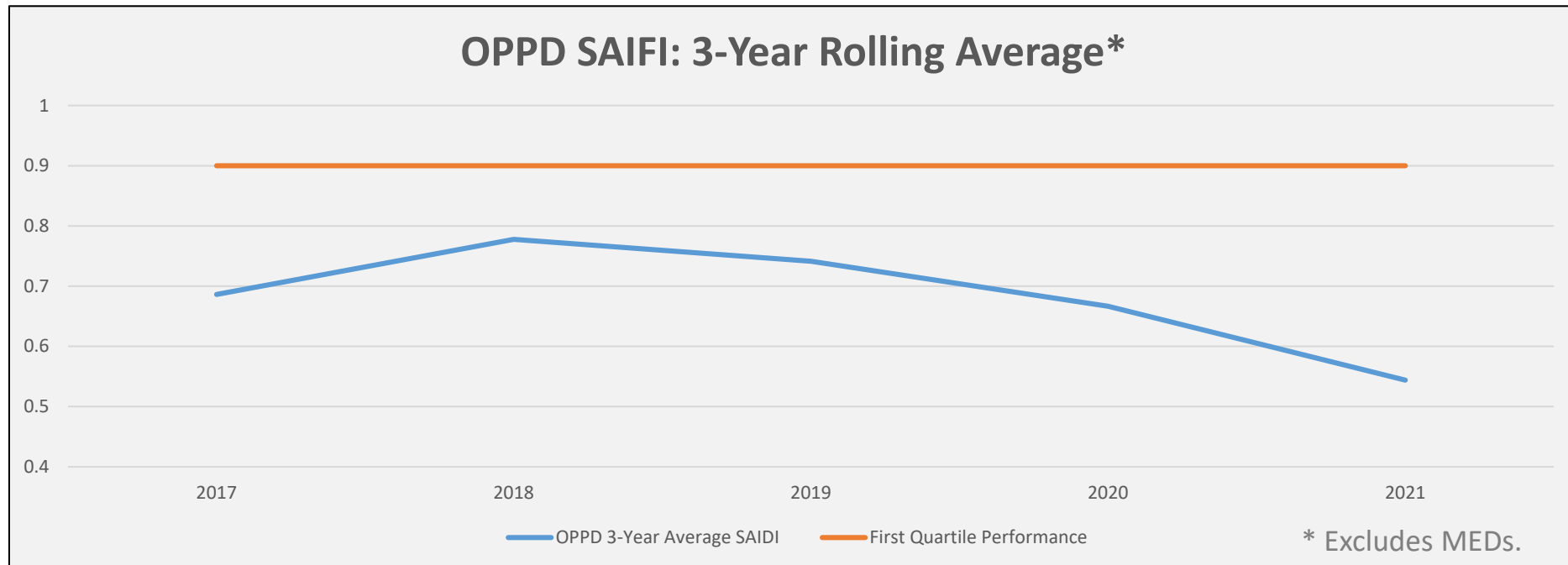
- System performance continued its positive downward improvement trend
- OPPD has Top Quartile Performance compared to benchmark



# Outage Frequency (SAIFI)

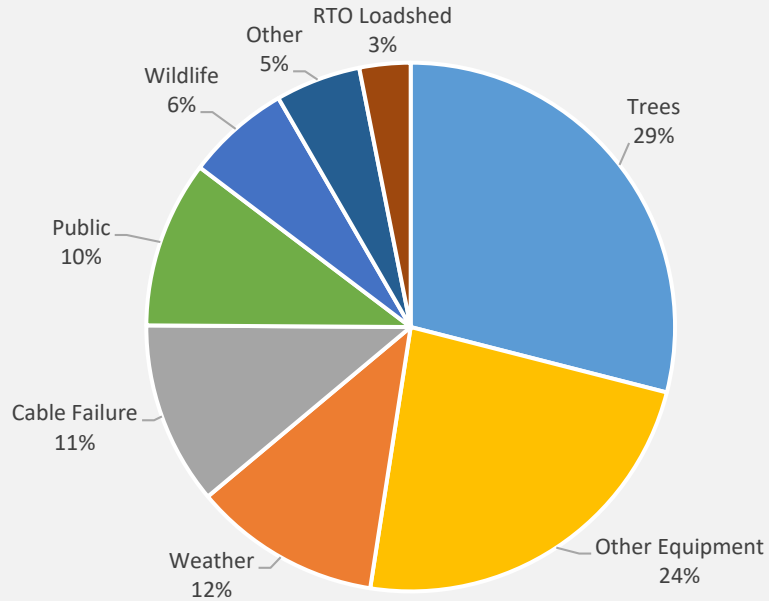
SAIFI at the end of 2021 was 0.54 incidents

- SAIFI (System Average Interruption Frequency Index) measures outage frequency >5 Minutes
- Per the IEEE Distribution Reliability Working Group annual benchmarking survey, a SAIFI of 0.90 or lower is generally first quartile performance. OPPD has Top Quartile Performance compared to the benchmark
- Improvements in SAIFI equate to a reduction in the frequency of outages

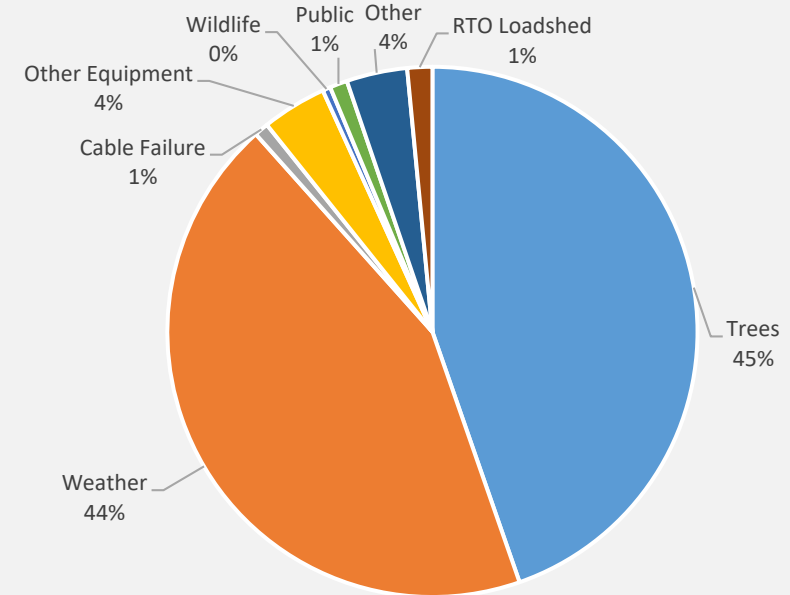


# 2021 Outage Causes

2021 Customer Outage Minutes By Cause EXCLUDING MEDs



2021 Customer Outage Minutes by Cause INCLUDING MEDs



- The top categories have remained consistent for several years.
  - Tree minutes increased in 2021, but Equipment and Cable experienced decreases
- The July storm accounted for 84% of customer minutes of interruption in 2021 when we include MEDs

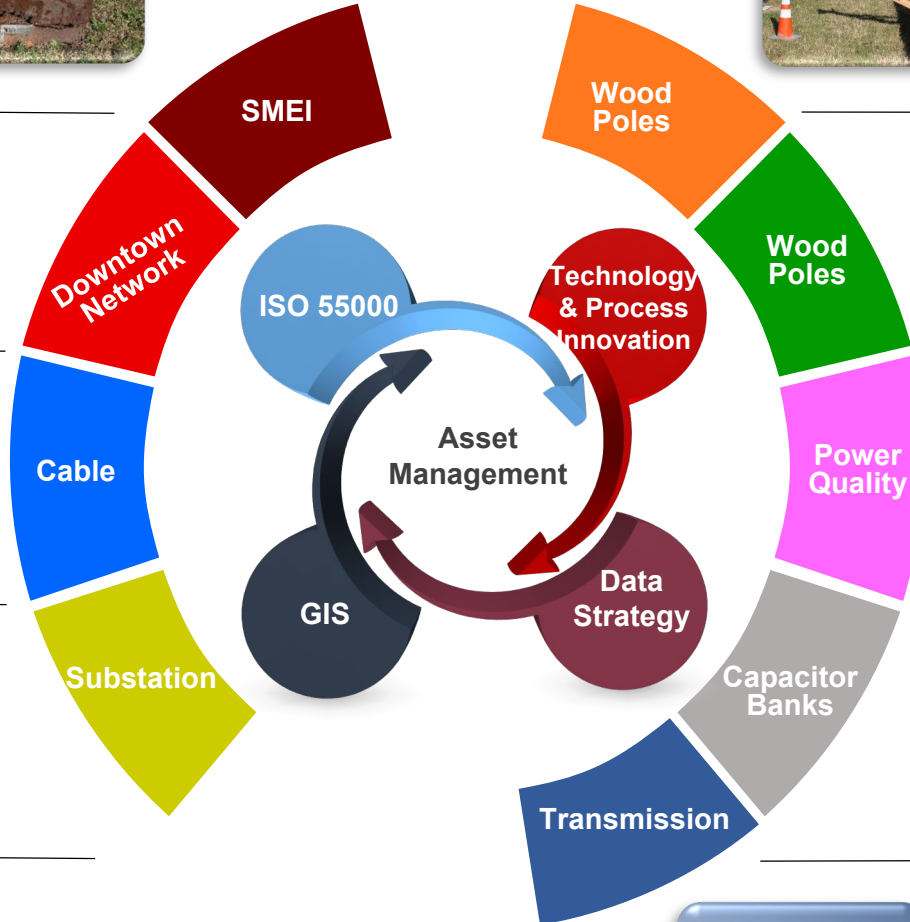
# Asset Management - Reliability

Padmount equipment is inspected, painted, and replaced. Program is scheduled to increase in 2022



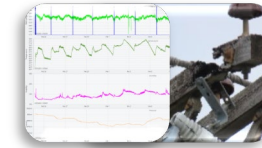
Proactive replacement of wood poles continues at a high pace

Downtown Network vaults have thermal inspections, equipment evaluated and replaced



Significant numbers of transmission and distribution poles are inspected on an annual basis

Proactive replacement of underground cable continued at a high pace in the metro and rural



Power quality continues to respond directly to customer concerns and take proactive steps to inspect and mitigate issues on poor performing circuits

Substation inspection and maintenance reviews continued, up to and including proactive replacement of power transformers



Proactive inspection and maintenance of capacitors provides steady VAR resources to the system

Annual transmission line inspections are completed by walk down, helicopter, and an increasing use of drones

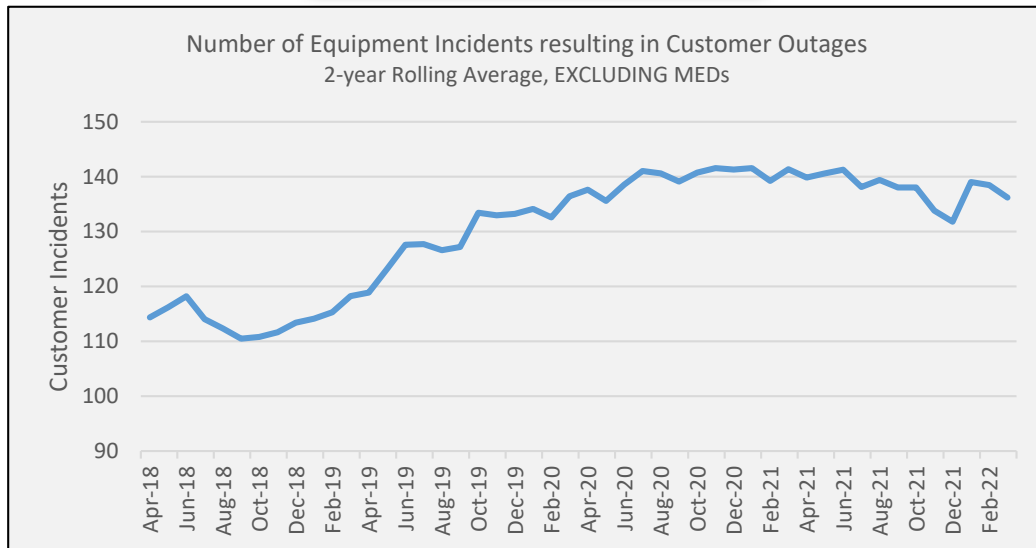


## Strategic Asset Management Plan Development in 2022

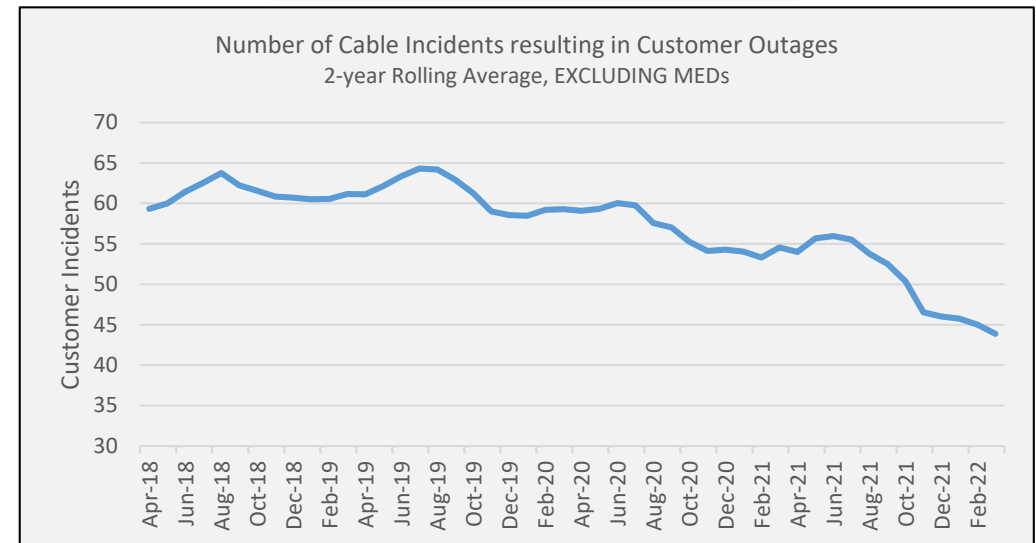
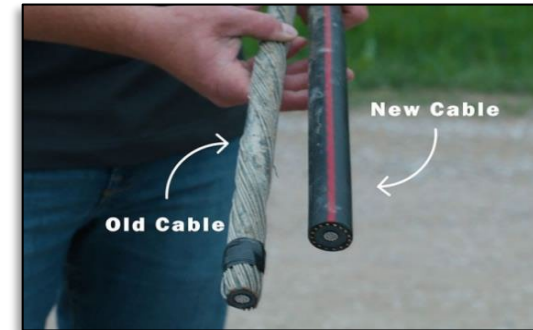
# Program Effectiveness Examples

Equipment Inspection/Replacement & Cable Replacement have been continual targets for funding due to their impact on customer outages. Cable replacement continues to show very positive trends. Equipment failures resulting in customer outages was on the increase, but has stabilized due to program efforts and should start to see a reduction in incidents.

