

GRAND HAVEN BOARD OF LIGHT AND POWER MEETING AGENDA

Thursday, January 25, 2024

Meeting to be held at 1700 Eaton Drive

6:00 PM

1. Call to Order / Roll Call / Excuse Absent Members
2. Approve Meeting Agenda
3. Visitor Comments
Mark Allen, President, Grand Haven, Spring Lake, and Ferrysburg Chamber of Commerce
Elizabeth Butler, Director of Economic Development, Grand Haven, Spring Lake and Ferrysburg Chamber of Commerce
4. Public Comment Period
5. Consent Agenda
 - A. Approve Minutes of the December 21, 2023, Board Meeting and Closed Session
 - B. Receive and File: December Financial Statements, Power Supply, Retail Sales Dashboards
 - C. Receive and File: December Key Performance Indicators (KPI) Dashboard
 - D. Receive and File: MPPA Energy Services Project Resource Position Report (dated 12/28/2023)
 - E. Receive and File: Constellation Energy Market Update Graphs (dated 01/09/2024)
 - F. Power Grid International: Five Priorities for U.S. Utilities in 2024 (dated 1/2/2024)
 - G. Approve Payment of Bills (\$3,259,553.35 in total)
 - i. In the amount of \$2,779,483.41 from the Operation & Maintenance Fund
 - ii. In the amount of \$480,069.94 from the Renewal & Replacement Fund
 - H. Confirm Purchase Orders (\$28,879 in total)
 1. PO #22914, Western-Telcom, Inc., \$5,181 (Directional boring services)
 2. PO #22923, Michigan Municipal Electric Association, \$23,698 (Annual association dues)
6. General Manager's Report
 - A. Approve Purchase Order (\$228,280 in total)
 1. PO #22928, Altec Industries, \$228,280 (Replacement backyard machine for line department)
 - B. Reminder: Respectful Workplace Training – Friday, February 9th 2:30 – 4:00 PM
 - C. General Manager February Travel Schedule
 1. Public Power Summit (February 11th -14th) – PTO (February 15th – 16th)
 2. APPA BOD Meeting and Legislative Rally (February 24th – 28th)
 3. Reschedule February 15, 2024, Board Meeting
 - a. Proposed by Chair to be rescheduled to February 29, 2024
7. Chairman's Report
 - A. By-Laws Change Review
 - B. Update of Whistleblower Investigation Activities
 - C. Discussion of Employment Matter Discussed in Previous Closed Sessions and Associated Board Action
 1. Closed Sessions Were Held Pursuant to Section 8(h) of the Open Meetings Act to Consider Information or Records Subject to Attorney-Client Privilege Pertaining to an Employment Matter with the General Manager Exempt from Disclosure Under Section 13(1)(g) of the Freedom of Information Act
 - D. Consider Indemnification Resolution for Director Hendrick
 - E. Board Approval of APPA “Public Power Governance Essentials,” On Demand Training for Board Members, To Be Conducted Over Next 15 Months

8. Public Comment

9. Adjourn

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
DECEMBER 21, 2023

A regular meeting of the Grand Haven Board of Light and Power was held on Thursday, December 21, 2023, at 6:00 PM at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan and electronically via live Zoom Meeting.

The meeting was called to order at 6:01 PM by Chairperson Westbrook.

Present: Directors Hendrick, Knoth, Welling and Westbrook.

Absent: Director Crum.

Others Present: General Manager David Walters, Secretary to the Board Danielle Martin, Operations & Power Supply Manager Erik Booth, Finance Manager Lynn Diffell, Distribution & Engineering Manager Rob Shelley, and City Attorney Ron Bultje.

23-18A Director Welling, supported by Director Knoth, moved excuse Director Crum from the meeting due to a personal family matter.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

Motion: Director Welling, supported by Director Knoth, moved approve the meeting agenda.

23-18B Director Welling, supported by Director Knoth, moved to remove item 6A Bylaw Change Review from the agenda and add it to a January meeting with full Board attendance.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

23-18C Director Welling, supported by Director Knoth, moved to approve the agenda as amended.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

Public Comment Period: No comments were provided.

23-18D Director Welling, supported by Director Knoth, moved to approve the consent agenda. The consent agenda includes:

- Approve Minutes of the November 16, 2023 and November 29, 2023 Board Meetings and November 29, 2023 Closed Session
- Receive and File: November Financial Statements, Power Supply and Retail Sales Dashboards

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
DECEMBER 21, 2023

- Receive and File: November Key Performance Indicator (KPI) Dashboard
- Receive and File: MPPA Energy Services Project Resource Position Report (dated 11/30/2023)
- Receive and File: Constellation Energy Market Update Graphs (dated 12/12/2023)
- Approve payment of bills in the amount of \$2,069,177.54 from the Operation & Maintenance Fund
- Approve payment of bills in the amount of \$253,626.28 from the Renewal & Replacement Fund
- Confirm Purchase Order 22894 to Cooperative Response Center, Inc. in the amount of \$15,000 for the CRC annual user license

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Witherell and Westbrook; Opposed: None.
Motion carried.

23-18E Director Hendrick, supported by Director Knoth, moved to approve the Purchase Orders. The Purchase Orders include:

- Purchase Order 22865 to Power Line Supply Company in the amount of \$13,455 for lightning arresters for the Morford substation project
- Purchase Order 22866 to Landis & Gyr Technology, Inc. in the amount of \$28,810 for 96 electric meters for BLP stock
- Purchase Order 22875 to Power Line Supply Company in the amount of \$7,500 for 2,500 feet of 15 kV #2 AL Okonite cable
- Purchase Order #22879 to Kent Power, Inc. in the amount of \$208,643 for Morford substation breaker and relay panel installation labor
- Purchase Order #22882 to the State of Michigan in the amount of \$8,700 for the annual renewal fee of the legacy Sims Power Plant NPDES permit at the direction of City Administration
- Purchase Order #22910 to Utility Solid Waste Activities Group in the amount of \$5,499 for annual membership dues at the direction of City Administration

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
DECEMBER 21, 2023

23-18F The General Manager announced the receipt of an APPA Customer Satisfaction Award. A letter received from APPA was read aloud. Just nine utilities in the country received this award, including two in Michigan, Lowell and Grand Haven. A press release will be issued announcing the BLP's receipt of this award.

No formal action taken.

23-18G Danielle Martin provided an update on the Petition for Representation Proceedings for certain general employees to determine if they would like to be represented by the Utility Workers Union of America. The union and employer have signed a Consent for Election Agreement with one position voting by Challenged Ballot. The election will be conducted by secret mail ballot facilitated by the Michigan Employment Relations Commission. Votes will be counted on January 26, 2024.

No formal action taken.

23-18H Director Welling, supported by Director Knoth, moved to confirm the Vredeveld Haefner Audit Services 5-Year Continuance Proposal.

The City and BLP both use Vredeveld Haefner for audit services. The City has approved the extension and the Board is now being asked to confirm. The proposed pricing is consistent over the five year period.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

23-18I Director Welling, supported by Director Hendrick, moved to authorize the MPPA Energy Services Power Purchase Commitments.

The MPPA Board approves purchases on behalf of its members and the BLP then authorizes the purchases through the General Manager, BLP Board, or City Council, depending on the dollar amount and number of years. These three Purchase Power Commitments total \$11,397,635 over twelve years. This item will be placed on City Council's next consent agenda for authorization as the total duration exceeds ten years. David Walters or Erik Booth will attend City Council's meeting to answer any questions.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

23-18J The General Manager read a prepared statement. He requested the Board make its Closed Session discussions public and hold a special hearing to review concerns he has raised.

No formal action taken.

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
DECEMBER 21, 2023

Public Comment Period:

Vanessa Wilhelm, Grand Haven Township, stated she submitted a FOIA request for specific correspondence of Director Hendrick. Wilhelm stated the request is 60 days old and asked why she has not received the requested documents yet.

23-18K At 6:38PM Director Welling, supported by Director Knoth, moved to enter Closed Session pursuant to Section 8(h) of the Open Meetings Act to consider information or records subject to attorney-client privilege pertaining to an employment matter with the General Manager exempt from disclosure under Section 13(1)(g) of the Freedom of Information Act.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

23-18L At 7:36PM Director Knoth, supported by Director Welling, moved to end Closed Session and re-enter Open Session.

Roll Call Vote:

In favor: Directors Hendrick, Knoth, Welling and Westbrook; Opposed: None.
Motion carried.

Adjournment

At 7:36PM by motion of Director Knoth, supported by Director Welling, the December 21, 2023 Board meeting was unanimously adjourned.

Respectfully submitted,

Danielle Martin
Secretary to the Board

DM

GRAND HAVEN BOARD OF LIGHT AND POWER
CLOSED SESSION MINUTES
EXEMPT FROM DISCLOSURE
DECEMBER 21, 2023

A closed session meeting of the Grand Haven Board of Light and Power was held on Thursday, December 21, 2023, at 6:38PM at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan pursuant to Section 8(h) of the Open Meetings Act to consider information or records subject to attorney-client privilege pertaining to an employment matter with the General Manager exempt from disclosure under Section 13(1)(g) of the Freedom of Information Act.

Present: Directors Hendrick, Knoth, Welling and Westbrook.

Absent: Director Crum.

Others Present: City Attorney Ron Bultje and Secretary to the Board Danielle Martin.

The closed session ended at 7:36PM.

