

Minutes  
Board of Directors Meeting  
Executive Committee Meeting  
Public Alliance for Community Energy  
Younes Conference Center South  
416 W Talmadge St, Kearney, NE 68845  
May 21, 2025 - 10:00 a.m. (CT)

The Board of Directors and Executive Committee of the Public Alliance for Community Energy (ACE) met on Wednesday, May 21, 2025, at the Younes Conference Center South, 416 W Talmadge St, Kearney, Nebraska, 68845. Notice of the meeting was given to the Board of Directors and Executive Committee by email. The public was advised by publication in print and online in the *Lincoln Journal Star* newspaper and website on May 2, 2025, and on the NMPP Energy website. The notice and agenda were posted upon issuance at the NMPP Energy office, 8377 Glynoaks Drive, Lincoln, Nebraska, and kept continually current and available for public inspection. All documents being considered at the meeting and the current version of the Nebraska Open Meetings Act were made available on NMPP Energy's Public Meeting Information website.

**CALL TO ORDER**

Chairperson, Andrew Devine, called the meeting to order at 10:00 a.m. (CT). Devine announced that pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, a current copy of the Open Meetings Act was posted in the meeting room.

**ROLL CALL**

Quorum was declared with 23 of the 76 Directors present. As there was quorum for the Board of Directors, a meeting of the Executive Committee was not called.

Quorum = 19 Directors

|                              |                              |
|------------------------------|------------------------------|
| 1. Albion – Andrew Devine    | 13. Lewellen – Joy Trim      |
| 2. Alliance – Kirby Bridge   | 14. Loup City – AJ Reimers   |
| 3. Bartley – Ronni Harding   | 15. McCook – Gene Weedon     |
| 4. Bridgeport – Mark Wickard | 16. Minden – Larry Evans     |
| 5. Burwell – Jeff Pohl       | 17. Morrill – Nate James     |
| 6. Cairo – Jaime Rathman     | 18. Neligh – Leonard Miller  |
| 7. Chappell – Todd Rust      | 19. NPPD – Grant Flamig      |
| 8. Curtis – Andrew Lee       | 20. Ord – Jeramie VanLeer    |
| 9. Franklin – Michelle Kahrs | 21. Oxford – Duane Hoffman   |
| 10. Gibbon – Matt Smallcomb  | 22. Plainview – Jeremy Tarr  |
| 11. Gothenburg – Gary Greer  | 23. Saint Paul – Mike Feeken |
| 12. Holdrege – Chris Rector  |                              |

Absent: Ainsworth, Ansley, Arapahoe, Atkinson, Bassett, Bayard, Beaver City, Benedict, Benkelman, Bertrand, Blue Hill, Brady, Broken Bow, Cambridge, Chadron, Clay Center, Cozad, Creighton, Dalton, Edgar, Edison, Gering, Gordon, Gurley, Hartington, Hemingford, Henderson, Holbrook, Indianola, Kimball, Laurel, Long Pine, Loomis, Lyman, Mitchell, Ogallala, Orleans, Oshkosh, Osmond, Paxton, Potter,

Ravenna, Red Cloud, Rushville, Sargent, Scottsbluff, Shelton, Sidney, Spalding, Stamford, Terrytown, Wausa, and Wood River

## **PUBLIC COMMENT**

Chairperson Devine asked if there were members of the public in attendance who would like to make agenda comments. There were no public comments.

## **INTRODUCTION AND WELCOME**

Chairperson Devine announced the new representatives to the board and thanked all for being in attendance.

## **CONSENT AGENDA**

### Minutes

Minutes of the March 18, 2025, meeting were previously distributed as Attachment A. There were no changes to the minutes.

### Next Meeting

The next meeting of the ACE Board of Directors is set for Wednesday, November 19, 2025, at the Younes Conference Center South, Kearney, Nebraska.

### Financial Report

Kyle Kaldahl, Manager of Rates & Charges, reviewed year-end financial results for the NMPP Energy organizations and ACE, previously distributed as Attachment B.

Audited Financial Statements and the Audit Communication Letter for the Fiscal Year Ended March 31, 2025, were included in the meeting packet as Attachments C and D, respectively. ACE financials for March 2025 were included within the Audited Financial Statements.

