

Moody/Focht

**ACQUISITION OF PROPERTY RIGHTS
FOR UTILITY OPERATIONS INFRASTRUCTURE PROJECTS**

RESOLUTION NO. 6677

WHEREAS, the District will need to acquire approximately 13.98 acres of real property in fee simple to expand Substation 971 in rural Otoe County, Nebraska to support load growth and reliability in the District's service area; and

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

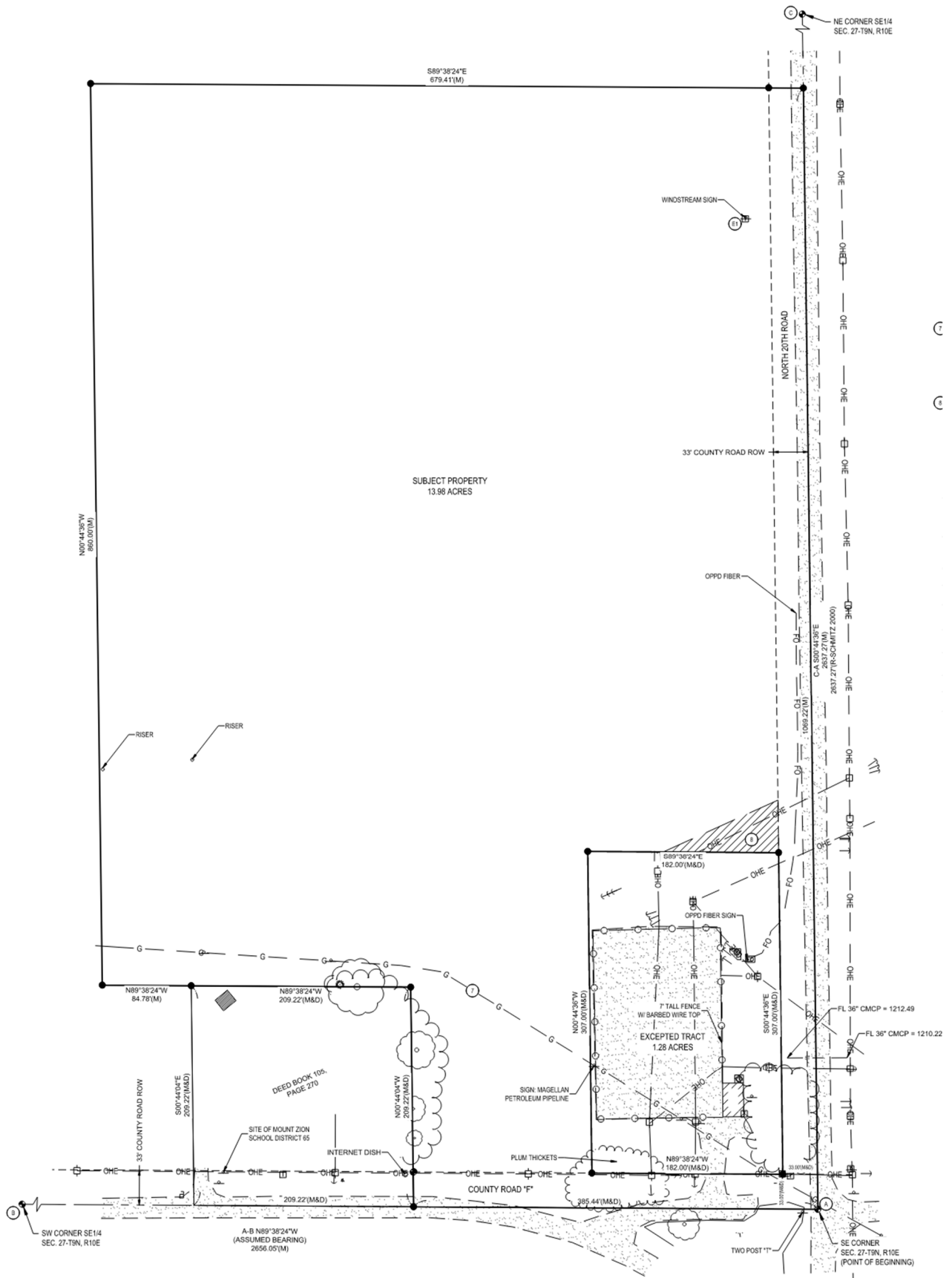
WHEREAS, the use of eminent domain may become necessary to acquire fee simple ownership of real property that cannot be obtained voluntarily through negotiations by the District.

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 by the Board of Directors to commence eminent domain proceedings for all necessary fee simple real property acquisitions on parcels not acquired voluntarily after all reasonable efforts have been made, with this authorization extending through December 31, 2026.

Substation 971 Expansion Design Aerial Map



Substation 971 Expansion Design Survey





Action Item

BOARD OF DIRECTORS

December 17, 2024

ITEM

Acquisition of Property Rights for Utility Operations Infrastructure Projects

PURPOSE

Authorize use of eminent domain, as necessary, to acquire fee simple ownership of real property for the expansion of Substation 971 in Otoe County, Nebraska, to support load growth and reliability in OPPD's service area.

FACTS

- a. This requested eminent domain authorization covers property rights necessary for Utility Operations to expand an existing substation connected to the transmission grid, enhance system resiliency and reliability, and support load growth.
- b. OPPD is planning to expand its Substation 971 located at 20th and F Road in rural Otoe County, Nebraska.
- c. Approximately 13.98 acres of additional land are required for the construction, operation and maintenance of the expanded substation facilities.
- d. OPPD will commence negotiations during late-2024 to voluntarily acquire the necessary property rights for the substation expansion.
- e. OPPD will undertake reasonable efforts to voluntarily acquire the necessary property rights through good faith negotiations. However, the use of eminent domain may be necessary if voluntary agreement cannot be achieved between the District and property owner(s).
- f. Management will report the filing of eminent domain actions to the Board.
- g. This requested authorization extends through December 31, 2026. Additional authorizations after that date for the covered project will be requested, as needed.

ACTION

Authorization by the Board of Directors to commence eminent domain proceedings for all necessary fee simple real property acquisitions on parcels not acquired voluntarily after all reasonable efforts have been made, with this authorization extending through December 31, 2026.

RECOMMENDED:

Signed by:

Scott M. Focht

Scott M. Focht

Vice President – Corporate Strategy and Governance

APPROVED FOR BOARD CONSIDERATION:

Signed by:

L. Javier Fernandez

L. Javier Fernandez

President and Chief Executive Officer

Attachments: Substation 971 Expansion Design Aerial Map
Substation 971 Expansion Design Survey
Resolution