Respectfully submitted,

Danielle Martin
Secretary to the Board

DM

**GRAND HAVEN BOARD OF LIGHT AND POWER
BALANCE SHEET
FOR THE MONTH ENDING DECEMBER 2023**

	<u>DECEMBER 2023</u>	<u>DECEMBER 2022</u>
ASSETS		
CURRENT ASSETS		
CASH AND CASH EQUIVALENTS	\$21,593,984	\$29,866,810
ACCOUNTS RECEIVABLE	4,074,368	3,994,951
PREPAID	15,485	15,558
	25,683,837	33,877,319
NON-CURRENT ASSETS		
DEPOSITS HELD BY MPIA	8,783,799	7,738,652
DEPOSITS HELD BY MPPA	2,500,000	2,500,000
ADVANCE TO CITY OF GRAND HAVEN	661,136	1,037,151
MITIGATION FUND	13,995,149	0
2021A BOND MITIGATION FUND	2,297,906	0
2021A BOND CONSTRUCTION FUND	3,893,491	9,923,341
2021A BOND REDEMPTION FUND	2,599,375	2,503,504
	34,730,856	23,702,648
CAPITAL ASSETS		
CONSTRUCTION IN PROGRESS	2,904,791	2,205,049
PROPERTY, PLANT AND EQUIPMENT	66,525,483	63,458,603
LESS ACCUMULATED DEPRECIATION	(31,370,237)	(30,367,452)
	38,060,037	35,296,200
TOTAL ASSETS	\$98,474,730	\$92,876,167
DEFERRED OUTFLOWS/(INFLOWS)		
PENSION/OPEB RELATED	4,681,112	(1,711,125)
LIABILITIES		
CURRENT LIABILITIES		
ACCOUNTS PAYABLE	1,472,659	1,676,343
SERIES 2021A BOND CURRENT	2,579,330	2,497,500
ACCRUED PAYROLL LIABILITIES	198,655	422,975
CUSTOMER DEPOSITS	994,916	887,447
ACCRUED TRANSFER FUND	142,550	141,784
	5,388,110	5,626,049
LONG TERM LIABILITIES		
ASSET RETIREMENT OBLIGATION - MITIGATION	16,814,727	16,098,155
ACCRUED SICK AND PTO	250,853	247,051
SERIES 2021A BOND	20,300,000	22,700,000
NET PENSION LIABILITIES	6,301,362	(813,406)
NET OTHER POST EMPLOYMENT BENEFIT	500,888	638,925
	44,167,830	38,870,725
TOTAL LIABILITIES	49,555,940	44,496,774
RETAINED EARNINGS		
BEGINNING OF THE YEAR	48,794,255	44,505,093
YTD NET INCOME	4,805,647	2,163,175
RETAINED EARNINGS	53,599,902	46,668,268
TOTAL LIABILITIES AND EQUITY	\$103,155,842	\$91,165,042

**GRAND HAVEN BOARD OF LIGHT AND POWER
STATEMENT OF REVENUES AND EXPENSES
FOR THE MONTH OF DECEMBER 2023**

	Current Period Actual	YTD Actual	YTD Budget	Variance Over (Under)	Percent Variance Actual vs Budget	Previous Year Current Period	Previous Year YTD	Variance Over (Under)	Percent Variance Actual vs Last Year
Operating Revenue									
Residential Sales	\$ 1,004,025	\$ 6,829,133	\$ 6,889,300	\$ (60,167)	-0.87%	\$ 1,016,902	\$ 6,689,858	\$ 139,275	2.08%
Commercial Sales	775,857	5,401,368	5,488,151	(86,783)	-1.58%	776,251	5,249,787	151,581	2.89%
Industrial Sales	896,793	6,137,481	6,836,015	(698,534)	-10.22%	933,920	6,118,296	19,185	0.31%
Municipal Sales	74,064	531,284	540,799	(9,515)	-1.76%	80,318	531,354	(70)	-0.01%
Total Charges for Services	2,750,739	18,899,266	19,754,265	(854,999)	-4.33%	2,807,391	18,589,295	309,971	1.67%
Street Lighting	27,624	169,843	167,500	2,343	1.40%	28,292	169,556	287	0.17%
Other Revenue	15,761	209,921	212,140	(2,219)	-1.05%	13,493	290,972	(81,051)	-27.86%
Total Operating Revenue	2,794,124	19,279,030	20,133,905	(854,875)	-4.25%	2,849,176	19,049,823	229,207	1.20%
Operating Expenses									
Net Purchased Power	1,385,456	9,330,816	9,596,244	(265,428)	-2.77%	1,889,797	10,604,741	(1,273,925)	-12.01%
Distribution Operations	193,254	813,841	971,402	(157,561)	-16.22%	226,883	986,748	(172,907)	-17.52%
Distribution Maintenance	315,042	1,586,013	1,779,945	(193,932)	-10.90%	263,830	1,703,627	(117,614)	-6.90%
Energy Optimization	15,474	76,534	137,499	(60,965)	-44.34%	28,761	97,280	(20,746)	-21.33%
Administration	281,736	1,433,265	1,571,396	(138,131)	-8.79%	313,303	1,425,099	8,166	0.57%
Legacy Pension Expense	31,671	245,937	249,217	(3,280)	-1.32%	48,360	348,629	(102,692)	-
Operating Expenses Before Depreciation	2,222,633	13,486,406	14,305,703	(819,297)	-5.73%	2,770,934	15,166,124	(1,679,718)	-11.08%
Operating Net Income Before Depreciation	571,491	5,792,624	5,828,202	(35,578)	-0.61%	78,242	3,883,699	1,908,925	49.15%
Depreciation	175,263	1,051,539	1,011,996	39,543	3.91%	167,042	1,002,253	49,286	4.92%
Operating Net Income	396,228	4,741,085	4,816,206	(75,121)	-1.56%	(88,800)	2,881,446	1,859,639	64.54%
Nonoperating Revenue/(Expenses)	96,378	539,689	180,149	359,540	199.58%	2,191	219,672	320,017	145.68%
Asset Retirement Expense	-	-	(499,998)	499,998	-100.00%	-	-	-	#DIV/0!
Environmental Surcharge	72,634	503,504	499,998	3,506	0.70%	-	-	503,504	#DIV/0!
Non-Operating Revenue/(Expenses)	169,012	1,043,193	180,149	863,044	479.07%	2,191	219,672	823,521	374.89%
Transfers to City of Grand Haven	(142,550)	(978,631)	(958,371)	(20,260)	2.11%	(141,784)	(937,943)	(40,688)	4.34%
Increase in Net Assets	\$ 422,690	\$ 4,805,647	\$ 4,037,984	\$ 767,663	19.01%	\$ (228,393)	\$ 2,163,175	\$ 2,642,472	122.16%

**GRAND HAVEN BOARD OF LIGHT AND POWER
POWER SUPPLY DASHBOARD
FOR THE MONTH OF DECEMBER 2023**

Power Supply for Month (kWh)	<u>FY2024</u>		<u>FY2023</u>	
Net Purchased (Sold) Power	17,286,448	79.82%	18,972,596	80.46%
Renewable Energy Purchases	4,369,279	20.18%	4,607,999	19.54%
Monthly Power Supply Total	21,655,727		23,580,595	
Days in Month	31		31	
Average Daily kWh Supply for Month	698,572		760,664	
% Change	-8.16%			

Power Supply FYTD	<u>FY2024</u>		<u>FY2023</u>	
Net Purchased (Sold) Power	112,838,512	77.80%	121,178,544	79.59%
Renewable Energy Purchases	32,204,245	22.20%	31,071,677	20.41%
FYTD Power Supply Total	145,042,757		152,250,221	
FYTD Days (from 7/1)	184		184	
Average Daily kWh Supply FYTD	788,276		827,447	
% Change	-4.73%			

	<u>FY2024</u>	<u>FY2023</u>
Net Purchased Power Expenses	\$9,330,816	\$10,604,741
% Change	-12.01%	
Net Energy Expenses per kWh Supplied to System FYTD	\$0.06433	\$0.06965
% Change	-7.64%	

**GRAND HAVEN BOARD OF LIGHT AND POWER
SALES DASHBOARD
FOR THE MONTH OF DECEMBER 2023**

<u>Monthly Retail Customers</u>	<u>FY2024</u>		<u>FY2023</u>	
Residential	13,112	87.41%	13,037	87.43%
Commercial	1,643	10.95%	1,629	10.92%
Industrial	127	0.85%	128	0.86%
Municipal	119	0.79%	117	0.78%
Total	15,001		14,911	
<u>Monthly Energy Sold (kWh)</u>				
Residential	6,744,753	32.38%	6,969,376	32.19%
Commercial	5,658,116	27.16%	5,736,533	26.50%
Industrial	7,722,928	37.08%	8,186,145	37.82%
Municipal	627,380	3.01%	670,187	3.10%
Retail Monthly Total	20,753,177	99.64%	21,562,241	99.61%
Street Lighting	75,610	0.36%	85,497	0.39%
Total Monthly Energy Sold	20,828,787		21,647,738	
Days in Primary Meter Cycle	30		30	
kWh Sold per Day	694,293		721,591	
% Change	-3.78%			

<u>Energy Sold (kWh) FYTD</u>	<u>FY2024</u>		<u>FY2023</u>	
Residential	46,452,329	32.17%	47,963,081	31.89%
Commercial	39,643,869	27.46%	40,536,758	26.95%
Industrial	53,322,246	36.93%	56,719,955	37.71%
Municipal	4,463,769	3.09%	4,681,514	3.11%
Retail Energy Sold Total FYTD	143,882,213	99.65%	149,901,308	99.66%
Street Lighting	512,129	0.35%	511,626	0.34%
Energy Sold FYTD	144,394,342		150,412,934	
Weighted Days in Meter Cycles FYTD	183		183	
kWh Sold per Day	789,040		821,929	
% Change	-4.00%			

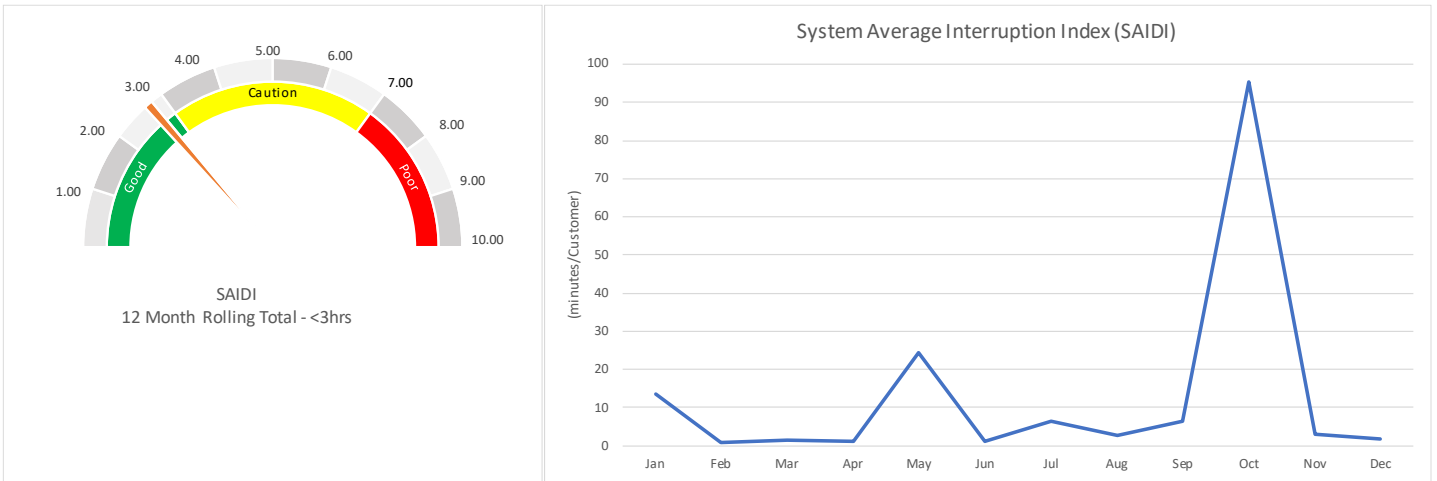
<u>Sales Revenue FYTD net ERS</u>	<u>FY2024</u>	<u>Average Rate (\$/kWh)</u>	<u>FY2023</u>	<u>Average Rate (\$/KWh)</u>	<u>Percent Change \$/kWh</u>
Residential	\$6,829,133	\$0.1470	\$6,690,195	\$0.1395	5.40%
Commercial	\$5,401,367	\$0.1362	\$5,249,450	\$0.1295	5.21%
Industrial	\$6,137,481	\$0.1151	\$6,118,297	\$0.1079	6.71%
Municipal	\$531,284	\$0.1190	\$531,354	\$0.1135	4.86%
Retail Sales Revenue FYTD	\$18,899,266	\$0.1314	\$18,589,295	\$0.1240	5.92%
Street Lighting	\$169,843		\$169,556		
Total Sales Revenue FYTD (Excl. Wholesale)	\$19,069,109	\$0.1321	\$18,758,851	\$0.1247	