## Equipment Inspection and Replacement

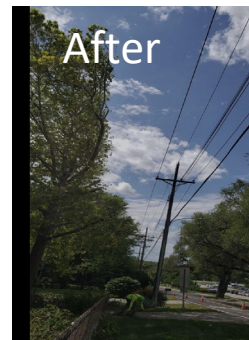
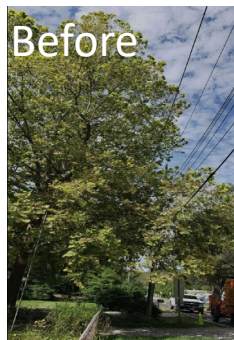


## Proactive Cable Replacement

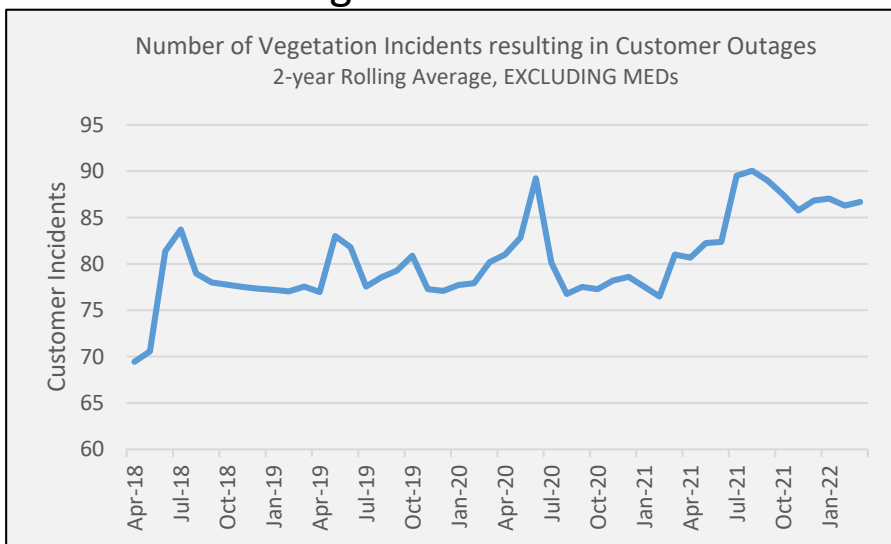


# Program Effectiveness Examples

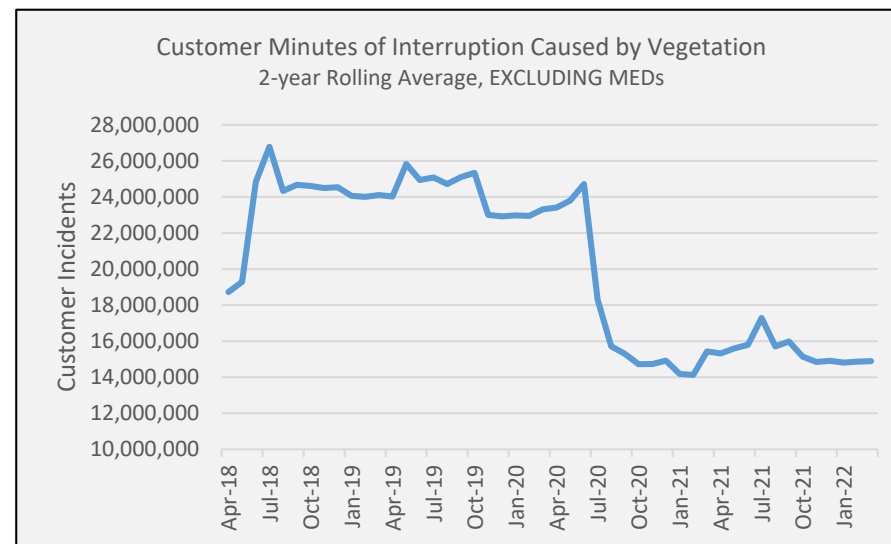
Vegetation Management continues to be a priority for reliability improvements. Increases in funding have resulted in a reduction in the customer minutes of interruption caused by vegetation interference. However, the frequency of incidents has shown a slight increase. Program improvements will continue to be evaluated and trends in performance will continue to be closely monitored to reduce the impact of vegetation on our customers.



### Vegetation Incidents



### Vegetation Customer Minutes of Interruption



# Reliability Focus Areas 2021-2022

- **SE Nebraska / Rulo Area**
  - Over 12 miles of new construction to add stronger ties to this load area is completed.
  - Circuit inspections, improvements, and replacement of obsolete conductor
- **Palmyra/Unadilla**
  - Heightened vegetation management
  - Circuit inspections, improvements, and equipment replacements
  - New strong circuit ties to support system resiliency
- **Saunders County**
  - Installation of new Smart Communicating reclosers
- **Hooper and Nickerson**
  - Circuit inspections, rebuilds, and equipment replacements
  - Installation of new Smart Communicating reclosers
- **Metro Area**
  - Continued vegetation management, circuit inspections, equipment inspections, and replacement of aging equipment
  - Evaluation of overhead to underground conversion, undergrounding of new facilities, and system hardening against major storms

# 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 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 of the Omaha Public Power District hereby accepts the 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 19, 2022

## 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:

- Segmentation of the reactor vessel internals continues to progress on schedule. The mechanisms for both cutting and handling of the material for disposal continue to operate reliably. Packaging and transport of this material from site are conducted on a regular basis.
- Demolition of the Auxiliary building continues on track as mechanized equipment advances through the structure. Systematic transfer of debris material to the processing structure remains consistent with projections.
- Materials continue to be extracted from the interior of the Turbine building. Recently major components such as the high and low pressure turbines were safely removed allowing the recycling process of these items to commence.

### RECOMMENDED:

DocuSigned by:  
  
 181187221FA24AE...  
 \_\_\_\_\_  
 Troy R. Via  
 Chief Operating Officer and  
 Vice President Utility Operations

### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:  
  
 AC300EDCE56247E...  
 \_\_\_\_\_  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:tsu

# FCS Demolition & Waste Disposal Update



Containment

Turbine Building

Containment Waste Structure

Auxiliary Building



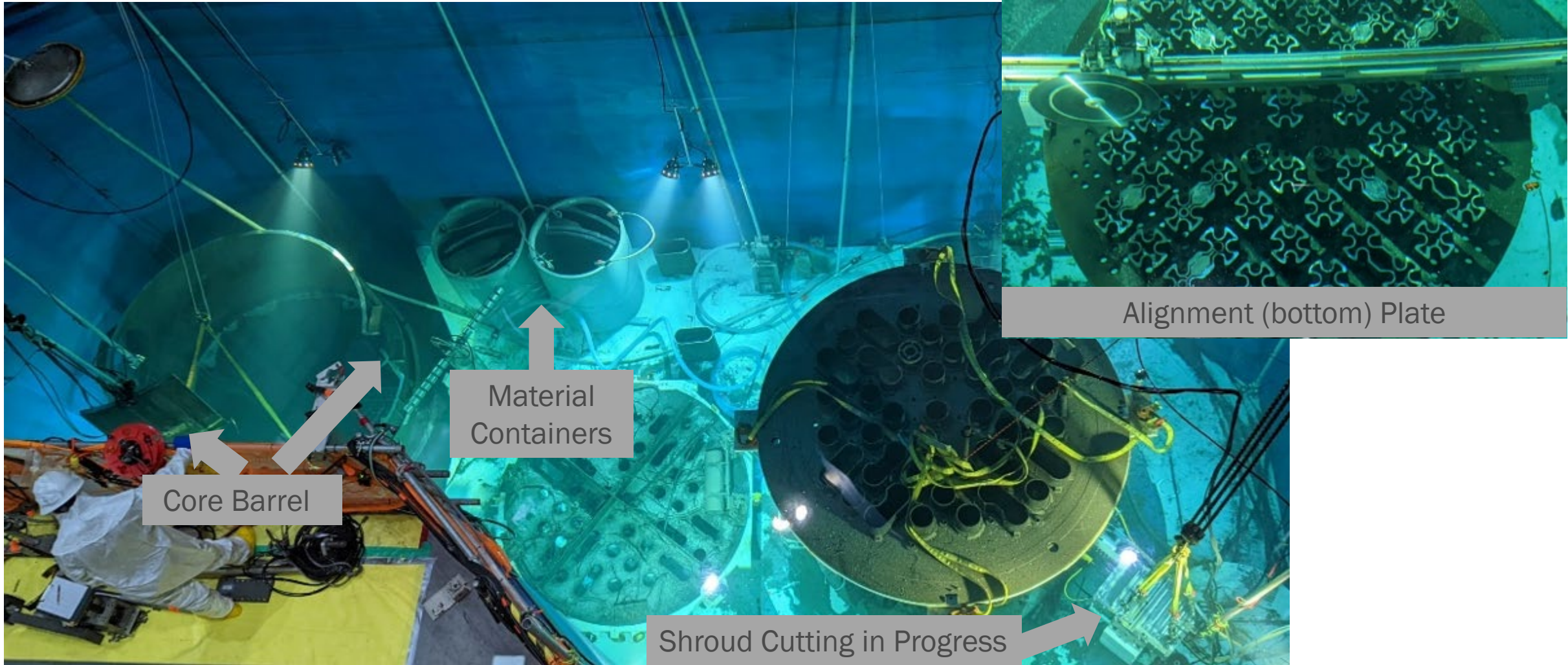
# Reactor Vessel Internal (RVI) Segmentation



# Shipping Container Operations



# RVI Material Segmentation & Packaging



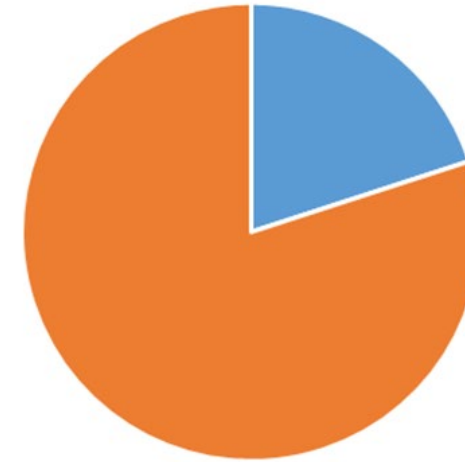
# Shipping Container Operations

View from inside containment  
looking into temporary structure



Sliding Platform

RVI Material Shipments



■ Shipped ■ Remaining

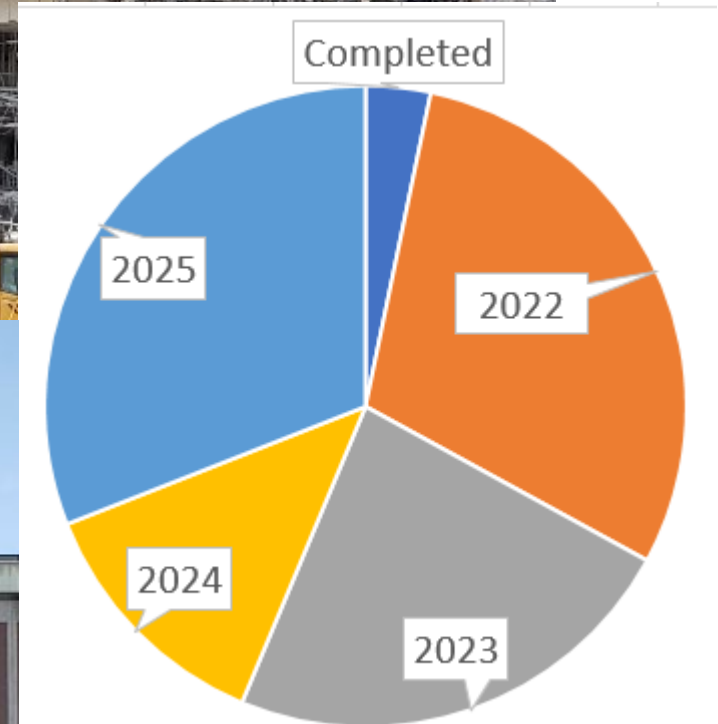


# Auxiliary Building Demolition





# Beginning of Structural Demo



Material Shipments by Year



# Turbine Building Demo



# Turbine Generator Removal Progress



Turbine Section 1



Cutting shaft between  
Sections 2 & 3

Rotors Removed



## Condenser Tubes



Concrete recycled to date > 12,000 tons  
Scrap metal recycled to date > 2,000 tons

## Turbine Rotor



## Generator Rotor





## Pre-Committee Agenda

PUBLIC INFORMATION PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
Tuesday, April 12, 2022 4:00 – 5:00 P.M.

