

# Agenda

OPPD Board of Directors – All Committees Meeting  
 Tuesday, February 18, 2025

**CLOSED SESSION 9:00 A.M. - PUBLIC SESSION 10:00 A.M.**

*Conducted in person at BCBS, Aksarben Conference Room and 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 attend in person at BCBS, 1919 Aksarben Dr –Wahoo Room 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.	<b>Chair Opening Statement</b>		Core	<b>9:00</b>	<b>A.M.</b>
2.	<b>Closed Session</b>			<b>9:05</b>	<b>A.M.</b>
	Personnel Matters	Discussion	Fernandez	25	min
	Regulatory Compliance Item	Discussion	Fernandez	20	min
	<i><b>Break – Open WebEx to Allow Public to Join</b></i>			<b>9:50</b>	<b>A.M.</b>
3.	<b>Chair Opening Statement</b>		Core	<b>10:00</b>	<b>A.M.</b>
4.	<b>Safety Briefing</b>		Fernandez	<b>10:05</b>	<b>A.M.</b>
5.	<b>Governance Committee</b>			<b>10:10</b>	<b>A.M.</b>
	Governance Chair Report (02/11/25)	Reporting	Spurgeon	5	min
	Standing Committee Annual Charter Reviews	Action	Focht	5	min
6.	<b>Customer &amp; Public Engagement Committee</b>			<b>10:20</b>	<b>A.M.</b>
	C & PE Chair Report (02/10/25)	Reporting	Howard	5	min
	Advanced Metering Infrastructure (AMI) Program Update	Reporting	McAreavey	25	min
	Legislative and Regulatory Update	Reporting	McAreavey	20	min
7.	<b>Finance Committee</b>			<b>11:10</b>	<b>A.M.</b>
	Finance Chair Report (02/07/25)	Reporting	Moody	5	min
	CFO Reflections	Discussion	Bishop	5	min
8.	<b>System Management &amp; Nuclear Oversight Cmte</b>			<b>11:20</b>	<b>A.M.</b>
	SM & NO Chair Report (02/03/25)	Reporting	Williams	5	min
	SD-6: Safety Monitoring Report	Action	Langel	15	min
	RFP 6179 - SC1 & 2 Exhaust Stack Replacement	Action	Via	5	min
9.	<b>Other Business</b>			<b>11:45</b>	<b>A.M.</b>
	Confirmation of Board Meeting Agenda	Action	Core	5	min
	Review of Board Work Plan	Discussion	Core	5	min
	Opportunity for Public Comment on Items of District Business	Public Comment			

\* 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 Executive Leadership team also can be found at [www.oppd.com/BoardMeetings](http://www.oppd.com/BoardMeetings).

## Physical Safety



Feeling ill?



Locate AED's, exits  
and first aid



Environmental  
hazards



Identify help



Active threat

## Psychological Safety



Respect



Healthy conflict



Multiple  
perspectives



Trust



Culture of  
curiosity

## CyberSecurity

**See something, say something** – the sooner the better • Identify unknown phone number(s) or person(s) in virtual meetings



**Central Station:** 531-226-3700 for an emergency  
**Safety:** 531-226-7233 (SAFE) to report a safety issue  
**OPPD Service Desk:** 531-226-3848  
**Huddle Space Security:** 402-982-8200

Your Energy Partner®  
**OPPD**  
Omaha Public Power District

# Safety Focus for February

## 1. Personal Protective Equipment (PPE)

*PPE is equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses. PPE is the last line of defense.*

## 2. Heart Health Month

*February is American Heart Month, a time when all of us can focus on our cardiovascular health.*

## 3. Pre-Job Briefs

*For some employees at OPPD it's a regulatory requirement but discussing work before getting started is a human performance tool we all can use.*



## Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING  
 WEBEX VIDEOCONFERENCE  
 February 11, 2025, 8:00 – 9:00 A.M.

1. Safety Briefing (Purnell – 2 min)
2. Prior Month Pre-Committee Action Items (DeSeure – 1 min)
  - a. Objective: Review and confirm prior pre-committee action items have been completed.
3. Annual Committee Charter Review (Spurgeon/Focht – 10min)
  - a. Objective: Complete Committee Charter review and identify any appropriate changes for Board consideration.
4. Governance Committee Planning Calendar (Focht/Purnell – 2 min)
  - a. Objective: Review and confirm items on the Planning Calendar.
5. Board Work Plan – Governance Committee Items (Focht – 15 min)
  - a. Objective: Committee members to review, discuss, prioritize and confirm items on the Board Work Plan.
6. Summary of Meeting (2 min)
  - a. Objective: Summarize action items from committee discussion.

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ALL COMMITTEES – February 18, 2025

GOVERNANCE COMMITTEE	TYPE	PRESENTER	TIME	MINS
Governance Pre-Committee (2/11/2025)	Reporting	Spurgeon	5	min
Annual Committee Charter Review	Action	Spurgeon	10	min



# Action Item

## BOARD OF DIRECTORS

February 18, 2025

### ITEM

Standing Committee Annual Charter Reviews

### PURPOSE

To ensure board review, discussion and acceptance of the revisions to the OPPD Board of Directors Standing Committee Charters.


### FACTS

- a. The OPPD Board of Directors has adopted charters for each of its standing committees that convey how each committee is structured and operates, its duties and responsibilities and its expectations for annual review and evaluation.
- b. The Customer and Public Engagement, Finance, Governance and System Management and Nuclear Oversight standing committees have completed the annual review of their charters.
- c. The System Management and Nuclear Oversight Committee recommends for Board approval the changes proposed by management, as outlined in the charter attached as Exhibit A and redlined in Exhibit B, to reflect the duties and responsibilities for Nuclear Decommissioning Oversight given the current phase of decommissioning of the Fort Calhoun Station.


### ACTION

Approval of the System Management and Nuclear Oversight Committee Charter as shown in the attached Exhibit A.

#### RECOMMENDED:

Signed by:  
  
 \_\_\_\_\_  
 Scott M. Focht  
 Vice President – Corporate Strategy and Governance

#### APPROVED FOR BOARD CONSIDERATION:

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

Attachments: Exhibit A – Clean Version of Proposed Revisions  
 Exhibit B – Redline Version of Proposed Revisions  
 Resolution

Exhibit A

**Omaha Public Power District  
System Management and Nuclear Oversight Committee Charter  
As of [insert new date]**

The Board of Directors of the Omaha Public Power District (the “Company”) has adopted this charter for its System Management and Nuclear Oversight Committee (the “Committee”). This charter is intended to supplement the provisions in the Company’s Bylaws and comply with the Board Governance Policies pertaining to the Committee.

**Committee Structure and Operations**

1. The Committee shall be a standing committee of the Board of Directors and will consist of at least three directors. The Committee will be appointed in accordance with the Bylaws, Board Policy GP-6: Role of the Board Officers, and the recommendations of the Governance Committee.
2. All members of the Committee shall be free of relationships that would interfere with their exercise of independent judgment.
3. The Committee Chair shall be rotated periodically. To assure familiarity with the issues facing the Committee, the Chair preferably should have served at least one year on the Committee prior to becoming Chair.
4. If a member of the Committee is removed for any reason, the Board must, at all times, assure the Committee will have a Chair and sufficient members to satisfy the requirements set forth above relating to the number and qualifications of Committee members.
5. The Committee shall meet at a designated date and time, prior to the regularly scheduled Board Meeting. The Committee may hold additional meetings at the direction of the Committee Chair or at the request of any Committee member.
6. The Committee Chair shall approve the agenda for the meetings and any Board member may suggest items for the Committee’s consideration. Briefing materials shall be provided to the Committee as far in advance of a meeting as practicable.
7. The Committee Chair, or their designee, shall report to the full Board on Committee matters at the regularly scheduled Committee meetings.
8. The Committee may, at the discretion of the Committee Chair, invite members of management, and such other persons it deems appropriate to carry out its responsibilities, to attend the Committee meetings.
9. An assistant secretary of the Company or their designee shall maintain minutes for the public Committee Meetings and other records of meetings and activities of the Committee.

10. The Committee may delegate specific responsibilities to a subcommittee of one or more of its members provided that the subcommittee shall keep the full Committee informed of its activities.
11. The Committee has the authority to initiate and supervise investigations into any matters within the scope of its authority and responsibilities. The Committee is authorized to utilize the services of legal, accounting and other advisors as it deems necessary in the fulfillment of its duties. The Committee and its designees shall have access to all of the Company's records, property, and employees in order to ask questions and receive all information necessary to perform its duties; however, the Committee shall not give direction to persons who report directly or indirectly to the CEO.

