

Unapproved Minutes
Board of Directors Meeting
Executive Committee Meeting
Public Alliance for Community Energy
Younes Conference Center South
416 W Talmadge St, Kearney, NE 68845
November 19, 2025 - 10:00 a.m. (CT)

The Board of Directors and Executive Committee of the Public Alliance for Community Energy (ACE) met on Wednesday, November 19, 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 November 12, 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

Secretary-Treasurer, Mike Palmer, called the meeting to order at 10:01 a.m. (CT). Palmer 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 19 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

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|---|--|
| 1. Alliance – Kirby Bridge | 12. Lewellen – Joy Trim |
| 2. Arapahoe – Dixie Sickels (Arrived after roll call) | 13. Loup City – AJ Reimers |
| 3. Bartley – Ronni Harding | 14. McCook – Gene Weedin |
| 4. Bridgeport – Mark Wickard | 15. Minden – Michael Krings |
| 5. Cairo – Jaime Rathman | 16. Morrill – Janine Schmidt |
| 6. Chappell – Todd Rust | 17. Neligh – Leonard Miller (Arrived after roll call) |
| 7. Curtis – Andrew Lee | 18. Oshkosh – Kim Martin |
| 8. Franklin – Raquel Felzien | 19. Oxford – Duane Hoffman |
| 9. Gibbon – Matt Smallcomb | 20. Plainview – Robert Smith |
| 10. Gothenburg – Gary Greer | 21. Ravenna – Kellie Crowell (Arrived after roll call) |
| 11. Holdrege – Chris Rector | 22. Sidney – Mike Palmer |

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

Potter, Red Cloud, Rushville, Saint Paul, Sargent, Scottsbluff, Shelton, Spalding, Stamford, Terrytown, Wausa, and Wood River

PUBLIC COMMENT

Palmer 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

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

CONSENT AGENDA

Minutes

Minutes of the May 21, 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, January 21, 2026, at the Younes Conference Center South, Kearney, Nebraska.

Financial Report

Jamie Johnson, Director of Finance and Accounting, reviewed the September financials for the NMPP Energy organizations and October financials for ACE. Financial summaries were included as Attachment B. April, May, June, July, August, September, and October 2025 ACE financials were previously distributed.

Acknowledge Receipt of the Minutes of the June 4, 2025, and November 5, 2025, Joint Operating Committee (JOC) Meetings

Approved minutes of the June 4, 2025, Joint Operating Committee (JOC) meeting were included as Attachment C. Unapproved minutes of the November 5, 2025, Joint Operating Committee (JOC) meeting were included as Attachment D.

CONSENT RESOLUTION

Motion: Chris Rector Holdrege, moved to approve the following Resolution. Kellie Crowell, Ravenna, seconded the motion, which carried unanimously on a roll call vote. Not yet present at the time of voting: Dixie Sickels, Arapahoe; and Leonard Miller, Neligh.

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 May 21, 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, January 21, 2026, 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 April, May, June, July, August, September, and October 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 receipt of the approved minutes of the June 4, 2025, and unapproved minutes of the November 5, 2025, meetings of the Joint Operating Committee are hereby acknowledged.*

DIRECTOR OF GAS OPERATIONS REPORT AND RETAIL GAS SERVICES COORDINATOR REPORT

Closed Session

Motion: Gene Weedin, McCook, 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. Matt Smallcomb, Gibbon, seconded the motion, which carried unanimously on a roll call vote. Not yet present at the time of voting: Dixie Sickels, Arapahoe; and Leonard Miller, Neligh. Did not vote: Andrew Lee, Curtis.

Palmer 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 10:11 a.m.

The meeting reconvened in open session at 10:45 a.m. There was no action taken during or as a result of the closed session.

LEGISLATIVE REPORT

David Russell, Director of Government Affairs & Digital Solutions, provided updates on Nebraska's LR234, the upcoming legislative session, and informed the Board that NMPP Energy's 2026 Legislative Guidelines are available on the NMPP Energy website.

CONTRACTS AND GENERAL COUNSEL REPORT

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

| Other Party | Agreement Name | Effective Date | Termination Date |
|-------------------------------|---|----------------|---|
| Black Hills Nebraska Gas, LLC | Supplier Participation Agreement for 2025-2026 (Residential and Commercial Choice Gas Program) | 1/1/2025 | 12/31/2025 |
| Black Hills Nebraska Gas, LLC | Agreement Regarding Mailing List and Marketing Practices (Addendum to Supplier Participation Agreement for 2025-2026 for Residential and Commercial Choice Gas Program) includes Exhibit A (Mailing and Marketing Practices Chart) and Exhibit B (Cybersecurity Requirements) | 1/1/2025 | 12/31/2025 |
| Nelnet Servicing, LLC | Amendment No. 5 to First Amended and Restated Call Center Agreement | 10/28/2025 | Remains in effect through term of base agreement, which rolls year-to-year each April 1 until terminated on 90 days notice before end of the then-current term. |

General Counsel Report:

Michelle Lepin, General Counsel, noted topics covered at the American Public Power Association (APPA) Legal and Regulatory Conference.

ITEMS FOR FUTURE AGENDA

Palmer 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 10:50 a.m.

Recorded by:
Laurie Keiser, Administrative Assistant

Submitted by:
Mike Palmer, Secretary-Treasurer
ACE Board of Directors