1. Legislative and Regulatory Affairs Update (Olson – 25 min)
  - a. Objective: Provide brief update on federal and state legislative and regulatory activities.
2. SD-5: Customer Satisfaction Monitoring Report (McAreavey – 10 min)
  - a. Objective: Address Committee questions on the draft monitoring report and align on Committee recommendation.
3. SD-11: Economic Development Policy Revision Update (Olson – 5 min)
  - a. Objective: Committee to discuss revisions to the policy and align on next steps.
4. Electric Vehicle (EV) / Solar Program Update (McAreavey – 15 min)
  - a. Objective: Review options based on declined grant request.
5. Board Work Plan – Public Information Committee Items (Focht – 5 min)
  - a. Objective: Introduce and orient committee members on the revised Board Work Plan and process.
6. Summary of Committee Direction (3 min)
  - a. Objective: Executive leadership team liaison(s) to summarize direction provided by the committee.



# Reporting Item

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

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

### PURPOSE

To provide a quarterly update on customer trends and energy assistance

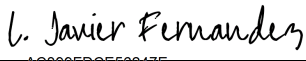
### FACTS

1. The Board requested that management provide regular reports on the progress of customer programs and trends.
2. Customer accounts receivable balances continue to normalize in 2022.
3. Management will provide an update on aged debt and related trends as of March 31, 2022.

### RECOMMENDED:

DocuSigned by:  
  
8420AD01477A435...  
Timothy McAreavey  
Vice President – Customer Service

### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:  
  
AC399FDCE56247E...  
L. Javier Fernandez  
President and Chief Executive Officer

TM:rak



# Customer Trends Quarterly Update

as of March 31, 2022

All Committee Meeting April 19, 2022



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



## Customer First Solutions

- Customer Care Call Center Modernization went live
- Call to business customers regarding upcoming disconnections
- Call to customers with scheduled field visits for proactive communications and awareness
- Flexible payment schedules will remain available for customers



## Energy Assistance

- 4,347 distinct customers received \$1,691,871 of heating supplemental benefits

## Promotional/Marketing Campaign

- Over 600 employees and retirees took part in the 15<sup>th</sup> annual Heat the Streets to help those in need of paying their energy bills



## Next Steps

- Continue to review economic recovery indicators to suggest alternatives
- Customer arrears review for a noticeable shift beyond consistent historical metrics
- Review of industry & pandemic trends
- Payment Installment Plan shift from pilot program to standard business practice in Q2 of 2022
- Development underway for Customer Assistance Program Pilot. (CAP) targeted to launch end of Q2 2022

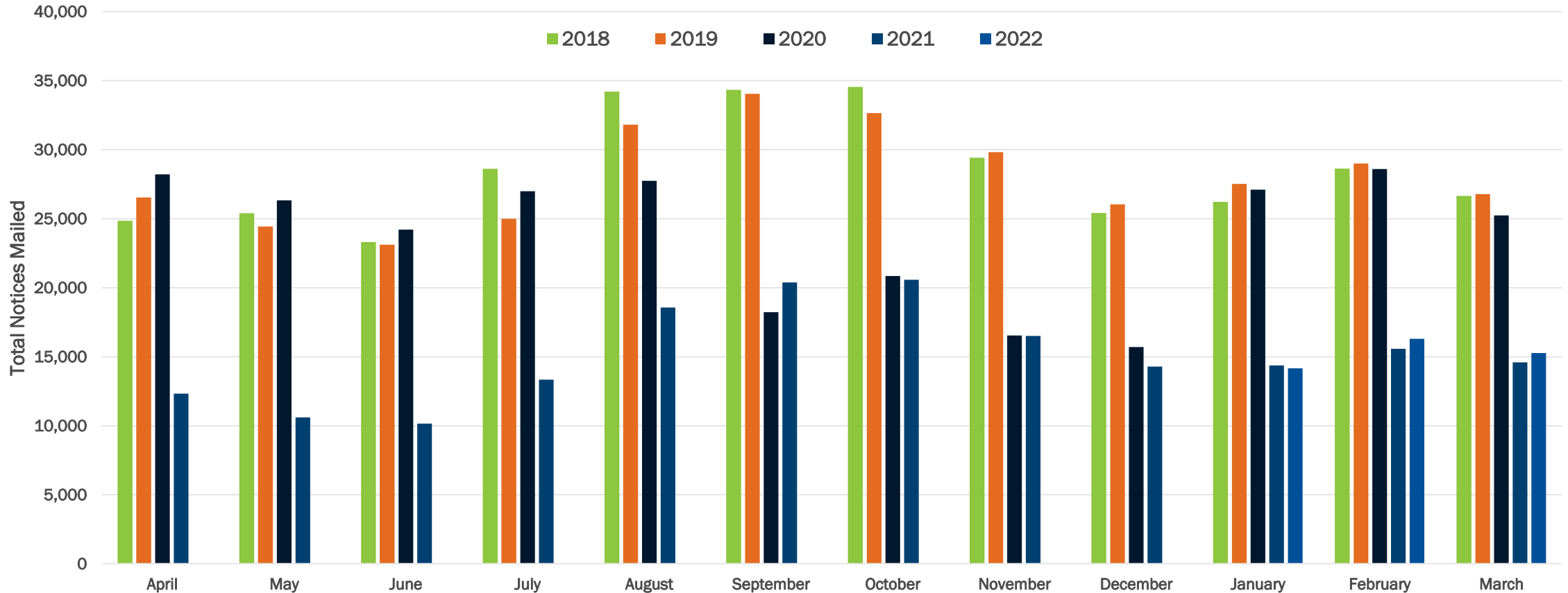


# Summary of Aged Debt

	Residential			Commercial & Industrial		
	March 2022	March 2021	% Change	March 2022	March 2021	% Change
% of Accounts Current	89.9%	91.3%	-1.5% ↓	93.0%	93.3%	-0.3% ↓
% of Accounts in Arrears	10.1%	8.7%	15.2% ↑	7.0%	6.7%	3.6% ↑
Total Aged Debt > 30 days (in millions)	\$5.7	\$5.0	12.9% ↑	\$2.6	\$2.0	31.5% ↑
Total Aged Debt 91+ Days (in millions)	\$0.9	\$0.9	-0.0%	\$0.1	\$0.2	-10.0% ↓
Total Service Agreement Count > 30 Days (in thousands)	32.8	33.0	0.0%	1.8	1.8	0.0%
Total Service Agreement Count > 91+ Days (in thousands)	6.1	6.3	0.0%	0.3	0.4	-25.0% ↓

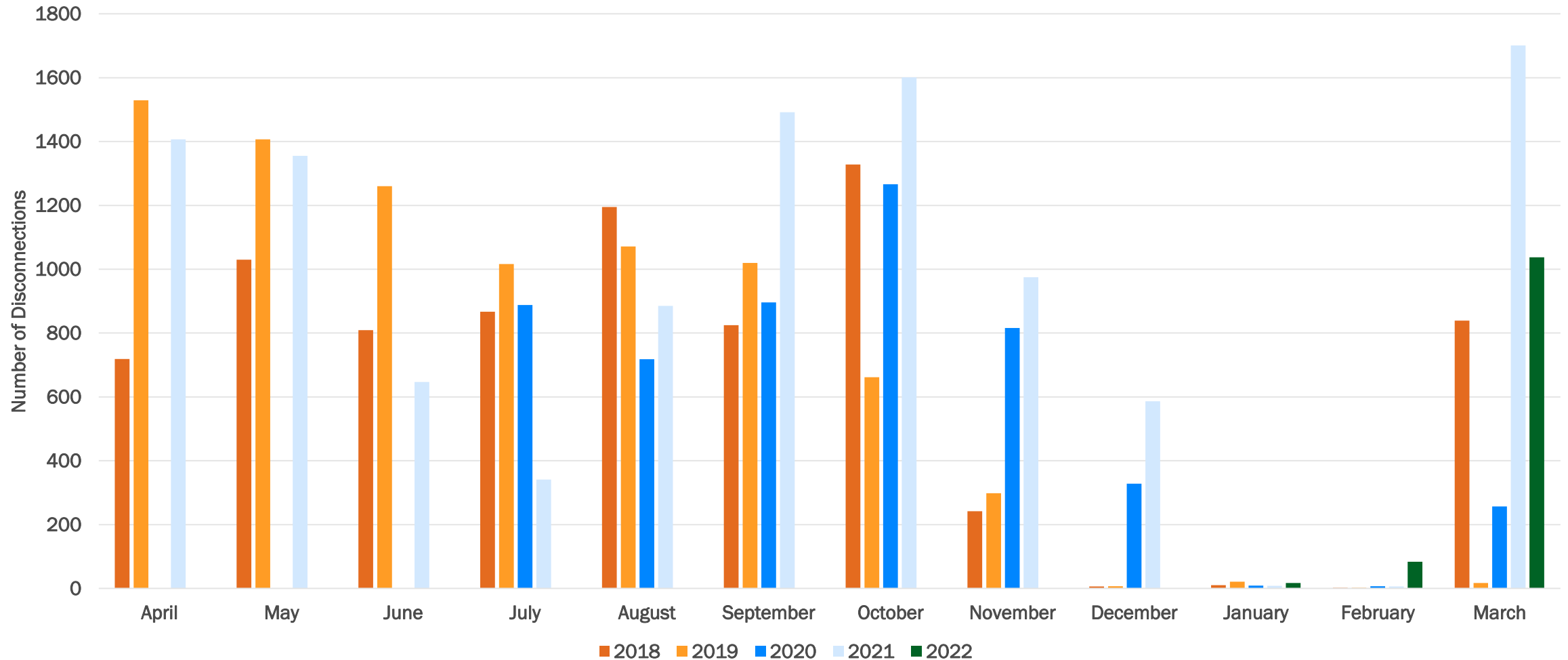
LIHEAP Only Accounts	March 2022	March 2021	% Change
% of Accounts Current	69%	66%	5% ↑
% of Accounts in Arrears	31%	34%	-9% ↓
Total Aged Debt > 30 days (in millions)	\$0.7	\$1.0	-28% ↓
Total Aged Debt 91+ Days (in millions)	\$0.1	\$0.2	-44% ↓
Total Service Agreement Count > 30 Days (in thousands)	3.8	4.7	19% ↓
Total Service Agreement Count > 91+ Days (in thousands)	0.9	1.3	-31% ↓

# Disconnect Notices Issued



Note: Historically, a Disconnect Notice was issued to a customer at the time of billing if the past due amount was > \$100 and the customer has not demonstrated a good payment history. During the latter portion of March thru June 2020 a past due reminder letter replaced the Disconnect Notice since disconnects for non-payment were suspended during this time. The values during this period represent accounts that received a letter in lieu of a Disconnect Notice. Effective 8/25/2020, the threshold of the notice was set to > \$200 which will decrease the number of Disconnect Notices generated from that point forward.

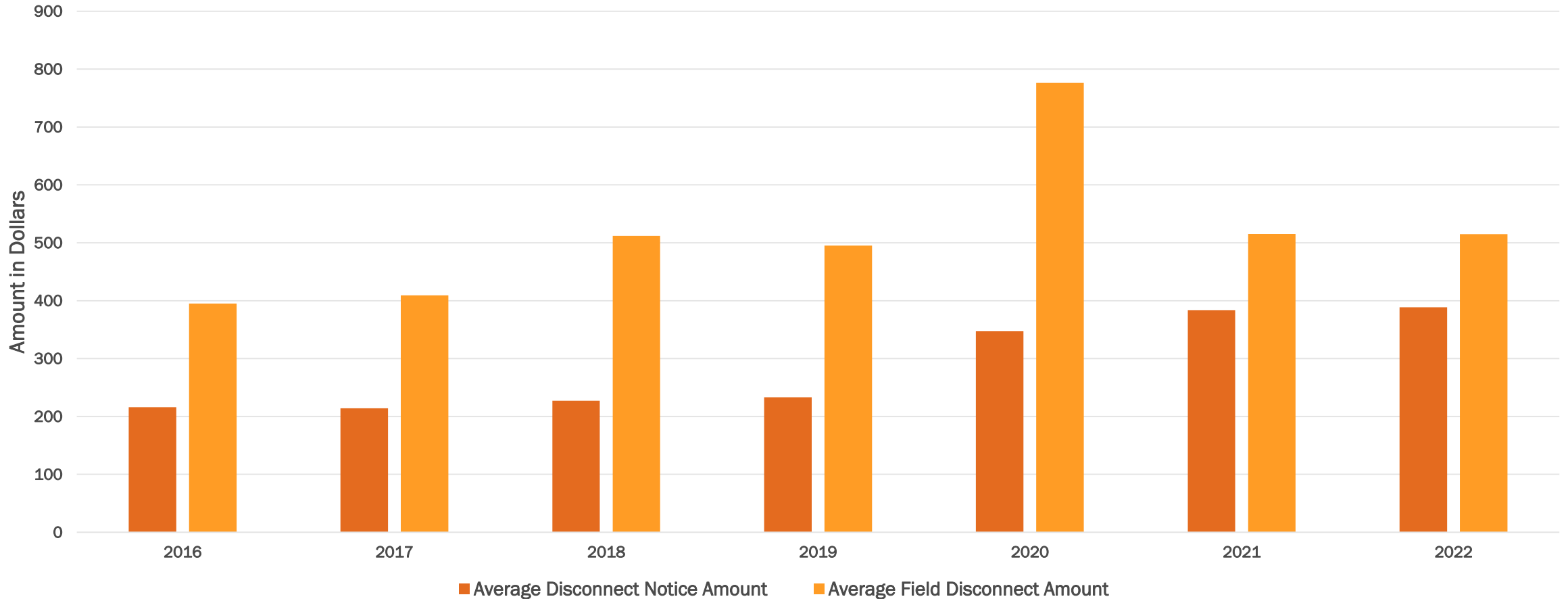
# Disconnections for Non-Payment by Month



In 2020 Disconnections for non-payment were suspended from early March to mid-July due to COVID-19.