### **Duties and Responsibilities**

1. The Committee shall monitor the safe, reliable and cost-effective operation and construction of all generation, transmission, and distribution facilities owned and operated by the Company.
2. The Committee is responsible for the review and monitoring of the following Board Policies, on an annual basis, to ensure compliance:
  - SD-4 - Reliability
  - SD-6 - Safety
  - SD-7 - Environmental Stewardship
  - SD-9 - Integrated System Planning
  - BL-8 - Delegation to the President and Chief Executive Officer – Procurement
  - BL-10 - Delegation to the President and Chief Executive Officer – Real and Personal Property
  - BL-12 - Delegation to the President and Chief Executive Officer – Transmission, Wholesale Electricity, Fuel and Other Energy Transactions
  - GP-15 - Nuclear Oversight
3. The Committee shall periodically visit the Company's generation, transmission, and distribution facilities.
4. The Committee shall review regulatory and public policy strategies and practices of the generation and delivery of energy and its relationship with regulators, public officials, consumers, and other stakeholders, as well as any compliance issues related to same.

### **Duties and Responsibilities – Nuclear Decommissioning Oversight**

5. The Committee shall monitor spent fuel operations and decommissioning of Fort Calhoun Nuclear Station (FCS).
6. The Committee shall receive prompt notification of any significant incidents or events that occur regarding FCS.
7. The Committee shall review summary inspection/evaluation reports by internal and external nuclear oversight groups as follows:
  - Nuclear Regulatory Commission (NRC) reports identifying moderate safety or security (Severity Level 3) or higher violation(s)
  - Internal Audit reports identifying a Finding(s)

Follow up discussions with appropriate stakeholders should be conducted as needed to understand the identified issue(s) and corrective actions.

8. The Committee shall review the status of decommissioning funding, status of funding for managing irradiated fuel, and the financial assurance status report information as provided to the NRC by regulation.
9. The Committee shall make recommendations regarding the above matters to the full Board and executive management to achieve compliance with the Board Policies.

### **Committee Evaluations**

1. The Committee shall conduct an annual evaluation of its performance and shall submit an annual report to the Board regarding the evaluation, confirming that all responsibilities described in this Charter have been fulfilled.
2. The Committee shall review this Charter at least annually and recommend any appropriate changes to the Board for approval.

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



**Exhibit B**

**Omaha Public Power District  
System Management and Nuclear Oversight Committee Charter  
As of ~~May 18, 2023~~[insert new date]**

The Board of Directors of the Omaha Public Power District (the “Company”) has adopted this charter for its System Management and Nuclear Oversight Committee (the “Committee”). This charter is intended to supplement the provisions in the Company’s Bylaws and comply with the Board Governance Policies pertaining to the Committee.

**Committee Structure and Operations**

1. The Committee shall be a standing committee of the Board of Directors and will consist of at least three directors. The Committee will be appointed in accordance with the Bylaws, Board Policy GP-6: Role of the Board Officers, and the recommendations of the Governance Committee.
2. All members of the Committee shall be free of relationships that would interfere with their exercise of independent judgment.
3. The Committee Chair shall be rotated periodically. To assure familiarity with the issues facing the Committee, the Chair preferably should have served at least one year on the Committee prior to becoming Chair.
4. If a member of the Committee is removed for any reason, the Board must, at all times, assure the Committee will have a Chair and sufficient members to satisfy the requirements set forth above relating to the number and qualifications of Committee members.
5. The Committee shall meet at a designated date and time, prior to the regularly scheduled Board Meeting. The Committee may hold additional meetings at the direction of the Committee Chair or at the request of any Committee member.
6. The Committee Chair shall approve the agenda for the meetings and any Board member may suggest items for the Committee’s consideration. Briefing materials shall be provided to the Committee as far in advance of a meeting as practicable.
7. The Committee Chair, or their designee, shall report to the full Board on Committee matters at the regularly scheduled Committee meetings.
8. The Committee may, at the discretion of the Committee Chair, invite members of management, and such other persons it deems appropriate to carry out its responsibilities, to attend the Committee meetings.

9. An assistant secretary of the Company or their designee shall maintain minutes for the public Committee Meetings and other records of meetings and activities of the Committee.
10. The Committee may delegate specific responsibilities to a subcommittee of one or more of its members provided that the subcommittee shall keep the full Committee informed of its activities.
11. The Committee has the authority to initiate and supervise investigations into any matters within the scope of its authority and responsibilities. The Committee is authorized to utilize the services of legal, accounting and other advisors as it deems necessary in the fulfillment of its duties. The Committee and its designees shall have access to all of the Company's records, property, and employees in order to ask questions and receive all information necessary to perform its duties; however, the Committee shall not give direction to persons who report directly or indirectly to the CEO.

**Duties and Responsibilities**

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  - GP-15 - Nuclear Oversight
3. The Committee shall periodically visit the Company's generation, transmission, and distribution facilities.
4. The Committee shall review regulatory and public policy strategies and practices of the generation and delivery of energy and its relationship with regulators, public officials, consumers, and other stakeholders, as well as any compliance issues related to same.

### **Duties and Responsibilities – Nuclear Decommissioning Oversight**

5. The Committee shall monitor spent fuel operations and decommissioning of Fort Calhoun Nuclear Station (FCS).
6. The Committee shall receive prompt notification of any significant incidents or events that occur regarding FCS.
7. The Committee shall review summary inspection/evaluation reports by internal and external nuclear oversight groups ~~such as~~ follows:

- Nuclear Regulatory Commission (NRC) reports identifying moderate safety or security (Severity Level 3) or higher violation(s)
- ~~Decommissioning Oversight Committee (DOC)~~
- ~~Quality Assurance (QA)~~ Internal Audit reports identifying a Finding(s)

Follow up discussions with appropriate stakeholders should be conducted as needed to understand the identified issue(s) and corrective actions.

~~— The Committee, or members of the Committee, shall meet periodically with oversight groups such as the NRC, DOC and QA.~~

~~8. — The Committee shall review FCS decommissioning summary reports that include key performance indicators.~~

~~9. — The Committee shall review the company's decommissioning expenditures to ensure cost effectiveness is being considered in decision-making.~~

8. The Committee shall review the status of decommissioning funding, status of funding for managing irradiated fuel, and the financial assurance status report information as provided to the NRC by regulation.

11.9. The Committee shall make recommendations regarding the above matters to the full Board and executive management to achieve compliance with the Board Policies.

### **Committee Evaluations**

1. The Committee shall conduct an annual evaluation of its performance and shall submit an annual report to the Board regarding the evaluation, confirming that all responsibilities described in this Charter have been fulfilled.

2. The Committee shall review this Charter at least annually and recommend any appropriate changes to the Board for approval.

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



*Spurgeon/Focht*

**RESOLUTION NO. 6XXX**

**WHEREAS**, on February 1, 2009 the District's Board of Directors adopted Charters for the Board's standing committees; and

**WHEREAS**, under the Charters, each Committee conducts an annual evaluation, which includes review of the Charters and recommendations for any revisions; and

**WHEREAS**, the System Management and Nuclear Oversight Committee recommends that the Board of Directors approve the revised Charter attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that the revisions to the District's System Management and Nuclear Oversight Committee Charter as set forth on Exhibit A attached hereto, be and hereby are approved, and effective as of February 20, 2025.

DRAFT



## Pre-Committee Agenda

CUSTOMER AND PUBLIC ENGAGEMENT PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
February 10, 2025 4:00 – 5:15 P.M.

1. Safety Briefing & Introduction (McAreavey – 2 min)
  - a. Objective: Promote awareness of current safety focus.
2. Prior Month Pre-Committee Action Items (Ikeda-Hayes – 1 min)
  - a. Objective: Review and confirm prior pre-committee action items have been completed.
3. Annual Committee Charter Review (Chair, Howard – 10 min)
  - a. Objective: Complete Committee Charter review and identify any appropriate changes for Board consideration
4. Legislative Update (McAreavey - 30 min)
  - a. Objective: Update on legislative topics supported by and impacting OPPD.
4. AMI - Customer and Stakeholder Engagement Update (McAreavey - 30 min)
  - a. Objective: Provide the AMI update focus on customer/stakeholder centricity.
5. Board Work Plan – Customer and Public Engagement Committee Items (Focht - 1 min)
  - a. Objective: Review current board work plan.
6. Summary of Meeting (Ikeda-Hayes – 1 min)
  - a. Objective: Summarize action items from committee discussion.



# Reporting Item

## BOARD OF DIRECTORS

February 18, 2025

### ITEM

Advanced Metering Infrastructure (“AMI”) Program Update

### PURPOSE

Provide the Board of Directors with an update on execution progress for the AMI ecosystem of technologies and to report key decisions made.