	<u>FY2024</u>	<u>FY2023</u>
Approx. Distribution Losses FYTD	-0.10%	0.67%
Net Energy Expenses/kWh Sold FYTD	\$0.06427	\$0.07012
% Change	-8.34%	

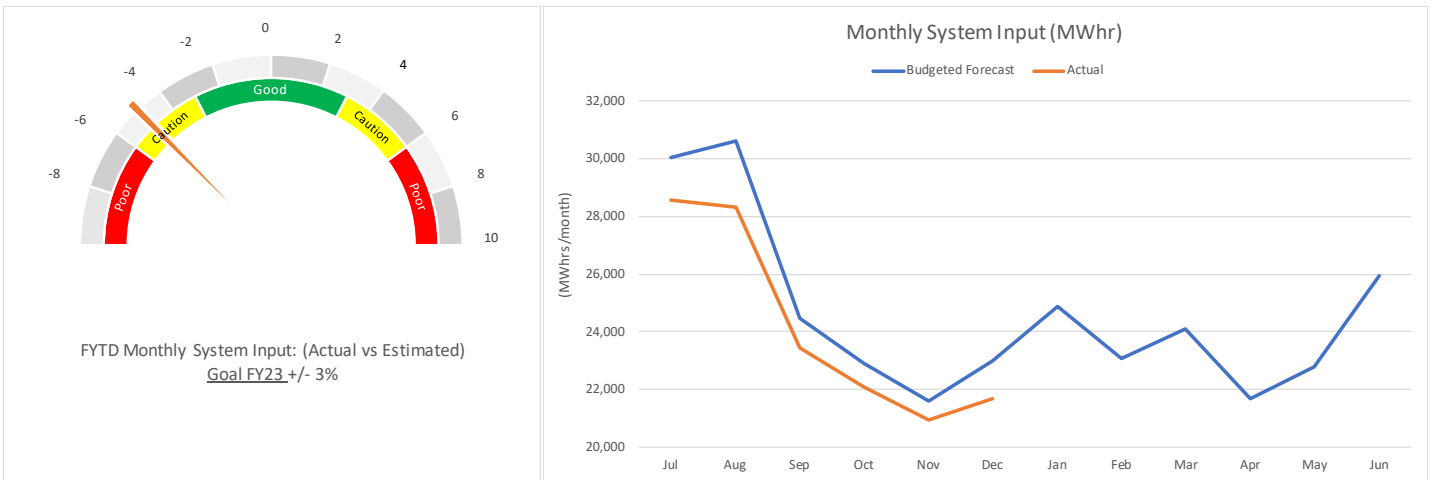
GHBLP Key Performance Indicators

January 19, 2024

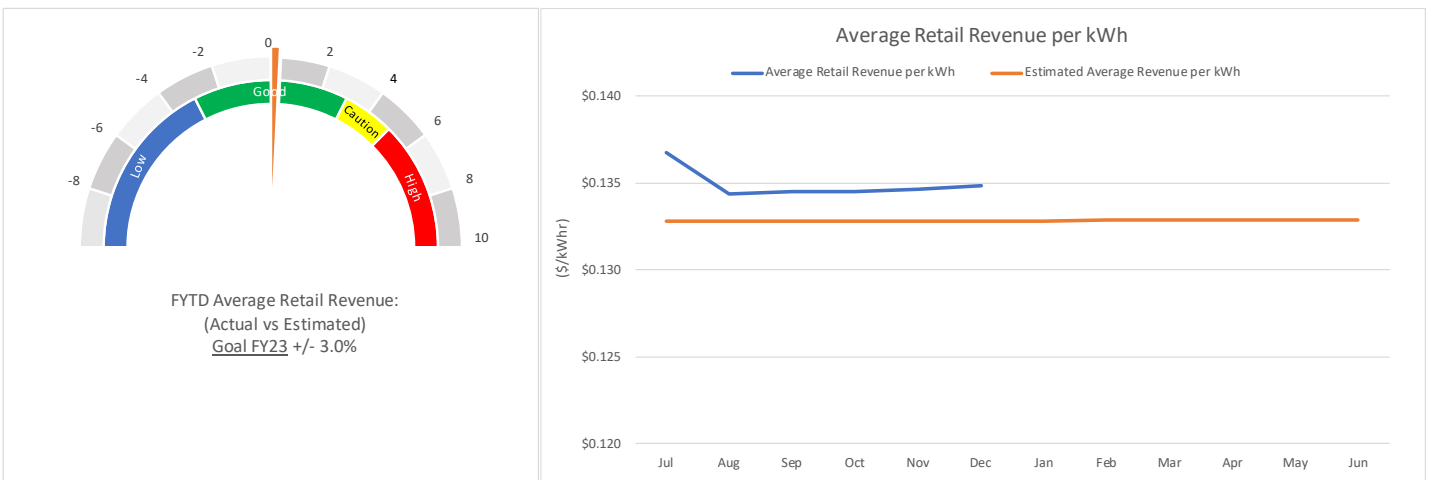
1) Reliability



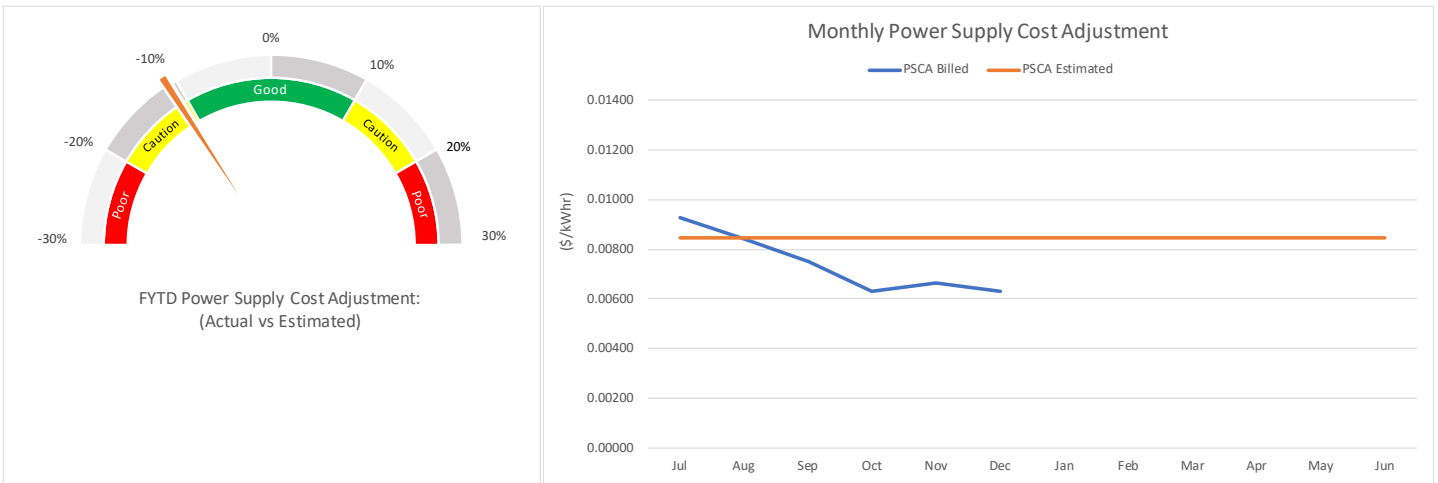
2) Power Supply



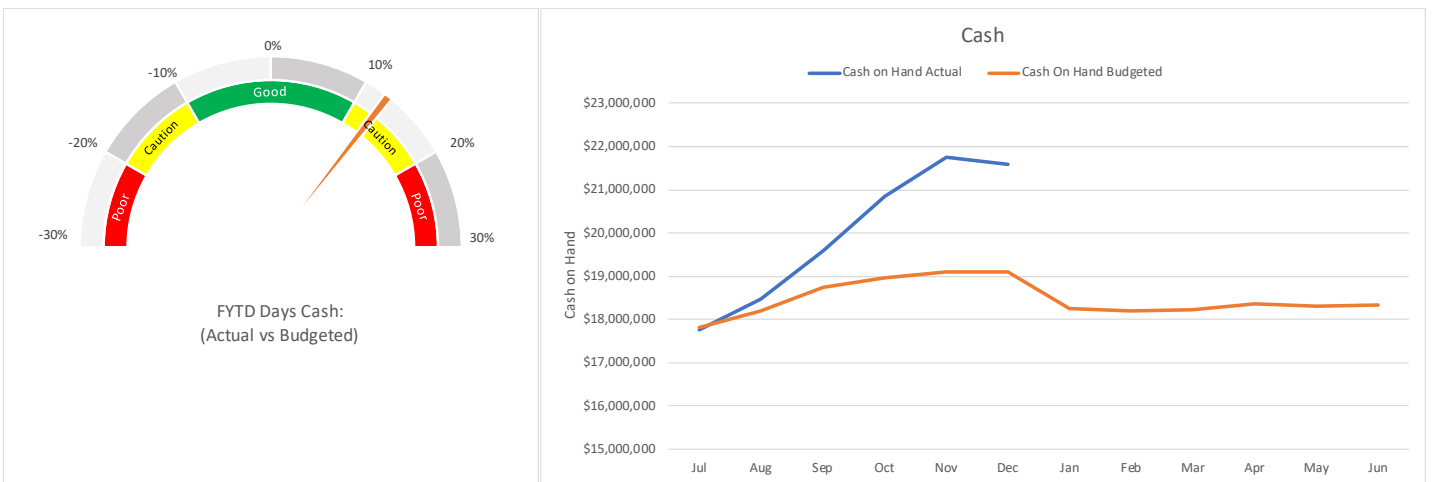
3) Average Retail Revenue per kWh



4) Rates/PSCA



5) Financial



Grand Haven Board of Light & Power
5-Year Annual Calendar Year Power Supply Summary (post-Sims Retirement)