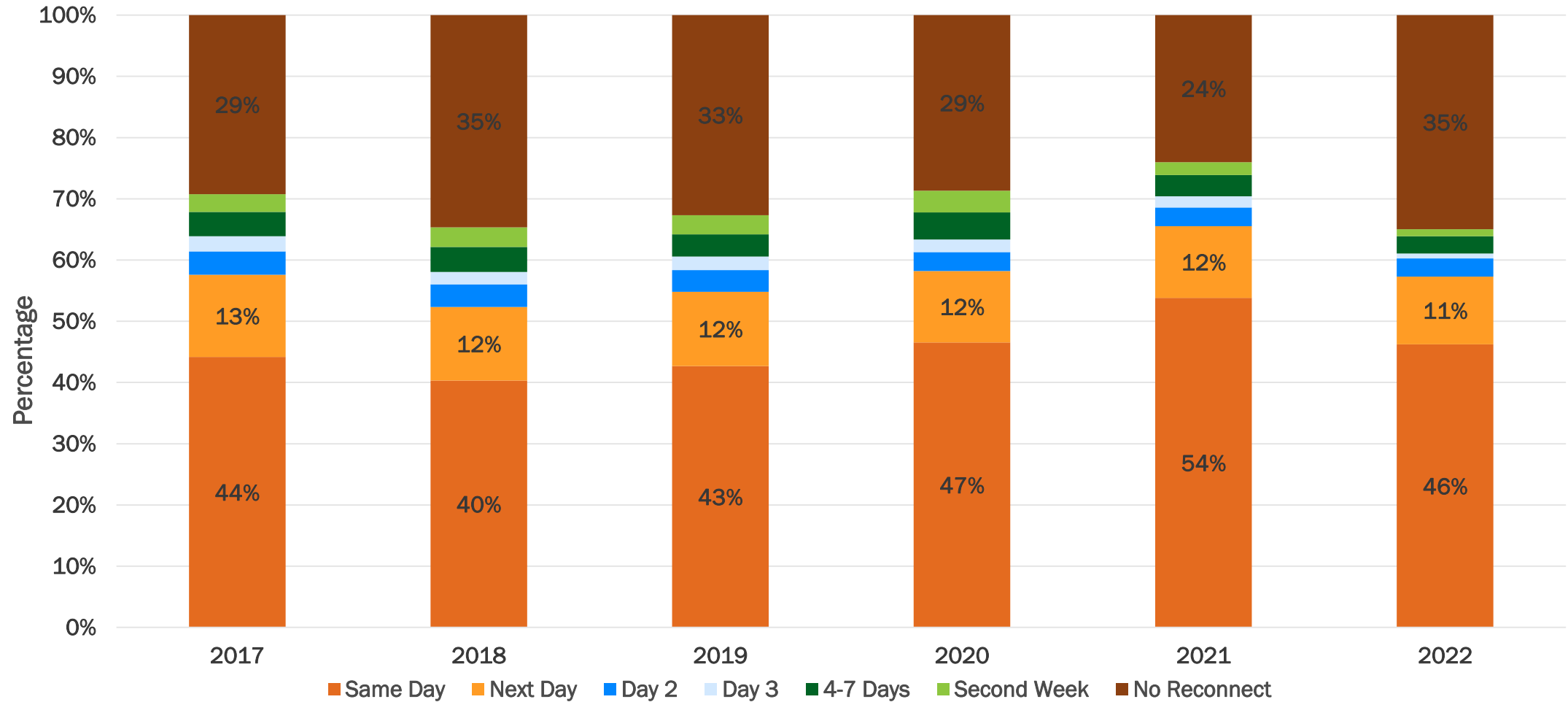
# Average Disconnect Notice Amount vs Average Field Collection Amount

Average Disconnect Notice Amount vs Average Field Collection Amount



Note: OPPD prioritizes field collection and disconnection activities to the highest and riskiest debt which is reflected with the higher dollar value for orders sent to the field for collections/disconnection for non-payment vs the average disconnect notice amount.

# Timing of Reconnections after Disconnect for Non-Pay



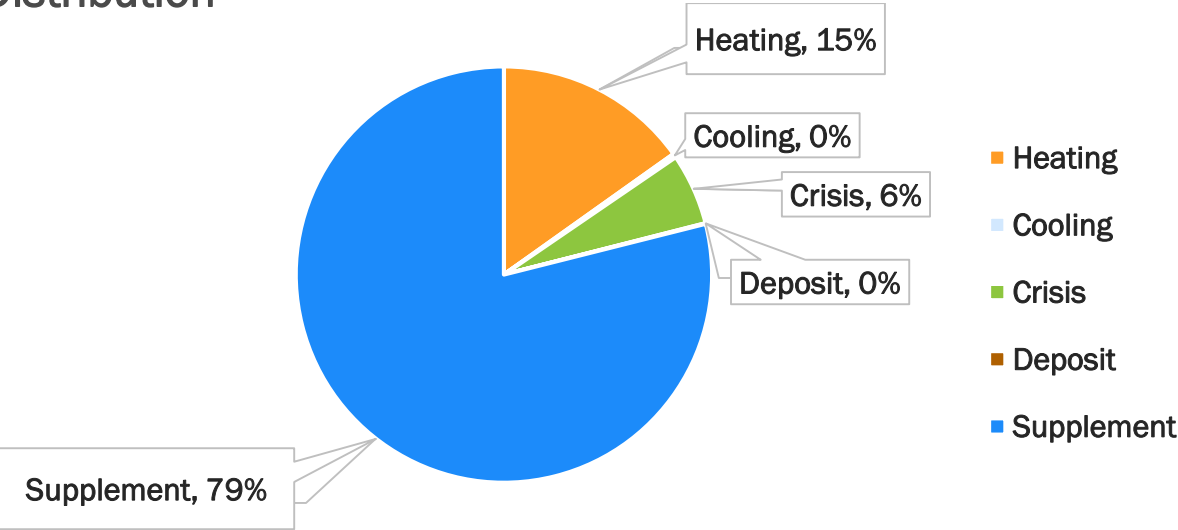
\*2022 Data is YTD

# Energy Assistance March 2022 YTD

Funding Source	March 2022 YTD	Average Benefit	Distinct Accounts	# of Payments	2021 Year End Total
Energy Assistance Program	\$103,695	\$317	327	327	\$261,850
LIHEAP	\$2,005,178	\$322	5,200	6,225	\$5,048,322
Other Agencies Assistance	\$515,743	\$304	1,443	1,696	\$3,285,045
<b>Total</b>	<b>\$2,624,616</b>	<b>\$318</b>	<b>6,699</b>	<b>8,248</b>	<b>\$10,096,726*</b>

\*OPPD had distributed \$1,501,509 in COVID-19 Utility Assistance benefits to 3,940 distinct customers in 2021. If a new OPPD energy assistance program is launched in 2022 the funding source chart will be updated accordingly. These funds are reflected in the year end total for 2021.

## LIHEAP Distribution





# Reporting Item

## BOARD OF DIRECTORS

April 19, 2022

### ITEM

Legislative and Regulatory Update

### PURPOSE

To provide an update on 2022 state and federal legislative matters and regulatory matters

### FACTS

- a. Nebraska's 107th Legislature 2<sup>nd</sup> session began on January 5, 2022 and ends on April 20, 2022.
- 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*

48058A9ADE8A409...

Lisa A. Olson

Vice President – Public Affairs

#### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*L. Javier Fernandez*

AC399FDCE56247E...

L. Javier Fernandez

President and Chief Executive Officer

Attachment: State and Federal Legislative Update



# Government Affairs Update 4/19/2022

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



# State Legislative Update



# 2022 Nebraska Legislative Calendar

Nebraska's 107<sup>th</sup> Legislature, Second Session

- 60 day session
- January 5<sup>th</sup> – Legislature convened at 10 am
- January 10<sup>th</sup> - Debate begins for carry-over legislation
- January 14<sup>th</sup> - Final day to submit bill requests to Revisor of Statutes Office
- January 18<sup>th</sup> – Committee hearings begin
- January 20<sup>th</sup> – Last day of bill introduction
- February 17<sup>th</sup> – Final day to request speaker priority bills
- February 22<sup>nd</sup> – Final day to designate committee and senator priority bills
- February 23<sup>rd</sup> – Speaker to announce 2022 speaker priority bills
- March 3<sup>rd</sup> – Final day of committee hearings
- March 8<sup>th</sup> – Full day of floor debate begins
- April 20<sup>th</sup> – Sine die

# 2022 OPPD priority bills

LB & Current Status	Summary
LB 742 Erdman	Provide for minutes to be kept in an electronic record under the Open Meetings Act.
<i>Neutral</i>	<i>1/10/22 Referred to Government, Military and Veterans Affairs Committee, 2/9/22 Hearing held, 2/15/22 Placed on General file, 3/17/22 Placed on Select file, 4/5/22 Advanced to Final reading, Passed on Final reading 42-0-7</i>
LB 804 Hughes	Change compensation of certain members of the Nebraska Power Review Board.
<i>Support</i>	<i>1/10/22 Referred to Natural Resources Committee, 1/19/22 Hearing held, 2/3/22 Placed on General file, 2/23/22 Speaker priority bill, 3/2/22 Placed on Select file, 3/10/22 Advanced to Final reading, Passed on Final reading 45-0-4</i>
LB 847 Wishart	Redefine political subdivision under the Political Subdivisions Construction Alternatives Act.
<i>Support</i>	<i>1/10/22 Referred to Govt., Military and VA Committee, 1/28/22 Hearing held, 2/3/22 Placed on General file, 2/16/22 Placed on Select file, 3/2/22 Advanced to Final reading, 3/14/22 Signed by Governor</i>
LB 908 McDonnell	Provide additional requirements for virtual conferencing under the Open Meetings Act.
<i>Neutral</i>	<i>1/11/22 Referred to Govt., Military and VA Committee, 2/22/22 Placed on General file with AM1950, 3/14/22 AM 1950 adopted, 3/17/22 Placed on Select file, 4/5/22 Advanced to Final reading, Passed on Final reading 44-1-4</i>

# 2022 OPPD priority bills

LB & Current Status	Summary
LB 977 Slama	Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities.
Support	<i>1/12/22 Referred to Appropriations Committee, 2/16/22 Hearing held, 2/22/22 Slama priority bill, 3/14/22 Placed on General file with AM2310, 3/31/22 AM2310 adopted, 4/5/22 Placed on Select file, 4/8/22 Advanced to Final reading, 4/12/22 Passed on Final reading with E Clause 42-0-7</i>
LB 1045 Bostelman	Change qualifications of certain public power district board members.
Oppose	<i>1/20/22 Referred to Natural Resources Committee, 2/2/2022 Hearing held, 2/22/22 Natural Resources priority bill, 3/1/22 Placed on General file with AM2081</i>
LB 1047 Bostelman	Change filing requirements with the Nebraska Power Review Board.
Oppose	<i>1/20/2022 Referred to Natural Resources Committee, 1/27/22 Hearing held, 3/1/22 Amended into LB 1045 with AM2081</i>
LB 1058 Brewer	Provide requirements for public power suppliers relating to baseload units.
Oppose	<i>1/20/22 Referred to Natural Resources Committee, 1/28/22 Hearing held, 3/1/22 Amended into LB 1045 with AM2081</i>

# 2022 OPPD priority bills

LB & Current Status	Summary
LB 1099 Bostelman	Create the Nebraska Hydrogen Hub Industry Work Group.
<i>Support</i>	<i>1/21/22 Referred to Natural Resources Committee, 2/9/22 Hearing held, 2/14/22 Bostelman priority bill, 2/15/22 Placed on General file with AM1895, 3/2/22 Placed on Select file, 3/8/22 Advanced to Final reading, 3/11/22 Passed on Final reading with E clause 47-0-2, 3/16/22 Signed by Governor</i>
LB 1102 Bostelman	Adopt the Nebraska Environment Response Act and change provisions relating to enforcement of environmental protection.
<i>Monitor</i>	<i>1/21/22 Referred to Natural Resources Committee, 2/3/22 Hearing held, 2/23/22 Placed on General file with AM1893, 2/23/22 Speaker priority bill, 3/15/22 Placed on Select file, 4/8/22 Advanced to Final reading, 4/12/22 Passed on Final reading 46-0-3</i>
LB 1144 Friesen	Change provisions relating to the Nebraska Telecommunications Regulation Act and the Nebraska Broadband Bridge Act.
<i>Monitor</i>	<i>1/21/22 Referred to Trans and Telecom Committee, 2/8/22 Hearing held, 2/22/22 Trans and Telecom Committee priority bill, 3/8/22 Placed on General file with AM2107, 3/28/22 AM 2107 adopted, 3/30/22 Placed on Select file, 4/11/22 Advanced to Final reading, 4/13/22 Passed on Final reading with E clause 46-0-3</i>

# 2021 Carry over bills

LB & Current Status	Summary
LB 344 Friesen	Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee
Oppose	<i>1/15/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held, 2/24/21 Placed on General file with AM83, 2/17/22 Friesen AM1880 filed, 2/23/22 Speaker priority bill, 3/11/22 AM1880 adopted, 3/14/22 Placed on Select file, 3/22/22 Hearing held on AM1880</i>
LB 460 Brandt	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission
Support	<i>1/20/21 Referred to Transportation and Telecommunication Committee, 2/9/21 Hearing held</i>
LB 512 Brewer	Adopt the Critical Infrastructure Utility Worker Protection Act
Support	<i>1/22/21 Referred to Business and Labor Committee, 3/1/21 Hearing held, 2/15/22 Placed on General file with AM1620, 2/22/22 Business and Labor priority bill</i>

# 2022 Interim Study

LR & Current Status	Summary
LR 295 Kolterman	Interim study to monitor underfunded defined benefit plans administered by the political subdivisions as required by 3-2402.
	<i>4/5/22 Referred to Nebraska Retirement Systems Committee</i>
LR 330 Linehan	Interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage.
	<i>4/5/22 Referred to Appropriations Committee</i>
LR 355 Bostelman	Interim study to examine and review Chapter 70 of the Nebraska Statutes relating to power districts and corporations.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 363 Bostelman	Interim study to examine the reprocessing and recycling of spent nuclear fuel.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 376 M. Hansen	Interim study to determine whether reports of the resistance of public agencies to fulfill public record requests are representative of a broad statewide issue or represent isolated incidents.
	<i>4/5/22 Referred to Government, Military and Veterans Affairs Committee</i>

# 2022 Interim Study

LR & Current Status	Summary
LR 380 Day	Interim study to examine a potential limit on taxation of public and private pension income.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>
LR 392 Friesen	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>
LR 393 J. Cavanaugh	Interim study to examine the committee hearing procedures of the Legislature.
	<i>4/5/22 Referred to Executive Board</i>
LR 394 J. Cavanaugh	Interim study to examine potential changes to Nebraska's net metering policy.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 401 Friesen	Interim study to review the administration of the Nebraska Broadband Bridge Act.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>
LR 402 McCollister	Interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust.
	<i>4/5/22 Referred to Natural Resources Committee</i>



# 2022 Interim Study

LR & Current Status	Summary
LR 418 Bostar	Interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries.
	<i>4/5/22 Referred to Revenue Committee</i>
LR 419 Bostelman	Interim study to examine the existing federal rule process for nuclear generation license renewal applications.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 421 Bostar	Interim study to examine property rights issues.
	<i>4/5/22 Referred to Judiciary Committee</i>

# Local Update



# Local Update

- Continuing introductions of Javier to various public officials across the service territory through June.
- Everbridge for public officials
  - Goal of Everbridge for public officials is to enhance ongoing communications with public officials across OPPD's 13-county service territory by providing updates for extended outage and restoration events.
  - Public officials from various jurisdictions requested the enhanced communication after the recent storms.
  - March 3 and 4 provided six Webex presentations to various public officials.
  - Currently have village, county and city clerks and mayors receiving updates.
  - Continuing to add public officials who are interested in receiving the updates.