### FACTS

- a. The AMI Ecosystem program will enable two-way communication between OPPD operators and each customer meter, provide detailed energy usage data to help customers make informed decisions, improve account access and self-service, enhance reliability through grid situational awareness, provide better outage information, and set the stage for future interactive, customized products and service options.
- b. OPPD continues performing testing across the complex ecosystem of integrated technologies. OPPD will roll out the new supporting technology across multiple releases in 2025 and early 2026. The “Soft Launch” meter rollout for 10,000+ meters in the pilot areas is targeted to begin in the fall of 2025 and wrap up in early 2026.
- c. Development of the strategic approach for customer outreach and engagement is underway. The outreach is designed to both ensure a frictionless transition to new meters for customers as well as increasing overall customer satisfaction with the utility through better communication, enhanced operations and more information for customers. Once deployed, customers will have more control over their energy usage.

### RECOMMENDED:

DocuSigned by:  
  
D7688627F8154F8  
Bradley R. Underwood  
Vice President – Systems  
Transformation

### APPROVED FOR REPORTING TO BOARD:

Signed by:  
  
AC399F0CE8247E  
L. Javier Fernandez  
President and Chief Executive Officer

BRU: ats; kt; mh



# AMI CUSTOMER AND STAKEHOLDER ENGAGEMENT

Board of Directors Update  
February 2025





# Agenda

- AMI Program 2024 Highlights
- AMI Customer & Stakeholder Engagement Approach
- Engagement Key Components
- 2025 Timeline

# AMI Ecosystem Program: 2024 Highlights

## Key Accomplishments:

- Go-live for soft launch of new ESRI ArcGIS
- Completed Factory Acceptance Testing (FAT), received and stood up the equipment for the new Outage Management System (OMS) in our secure data centers for testing
- Completed End to End (E2E) testing for Meter Data Management System (MDMS), Customer Care & Billing (CC&B), Outage Management System (OMS), and new Outage Map
- Completed System Integration Testing (SIT) for Field Service Management (FSM), Enterprise Asset Management (EAM) and Customer Platform
- Release 0 of FSM Map Viewer for the testing group of front-line end users

## By the Numbers:



# AMI Customer and Stakeholder Engagement Objective

We know that our customers and stakeholders expect more out of their utility experience. Through AMI Engagement efforts, we will provide a frictionless meter exchange and exciting new products which will put customers in control of their energy.



# Customers will begin to see benefits yet this year...

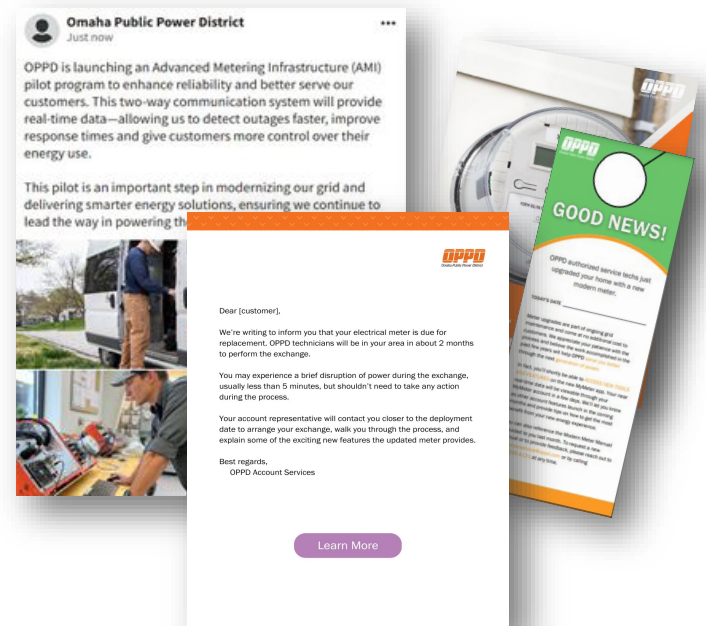
	Public	All OPPD Customers	Customers with smart meters
<p><i>*Coming Fall 2025*</i></p> <p><b>Improved outage map</b></p> <ul style="list-style-type: none"><li>✓ Outage cause</li><li>✓ Outage status</li><li>✓ Outage restoration times, as available</li></ul>	✓	✓	✓
<p><i>*Coming Fall 2025*</i></p> <p><b>Improved customer account platform</b></p> <ul style="list-style-type: none"><li>✓ Ability to select preferred communication channels, including text</li><li>✓ Ability to opt-in to proactive outage messaging</li><li>✓ Improved self-service functions</li></ul>		✓	✓
<p><i>*Soft launch coming Fall 2025*</i></p> <p><b>Access to detailed account information</b></p> <ul style="list-style-type: none"><li>✓ Ability to view detailed energy usage</li><li>✓ Ability to receive more detailed outage restoration information, if opted-in to updates</li></ul>			✓

# Our efforts must include both individual customer and community considerations



## Community

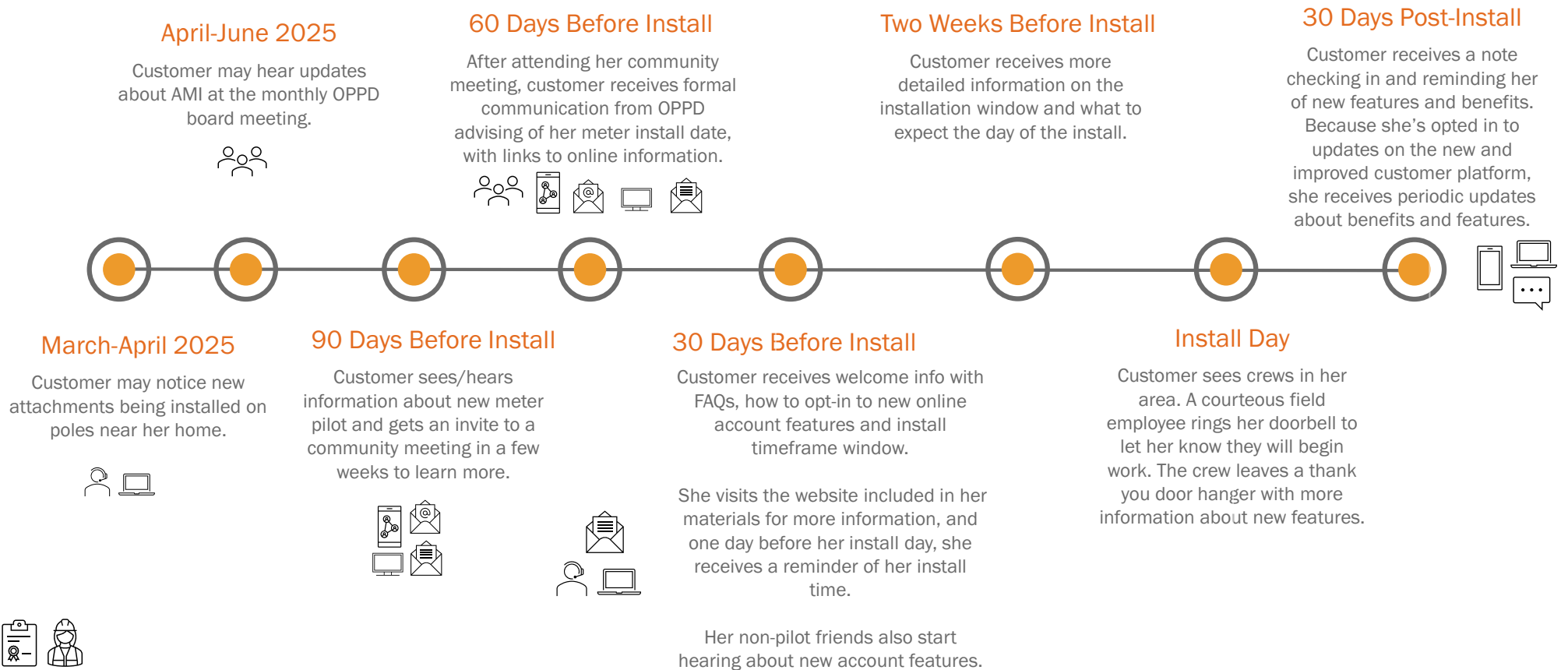
- Ensure community officials and leaders are knowledgeable of OPPD's AMI work and how it will support their growing communities with new and improved information/products/etc.