Calendar Year		<u>2020</u>	<u>2021</u>	<u>2022</u>	Year-End Forecast <u>2023</u>	Estimate <u>2024</u>	Total Change <u>2020 - 2024</u>	Percent Change <u>2020 - 2024</u>
<u>Net Balancing Energy (LMP)</u>								
	MWh	32,148.985	39,842.925	36,029.759	25,653.000	28,500.000	-3,648.985	-11.35%
	\$	\$920,161.01	\$1,869,964.28	\$3,572,793.25	\$1,297,000.00	\$1,416,500.00	\$496,338.99	53.94%
	\$/MWh	\$28.62	\$46.93	\$99.16	\$50.56	\$49.70	\$21.08	73.65%
<u>Bilats</u>								
	MWh	178,966.400	199,210.400	195,055.200	191,682.000	186,000.000	7,033.600	3.93%
	\$	\$5,053,427.76	\$6,133,796.27	\$7,469,406.70	\$8,123,000.00	\$8,044,500.00	\$2,991,072.24	59.19%
	\$/MWh	\$28.24	\$30.79	\$38.29	\$42.38	\$43.25	\$15.01	53.17%
<u>Renewables</u>								
	MWh	46,735.578	54,958.658	64,376.215	66,353.000	72,000.000	25,264.422	54.06%
	\$	\$3,218,421.90	\$3,489,186.86	\$3,972,277.34	\$3,993,800.00	\$4,464,000.00	\$1,245,578.10	38.70%
	\$/MWh	\$68.86	\$63.49	\$61.70	\$60.19	\$62.00	-\$6.86	-9.97%
<u>Total Energy</u>								
	MWh	257,850.963	294,011.983	295,461.174	283,688.000	286,500.000	28,649.037	11.11%
	\$	\$9,192,010.67	\$11,492,947.41	\$15,014,477.29	\$13,413,800.00	\$13,925,000.00	\$4,732,989.33	51.49%
	\$/MWh	\$35.65	\$39.09	\$50.82	\$47.28	\$48.60	\$12.96	36.34%
	% Energy Hedged	87.5%	86.4%	87.8%	91.0%	90.1%	2.5%	2.5%
	% Energy Renewable	18.1%	18.7%	21.8%	23.4%	25.1%	7.0%	7.0%
<u>Fixed Monthly Charges</u>								
	Capacity	\$1,029,868.20	\$2,100,308.55	\$2,184,080.56	\$2,573,000.00	\$3,245,000.00	\$2,215,131.80	215.09%
	Transmission	\$1,981,961.62	\$1,590,569.43	\$1,364,988.68	\$1,602,800.00	\$1,700,000.00	-\$281,961.62	-14.23%
	Overheads and Admin	\$223,510.51	\$240,140.38	\$259,172.33	\$317,800.00	\$330,000.00	\$106,489.49	47.64%
		\$3,235,340.33	\$3,931,018.36	\$3,808,241.57	\$4,493,600.00	\$5,275,000.00	\$2,039,659.67	63.04%
	\$/MWh	\$12.55	\$13.37	\$12.89	\$15.84	\$18.41	\$5.86	46.74%
<u>Total Power Supply</u>								
	MWh	257,850.963	294,011.983	295,461.174	283,688.000	286,500.000	28,649.037	11.11%
	\$	\$12,427,351.00	\$15,423,965.77	\$18,822,718.86	\$17,907,400.00	\$19,200,000.00	6,772,649.000	54.50%
	\$/MWh	\$48.20	\$52.46	\$63.71	\$63.12	\$67.02	\$18.82	39.05%
Net Generation (Jan-Feb 2020)		<u>32,112.489</u>						
		289,963.452						
MPPA EE Service Committee		<u>\$197,377.56</u>	<u>\$181,481.44</u>	<u>\$79,029.73</u>	<u>\$67,000.00</u>	<u>\$100,000.00</u>		
		\$12,624,728.56	\$15,605,447.21	\$18,901,748.59	\$17,974,400.00	\$19,300,000.00		

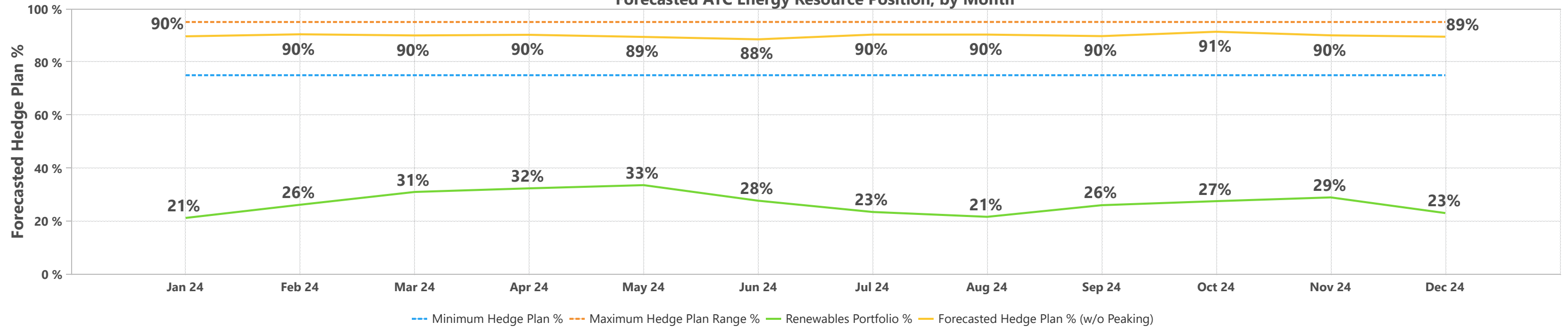
GRAN is forecasted to have an average of 90% of Around the Clock (ATC) Power Supply hedged over the upcoming 12 months, and Renewable Energy Resources are forecasted to provide an average of 26% towards load. Total Resources are forecasted to cost an average of \$48.84 Per MWh, and Market Balancing Energy is forecasted to come in at an average of \$41.59 per MWh. This results in a Total Forecasted Power Supply weighted average cost of \$48.74 over the upcoming 12 months.

Forecasted Prompt 12 Months Energy Resource Position for GRAN

Power Supply, MWh	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Total Resources, MWh	21,274	19,934	20,698	18,730	19,859	22,244	26,289	26,791	21,423	20,169	18,950	20,199
Project Assets	2,025	1,832	1,965	1,986	1,990	1,823	1,800	1,823	1,849	1,956	1,892	1,898
Landfill Project	2,025	1,832	1,965	1,986	1,990	1,823	1,800	1,823	1,849	1,956	1,892	1,898
Contracted Power Supply	19,249	18,102	18,732	16,745	17,868	20,422	24,490	24,967	19,574	18,213	17,058	18,301
Contracted ESP Renewable PPAs	2,978	3,915	5,141	4,711	5,441	5,110	4,992	4,557	4,334	4,096	4,178	3,275
Contracted Bilateral Energy Transactions	16,271	14,186	13,591	12,034	12,427	15,312	19,498	20,410	15,240	14,117	12,880	15,026

Total Power Supply	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Forecasted Hedge Plan % (w/o Peaking)	90%	90%	90%	90%	89%	88%	90%	90%	90%	91%	90%	89%
Minimum Hedge Plan %	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Maximum Hedge Plan Range %	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Renewables Portfolio %	21%	26%	31%	32%	33%	28%	23%	21%	26%	27%	29%	23%
Forecasted Load	(23,750)	(22,065)	(23,020)	(20,776)	(22,225)	(25,150)	(29,135)	(29,690)	(23,893)	(22,090)	(21,069)	(22,585)
Forecasted Market Balancing, MWh	(2,475)	(2,131)	(2,323)	(2,046)	(2,366)	(2,905)	(2,846)	(2,900)	(2,471)	(1,920)	(2,118)	(2,385)
Forecasted Hedge % (w/ Peaking)	90%	90%	90%	90%	89%	88%	90%	90%	90%	91%	90%	89%

Forecasted ATC Energy Resource Position, by Month

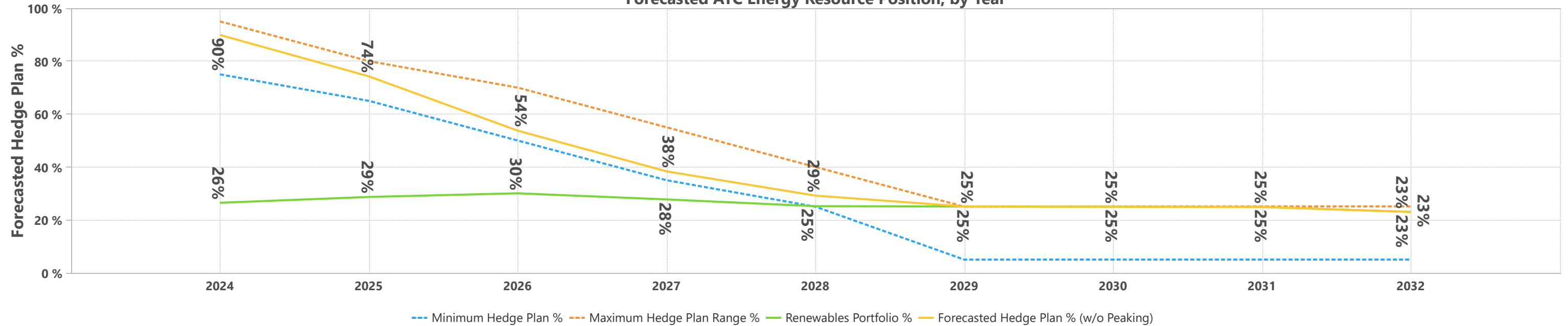


Forecasted Outer Years Energy Resource Position for GRAN

Power Supply, MWh	2024	2025	2026	2027	2028	2029	2030	2031	2032
Total Resources, MWh	256,560	214,953	155,930	111,541	85,068	73,254	73,094	72,925	67,540
Project Assets	22,839	22,321	21,581	15,224	8,113	8,104	8,106	8,104	2,880
Landfill Project	22,839	22,321	21,581	15,224	8,113	8,104	8,106	8,104	2,880
Contracted Power Supply	233,721	192,632	134,350	96,317	76,955	65,150	64,988	64,820	64,661
Contracted ESP Renewable PPAs	52,728	60,719	65,667	65,496	65,334	65,150	64,988	64,820	64,661
Contracted Bilateral Energy Transactions	180,993	131,914	68,682	30,821	11,621				