# Federal Legislative Update



# Federal Update

- Senate Budget reconciliation package.
  - House passed the Build Back Better bill (reconciliation package) on November 19<sup>th</sup>, but failed in the Senate and has been put off to address other priorities.
  - Senate plans to renegotiate a smaller package with a tentative deadline no later than Memorial Day .
  - Related to this are the energy tax provisions, the wind PTC has expired and will likely be address later this year in an extenders package or if the reconciliation package is revived.
- OPPD tracking potential funding opportunities available to public power utilities from the Infrastructure Investment and Jobs Act.
  - Funds have not been allocated yet because of the ongoing Continuing Resolutions Congress keeps passing. A broader agreement is needed to allocate these funds.
- 11,554 bills introduced in the 117<sup>th</sup> Congress as of April 14<sup>th</sup>.

SOURCE [Congress.gov](https://www.congress.gov), [Politico](https://www.politico.com), [Whitehouse.gov](https://www.whitehouse.gov)

**Omaha Public Power District**

**107th Second Session of the Nebraska State Legislature - April 13, 2022**

Bill No	One Liner and Summary	Proposed Position	Status	Strategic Directive(s)	Rationale & Actions
<b>OPPD Priority bills</b>					
<b>Speaker, Senator and Committee Priority bills highlighted in gray</b>					
<a href="#">LB 344 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. 2/17/22 Friesen AM1880 filed. 2/23/22 Speaker priority bill. 3/14/22 Placed on Select file with ER144. 3/22/22 Hearing held on AM1880. 3/25/22 Friesen AM2582 filed. 4/7/22 AM2739, AM2741, AM2740 filed.	SD -6	OPPD submitted testimony in opposition.  Creates an unnecessary committee adding time and cost to the process.

<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. 2/2/22 Brewer AM1620 filed. 2/15/22 Placed on General File with AM1620. 2/22/22 Business and Labor priority bill. 3/17/22 Brewer AM2387 filed. 3/24/22 Brewer AM2357 filed.	SD-6	OPPD bill. Javier testified in support.
<a href="#">LB 804 Hughes</a>	<b>Change compensation of certain members of the Nebraska Power Review Board.</b> <i>Increases the pay for the board member or proxy engaged in the SPP Regional State Committee. Increase from \$20,000 to \$35,000 for board member and not to exceed an aggregate total of \$40,000.</i>	Support NPA Supports	1/10/22 Referred to Natural Resources Committee. 1/19/22 Hearing held. 2/3/22 Placed on General file. 2/23/22 Speaker priority bill. 3/2/22 Placed on Select file. 3/10/22 Advanced to Final reading, <b>4/12/22 Passed on Final reading 45-0-4.</b>		

<a href="#">LB 977</a> <a href="#">Slama</a>	<p><b>Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities.</b> <i>Appropriates \$29 million from ARPA to DED for a grant to any city of the second class which partners with public power utilities for the purpose of expanding electrical system capacities and enhancing redundancy and resilience.</i></p>	<p>Support</p>	<p>1/12/22 Referred to Appropriations Committee. 2/16/22 Hearing held. 2/22/22 Slama priority bill. 3/14/22 Placed on General file with AM2310. 3/31/22 AM 2310 adopted and advanced. 4/5/22 Placed on Select file, <b>4/12/22 Passed on Final reading with E clause 42-0-7.</b></p>	<p>OPPD testified in support.</p>
<a href="#">LB 1045</a> <a href="#">Bostelman</a>	<p><b>Change qualifications of certain public power district board members.</b> <i>Would remove the language prohibiting high level managers of a PPD from serving as a board of director for any district.</i></p>	<p>Oppose</p>	<p>1/20/22 Referred to Natural Resources Committee. 2/2/22 Hearing held. 2/22/22 Natural Resources priority bill. 3/1/22 Placed on General file with Committee amendment AM2081. 3/10/22 AM2268, AM2274, AM2275, AM2267, AM2263 filed. 3/31/22 AM2622, AM2621, AM2623, AM2624 filed.</p>	



<a href="#">LB 1099</a> <a href="#">Bostelman</a>	<p><b>Create the Nebraska Hydrogen Hub Industry Work Group.</b> <i>Would direct the DED to create the Working Group. Director shall appoint members to the work group from the following industries; manufacturing or industry, agriculture, transportation, energy and a clean hydrogen manufacturer. Purpose of the group is to develop and draft a competitive proposal for submission to the US DOE to be selected as on of the four regional clean hydrogen hubs.</i></p>	<p>Support</p>	<p>1/21/22 Referred to Natural Resources Committee. 2/9/2022 Hearing held. 2/14/22 Bostelman priority bill. 2/15/22 Placed on General file with Committee amendment AM1895. 3/1/22 AM1895 adopted. 3/2/22 Advanced to Select file. 3/8/22 Advanced to Final reading. 3/16/22 Signed by Governor.</p>		
<a href="#">LB 1144</a> <a href="#">Friesen</a>	<p><b>Change provisions relating to the Nebraska Telecommunications Regulation Act and the Nebraska Broadband Bridge Act.</b></p>	<p>Monitor</p>	<p>1/21/22 Referred to Trans and Telecom Committee. 2/8/22 Hearing held. 2/22/22 Trans and Telecom priority bill. 3/8/22 Placed on General file with AM2107. 3/14/22 Flood AM2316 filed. 3/30/22 Placed on Select File with ER161. 4/8/22 Flood AM2757 filed, Friesen AM2679 filed.  <b>4/13/22 Passed on Final reading with E clause 46-0-3.</b></p>		

<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 in support.
<a href="#">LB 742 Erdman</a>	<b>Provide for minutes to be kept in an electronic record under the Open Meetings Act.</b> <i>Clean up bill that would clarify that all public bodies may store their meeting minutes electronically. Current statute 84-1411 suggests that only school boards and educational service units may store their meeting minutes electronically. Bill removes ambiguity and provides that all public bodies can go paperless.</i>	Neutral	1/10/22 Referred to Govt., Military and VA Committee. 2/9/22 Hearing held. 2/15/22 Placed on General file. 3/17/22 Placed on Select file. 4/5/22 Advanced to Final reading. 4/12/22 Passed on Final reading 42-0-7.	SD-12	
<a href="#">LB 743 Erdman</a>	<b>Change provisions relating to when closed sessions may be held under the Open Meetings Act.</b> <i>Adds board subcommittee meetings to the criteria of when closed session may be held.</i>	Oppose NPA Opposed	1/10/22 Referred to Govt., Military and VA Committee. 2/9/22 Hearing held.	SD-12	NPA testified in opposition.

<a href="#">LB 847</a> <a href="#">Wishart</a>	<b>Redefine political subdivision under the Political Subdivisions Construction Alternatives Act.</b> <i>Includes metropolitan utilities districts, public power districts and irrigation districts in the political subdivisions permitted to use design-build contracts for construction projects.</i>	Support	1/10/22 Referred to Govt., Military and VA Committee. 1/28/22 Hearing held. 2/3/22 Placed on General file. 2/16/22 Placed on Select file with ER104. 3/2/22 Advanced to Final reading. 3/8/22 Passed on Final Reading 44-0-5. 3/14/22 Signed by Governor.		OPPD submitted a letter of support.
<a href="#">LB 884</a> <a href="#">M. Cavanaugh</a>	<b>Provide notice to private residential owners under the One-Call Notification System Act.</b> <i>Requires a private residential owner to be notified prior to excavating. Adds sewer line language to underground facilities.</i>	Oppose	1/10/22 Referred to Trans and Telecom Committee. 1/25/22 Hearing held.		
<a href="#">LB 903</a> <a href="#">Bostar</a>	<b>Change provisions relating to criminal privacy violations and prohibit spying by unmanned aircraft.</b> <i>Creates a Class I misdemeanor for persons intentionally cause an electronic device (drone) to enter into, upon or above the property of another in order to secretly or furtively peer or spy into or through a window, door, or other aperture of any dwelling of any other person. Includes any dwelling owned by such person and leased or rented to another.</i>	Under Review	1/10/22 Referred to Judiciary Committee. 3/2/22 Hearing held.		

<a href="#">LB 908</a> <a href="#">McDonnell</a>	<p><b>Provide additional requirements for virtual conferencing under the Open Meetings Act.</b> <i>A public body may hold a meeting by virtual conferencing if a) the purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body; b) No action is taken by the public body at the virtual meeting; c) public body complies to current requirements for holding a virtual meeting. (adequate notice, reasonable arrangements for the public's right to attend, etc.)</i></p>	<p>Neutral</p>	<p>1/11/22 Referred to Govt., Military and VA Committee. 2/16/22 Hearing held. 2/22/22 Placed on General file with Committee amendment AM1950. 3/17/22 Placed on Select file. 4/5/22 Advanced to Final reading, <b>4/12/22 Passed on Final reading 44-1-4.</b></p>		
<a href="#">LB 914</a> <a href="#">Bostelman</a>	<p><b>Require the Public Service Commission to create and maintain a broadband map and data repository.</b> <i>Would require the Public Service Commission to create and maintain an official Nebraska map locating broadband access, showing broadband availability and quality of service in Nebraska and create and maintain a repository for broadband data and information.</i></p>	<p>Support</p>	<p>1/11/22 Referred to Trans and Tele Committee. 2/8/22 Hearing held. 3/31/22 Indefinitely postponed.</p>		<p>OPPD submitted a letter in support.</p>
<a href="#">LB 944</a> <a href="#">McCollister</a>	<p><b>Change the sales tax rate imposed on the furnishing of electricity.</b> <i>Would impose a tax on the statewide carbon intensity factor determined annually by the Tax Commissioner. Tax rate will begin at 5 1/2 percent and fluctuate depending on the calculations received from the providers of electricity.</i></p>	<p>Neutral</p>	<p>1/11/22 Referred to Revenue Committee. 2/25/22 Hearing held.</p>		

<a href="#">LB 969</a> <a href="#">Dorn</a>	<b>Appropriate federal funds to the Department of Environment and Energy to improve reliability and resiliency of the electric grid.</b> <i>Would establish a 10 million dollar electric infrastructure grant program for eligible electric infrastructure projects. No more than 2 million dollars awarded per project.</i>	Support	1/12/22 Referred to Appropriations Committee. 2/16/22 Hearing held.		OPPD testified in support.
<a href="#">LB 1002</a> <a href="#">McDonnell</a>	<b>Appropriate federal funds to the Department of Health and Human Services for low-income home energy assistance.</b> <i>Appropriates 2 million dollars from ARPA for energy costs to MUD (1 million) and OPPD (1 million).</i>	Support	1/13/22 Referred to Appropriations Committee. 3/2/22 Hearing held.		OPPD testified in support.
<a href="#">LB 1008</a> <a href="#">Albrecht</a>	<b>Prohibit a county, city, or village from restricting energy utility service.</b> <i>No county, city, or village shall enact or implement any ordinance, resolution, rule, regulation, or policy that prohibits, or has the effect of prohibiting, the connection or reconnection of electric, natural gas, propane, or other energy utility service provided by a municipal corporation, a public power district, a public power and irrigation district, an electric cooperative, an electric membership corporation or association, a natural public gas utility, or any other public entity.</i>	Neutral	1/13/22 Referred to Govt., Military and VA Committee. 1/19/22 Brewer name added. 2/11/22 Hearing held.		