## **CONSENT RESOLUTION**

*Motion: Mike Feeken, Saint Paul, moved to approve the following Resolution. Gene Weedin, McCook, seconded the motion, which carried unanimously on a roll call vote.*

### *Consent Resolution*

*WHEREAS, certain business of the Board of Directors of the Public Alliance for Community Energy transpires on a regular and routine basis or is not of a controversial nature; and*

*WHEREAS, roll call votes on each individual issue greatly extend the meeting time.*

*NOW THEREFORE, BE IT RESOLVED BY the Board of Directors of the Public Alliance for Community Energy that in the interest of economizing time yet complying with the Open Meetings Act of*

*the State of Nebraska, which requires roll call voting, the following issues are hereby consolidated in this Consent Resolution:*

- 1. BE IT FURTHER RESOLVED BY the Board of Directors of the Public Alliance for Community Energy that the minutes of the March 18, 2025, Board of Directors meeting are hereby approved as presented; and*
- 2. BE IT FURTHER RESOLVED BY the Board of Directors of the Public Alliance for Community Energy that the next regularly scheduled meeting will be Wednesday, November 19, 2025, at the Younes Conference Center South, Kearney, Nebraska; and*
- 3. BE IT FURTHER RESOLVED BY the Board of Directors of the Public Alliance for Community Energy that the financial statements for March 2025 are hereby reviewed and accepted; and*
- 4. BE IT FURTHER RESOLVED BY the Board of Directors of the Public Alliance for Community Energy that the audited financial statements and the audit communication letter for the fiscal year ended March 31, 2025, are hereby accepted.*

#### **DIRECTOR OF GAS OPERATIONS REPORT AND RETAIL GAS SERVICES COORDINATOR REPORT**

Closed Session

*Motion: Mark Wickard, Bridgeport, moved to go into closed session for the protection of the public interest to discuss proprietary and competitive information relating to ACE marketing and pricing. ACE reps, alt reps, any ACE Member community employee or elected official, as well as any NMPP Staff member may participate in the closed session. Kirby Bridge, Alliance, seconded the motion, which carried unanimously on a roll call vote.*

Devine restated on record that the limitation of the subject matter of the discussion was proprietary and competitive information relating to ACE marketing and pricing.

The board went into closed session at 10:12 a.m.

Devine asked for any objections to return to open session, hearing none, the meeting reconvened in open session at 10:49 a.m. There was no action taken during or as a result of the closed session.

#### **LEGISLATIVE REPORT**

Kara Hunt, Government Affairs and Project Manager, discussed the legislative bills below and reminded the Board of NMPP Energy's Legislative Bill Tracker.

- LB526: Crypto mining regulations and energy taxation - advanced to Enrollment & Review for Engrossment with AM691, which stripped out the taxation.
- LB548: Provide for political subdivisions that own or operate natural gas systems to contract with industrial consumers of natural gas - placed on General file with a committee amendment, AM664.

## **CONTRACTS AND GENERAL COUNSEL REPORT**

Information regarding the following executed agreements was included in the meeting packet:

| <b>Other Party</b>                         | <b>Agreement Name</b>                          |
|--|--|
| Constellation NewEnergy - Gas Division LLC | Carbon Offset Agreement                        |
| Constellation NewEnergy - Gas Division LLC | Carbon Offset Rider to Carbon Offset Agreement |

### **General Counsel Report:**

The Nebraska Public Service Commission will hold a workshop on the Nebraska Choice Gas program on June 18 at 2:00 PM (CT), with a virtual option.

Staff will monitor a general rate case filed by Black Hills Energy in Nebraska.

LB521 amends the Nebraska Open Meetings Act by reinstating language that was inadvertently removed by a previous bill.

### **ITEMS FOR FUTURE AGENDA**

Devine reminded Directors to forward any additional agenda items to ACE staff so they may be included on the agenda for the next meeting.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:55 a.m.

Recorded by:  
Laurie Keiser, Administrative Assistant

Submitted by:  
Jeremy Tarr, Vice Chairperson  
ACE Board of Directors