Total Power Supply	2024	2025	2026	2027	2028	2029	2030	2031	2032
Forecasted Hedge Plan % (w/o Peaking)	90%	74%	54%	38%	29%	25%	25%	25%	23%
Minimum Hedge Plan %	75%	65%	50%	35%	25%	5%	5%	5%	5%
Maximum Hedge Plan Range %	95%	80%	70%	55%	40%	25%	25%	25%	25%
Renewables Portfolio %	26%	29%	30%	28%	25%	25%	25%	25%	23%
Forecasted Load	(285,447)	(289,477)	(290,224)	(290,908)	(291,500)	(292,066)	(292,583)	(293,033)	(293,427)
Forecasted Market Balancing, MWh	(28,887)	(74,524)	(134,294)	(179,366)	(206,433)	(218,813)	(219,489)	(220,108)	(225,886)
Forecasted Hedge % (w/ Peaking)	90%	74%	54%	38%	29%	25%	25%	25%	23%

Forecasted ATC Energy Resource Position, by Year



Forecasted Prompt 12 Months Energy Resource Cost for GRAN

Project Asset Costs are as forecasted in the MPPA Financial Plan, including fixed costs and all other anticipated costs in addition to Energy costs.

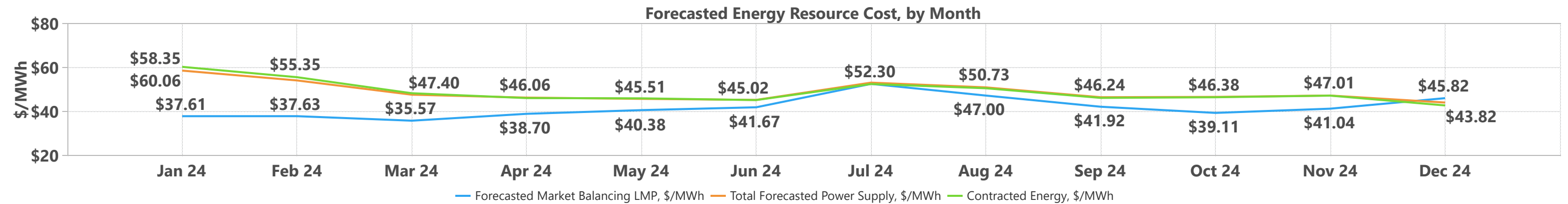
Power Supply \$'s	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Total Resources, \$'s	(\$1,277,671)	(\$1,103,366)	(\$994,746)	(\$858,899)	(\$908,292)	(\$1,000,053)	(\$1,373,744)	(\$1,348,487)	(\$984,208)	(\$932,514)	(\$890,187)	(\$858,791)
Project Assets	(\$221,391)	(\$200,702)	(\$215,222)	(\$216,948)	(\$217,340)	(\$199,387)	(\$197,983)	(\$199,161)	(\$201,806)	(\$213,074)	(\$208,068)	(\$76,886)
Landfill Project	(\$221,391)	(\$200,702)	(\$215,222)	(\$216,948)	(\$217,340)	(\$199,387)	(\$197,983)	(\$199,161)	(\$201,806)	(\$213,074)	(\$208,068)	(\$76,886)
Contracted Power Supply	(\$1,056,281)	(\$902,664)	(\$779,524)	(\$641,950)	(\$690,952)	(\$800,666)	(\$1,175,761)	(\$1,149,326)	(\$782,402)	(\$719,440)	(\$682,119)	(\$781,905)
Contracted ESP Renewable PPAs	(\$135,481)	(\$176,826)	(\$229,939)	(\$209,409)	(\$241,250)	(\$225,179)	(\$218,763)	(\$199,937)	(\$192,224)	(\$183,889)	(\$190,135)	(\$149,644)
Contracted Bilateral Energy Transactions	(\$920,800)	(\$725,838)	(\$549,585)	(\$432,541)	(\$449,702)	(\$575,487)	(\$956,998)	(\$949,389)	(\$590,177)	(\$535,552)	(\$491,984)	(\$632,261)

Locational Basis, \$'s	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Locational Basis (Projects)	(\$1,001)	(\$2,747)	(\$1,004)	(\$459)	(\$858)	(\$132)	(\$370)	(\$1,370)	(\$1,068)	(\$69)	(\$971)	\$1,125
Locational Basis (Contracted Power Supply)	(\$14,097)	(\$2,641)	(\$12,735)	(\$18,521)	(\$6,708)	(\$11,014)	(\$17,612)	(\$19,922)	(\$16,007)	(\$16,910)	(\$12,337)	(\$22,756)

Power Supply \$/MWh	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Power Supply \$/MWh												
Project Assets												
Landfill Project	\$109.32	\$109.56	\$109.51	\$109.26	\$109.20	\$109.38	\$110.00	\$109.23	\$109.14	\$108.94	\$109.97	\$40.51
Contracted Power Supply												
Contracted ESP Renewable PPAs	\$45.49	\$45.16	\$44.72	\$44.45	\$44.34	\$44.07	\$43.82	\$43.88	\$44.36	\$44.89	\$45.50	\$45.70
Contracted Bilateral Energy Transactions	\$56.59	\$51.16	\$40.44	\$35.94	\$36.19	\$37.58	\$49.08	\$46.51	\$38.73	\$37.94	\$38.20	\$42.08

Locational Basis, \$/MWh	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Locational Basis (Projects)	\$0.49	\$1.50	\$0.51	\$0.23	\$0.43	\$0.07	\$0.21	\$0.75	\$0.58	\$0.04	\$0.51	(\$0.59)
Locational Basis (Contracted Power Supply)	\$0.73	\$0.15	\$0.68	\$1.11	\$0.38	\$0.54	\$0.72	\$0.80	\$0.82	\$0.93	\$0.72	\$1.24

Total Power Supply	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24
Forecasted Market Balancing LMP, \$/MWh	\$37.61	\$37.63	\$35.57	\$38.70	\$40.38	\$41.67	\$52.30	\$47.00	\$41.92	\$39.11	\$41.04	\$45.82
Forecasted Market Balancing LMP, \$'s	(\$93,109)	(\$80,186)	(\$82,616)	(\$79,167)	(\$95,523)	(\$121,053)	(\$148,835)	(\$136,281)	(\$103,578)	(\$75,110)	(\$86,931)	(\$109,299)
Total Forecasted Power Supply, \$/MWh	\$58.35	\$53.88	\$47.40	\$46.06	\$45.51	\$45.02	\$52.88	\$50.73	\$46.24	\$46.38	\$47.01	\$43.82
Total Forecasted Power Supply Costs, \$'s	(\$1,385,878)	(\$1,188,940)	(\$1,091,101)	(\$957,046)	(\$1,011,381)	(\$1,132,252)	(\$1,540,561)	(\$1,506,060)	(\$1,104,861)	(\$1,024,604)	(\$990,426)	(\$989,721)



Forecasted Outer Years Energy Resource Cost for GRAN

Project Asset Costs are as forecasted in the MPPA Financial Plan, including fixed costs and all other anticipated costs in addition to Energy costs.

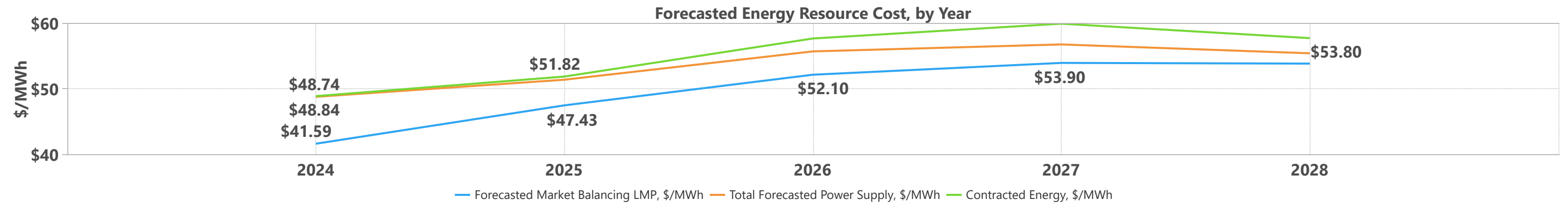
Power Supply \$'s	2024	2025	2026	2027	2028
Total Resources, \$'s	(\$12,530,959)	(\$11,139,405)	(\$8,985,267)	(\$6,679,146)	(\$4,906,773)
Project Assets	(\$2,367,968)	(\$2,388,641)	(\$2,366,171)	(\$1,669,909)	(\$924,838)
Landfill Project	(\$2,367,968)	(\$2,388,641)	(\$2,366,171)	(\$1,669,909)	(\$924,838)
Contracted Power Supply	(\$10,162,991)	(\$8,750,764)	(\$6,619,095)	(\$5,009,236)	(\$3,981,934)
Contracted ESP Renewable PPAs	(\$2,352,676)	(\$2,824,907)	(\$3,133,163)	(\$3,171,628)	(\$3,211,191)
Contracted Bilateral Energy Transactions	(\$7,810,314)	(\$5,925,857)	(\$3,485,932)	(\$1,837,608)	(\$770,743)

Locational Basis, \$'s	2024	2025	2026	2027	2028
Locational Basis (Projects)	(\$8,924)	(\$9,903)	(\$10,477)	(\$11,731)	(\$2,240)
Locational Basis (Contracted Power Supply)	(\$171,260)	(\$178,155)	(\$160,118)	(\$140,603)	(\$124,906)