<a href="#">LB 1046</a> <a href="#">Bostelman</a>	<b>Change provisions relating to selection of the board of directors and chief executive officer of certain public power districts.</b> <i>Would change the number of OPPD and NPPD board of directors to 9 members, 4 election subdivisions and 5 members at large appointed by the Governor. Governor would appoint the CEO of public power districts and will serve at the pleasure of the Governor.</i>	Oppose	1/20/22 Referred to Natural Resources Committee. 1/27/22 Hearing held. <b>4/12/22 Indefinitely postponed.</b>		
<a href="#">LB 1047</a> <a href="#">Bostelman</a>	<b>Change filing requirements with the Nebraska Power Review Board.</b> <i>Reliability bill. Requires electricity to be dispatched in the state continuously for 24 hours a day, seven days per week. Requires a 20 year look ahead forecast for both summer and winter peak loads. Requires utilities to store a 45 day supply of fuel</i>	Oppose	1/20/2022 Referred to Natural Resources Committee. 1/27/22 Hearing held. 3/1/22 Amended into LB 1045.		
<a href="#">LB 1056</a> <a href="#">Brewer</a>	<b>Provide for local regulation of industrial wind turbines.</b>	Neutral	1/20/22 Referred to Govt, Military and VA Committee. 2/2/22 bill withdrawn.		
<a href="#">LB 1058</a> <a href="#">Brewer</a>	<b>Provide requirements for public power suppliers relating to baseload units.</b> <i>Requires PPD to pay severance pay to employees when shutting down, substantially alters or reduces base load capacity before the end of its contract life for a period of 5 years. Also requires payments in lieu of taxes to continue if selling, converting or disposing of the base load unit property for a period of ten years or \$50 million dollars, whichever is greater.</i>	Oppose	1/20/22 Referred to Natural Resources Committee. 1/28/22 Hearing held. 3/1/22 Amended into LB 1045.		

<a href="#">LB 1100 Bostelman</a>	<b>Appropriate federal funds to the Department of Economic Development for a feasibility study relating to nuclear reactors.</b> <i>Appropriates \$1 million from ARPA fund to DED to be used to conduct a feasibility study for new advanced nuclear reactors. Funds can only be used by a political subdivision that currently owns or operates a nuclear plant in Nebraska.</i>	Support	1/21/22 Referred to Appropriations Committee. 2/16/22 Hearing held.		
<a href="#">LB 1101 Bostelman</a>	<b>Change provisions relating to the Nebraska Telecommunications Universal Service Fund and the Nebraska Broadband Bridge Act.</b>	Under Review	1/21/22 Referred to Trans and Telecom Committee. 2/8/22 Hearing held.		
<a href="#">LB 1120 Wayne</a>	<b>Disqualify entities receiving federal funds from a high-population county or city of the metropolitan class from receiving such funds from the state.</b> <i>Would disqualify any business or nonprofit entity within a county or city of the metropolitan classes who received federal ARPA funds is disqualified from receiving ARPA funds from the State of Nebraska.</i>	Oppose	1/21/22 Referred to Appropriations Committee. 2/14/22 Hearing held.		
<a href="#">LB 1166 Sanders</a>	<b>Change provisions of the One-Call Notification System Act.</b> <i>Changes language liability for telecommunication lines that are buried improperly.</i>	Neutral	1/21/22 Referred to Trans and Telecom Committee. 2/14/22 Hearing held.		

<a href="#">LB 1188 Flood</a>	<b>Adopt the Uniform Personal Data Protection Act.</b>	Neutral	1/24/22 Referred to Banking, Commerce and Insurance Committee. 2/28/22 Hearing held.		
<a href="#">LB 1208 Friesen</a>	<b>Adopt the Broadband Pole Replacement Fund Act and appropriate federal funds.</b>	Under Review	1/24/22 Referred to Trans and Telecom Committee. 2/15/22 Hearing held.		
<a href="#">LB 1214 Geist</a>	<b>Change provisions of the Nebraska Broadband Bridge Act.</b>	Under Review	1/24/22 Referred to Trans and Telecom Committee. 2/8/22 Hearing held. 3/31/22 Indefinitely postponed.		
<a href="#">LB 1255 Bostar</a>	<b>Appropriate federal funds to the University of Nebraska for an updated climate change report.</b> <i>Appropriates \$150,000 of ARPA funds allocated to the state to the UNL Institute of Agriculture and Natural Resources for a third party science based organization to develop an independent report that identifies and recommends specific prescriptive measures to be taken by the State of Nebraska relating to updated Assessing Climate Change report. Prescriptive measures include 1) a conservation and management plan under section 320 of the federal Clean Water Act and 2) plans for green infrastructure investments and projects to improve resilience to climate change.</i>	Support	1/24/22 Referred to Appropriations Committee. 3/3/22 Hearing held.		



<a href="#">LB 1257</a> <a href="#">Bostar</a>	<b>Appropriate federal funds to the Department of Transportation for grants for electric vehicle direct-current fast charging station.</b> <i>Would appropriate \$10 million of ARPA funds to the Department of Transportation for grants for electric vehicle direct-current fast charging stations. Direct current fast charging station means metered-for-fee public-access recharging system for EV's or hybrid. Charging station does not include a station operated exclusively for motor vehicles of a specific manufacturer, or a building or its structural components.</i>	Neutral	1/24/22 Referred to Appropriations Committee. 2/23/22 Hearing held.		Move to support if Public Power is amended into the bill.
<a href="#">LR 355</a> <a href="#">Bostelman</a>	<b>Interim study to examine and review Chapter 70 of the Nebraska Statutes relating to power districts and corporations.</b>		3/23/22 Introduced. 3/23/22 Referred to Executive Board.		
<b>Bill No</b>	<b>One Liner and Summary</b>	<b>Proposed Position</b>	<b>Status</b>	<b>Strategic Directive(s)</b>	<b>Rationale &amp; Actions</b>
<b>Bills of General Interest (MONITOR)</b>					

<a href="#">LB 409</a> <a href="#">Brewer</a>	<p><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></p>	<p>Oppose NPA Oppose</p>	<p>1/20/21 Referred to Executive Board. 1/22/21 Brewer priority bill. 2/3/21 Hearing held.</p>	<p>SD-9</p>	<p>OPPD sending opposition letter. Speaker passed over in 2022 session.</p>
<a href="#">LB 474</a> <a href="#">Wishart</a>	<p><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></p>	<p>Neutral</p>	<p>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. 5/12/21 Failed to advance.</p>	<p>SD-8</p>	<p>Speaker passed over in 2022 session.</p>
<a href="#">LB 557</a> <a href="#">M. Hansen</a>	<p><b>Change provisions relating to public records and include body-worn camera recordings in certain circumstances.</b></p>	<p>NPA Oppose</p>	<p>1/22/21 Referred to Govt., Military and VA Committee. 2/25/21 Hearing held. 4/20/21 Placed on General File with AM1021. 4/20/21 Placed on General File with AM1021.</p>		

<a href="#">LB 906</a> <a href="#">B. Hansen</a>	<p><b>Require employers to provide for vaccine exemptions and provide duties for the Department of Health and Human Services.</b> <i>Requires employers to allow vaccine exemptions based on employee's strong moral, ethical or philosophical belief or conviction. Employer may require employee to be periodically tested, at the employer's expense, for infection or illness and wear or use personal protective equipment provided by employer.</i></p>	<p>Monitor</p>	<p>1/10/22 Referred to Health and Human Services Committee. 1/10/22 Hansen priority bill. 1/27/22 Hearing held. 2/1/22 Placed on General File with AM1729. 2/11/22 Advanced to Select file. 2/23/22 Advanced to Final Reading. 2/25/22 Passed on Final Reading with Emergency Clause 37-5-7. 2/28/22 Signed by Governor.</p>		
<a href="#">LB 998</a> <a href="#">Wayne</a>	<p><b>Change provisions of the Municipal Inland Port Authority Act.</b> <i>Would define nonprofit economic development corporations to include chambers of commerce or other mutual benefit or public benefit corporations that engage in ED. Provides for creation of an inland port authority upon application by a nonprofit ED corporation if the city, county, or other entity has not proposed to create an inland port authority. Bill provided other specifics in land requirements, locations, and grants to businesses located within the inland port with funds from the Site and Building Development Act as a power of an inland port authority.</i></p>	<p>Monitor</p>	<p>1/13/22 Referred to Urban Affairs Committee. 2/15/22 Hearing held. 2/16/22 Placed on General file with AM1939. 2/23/22 Speaker priority bill. 3/3/22 Placed on Select file with ER124. 3/10/2022 Advanced to Final reading. <b>4/12/22 Passed on Final reading with E clause 46-0-3.</b></p>		

<a href="#">LB 1102</a> <a href="#">Bostelman</a>	<p><b>Adopt the Nebraska Environment Response Act and change provisions relating to enforcement of environmental protection.</b> <i>Establishes a fund to clean up contaminated sites where the responsible party fails or refuses to act. Gives additional authority to the director to issue orders to undertake a cleanup of a release. When state steps in to remediate, the director is authorized to assess the costs of cleanup, pursue cost recovery and assess administrative penalties. Establishes an environmental lien on the property owned by responsible party. Gives the director cease and desist authority.</i></p>	<p>Monitor</p>	<p>1/21/22 Referred to Natural Resources Committee. 2/3/22 Hearing held. 2/23/22 Placed on General file with AM1893. 2/23/22 Speaker priority bill. 3/11/22 Natural Resources AM1893 file. 3/15/22 Placed on Select file. 3/25/22 Bostelman AM2470 filed. 4/7/22 AM2470 adopted, 4/8/22 Advanced to Final reading, <b>4/12/22 Passed on Final reading 46-0-3.</b></p>		
<p>LB 54 Lathrop</p>	<p><b>Change immunity for intentional torts under the Political Subdivisions Tort Claims Act and the State Tort Claims Act.</b></p>	<p>Monitor</p>	<p>1/11/21 Referred to Judiciary Committee. 2/18/21 Hearing held. 3/12/21 Lathrop priority bill. 5/10/21 Placed on General file with AM1268. 5/18/21 Advanced to Select File with ER94.</p>		<p>Lathrop priority bill.</p>

LB 161 Urban Affairs Committee	<b>Provide for the applicability of state and local construction codes</b>	Monitor	1/12/21 Referred to Urban Affairs Committee. 2/9/21 Hearing held. 2/18/21 Placed on General File. 5/27/21 Indefinitely postponed. Provisions/portions amended into LB131 by AM751.		
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. 4/14/21 Placed on General File with AM972.		3/22/21 Lindstrom name added.
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. 5/10/21 Attorney General Opinion 21-009 to Morfeld.		
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. 5/10/21 Failed to advance.		M. Hansen priority bill. Speaker passed over in the 2022 session.

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. 4/13/21 Placed on General File.		
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. 5/18/21 Advanced to Select File.		McDonnell priority bill.
LB 332 Wayne	<b>Change provisions relating to the city council of a city of the metropolitan class.</b> <i>Would divide the city council districts into 9 districts starting in 2025.</i>	Monitor	1/15/21 Referred to Urban Affairs Committee. 2/2/21 Hearing held. 2/18/21 Placed on General file with AM118.		
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. 5/27/21 Provisions/portions of LB391 amended into LB 380 by AM393.		

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. 5/27/21 Provisions/portions amended into LB 338 by AM845.		
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.		Natural Resources priority bill. Speaker passed over in the 2022 session.
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.		Geist priority bill. Speaker passed over in the 2022 session.
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 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. 5/27/21 Provisions/portions amended into LB388 by AM530.		
LB 467 Bostar	<b>Adopt the updated electrical standards. <i>Updates codes from 2017 to 2020.</i></b>	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 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. 5/18/21 Placed on General File with AM1366.		



<p>LB 567 Bus and Labor</p>	<p><b>Change provisions relating to the maximum annual amount of benefits under the Employment Security Law</b></p>	<p>Monitor</p>	<p>1/11/21 Referred to Business and Labor Committee. 2/1/21 Hearing held. 3/29/21 Placed on General File with AM301. 2/16/21 Placed on Select file with ER107. 3/2/22 Advanced to Final reading. 3/8/22 Passed on Final reading 42-0-7. 3/14/22 Signed by Governor.</p>		
<p>LB 600 Brandt</p>	<p><b>Provide and change powers and duties of public power districts and electric cooperatives regarding broadband facilities and infrastructure</b></p>	<p>Monitor NPA Support</p>	<p>1/22/21 Referred to Trans and Telecom Committee. 2/9/21 Hearing held. 2/8/21 Brandt AM148 filed.</p>		
<p>LB 604 Geist</p>	<p><b>Adopt the Nebraska Accelerated Broadband Deployment Grant Program Act and change telecommunications provisions</b></p>	<p>Monitor</p>	<p>1/22/21 Referred to Trans and Telecom Committee. 2/8/21 Hearing held. 5/27/21 Provisions/portions amended into LB388 by AM530.</p>		

<a href="#">LB 731</a> <a href="#">J. Cavanaugh</a>	<p><b>Provide requirements under the Small Wireless Facilities Deployment.</b> <i>Requires wireless providers provide reasonable notification to adjacent property owners or residents prior to installing a wireless facility. Requires a certification prior to installation or modifications of utility poles a) complies with the federal Americans with Disabilities Act of 1990, b) does not obstruct or hinder usual travel or public safety in the right of way or c) does not obstruct the legal use of the right of way or impede the safe operation of the utility system.</i></p>	<p>Monitor</p>	<p>1/10/22 Referred to Trans and Telecom Committee. 1/24/22 Hearing held.</p>		
<a href="#">LB 775</a> <a href="#">Brewer</a>	<p><b>Prohibit land disposal of wind turbine blades and their component parts.</b></p>	<p>Monitor</p>	<p>1/10/22 Referred to Natural Resources Committee. 1/19/22 Hearing held. <b>4/12/22 Indefinitely postponed.</b></p>		
<a href="#">LB 778</a> <a href="#">Brewer</a>	<p><b>Adopt the Government Neutrality in Contracting Act.</b> <i>Would add new language to the existing law that ensures no statement in a contract with the State of Nebraska can show a preference for or discriminate against bidders on a state contract that are represented by a collective bargaining agreement or those bidders who are not.</i></p>	<p>Monitor</p>	<p>1/10/22 Referred to Govt., Military and VA Committee. 1/27/22 Hearing held.</p>		
<a href="#">LB 801</a> <a href="#">Hughes</a>	<p><b>Redefine qualified location under the ImagiNE Nebraska Act.</b> <i>Adds the capture, transport, or geological storage of carbon dioxide from anthropogenic sources as a qualified business under the ImagiNE Nebraska Act.</i></p>	<p>Monitor</p>	<p>1/10/22 Referred to Revenue Committee. 2/2/22 Hearing held.</p>		

<a href="#">LB 837</a> <a href="#">Hunt</a>	<p><b>Require the Director of Environment and Energy to provide certain Nebraska Energy Code information to the Urban Affairs Committee of the Legislature.</b>  <i>Requires the Director of Environment and Energy to transmit a copy of the certification to the Urban Affairs Committee when it is deemed appropriate for the state to revise the Nebraska Energy Code to meet or exceed and updated edition of the IECC as required by the federal Energy Conservation and Production Act.</i></p>	Monitor	1/10/22 Referred to Urban Affairs Committee. 2/15/22 Hearing held.		
<a href="#">LB 841</a> <a href="#">Brewer</a>	<p><b>Provide for applications to register to vote and obtain ballots for Nebraska National Guard members and certain emergency response providers.</b> <i>Would provide for early mail-in voting for members of the Nebraska National Guard who are ordered to active duty in response to a disaster declared by either the Governor or the President.</i></p>	Monitor	1/10/22 Referred to Govt., Military and VA Committee. 2/2/22 Hearing held.		
<a href="#">LB 866</a> <a href="#">Brandt</a>	<p><b>Change inspection fees under the State Electrical Act.</b>  <i>Removes the fifty cent supervisory fee and increases the delinquent fee for filing a late request for inspection from \$50 to \$250.</i></p>	Monitor	1/10/22 Referred to General Affairs Committee. 2/14/22 Hearing held. 2/17/22 Placed on General file.		