## Customer

- Ensuring that customers have the right content at the right time and understand all of the new and exciting offerings that we will have available to them

# SAMPLE Residential Customer Meter Install Journey



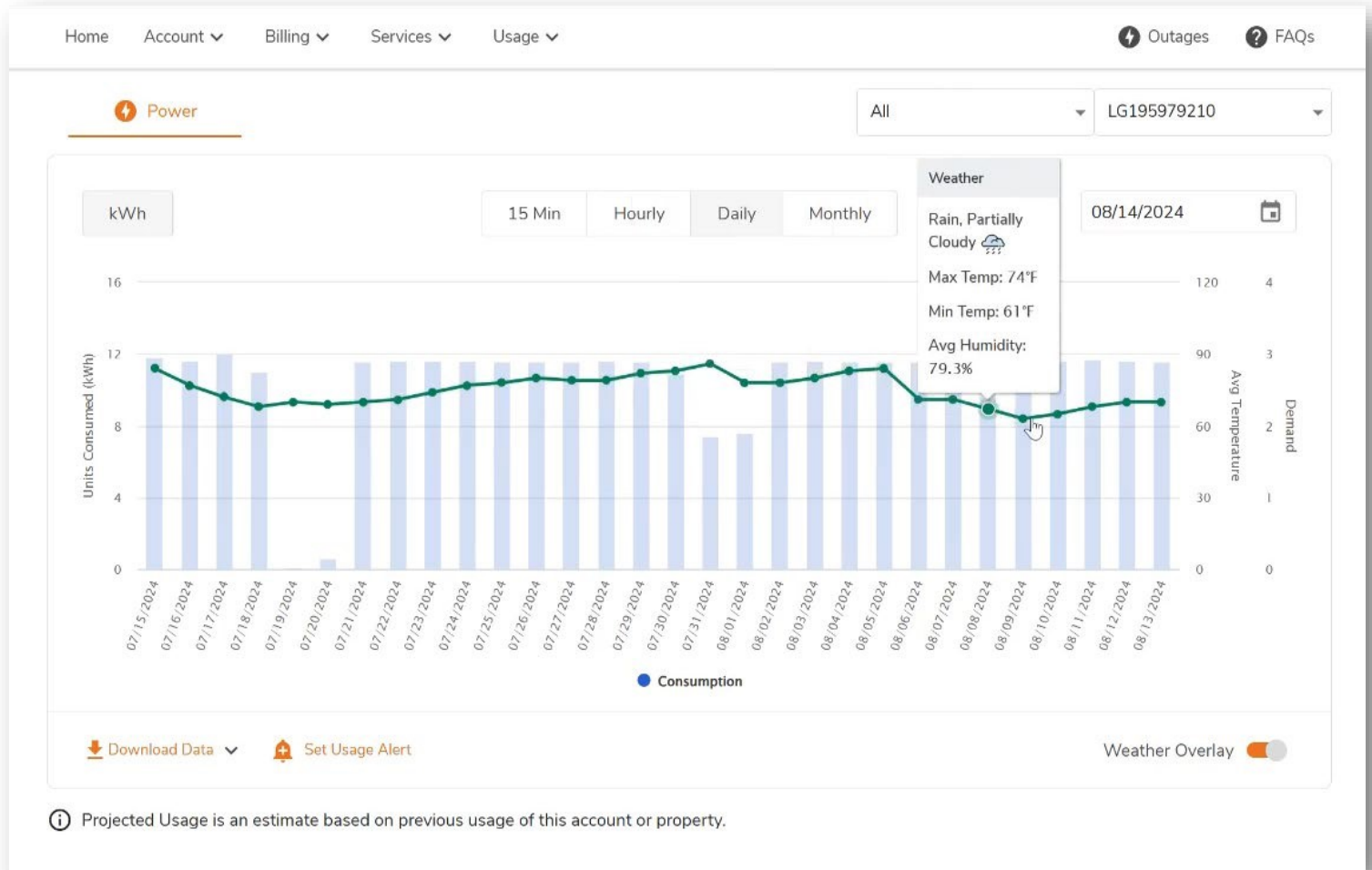
The screenshot displays the MyOPPD user interface. At the top, the OP&PD logo is on the left, and the user's name 'NORMAN RUIZ' is on the right. Below the logo, navigation links for Home, Account, Billing, Services, and Usage are visible. The account name 'Good Morning, NORMAN RUIZ' and address '1206 JOY ST. PAPILLION, NE 6...' are shown. A large orange banner indicates a 'Current Balance' of '\$0.00' with the note 'No amount due at this time.' and buttons for 'View bill' and 'Make a Payment'. Below this, a 'Compare Bills' section shows a message: 'Data for comparison is not available. You should have at least 2 months of data to compare.' To the right, a 'Level Payment Plan' section provides details for address '1506 LEE DR, 00003, BELLEVUE NE, 68005-3720' and account number '3189777604'. It features a 'Level Payment Monthly Amount' of '\$96.00' and an 'Enroll in Level Payment Plan' button. A descriptive text box explains that the plan allows for budgeting with a flat monthly payment based on the average energy costs over the last 12 months.



Budget more easily with a flat monthly payment based on your average bill over the last 12 months.