Power Supply \$/MWh	2024	2025	2026	2027	2028
Power Supply \$/MWh					
Project Assets					
Landfill Project	\$103.68	\$107.01	\$109.64	\$109.69	\$114.00
Contracted Power Supply					
Contracted ESP Renewable PPAs	\$44.62	\$46.52	\$47.71	\$48.42	\$49.15
Contracted Bilateral Energy Transactions	\$43.15	\$44.92	\$50.75	\$59.62	\$66.32

Locational Basis, \$/MWh	2024	2025	2026	2027	2028
Locational Basis (Projects)	\$0.39	\$0.44	\$0.49	\$0.77	\$0.28
Locational Basis (Contracted Power Supply)	\$0.73	\$0.92	\$1.19	\$1.46	\$1.62

Total Power Supply	2024	2025	2026	2027	2028
Forecasted Market Balancing LMP, \$/MWh	\$41.59	\$47.43	\$52.10	\$53.90	\$53.80
Forecasted Market Balancing LMP, \$'s	(\$1,201,417)	(\$3,535,033)	(\$6,997,128)	(\$9,668,539)	(\$11,105,741)
Total Forecasted Power Supply, \$/MWh	\$48.74	\$51.82	\$53.90	\$56.72	\$55.37
Total Forecasted Power Supply Costs, \$'s	(\$13,912,559)	(\$14,862,496)	(\$16,152,989)	(\$16,500,018)	(\$16,139,659)



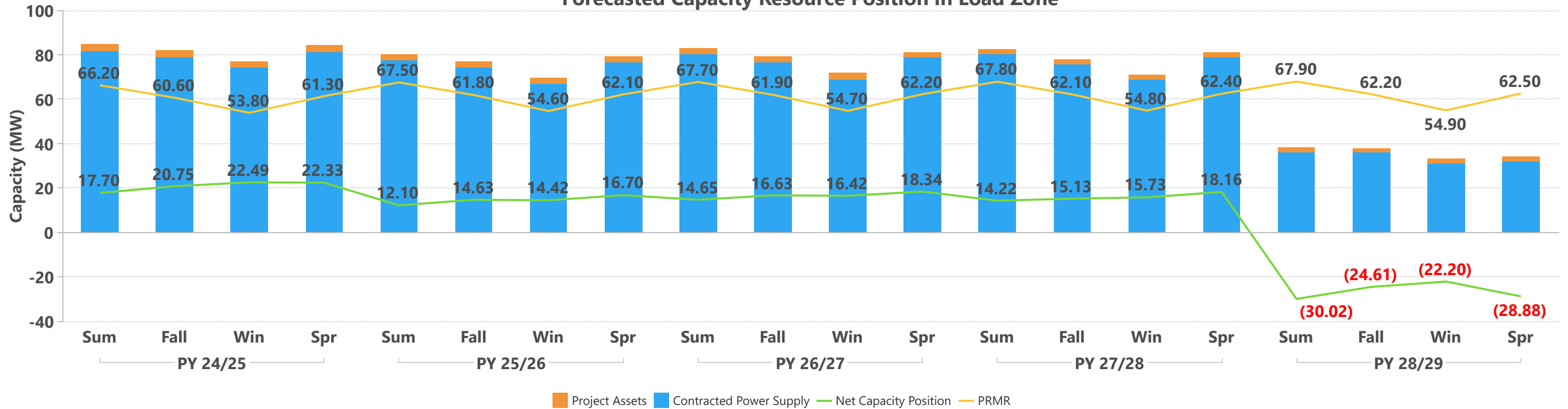
Forecasted Outer Years Capacity Resource Position for GRAN

Capacity Resources, MW	PY 24/25				PY 25/26				PY 26/27				PY 27/28				PY 28/29			
	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr
Net Capacity Position	17.70	20.75	22.49	22.33	12.10	14.63	14.42	16.70	14.65	16.63	16.42	18.34	14.22	15.13	15.73	18.16	(30.02)	(24.61)	(22.20)	(28.88)
Zone 7	17.70	20.75	22.49	22.33	12.10	14.63	14.42	16.70	14.65	16.63	16.42	18.34	14.22	15.13	15.73	18.16	(30.02)	(24.61)	(22.20)	(28.88)
Contracted Power Supply	82.03	79.23	74.22	81.58	77.59	74.42	67.00	76.78	80.34	76.52	69.10	78.88	80.54	75.75	69.05	79.08	36.40	36.11	31.22	32.14
Contracted Bilateral Capacity Transactions	71.30	71.30	71.30	71.30	64.00	64.00	64.00	64.00	66.10	66.10	66.10	66.10	66.30	66.30	66.30	66.30	29.50	29.50	29.50	29.50
Contracted ESP Renewable PPAs	10.73	7.93	2.92	10.28	13.59	10.42	3.00	12.78	14.24	10.42	3.00	12.78	14.24	9.45	2.75	12.78	6.90	6.61	1.72	2.64
Planning Reserve Margin Requirement	(66.20)	(60.60)	(53.80)	(61.30)	(67.50)	(61.80)	(54.60)	(62.10)	(67.70)	(61.90)	(54.70)	(62.20)	(67.80)	(62.10)	(54.80)	(62.40)	(67.90)	(62.20)	(54.90)	(62.50)
PRMR	(66.20)	(60.60)	(53.80)	(61.30)	(67.50)	(61.80)	(54.60)	(62.10)	(67.70)	(61.90)	(54.70)	(62.20)	(67.80)	(62.10)	(54.80)	(62.40)	(67.90)	(62.20)	(54.90)	(62.50)
Project Assets	1.87	2.11	2.07	2.05	2.02	2.02	2.02	2.02	2.02	2.02	2.02	1.66	1.48	1.48	1.48	1.48	1.48	1.48	1.48	1.48
Landfill Project	1.87	2.11	2.07	2.05	2.02	2.02	2.02	2.02	2.02	2.02	2.02	1.66	1.48	1.48	1.48	1.48	1.48	1.48	1.48	1.48

Net Contracted Bilateral Capacity Transactions	PY 24/25				PY 25/26				PY 26/27				PY 27/28				PY 28/29			
	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr	Sum	Fall	Win	Spr
MW	71.30	71.30	71.30	71.30	64.00	64.00	64.00	64.00	66.10	66.10	66.10	66.10	66.30	66.30	66.30	66.30	29.50	29.50	29.50	29.50
\$	(\$953,391)	(\$953,391)	(\$953,391)	(\$953,391)	(\$810,600)	(\$810,600)	(\$810,600)	(\$810,600)	(\$836,925)	(\$836,925)	(\$836,925)	(\$836,925)	(\$839,942)	(\$839,942)	(\$839,942)	(\$839,942)	(\$360,870)	(\$360,870)	(\$360,870)	(\$360,870)
\$/kw-mo.	4.46	4.46	4.46	4.46	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.22	4.08	4.08	4.08	4.08

Net Capacity Position, \$'s	PY 24/25	PY 25/26	PY 26/27	PY 27/28	PY 28/29
\$	(\$2,536,338)	(\$2,363,754)	(\$2,302,428)	(\$2,354,204)	(\$3,511,391)

Forecasted Capacity Resource Position in Load Zone



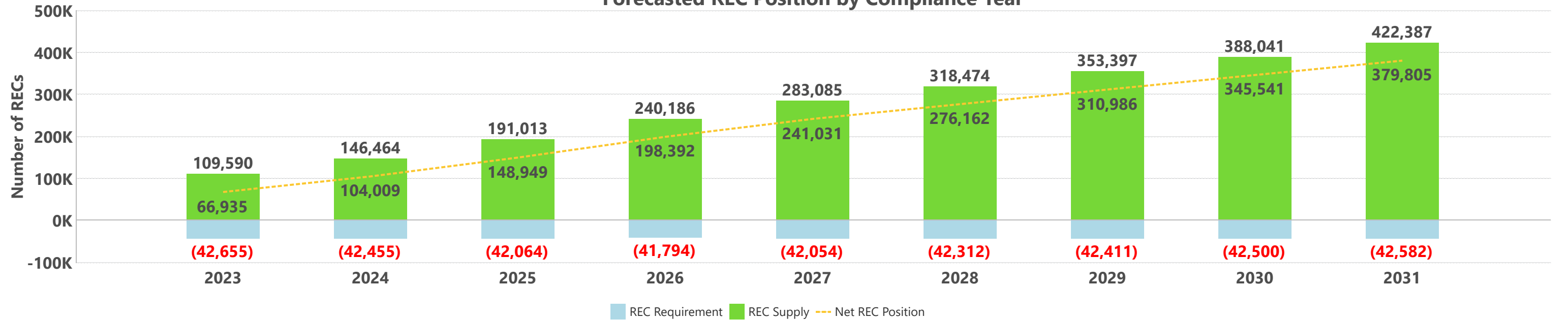
Forecasted Renewable Energy Credit (REC) Position for GRAN

Forecasted REC volumes are based on actual meter data when available and use the latest modeled generation for future timeframes.
Available Banked RECs in a compliance year reflect the forecasted Net REC Position at the end of the previous year.