<a href="#">LB 916</a> <a href="#">Wayne</a>	<b>Adopt the Rural Municipal Broadband Access Act.</b> <i>Allows cities of the first and second class and villages to provide broadband services or Internet services on a retail or wholesale basis within their jurisdictions to develop a municipal broadband network. Defines underserved and unserved areas. Allows municipalities to initiate the development of a broadband network by conducting a feasibility study and to order a resolution by majority vote of the governing body.</i>	Monitor	1/11/22 Referred to Trans and Tele Committee. 1/13/22 Wayne motion to Rerefer failed. 2/15/22 Hearing held.		
<a href="#">LB 1062</a> <a href="#">Albrecht</a>	<b>Change provisions relating to compensation for total disability under the Nebraska Worker's Compensation Act.</b>	Monitor	1/20/22 Referred to Business and Labor Committee. 1/31/22 Hearing held.		
<a href="#">LB 1104</a> <a href="#">Day</a>	<b>Change provisions of the Emergency Management Act.</b>	Monitor	1/21/22 Referred to Govt, Military and VA Committee. 2/17/22 Hearing held. 3/3/22 Placed on General file.		
<a href="#">LB 1134</a> <a href="#">Morfeld</a>	<b>Prohibit use of public resources by a board member or employee of an electric cooperative corporation under the Nebraska Political Accountability and Disclosure Act.</b>	Monitor	1/21/22 Referred to Govt, Military and VA Committee. 2/25/22 Hearing held.		
<a href="#">LB 1139</a> <a href="#">M. Hansen</a>	<b>Prohibit certain corporations from making contributions or expenditures or providing personal services under the Nebraska Political Accountability and Disclosure Act.</b>	Monitor	1/21/22 Referred to Govt, Military and VA Committee. 2/25/22 Hearing held.		

<a href="#">LB 1149 Friesen</a>	<b>Change registration fees for motor vehicles powered by alternative fuel.</b>	Monitor	1/21/22 Referred to Trans and Telecom Committee. 2/16/22 Friesen AM1903 filed. 2/22/22 Hearing held.		
<a href="#">LB 1153 McCollister</a>	<b>Change the number of members and qualifications for certain members of the State Electrical Board.</b>	Monitor	1/21/22 Referred to Govt, Military and VA Committee. 2/3/22 Hearing held.		
<a href="#">LB 1185 Morfeld</a>	<b>Change provisions relating to the powers of an electric cooperative corporation.</b>	Monitor	1/21/22 Referred to Natural Resources Committee. 2/10/22 Hearing held.		
<a href="#">LB 1232 McDonnell</a>	<b>Appropriate funds from the Cash Reserve Fund to the Department of Economic Development for a capital construction grant for the US Strategic command Nuclear Command, Control, and Communications public-private partnership facility.</b>	Monitor	1/24/22 Referred to Appropriations Committee. 2/10/22 Hearing held.		
<a href="#">LB 1233 Sanders</a>	<b>Rename and change provisions relating to the US Space Command Headquarters Assistance Fund, change provisions relating to the Cash Reserve Fund, and state legislative intent relating to development at Offutt Air Force Base.</b>	Monitor	1/24/22 Referred to Appropriations Committee. 2/10/22 Hearing held.		

<a href="#">LB 1234 Friesen</a>	<b>Provide for an expedited method of authorizing telecommunications wires to cross railroad rights-of-way.</b>	Monitor	1/24/22 Referred to Trans and Telecom Committee. 2/15/22 Hearing held. 3/31/22 Indefinitely postponed.		
<a href="#">LB 1275 Groene</a>	<b>Adopt the Medicinal Cannabis Act.</b>	Monitor	1/24/22 Referred to Judiciary Committee. 2/23/22 Hearing held.		
<a href="#">LR 102 Wishart</a>	<b>Provide the Legislature take steps to combat the climate and ecological crisis.</b>		4/21/21 Introduced. 4/22/21 Referred to Natural Resources Committee. 3/16/22 Hearing held.		4/23/21 Bostar name added.
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. 5/5/21 Failed to Advance to Enrollment and Review Initial.		

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.		



# Board Action

## BOARD OF DIRECTORS

April 19, 2022

### 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.

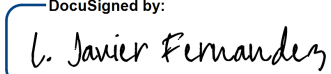
### ACTION

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

#### RECOMMENDED:

DocuSigned by:  
  
9426AD61477A435...  
Tim D. McAreavey  
Vice President – Customer Service

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
AC399FDCE56247E...  
L. Javier Fernandez  
President and Chief Executive Officer

TM:rih

Attachments: Exhibit A – Monitoring Report  
Resolution





Exhibit A

# Monitoring Report SD-5: Customer Satisfaction

## Public Information Committee Report April 19, 2022

Tim McAreavey, Vice President Customer Service

Steve Fanslau, Director, Customer Service Government Infrastructure

# 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 the voice of customer (VOC) to prioritize investments and operational activities
- 4) Interact with customer-owners in a respectful, dignified manner
- 5) Provide ways for customer-owners to indicate if they believe they have not received fair treatment
- 6) Provide periodic customer-owner trend updates to the Board

## SD-5 ACCOUNTABILITIES

### 1) Regularly obtain feedback from customer-owners

#### SYNDICATED CUSTOMER SATISFACTION STUDIES

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

#### OPPD ONLINE POWER PANEL AND ONLINE CHAT

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

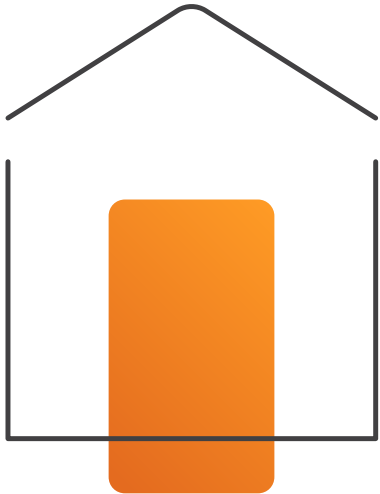
#### TRANSACTIONAL AND JOURNEY SURVEYS

Provides rapid feedback on service interactions

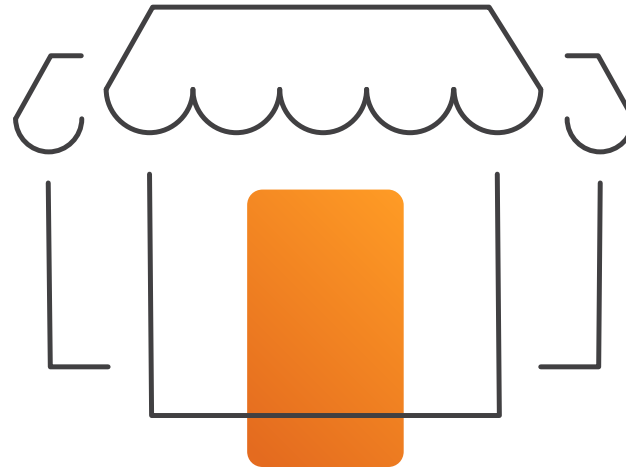
#### FOCUS GROUPS & EMPATHY INTERVIEWS

Allows in-depth exploration to gain a broader understanding of customer perceptions

## 2) Measure customer satisfaction



**RESIDENTIAL**  
customer  
satisfaction  
measured via J.D.  
Power syndicated  
study



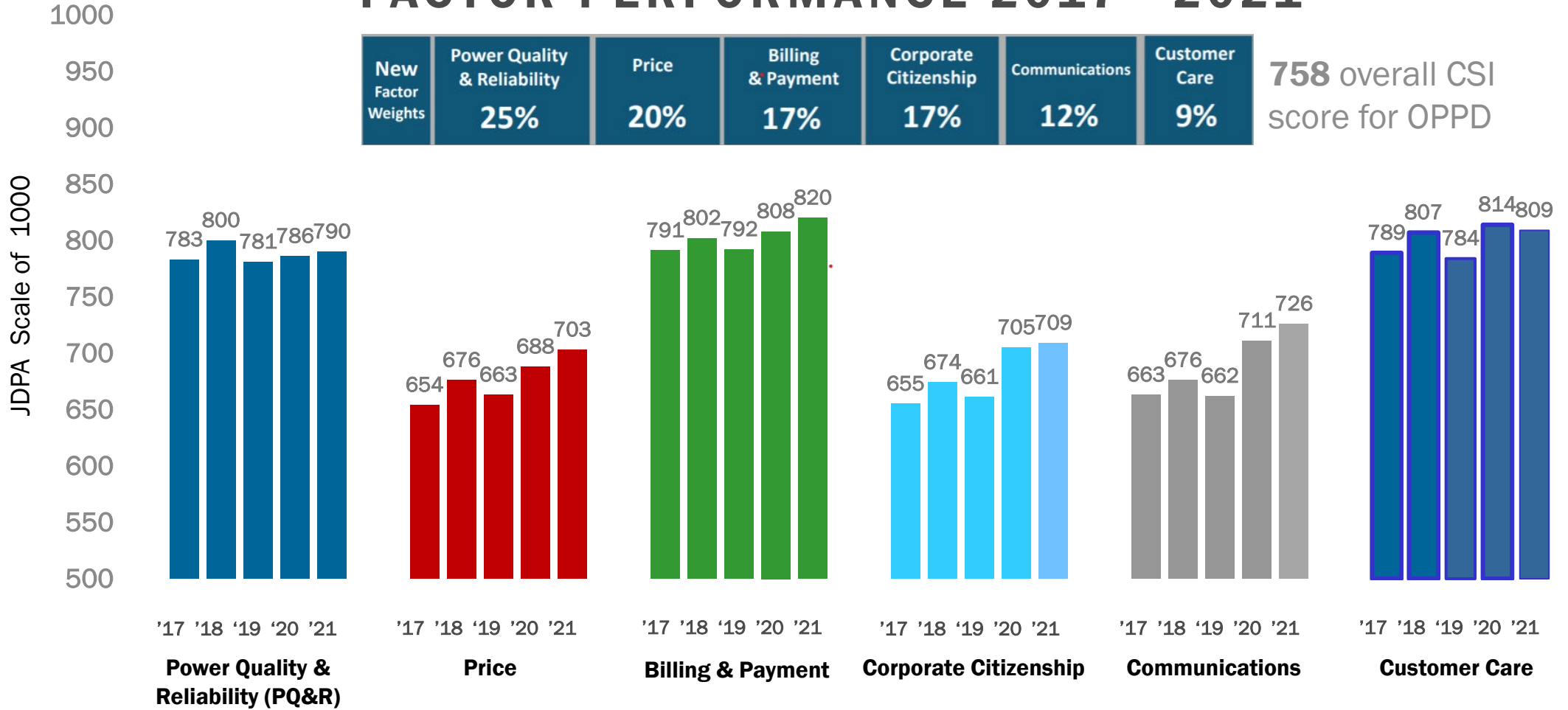
**COMMERCIAL &  
INDUSTRIAL**  
customer  
satisfaction  
measured via  
Escalent's Cogent  
syndicated study