# MyOPPD Preview...

# MyOPPD Preview...





# Outage Map Preview...

**Menu** **Grid View** **Search** **Report Outage** **English** **OPPD**  
Omaha Public Power District

**Outage Summary** **Street Light Outages**

**1** **1** **362794**  
Outages Customers Out Customers Served

**Map Legend**

- Multiple
- 51 - 250
- >1000
- Customers Served
- 1 - 50
- 251 - 1000

**Weather**

**Start Date & Time**  
Fri, 11/15/2024, 11:04 AM

**Customers Out**  
1

**Cause**

**Expected Restoration**  
Thu, 11/21/2024, 11:08 AM

**Outage Status**  
Reported Outage

**Subscribe to Outage**

# Streetlight Outage Preview...

Menu Search English OPPD Omaha Public Power District

Outage Summary **Street Light Outages**

Map Legend

- Working Light
- Issue Reported

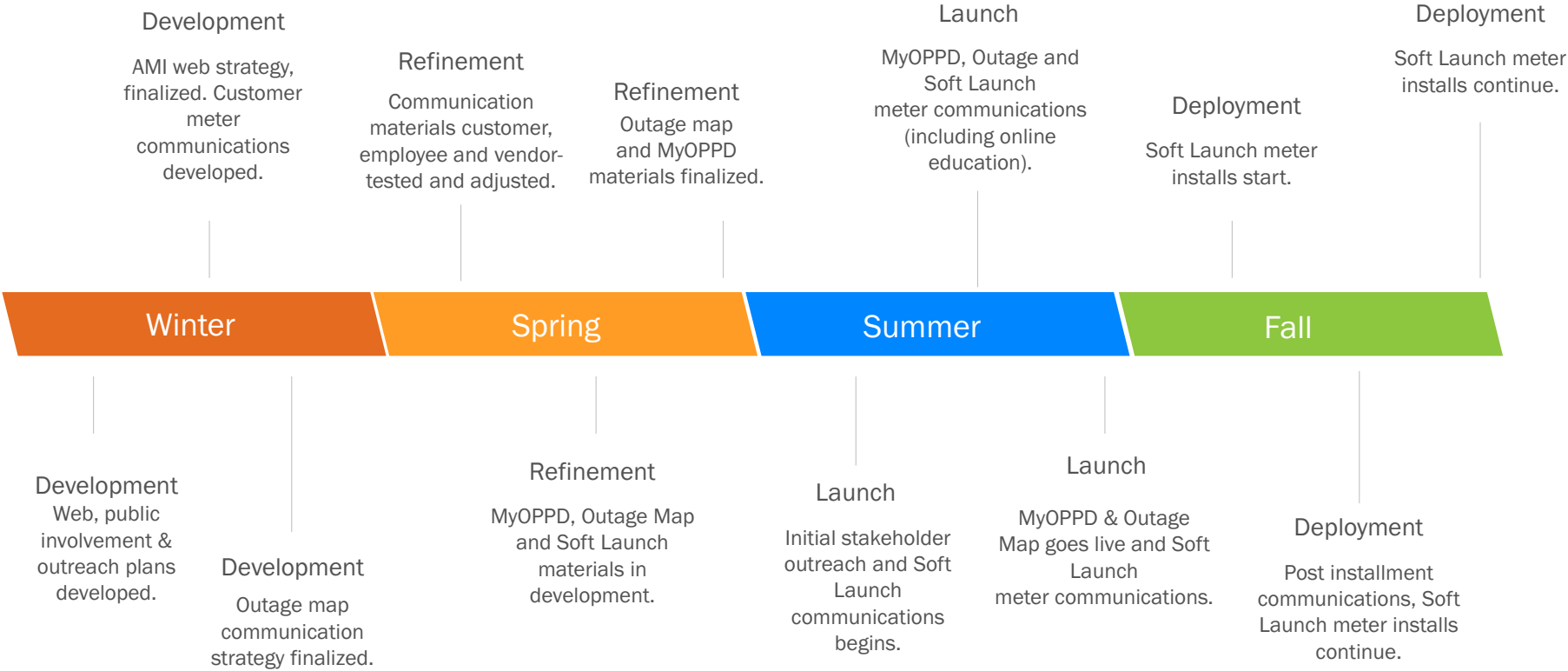
Report a Street Light Out

Streetlight Details

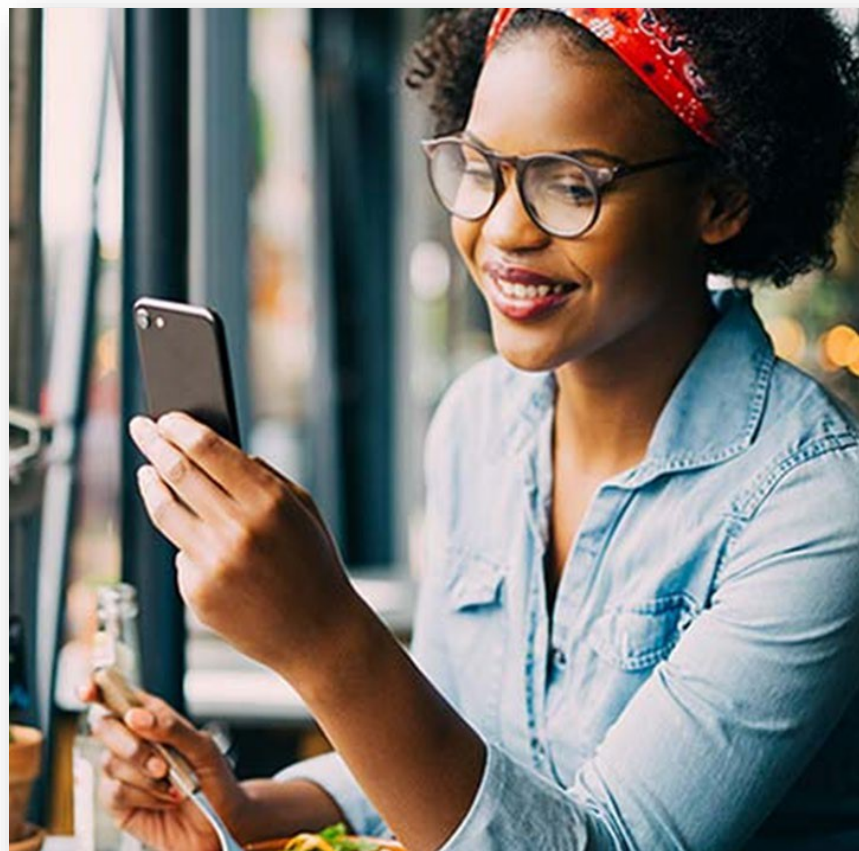
- Streetlight Id: 7315518
- Streetlight Location: 1015 WILLIAM ST OMAHA
- Streetlight Status: Working

Zoom Here

# AMI Customer and Stakeholder Engagement Timeline (2025)



# Questions





# Reporting Item

## BOARD OF DIRECTORS

February 18, 2025

### ITEM

Legislative and Regulatory Update

### PURPOSE

To provide an update on 2025 state and federal legislative matters, local government affairs and regulatory matters.

### FACTS

- a. Nebraska's 109<sup>th</sup> Legislature 1<sup>st</sup> session began on January 8, 2025.
- b. The 119<sup>th</sup> Congress began on January 3, 2025 and is expected to end January 3, 2027.

### RECOMMENDED:

Signed by:

Handwritten signature of Timothy D. McAreavey in black ink.

9426AD614776435  
Timothy D. McAreavey  
Vice President – Customer Service

### APPROVED FOR REPORTING TO BOARD:

Signed by:

Handwritten signature of L. Javier Fernandez in black ink.

AC399FDC E56247E...  
L. Javier Fernandez  
President and Chief Executive Officer

Attachment: Legislative Update



# Legislative Update

Board of Directors Committee Meeting

February 18, 2025



# Agenda

- State legislative overview and update
  - Legislature session timeline
  - OPPD position on bills; monitor bills of high interest
- Federal update
  - Executive Orders
  - Reconciliation

# State - 109<sup>th</sup> Legislative Session 2025 Timeline

- 90 Day First Session convened on January 8 and will end on June 9
- Last day of bill introduction was January 23
  - 715 bills introduced
  - 32 LR and LRCA introduced
- Public hearings began on January 22 and will continue until March 28
- March 13: Deadline to submit Speaker priority designation
- March 14: Deadline for designation of committee and senator priority bills
- March 17: Speaker will announce priority bills
- March 31: Full day of floor debate



## State Legislation – Position of Support

- LB 117 – Holdcroft - Provide a sales and use tax exemption for electricity, natural gas, propane, and sewer utilities
  - Hearing 1/31
- LB 163 – Spivey - Create the Office of Climate Action
  - Hearing 1/30
- LB 271 – Storer - Provide a penalty for the offense of interference with railroad infrastructure, equipment, and personnel
  - Hearing 3/5
- LB 290 – McKinney - Change provisions relating to grant funding for a business park under the Economic Recovery Act
  - Hearing 1/28, Placed on General File
- LB 396 – DeKay - Change provisions relating to the form and filing of public power district budgets and audits with the Nebraska Power Review Board
  - Hearing 2/6, Placed on General File

## State Legislation – Position of Support

- LB 413 – Clouse – Change provisions relating to the setting of rates by certain power districts
  - Hearing 2/5
- LB 489 – Brandt - Prohibit certain entities from operating, maintaining, constructing, or acquiring transmission lines and related facilities
  - Hearing 2/5
- LB 546 – Rountree - Change provisions relating to proclamations for disasters, emergencies, and civil defense emergencies made by the Governor

## State Legislation – Position in Opposition

- LB 43 – DeKay – Change provisions relating to notice and certification requirements for electric generation facilities, transmission lines, and privately developed renewable energy generation facilities located near military installations
  - Hearing 1/22, Placed on General File with AM43, Advanced to Select File 1/30
  - All parties agreed to an amendment for Select File to address concerns
- LB 129 – McKeon - Prohibit restrictions on the provision of certain energy services
  - Hearing 1/29, Agreed to an amendment to address concerns
- LB 175 – Hallstrom - Provide duties for the successor in interest of a railroad
- LB 311 – DeBoer - Change provisions relating to nonregulated activities under the Nebraska Telecommunications Regulation Act
  - Hearing 2/11, talked to Senator DeBoer about concerns, she agreed to address them

## State Legislation – Position in Opposition

- LB 349 – Prokop - Change provisions relating to applications, notices, filings, exemptions, and violations regarding the construction or acquisition of certain electric energy storage resources by electric suppliers
- LB 503 – Bosn - Authorize the designation of American energy friendly counties and change provisions relating to privately developed renewable energy generation facilities and the nameplate capacity tax
  - Hearing 2/19
- LB 571 – J. Cavanaugh - Require cost-of-living adjustments for retirees for any public power district that operates a defined benefits program

## State Legislation – OPPD Monitor Bills of High Interest\*

- LB 169 – Brandt – Sales tax exemptions
- LB 193 – Andersen – Pacific conflict changes
- LB 526 – Jacobson – Crypto mining
- LB 611 – Urban Affairs Committee – Building codes
- LB 644 – Bostar – Foreign Adversary
- LB 660 – Andersen – Purchase of drones

\*Monitoring many other bills for amendments

## Federal Update – Presidential Executive Orders

- President Trump signed an Executive Order requiring funding reviews by all agencies and departments
- Office of Management and Budget issues a memo to pause federal spending with potential to impact trillions in grants and loans to take effect on January 28
- Federal district Judge Loren Alikhan rules to temporarily block the Trump Administrations Executive Order until after a February 3 hearing
- Numerous organizations filed a lawsuit Tuesday ahead of the temporary pause taking effect
- Office of Management and Budget rescinded the memo to pause federal spending on January 30
- OPPD continues to review potential impacts and monitor developments and has engaged with the federal delegation

## Federal Update - Reconciliation

- Tax exempt financing repeal under consideration
  - \$250-300 billion
- Border Adjustment Tax (BAT)
  - \$250 billion
- IRA/IIJA
- Tariffs
  - Mexico, Canada, and China



## Pre-Committee Agenda

FINANCE PRE-COMMITTEE MEETING  
VIDEOCONFERENCE  
February 7, 2025 8:00 – 8:45 AM

- 1) Safety Briefing (de la Torre – 3 min)
  - a) Promote awareness of current safety focus.
- 2) Prior Month Pre-Committee Action Items (de la Torre – 2 min)
  - a) Objective: Review and confirm prior pre-committee action items have been completed.
- 3) Preliminary 2024 Financial Results (Bishop – 10 min)
  - a) Objective: Update on the 2024 financial results and answer questions.
- 4) Annual Committee Charter Review (Moody – 10 min)
  - a) Objective: Complete Finance Committee Charter review and identify any appropriate changes for Board consideration.
- 5) Board Work Plan – Finance Committee Items (Focht - 10 min)
  - a) Objective: Committee members to review and confirm items on the Board Work Plan.
- 6) Summary of Meeting (de la Torre - 2 min)
  - a) Objective: Summarize action items from committee discussion.





## Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT  
PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
February 3, 2025, 3:00 – 4:30 P.M.

1. Safety Briefing (Pohl – 1 min)
  - a. Objective: Promote awareness of current safety focus.
2. Prior Month Pre-Committee Action Items (Pohl – 1 min)
  - a. Objective: Review and confirm prior pre-committee action items have been completed.
3. \*\*Annual Committee Charter Review (Williams – 10 min)
  - a. Objective: Review and request feedback from committee members.
4. 2025 Committee Member Site Visits (Via – 5 min)
  - a. Objective: Discuss committee interest in visiting generation, transmission and distribution facilities in 2025.
5. \*\*SD-6: Safety Monitoring Report (Langel – 10 min)
  - a. Objective: Collect comments on the SD-6 Monitoring Report and discuss recommendation for approval.
6. \*\*Advanced Metering Infrastructure (AMI) Update (Underwood – 25 min)
  - a. Objective: Provide an overview of the pilot areas where AMI meters will first be deployed.
7. Street Light Maintenance Update (Via – 10 min)
  - a. Objective: Provide an overview of street light maintenance activities.
8. New Generation Project Updates (Via – 5 min)
  - a. Objective: Provide status updates on Standing Bear Lake Station and Turtle Creek Station projects.
9. Board Work Plan – Systems Committee Items (Focht – 5 min)
  - a. Objective: Review current board work plan.
10. Summary of Meeting (Pohl – 1 min)
  - a. Objective: Summary of committee action items.

\*\* Indicates topic that will be included on all committee meeting agenda.



BOARD OF DIRECTORS

## Board Action

February 18, 2025

### ITEM

SD-6: Safety Monitoring Report

### PURPOSE

To ensure full Board review, discussion, and acceptance of SD-6: Safety 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 & Nuclear Oversight Committee is responsible for evaluating Board Policy SD-6: Safety.
- d. The System Management & Nuclear Oversight Committee has reviewed the SD-6: Safety Monitoring Report, as outlined on Exhibit A, and is recommending that OPPD be found to be taking reasonable and appropriate measures to comply with Board Policy SD-6: Safety.


### ACTION

The System Management & Nuclear Oversight Committee recommends Board approval of the 2024 SD-6: Safety Monitoring Report.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

Signed by:  
  
\_\_\_\_\_  
Gina Langel  
Vice President, Safety and Facilities

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

Attachments:      Exhibit A – Monitoring Report  
Resolution



# Monitoring Report SD-6: Safety System Management & Nuclear Oversight Committee February 3, 2025

Gina Langel  
Vice President, Safety & Facilities



## SD-6: Safety



- 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 DART rate to  $< .50$ , as measured by the industry’s performance metric DART.
  - Reduce OPPD’s PVIR rate to  $< 4.00$ , as measured by the industry’s performance metric PVR.

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.

## Awards

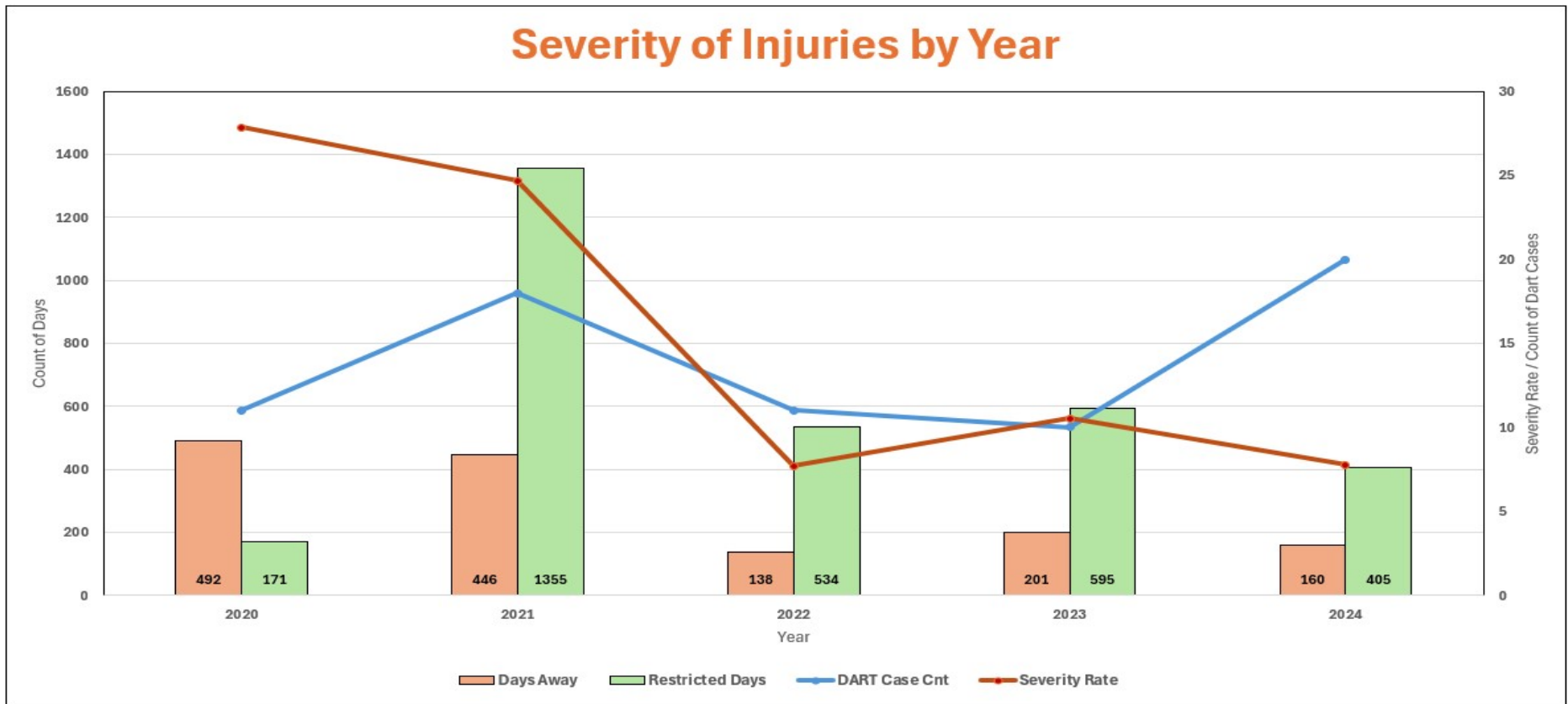


# DART Rate

Reduce OPPD's DART rate to  $< .50$ , as measured by the industry's performance metric DART.