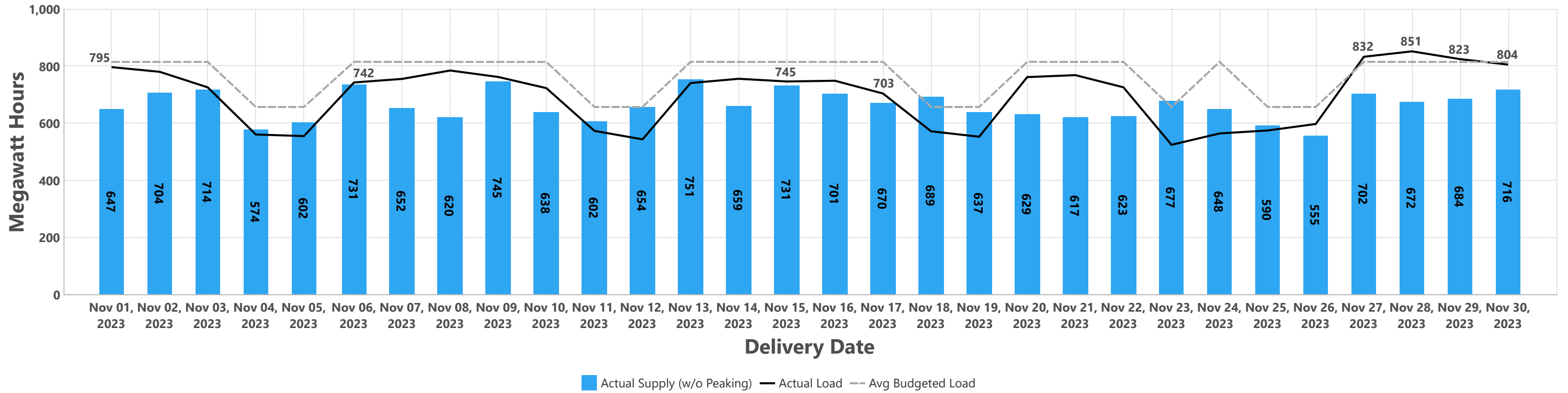
Compliance Year	2023	2024	2025	2026	2027	2028	2029	2030	2031
Net REC Position	66,935	104,009	148,949	198,392	241,031	276,162	310,986	345,541	379,805
Available Banked RECs	43,619	66,935	104,009	148,949	198,392	241,031	276,162	310,986	345,541
Hedge Policy REC Requirement	(42,655)	(42,455)	(42,064)	(41,794)	(42,054)	(42,312)	(42,411)	(42,500)	(42,582)
AES Calhoun Solar			2,894	4,515	4,492	4,477	4,447	4,425	4,403
Assembly Solar	9,437	10,765	10,705	10,662	10,607	10,553	10,502	10,446	10,389
Assembly Solar Phase II	7,851	8,969	8,922	8,888	8,837	8,793	8,750	8,703	8,655
Beebe	5,387	6,179	6,178	6,179	6,178	6,177	6,175	6,179	6,178
Hart Solar			5,220	8,670	8,644	8,618	8,593	8,567	8,541
Invenergy Calhoun Solar	7,234	13,811	13,763	13,737	13,687	13,650	13,606	13,567	13,516
Landfill Project (EDL)	15,777	17,562	17,079	16,343	10,005	2,931	2,923	2,924	2,923
Landfill Project (NANR)	4,511	5,234	5,234	5,234	5,234	5,234	5,233	5,234	5,233
Pegasus	15,774	17,009	17,009	17,009	17,009	17,009	17,006	17,010	17,009

Compliance Year	2023	2024	2025	2026	2027	2028	2029	2030	2031
3 Year Avg Retail Sales	(284,367)	(283,030)	(280,428)	(278,628)	(280,363)	(282,078)	(282,738)	(283,335)	(283,879)
Hedge Policy REC Target %	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Hedge Policy REC Requirement	(42,655)	(42,455)	(42,064)	(41,794)	(42,054)	(42,312)	(42,411)	(42,500)	(42,582)
VGP REC %	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
VGP REC Requirement	0	0	0	0	0	0	0	0	0

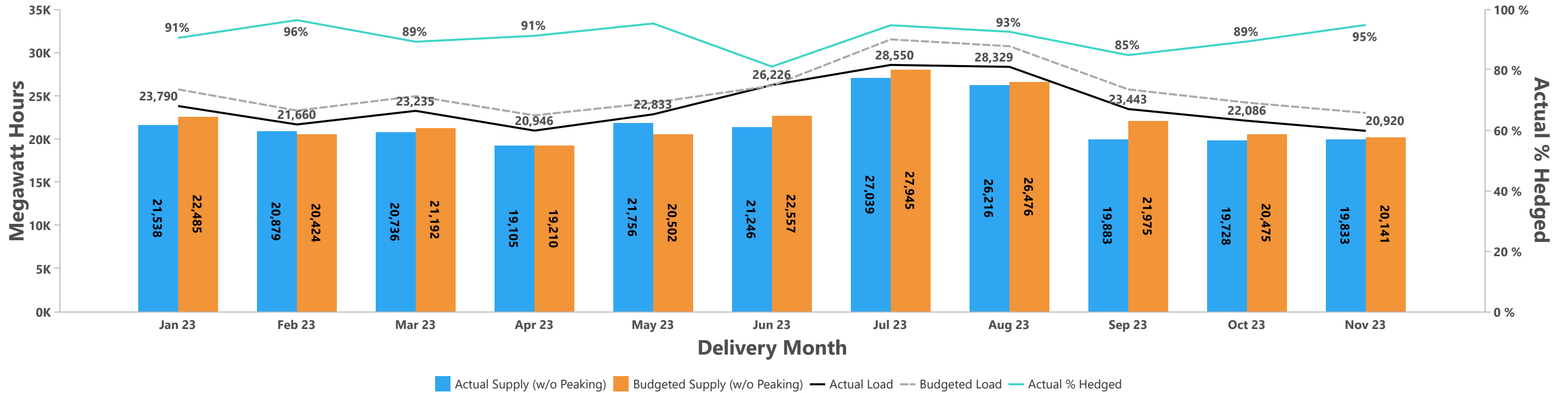
Forecasted REC Position by Compliance Year



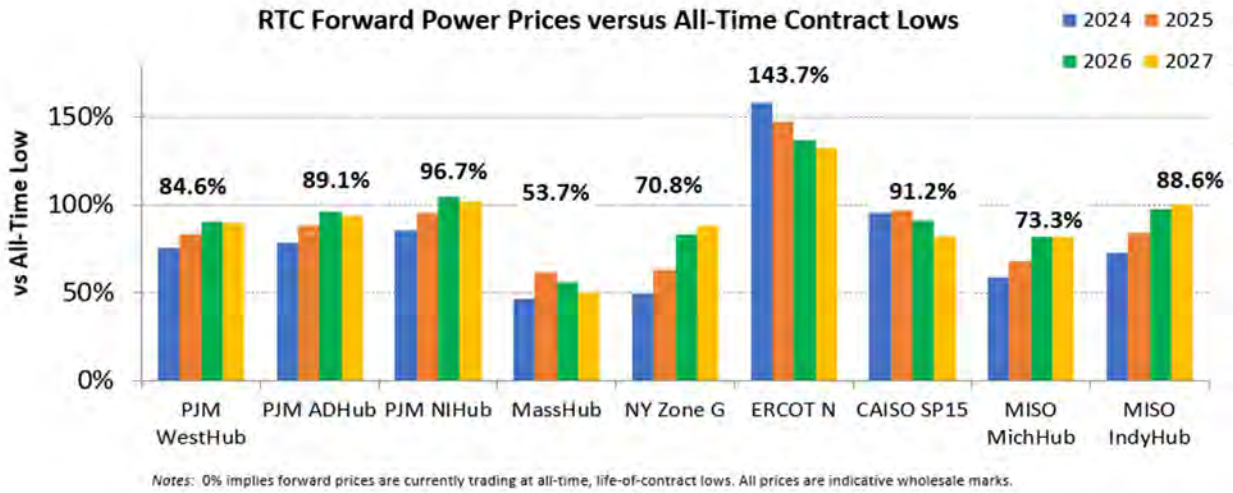
Daily Actual Lookback for GRAN



Year to Date Actual vs Budget Lookback for GRAN

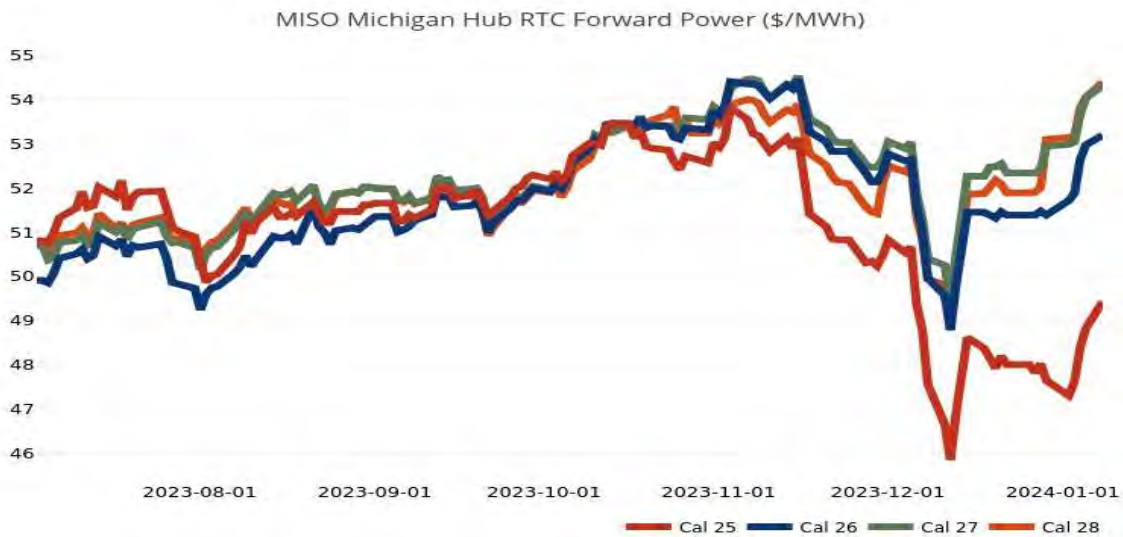


Charts taken from Constellation Energy Market Update dated January 9, 2024



Week Ending	RTC Day-Ahead Index Prices				RTC Forward Calendar Strip Prices ¹			
	1/5/2024	(\$/MWh)			(\$/MWh)			
Electric Hub	ISO	Min	Max	Avg	2024	2025	2026	2027
Indiana Hub	MISO	\$18.94	\$52.67	\$30.83	\$43.68	\$49.12	\$53.12	\$54.53
Michigan Hub	MISO	\$18.79	\$52.94	\$31.11	\$42.55	\$47.63	\$51.88	\$53.03
PJM West Hub	PJM	\$19.62	\$88.39	\$33.29	\$44.56	\$49.03	\$51.22	\$51.26
AEP-Dayton Hub	PJM	\$19.12	\$74.65	\$31.30	\$41.67	\$46.50	\$48.18	\$48.20
N. Illinois Hub	PJM	\$18.48	\$73.37	\$30.09	\$38.34	\$41.75	\$43.96	\$44.05
Mass Hub	ISO-NE	\$23.80	\$80.03	\$45.21	\$53.63	\$60.27	\$59.63	\$57.76
NYZ J	NYISO	\$22.04	\$98.47	\$40.90	\$49.01	\$56.64	\$65.23	\$66.35
ERCOT N ²	ERCOT	(\$4.06)	\$90.87	\$25.88	\$52.12	\$50.31	\$48.05	\$46.08
SP15	CAISO	\$8.62	\$80.69	\$49.45	\$64.23	\$66.28	\$66.07	\$64.74

¹These prices are an indicative, non-transactable snapshot of the wholesale market as of close of business on Friday of the report week. Actual price on contract is contingent upon customer's load, product and market prices at time of execution. ²ERCOT Index prices are from Real-Time market.