# **2021 Residential** Customer Satisfaction

2) Measure customer satisfaction

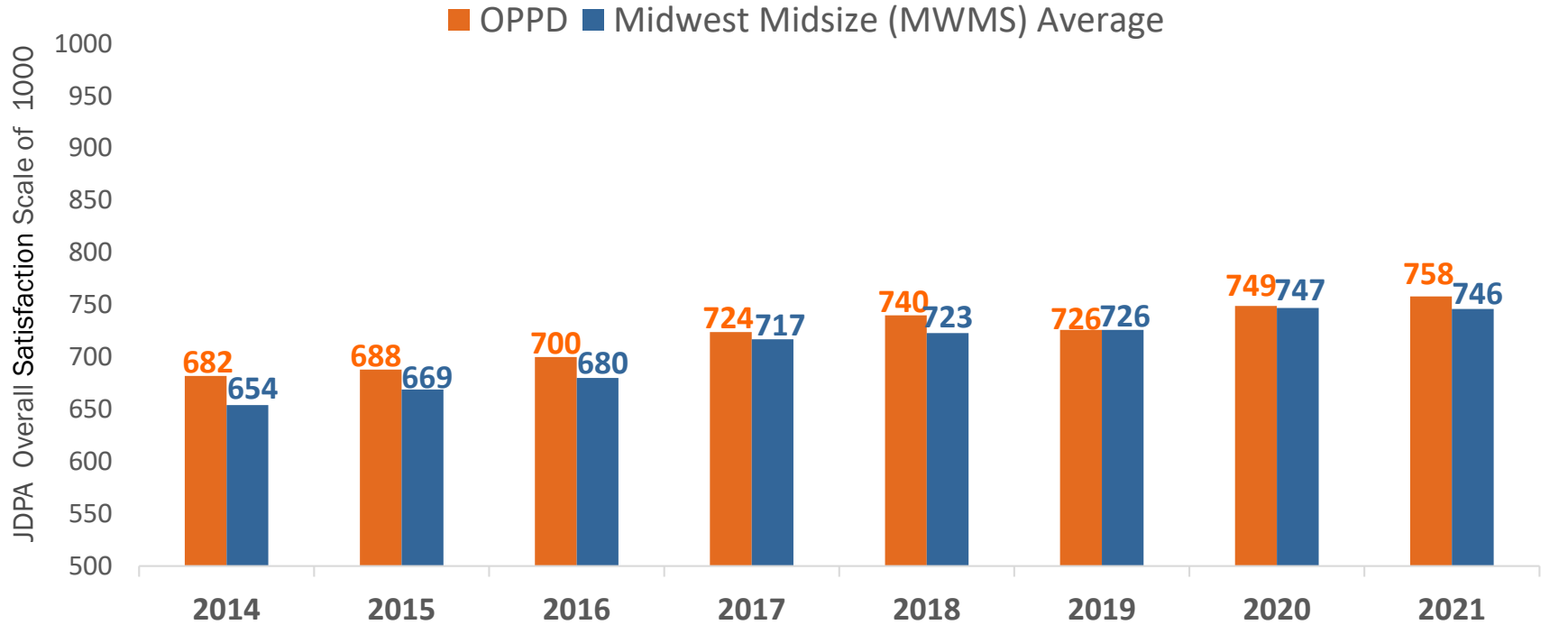
# FACTOR PERFORMANCE 2017 – 2021



Source: 2017-2021 JD Power Associates Electric Utility Residential Customer Satisfaction Study<sup>SM</sup>

2) Measure customer satisfaction

## RESIDENTIAL JDPA CUSTOMER SATISFACTION INDEX 2014-2021 Historical Results<sup>1</sup>



Quartile Ranking	1	2	1	2	1	3	2	1
# of MWMS utilities	17	18	15	15	15	15	16	16

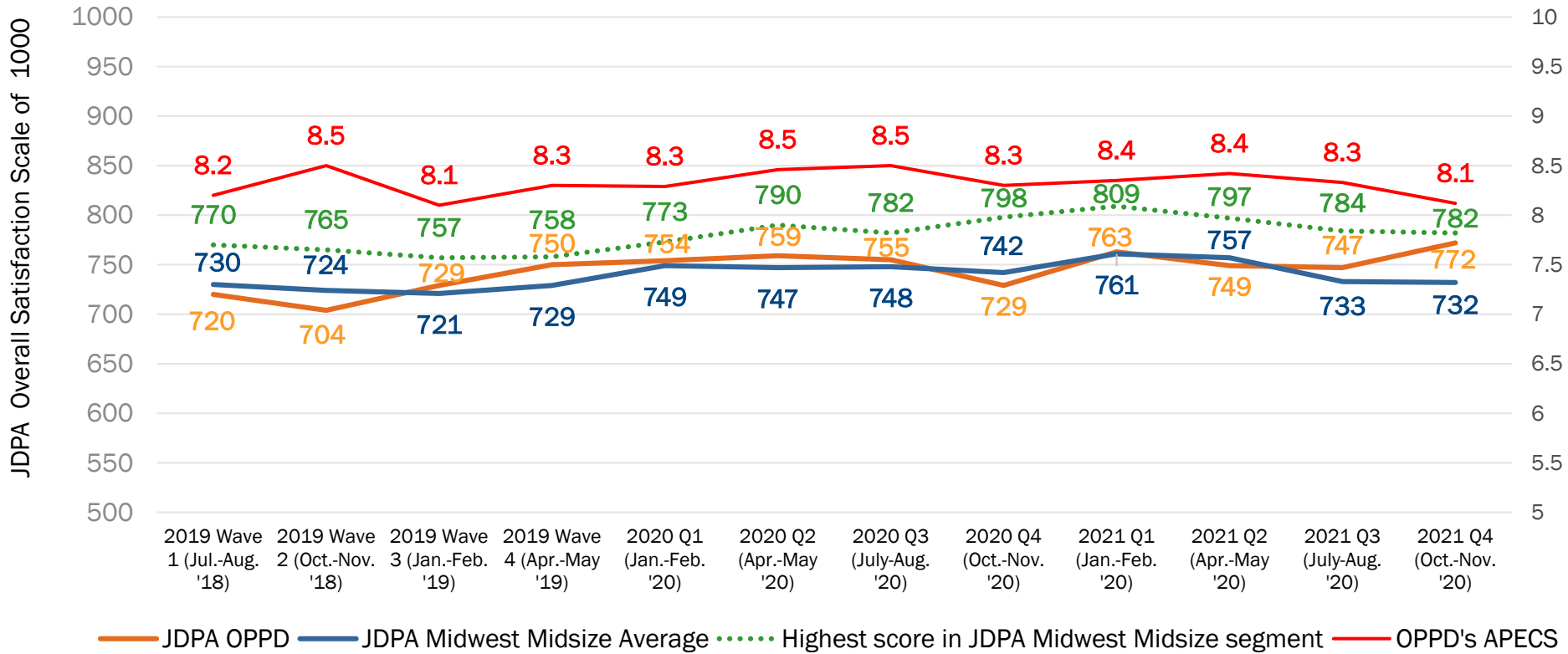
<sup>1</sup>Results are from 2014-2020 JD Power Associates Electric Utility Residential Customer Satisfaction Study<sup>SM</sup>



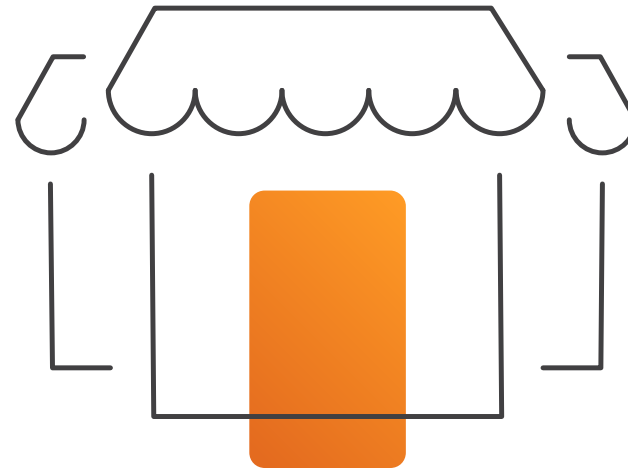
2) Measure customer satisfaction

## 2018-21 JD POWER RESIDENTIAL QUARTERLY WAVES V. OPPD PROPRIETARY TRACKING

### Overall Satisfaction Index



# 2021 Business Customer Satisfaction

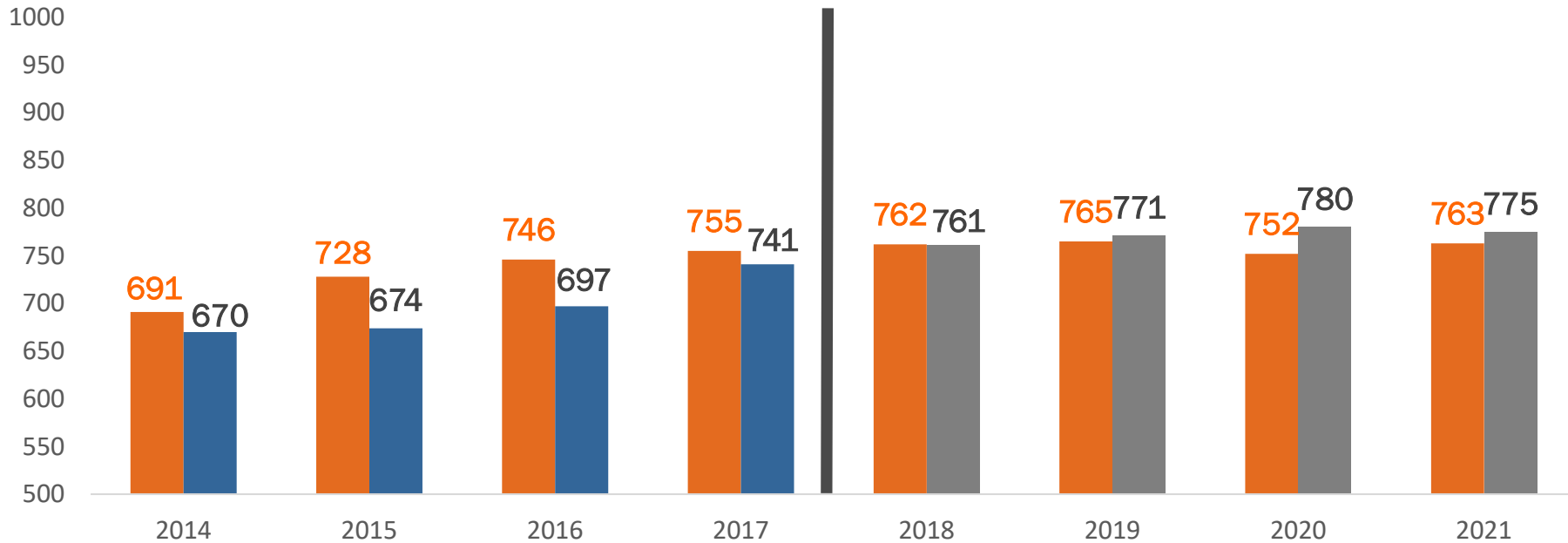


2) Measure customer satisfaction

## BUSINESS CUSTOMER SATISFACTION IMPROVED MODESTLY

Business JD Power/Escalett Customer Satisfaction Index  
2014-2021 Historical Results<sup>1</sup>

JDPA/Escalett Overall Satisfaction Scale of 1000



	2014	2015	2016	2017	2018	2019	2020	2021
Quartile Ranking	1	1	1	1	n/a	3	3	3
# of Midwest utilities	12	11	10	10	18 <sup>2</sup>	22	23	20

<sup>1</sup> Results are from 2014–2017 JD Power Electric Utility Business Customer Satisfaction Study<sup>SM</sup> and 2018–2021 Escalett Business Customer Engagement Study

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

2) Measure customer satisfaction

## EXECUTIVE SUMMARY

- 1) Overall, we've continued to make gains, and just reached a residential customer satisfaction goal.**

We've achieved top quartile performance in residential scores, and made modest improvements in our business segment.

- 2) From a residential perspective, reliability is top of mind.** Experiencing high power quality and understanding utility efforts around maintaining reliability remain areas of focus.

- 3) Business customer engagement made modest improvements in 2021.** Scores are up slightly, and we're working to understand how sample sizes impact our relative rankings.

- 4) The team will continue with efforts correlated with higher scores, then re-group at year-end.**

We're finalizing analysis on areas of focus for the near-term that are not dependent on technology progress.

## SD-5 ACCOUNTABILITIES

### 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 many initiatives this past year:		1 Polar vortex sentiment study	2 Block rates
3 Customer-owned generation	4 Energy education	5 Overall product marketing refresh project	6 Greener together
7 Energy burden solutions	8 Pathways to Decarbonization	9 EV managed charging	10 Future product features

## 4) Interact respectfully

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

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

## SD-5 ACCOUNTABILITIES

### 4) Interact respectfully

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

	Target GOAL	2021 Year End
Courtesy of the representative	98%	97%
Helpfulness of the representative	98%	94%
“Thank you for being customer”	100%	96%

*NOTE: Only for Residential customers. The work is planned to survey the Business customers.*

\*1 Responses with “very satisfied” or “somewhat satisfied”

## 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



## SD-5 ACCOUNTABILITIES

### 5) Treat with fairness

*Communicate a procedure to customers who believe they have not received fair treatment from OPPD*

	Target GOAL	2021 Year End
Representative's knowledge of OPPD's policies	98%	94%

*NOTE: Only for Residential customers. The work is planned to survey the Business customers.*

\*1 Responses with "very satisfied" or "somewhat satisfied"

## 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:

- Customer Trends - Credit & Collections
- Product Development Update

# RECOMMENDATION

The Public Information Committee has reviewed and accepted this monitoring report for SD-5 and recommends the Board find OPPD sufficiently in compliance with Board Policy SD-5.



Mollhoff/McAreavey

**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.



## DRAFT Agenda

**OPPD BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
Thursday, April 21, 2022 at 5:00 P.M.**

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

*Public may attend in person at the Omaha Douglas Civic Center or remotely by going to  
[www.oppd.com/BoardAgenda](http://www.oppd.com/BoardAgenda) to access the Webex meeting link and view materials.*

### **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 2022 Comprehensive Financial and Operating Reports, March 2022 Meeting Minutes and the April 21, 2022 Agenda
7. SD-1: Strategic Foundation Monitoring Report – Resolution No. 64xx
8. Board Policies Binder Update: Non-Substantive Changes – Resolution No. 64xx
9. Authorization for Additional District Financing – Resolution No. 64xx
10. Sale of Real Property at 12210 South 114th Street Papillion, Sarpy County, NE – Resolution No. 64xx
11. Acquisition of Land Rights for Enterprise Operations Technology Communications Network Asset Located in Western Sarpy County – Resolution No. 64xx
12. RFP No. 5948 – 69/13.8kV 10/12.5MVA Transformer – Resolution No. 64xx
13. SD-4: Reliability Monitoring Report – Resolution No. 64xx
14. SD-5: Customer Satisfaction Monitoring Report – Resolution No. 64xx

### **Board Discussion Action Items**

15. Appointment of Corporate Officers and Compensation Approvals – Resolution No. 64xx
16. [to be determined]

### **Other Items**

17. President's Report (■ mins)
18. Opportunity for comment on other items of District business
19. 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