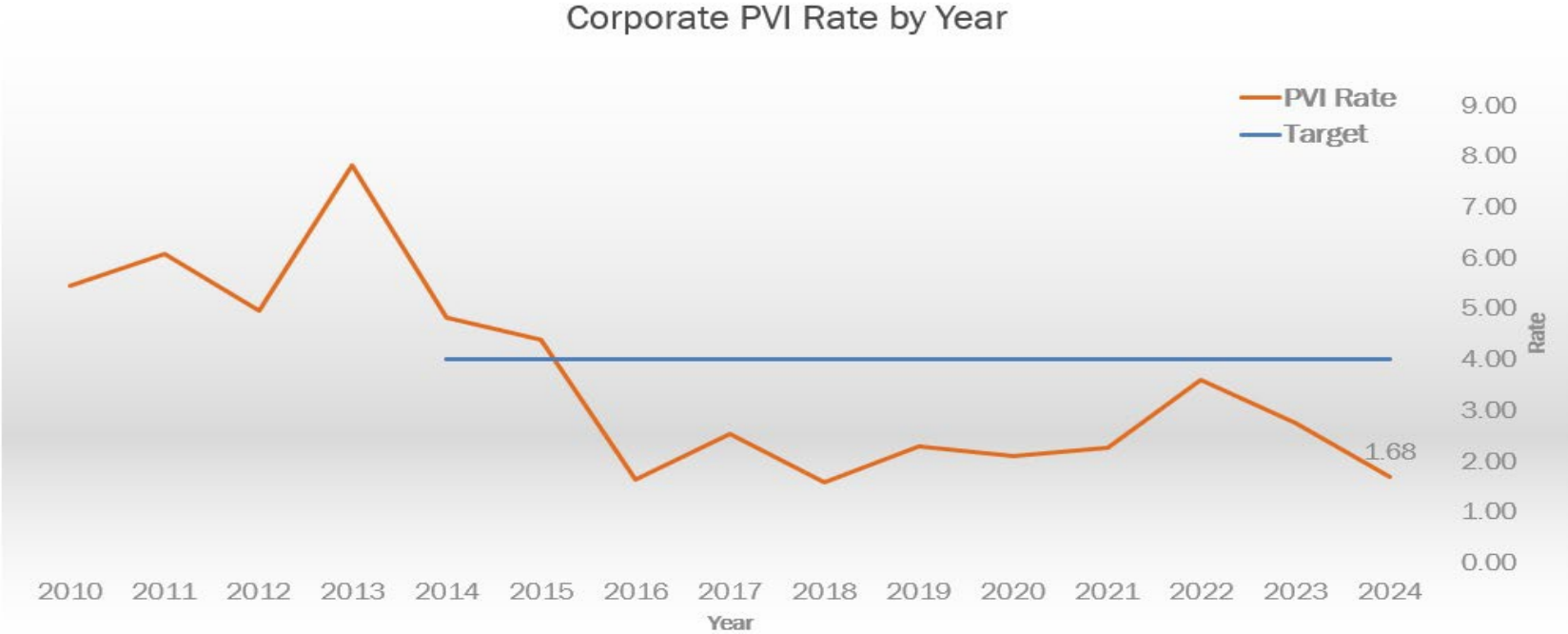


# Injury Severity



# PVI Rate

Reduce OPPD's PVIR to < 4.00, as measured by the industry's performance metric PVIR.



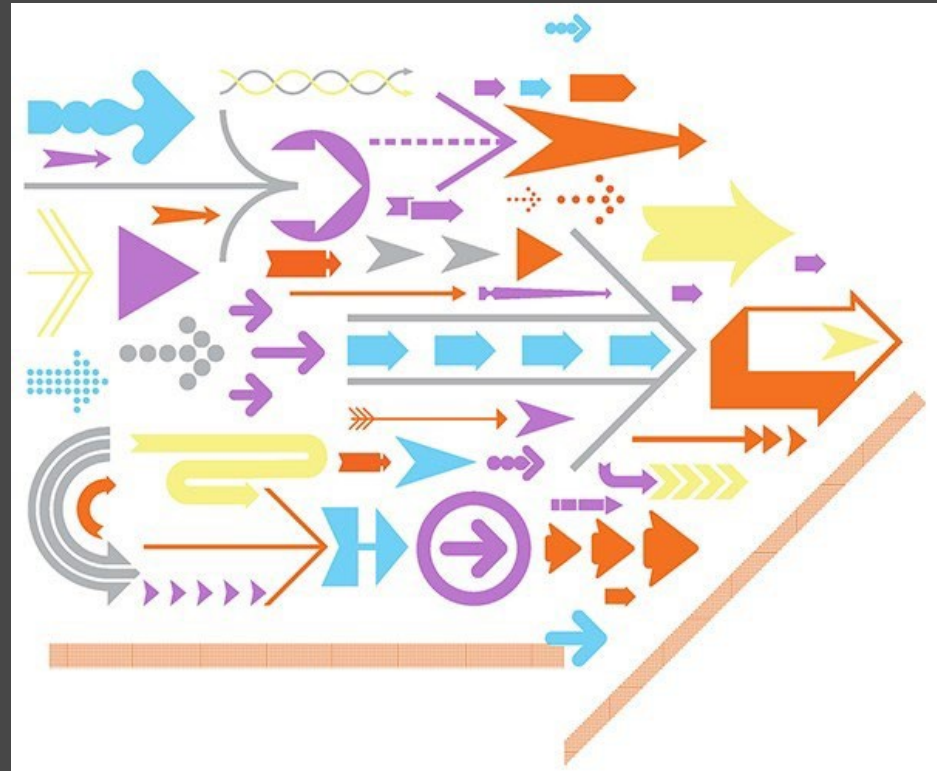


## Recommendation

The System Management & Nuclear Oversight Committee has reviewed this Monitoring Report for SD-6 and recommends the Board find that OPPD is taking reasonable and appropriate measures to comply with Board Policy SD-6: Safety.

Any reflections on

what has been accomplished, challenges and/or strategic implications?





*Spurgeon/Focht*

**RESOLUTION NO. 6XXX**

**WHEREAS**, on February 1, 2009 the District's Board of Directors adopted Charters for the Board's standing committees; and

**WHEREAS**, under the Charters, each Committee conducts an annual evaluation, which includes review of the Charters and recommendations for any revisions; and

**WHEREAS**, the System Management and Nuclear Oversight Committee recommends that the Board of Directors approve the revised Charter attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that the revisions to the District's System Management and Nuclear Oversight Committee Charter as set forth on Exhibit A attached hereto, be and hereby are approved, and effective as of February 20, 2025.

DRAFT



# Board Action

## BOARD OF DIRECTORS

February 18, 2025

### ITEM

Sarpy County Station Units 1 and 2 Exhaust Stack Replacement

### PURPOSE

Board of Directors' authorization to reject the proposal received for RFP No. 6179, and for the District to enter into a negotiated contract for the design, fabrication, site delivery requirements, and installation of two new exhaust stacks for Sarpy County Station Units 1 and 2.

### FACTS

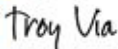
- a. The existing stacks have a 20-year life expectancy and were installed in 2000. Currently the stacks have required regular repair over the last 10 years to maintain reliability and replacement will reduce the risk of additional forced outages.
- b. Replacing the existing exhaust stacks will ensure reliability of the units going forward.
- c. One bid was received and determined to be technically non-responsive.

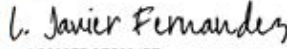
### ACTION

Authorization by the Board to reject the proposal received for RFP No. 6179 and allow District Management to enter into a negotiated contract for replacement of exhaust stacks for Sarpy County Station Units 1 and 2.

### RECOMMENDED:

### APPROVED FOR BOARD CONSIDERATION:

Signed by:  
  
101427221FA24AE...  
Troy R. Via  
Vice President – Utility Operations  
and Chief Operating Officer

Signed by:  
  
AC398FDC56247E...  
L. Javier Fernandez  
President and Chief Executive Officer

TRV:sae

Attachments: Letter of Recommendation  
Tabulation of Bids  
Legal Opinion  
Resolution

# Sarpy County Station Units 1&2 Exhaust Stack Replacement





## MEMORANDUM

**DATE:** February 5, 2025

UO-2025-002

**FROM:** S.A. Eidem

**TO:** T. R. Via

**SUBJECT:** Sarpy County Station Units 1 and 2 Exhaust Stack Replacement

### 1.00 GENERAL

Request for Proposal (RFP) No. 6179 is for the design, fabrication, site delivery requirements, and installation contract for replacement exhaust stacks at Sarpy County Station Units 1 and 2.

The current exhaust stacks for Sarpy County Station Units 1 and 2 were replaced in 2000 and had a 20-year life expectancy. These exhaust stacks have required regular repairs over the last 10 years to maintain reliability and need to be replaced to reduce the risk of a forced outage. The degraded exhaust stacks have caused three unplanned outages in 2024 and one unplanned outage in 2023 between the two units. Stack maintenance is projected to increase over time as the system ages and the units see increased operating times. Replacement of the exhaust stacks will ensure reliable operation, resilient grid support, and continued accredited capacity credit for the OPPD generation portfolio.

The RFP was advertised on December 13, 2024. Two letters of clarification were issued. Bids were received and opened on January 16, 2025. One bid was submitted by Schock Manufacturing. The Engineer's estimate for this work was \$7,200,000. The bid received was for \$10,700,000.

### 2.00 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

The proposal was referred to the District's legal counsel for review. The proposal received in response to the District's RFP No. 6179 may be considered by the District's Board of Directors for the award of this contract.

### 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The bid from Schock Manufacturing does not meet the technical requirements for the specified plant outage schedule. The dates for installation are outside the timeframe required by the RFP.

T. R. Via  
February 5, 2025  
Page 2 of 2



4.00 RECOMMENDATION

Based on non-compliance with the technical requirements of this RFP, it is recommended that the proposal received for RFP No. 6179 be rejected by the Board of Directors and that District Management be authorized to enter into a negotiated contract.

DocuSigned by:

*Scott A. Eidem, P.E.*  
6FFDE74FFFE149D...

S.A. Eidem, P.E.  
Director, Engineering Services  
Utility Operations

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Thursday,                  January 16, 2025, in Omaha, Nebraska</p>		<p align="center"><b>REQUEST FOR PROPOSAL NO.6179</b></p> <p align="center"><b>Sarpy County Station Units 1&amp;2 Exhaust Stack Replacement</b></p>		<p align="right">Signed by:                    _____                  0171422F78EE422  <b>Director</b></p> <p align="right">Supply Chain Management                    _____                  5FC5B8690ZEE4F8  <b>Compiled by and Certified Correct</b></p>	
<p align="center">Anticipated Award Date                  February 20, 2025</p>					
<p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$7,200,000.00</p>					
<p align="center"><b>BID ITEM</b></p>		<b>BIDDER'S NAME &amp; ADDRESS</b>			
		<p align="center">Schock Manufacturing                  6901 N. 115th East Ave,                  Owasso, OK 74055</p>			
		<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	
1.	<p><u>Proposal Price(S)</u>                  Lump sum Firm Price                  Unit 1 Exhaust Stack Replacement Price                  Unit 2 Exhaust Stack Replacement Price</p>	<p align="center"><u>\$5,350,000.00</u>   <u>\$5,350,000.00</u></p>			
2.	<p><u>Completion Guarantee(s)</u>                  SC1 Stack Replacement (October 20, 2025)                  SC2 Stack Replacement (November 10, 2025)</p>	<p align="center"><u>Guaranteed Completion Date</u>   <u>*October 20, 2025</u>   <u>*November 26, 2025</u></p>			

\* Please note: Schock must begin installation work approximately 9/8/2025





**Stephen M. Bruckner**  
ATTORNEY  
402.978.5225  
sbruckner@fraserstryker.com  
fraserstryker.com

January 21, 2025

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

RE: Request for Proposal No. 6179 – Sarpy County Station Units 1 & 2 Exhaust Stack Replacement

Ladies and Gentlemen:

We have reviewed the single proposal received from Schock Manufacturing for the above-referenced RFP. The proposal includes clarifications to the technical and commercial terms of the RFP that are for the District's evaluation. The proposal also includes exceptions to certain contract terms for payment, warranty, and liquidated damages that are not materially non-responsive to the RFP but must be evaluated from a risk and cost perspective.

Subject to the foregoing comments and the District's technical and economic evaluation, the Schock Manufacturing proposal is acceptable for consideration by the District's Board of Directors for the award of this contract.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Stephen M. Bruckner', written over a light blue horizontal line.

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2993134

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290



Williams/Via

**RESOLUTION NO. XXXX**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6179  
SARPY COUNTY STATION UNITS 1&2 EXHAUST STACK REPLACEMENT**

**WHEREAS**, a bid was received and opened at the time and place mentioned in the published notices and the Director – Supply Chain Management supervised the tabulation, which has been submitted to this Board; and

**WHEREAS**, the Board of Directors has carefully considered the bid submitted, as well as the recommendations of the District's Management and General Counsel.

**WHEREAS**, Section 70-637 of the Nebraska Revised Statutes authorizes the District's Board of Directors to reject proposals if they are not responsive to the Request for Proposals, and to authorize Management to pursue a negotiated contract; and

**WHEREAS**, the Board of Directors concurs with management's recommendation that the proposal for RFP No. 6179 is technically non-responsive for the proposed scope of work.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that the proposal received in response to Request for Proposal No. 6179 is rejected and Management is authorized to negotiate and enter into a contract for this project, subject to review and approval of the final contract by the District's General Counsel.



## Agenda

OPPDP BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
Thursday, February 20 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 2025 Meeting Minutes, and the February 20, 2025 Agenda
7. Standing Committee Annual Charter Reviews – Resolution No. 6xxx
8. SD-6: Safety Monitoring Report – Resolution No. 6xxx
9. RFP 6179 - SC1 & 2 Exhaust Stack Replacement Contract – Resolution No. 6xxx

### **Board Discussion Action Items**

TBD

### **Other Items**

10. President's Report
11. Opportunity for comment on other items of District business
12. 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).

Action Item	Board Assignment	ELT Lead	Priority	Board Resources	OPPD Resources	Status	Accepted	Start	Finish	Comment
Identify any concerns regarding the direction provided by <i>SD-11: Economic Development</i> and determine if any changes should be made.	Customer and Public Engagement	McAreavey		Medium	Medium	Not Started	08/29/24			Focht to schedule meeting with Director Howard
SD-2: Rates Policy Refinement (Most recent monitoring report approved 6/18/24)	Finance	Bishop	Medium	Medium	Medium	On Hold	08/26/20	02/07/25	08/30/25	Committee discussed 2/7/25 and will evaluate potential updates mid-year 2025 aligned with a declining block rate discussion.
Develop a plan for strategic education and training.	Governance	Focht		High	High	On Track	08/29/24			
Review and recommend changes to <i>GP-5: Election of Board Officers</i> based upon Board feedback that simplify language re five yes votes/majority present.	Governance	Focht		Low	Low	On Track	08/29/24	02/11/25	04/17/25	Consolidated policy refinements
Review and refine Board work plan process	Governance	Focht		Low	Medium	On Track	08/29/24	02/11/25	08/30/25	
Create Board chair success profile and consider required vs desired competencies; ask outgoing chairs to share experience with new chair.	Governance	TBD		Medium	Medium	On Track	08/29/24	02/07/25	04/08/25	Some components in progress
Include CEO and ELT members in annual Board policy survey.	Governance	Focht		Low	Low	On Hold	08/29/24	06/01/25	08/30/25	Will add in June
Survey Board members on their preferred mode of receiving information, timing of communication.	Governance	Focht		Low	Medium	On Hold	08/29/24	06/01/25	08/30/25	Will address in Board workshop
Pilot a GP/BL monitoring process for 90 days and assess results.	Governance	Focht		Low	Low	Not Started	08/29/24			
Implement the practice of adding guiding questions to pre-committee agenda topics.	Governance	Focht		Low	Low	Not Started	08/29/24			
Review and refine the Board policy development/refinement process; ensure differing perspectives are considered initially and create a template/structure to standardize/facilitate process	Governance	Focht		Low	Medium	Not Started	08/29/24			Pending opportunity for a policy revision
Establish shared understanding of role of OPPD's "Corporate Secretary;" review and recommend revisions to <i>BL-4: Board-Corporate Secretary Relationship</i> .	Governance	Focht		Medium	Medium	Not Started	08/29/24			

Action Item	Board Assignment	ELT Lead	Priority	Board Resources	OPPD Resources	Status	Accepted	Start	Finish	Comment
Add to Board’s operating principles: “Ask for the CEO’s thoughts and insights on a given topic.” “Identify points of friction early in the process of policy making.”	Governance	Focht		Low	Low	Completed	08/29/24	02/11/25	02/17/25	Added per Governance Committee
Revise SD Monitoring Report template to invite ELT for insights during monitoring reports	Governance	Focht	Low	Low	Low	Completed	08/29/24	08/30/24	02/11/24	
Recommend a high-level outline of a charter for the new standing committee (Risk).	Governance	Focht	Medium	Medium	Medium	Completed	08/29/24	08/30/24	10/17/24	
Review and recommend policy changes to <i>GP-14: Board Expense Reimbursement</i> to reflect desired future practice.	Risk	Bishop		Low	Medium	On Track	08/29/24	02/07/25	04/17/25	Consolidated policy refinements
Review and recommend revisions to <i>BL-8: Delegation to the President and Chief Executive Officer – Procurement</i> to reflect recent legislative changes.	System Management and Nuclear Oversight	Bishop		Low	Low	On Track	08/29/24	02/03/25	04/17/25	Consolidated policy refinements
Review <i>SD-4: Reliability</i> and determine if changes should be made to reflect “expansion” of the generation, transmission and distribution systems along with “operate” and “maintain.” This may be sufficiently reflected or belong in <i>SD-9: Integrated System Planning</i> .	System Management and Nuclear Oversight	Via		Low	Low	On Track	08/29/24	02/03/25	04/17/25	Consolidated policy refinements
Discuss Board feedback and recommend any revisions to <i>BL-10: Delegation to the President and Chief Executive Officer – Real and Personal Property</i> to clarify Board’s intended role in future purchases or leases of real property for district use.	System Management and Nuclear Oversight	Focht		Low	Medium	Not Started	08/29/24			
Review <i>SD-6: Safety</i> and determine if changes should be made to reflect the importance of psychological safety.	System Management and Nuclear Oversight	Langel		Low	Low	Not Started	08/29/24			