Five priorities for US utilities in 2024

As we go into the new year, we look at five priorities for US utilities, as outlined by Chicago-based consultancy West Monroe.

Clarion Energy Content Directors 1.2.2024

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(Image courtesy 123rf)

The year 2023 has reaffirmed the position of electric and gas utilities as the epicentre of the energy transition. Innovations have been achieved across the sector, including in the domain of artificial intelligence and digitalised flexibility driving efficiency gains, which then brings to question what the priorities will be in the coming year.

According to West Monroe, in the US specifically, there are five priorities for utilities in 2024:

- decarbonisation and integrated electrification and gas planning;
- decentralised and virtual power supplies;

- transmission infrastructure needs;
- resiliency and security objectives;
- system operations digitisation.

The Chicago-based management consulting company underpins in their 2024 Outlook: The Future of the Energy & Utilities Industry energy cost and affordability for each of these five key areas, providing a lens through which utilities can view the complexity and challenges awaiting them in the new year.

Decarbonization and integrated electrification and gas planning

Although there are currently 23 states in the US, plus the District of Columbia and Puerto Rico, with 100% clean energy goal, the report states that more collaboration, coordination and planning among and between electric and gas distribution utilities are needed to determine the optimal mix of energy sources to achieve decarbonisation goals.

Accommodating large-scale renewables is a complex and challenging task; according to West Monroe, it will require a portfolio of resources to work in concert – including traditional generation, energy efficiency, and demand response. Achieving this will require digital technology, data, and analytics, among other resources on energy system operations and the electric and gas distribution side.

The report calls on electric and gas regulators to collectively band together to create the right incentives to support these efforts while maintaining the integrity and affordability of energy systems.

[DISTRIBUTECH International](#)® is the leading annual transmission and distribution event that addresses technologies used to move electricity from the power plant through the transmission and distribution systems to the meter and inside the home. Join us from February 26-29, 2024, in Orlando, Florida!

Decentralised and virtual power supplies

Harnessing the potential of distributed energy resources (DERs) through energy management programmes such as virtual power plants (VPPs) will enhance the efficiency and responsiveness of utilities in 2024.

But realising this potential, states West Monroe, hinges on enhanced coordination to ensure a seamless and demand-responsive energy ecosystem.

Specifically, the report states that continued fostering and incentivising of DER product creation, adoption, optimisation and integration will be a key challenge. Low penetration of DERs, complex VPP enrolment, lack of standardisation in VPP operations, lack of integration into utility distribution system planning and incentives and lack of integration into wholesale energy markets, specifically, will be key hurdles to overcome.

For the industry to continue on its current path and overcome such challenges, the report calls for planning to be more advanced and more specific to help distribution utilities anticipate system upgrades that will be needed for future waves of electrification and capacity constraints. As this rollout takes place, stakeholder management and whole systems thinking will be key.

Transmission infrastructure needs

If there is one key priority that 2023 has highlighted it is that, globally, the power grid requires colossal investment and attention to keep pace with decarbonisation targets.

In the US specifically, the report states that meeting decarbonisation goals requires significantly more power transmission capacity to move renewables into load centres where they can be used, reduce congestion charges on existing lines, and strengthen the power grid. However, cost, complexity and siting and permitting for increased transmission capacity are challenges.

According to West Monroe, the public has tended to oppose these projects despite being the ultimate beneficiary. Compounding this, developers have to compete for the right to build transmission lines across long distances, while distribution utilities are only able to develop new transmission within their service areas, adding inefficiency to the process.

As a resolution, the report calls for 'Smart-siting' strategies that focus on existing rights-of-way and previously developed and underused lands to speed up the process, minimise environmental impacts, maximise regional benefits and increase access to clean energies. Complementing this, active engagement with host communities by host utilities, project developers and policymakers is crucial for the success of new transmission projects.

Resiliency and security objectives

According to West Monroe, incorporating digital advancements strengthens grid resilience and reduces costs, but it also exacerbates cybersecurity risks, demanding a multifaceted approach that encompasses skilled labour, robust third-party vendor protections and business partnerships.

In mind of this, states the report, utilities must effectively manage third-party risks, IT/ OT isolation, and governance challenges to segregate critical infrastructure and protect essential functions from cyberattacks. These challenges have exacerbated the demand for skilled labour, leaving the industry grappling with a talent shortage in critical security disciplines.

The report adds that utilities can respond by improving their governance through protection-level agreements (PLAs), whereby the chief information security officer guarantees a certain amount of risk tolerance in exchange for the investment dollars needed to accomplish the data or analytics initiative. And although utilities are starting to employ these PLAs, they are under-resourced and in need of a more collaborative, coordinated approach to tackling the cybersecurity issue.

Digitising system operations

Although progressive utilities are digitising operations, the report states several challenges when doing so, including the regulated nature of the industry and the task of bringing employees along on the digital journey, relating to change management challenges from the historically cautious nature of their workforce.

According to the report, this underscores the importance of planning for digitization in advance as it requires a lengthy period for acceptance and successful adoption by all stakeholders.

Originally published by [Yusuf Latief](#) in [Smart Energy International](#).

GRAND HAVEN BOARD OF LIGHT AND POWER
GENERAL MANAGER'S REPORT
BOARD MEETING OF JANUARY 25, 2024

5. B. The BLP Financial Statements and Dashboards for the month ending December 31, 2023, are provided for your information. These financial statements represent the BLP's financial position following the first half of fiscal year 2024.

Current Assets total \$25,683,837, showing a year-over-year decrease of \$8,193,482, a reduction of 24.2%, primarily the result of the Board's action in May of 2023 to restrict approximately \$15.9 million of reserves and bond proceeds for environmental remediation and mitigation of BLP historical contamination on the Sims Power Plant site (pay for the associated liabilities on our balance sheet). Unrestricted Cash and Cash Equivalents are \$21,593,984, down \$8,272,826, or 27.7%, from December 31, 2022. This amount is \$3,593,984 above the \$18,000,000 minimum unrestricted cash reserve threshold established by the Board in May of 2023.

Remaining 2021 electric revenue bond proceeds and accumulating bond redemption funds (**Non-Current Assets**) have decreased 29.3% to \$8,790,772 (from \$12,426,845 on December 31, 2022), \$6,191,397 of which remains in the "2021A Bond Construction/Mitigation Fund" to pay costs associated with the defined "Project" described in Bond documents. The Bond redemption fund is used to accumulate monthly the required annual principal and interest debt service payments for the Bonds. Our annual Bond payment (principal and interest) was made on January 1, 2024. The next principal payment of \$2,400,000, plus interest due, will be made on January 1, 2025.

Non-Current Assets in both years include an "Advance to City of Grand Haven" for snowmelt heating equipment installed in 2020 using electric utility revenue Bond Anticipation Notes (BANs). This advance will be reduced monthly by the City returning an amount to the BLP equal to 5% of PSCA revenues the City receives in transfers. The balance of the advance/loan now totals \$661,136. The BLP also assumed 25% of the snowmelt equipment costs directly and was to recover this amount through an incremental monthly service fee increase collected from BLP customers through the end of FY 2024. As the Board has now acted to discontinue this increase and committed to reimburse past associated increased customer charges in these regards, the Board will need to further address how it plans to recover the \$259,288 contribution to the City's general fund (in excess of 5% of retail sales).

Total Cash (including non-current restricted amounts in the Environmental Mitigation Funds, Bond Construction, and Bond Redemption Funds) increased 4.9% (or \$2,086,250) year-over-year to \$44,379,905 (again, \$22,785,921 is restricted cash in various funds for environmental remediation, bonded capital projects, and the payment of debt service).

GRAND HAVEN BOARD OF LIGHT AND POWER
GENERAL MANAGER'S REPORT
BOARD MEETING OF JANUARY 25, 2024

Accumulated **Construction In-Progress** now stands at \$2,904,791. The net result of capital additions, deletions, and amortized depreciation over the last twelve months reflects an increase of **\$2,763,837**, or 7.8%, in the value of the BLP's **Capital Assets** (book value) year-over-year. That Capital Asset balance now stands at \$38,060,037 (as compared to \$35,296,200 on December 31, 2022). **This amount now represents 38.6% of the BLP's current Total Assets.** The book value of these Capital Assets is now approximately 45% depreciated (the approximate average depreciation life of the system is approximately 33 years, with current average age of system equal to about 15 years assuming straight line depreciation). **Of note, the BLP has no generation related capital assets on its balance sheet, except for a small back-up emergency generator at 1700 Eaton Drive.**

The net combined unfunded Pension/OPEB liability now stands at \$2,121,138 (net of Deferred Outfalls). The fiscal year-end 2023 adjustments were based on the December 31, 2022, actuarial report and do not reflect any accrued investment earnings (or loss) during calendar year 2023.

Additional liabilities for "Asset Retirement Obligations (and Environmental Mitigation)" now total \$16,814,727, up \$716,572 (+4.5%) year-over-year, as a result of adding an \$1,000,000 estimated increased liability in June, that will be collected from the Environmental Remediation Surcharge, and placed in the restricted Mitigation Fund, during FY 2024, as it is collected from customers.

Total Assets are now at \$98,474,730, an increase of 6.0% (+\$5,598,563) year-over-year. **Retained Earnings** are up 14.9% year-over-year to \$53,599,902 (+\$6,931,634).

The December 2023 Statement of Revenues and Expenses shows **Total Charges for Services** FYTD are 4.33% below budget and 1.67% above last fiscal year. The Sales Dashboard shows **the annual average retail customer revenue per kWh YTD – (total retail charges divided by total retail sales) – is up to \$0.1314 per kWh or a 5.92% increase compared to FYTD 2023.**

Sales kWh volume (including street lighting) FYTD is down 4.00% as compared to FYTD 2023. industrial sales were down by 5.99%, commercial sales were down 2.20%, municipal sales were down 4.65% – **net FYTD commercial/industrial/municipal kWh sales volume then decreased by 4.42%** (the percentage of total sales decreased to 67.48%). **Residential sales volume is down 3.15%** (now 32.17% of total sales). Street lighting remained a small portion of the entire system load at 0.35%.

Total Operating Expenses FYTD (before depreciation) are \$819,297, or 5.73%, below budget, and \$1,679,718, or 11.08%, below FYTD 2023. **Total power supply expenses are down FYTD \$1,273,925 below FYTD 2023 (-12.01%). All other operating expenses are**

GRAND HAVEN BOARD OF LIGHT AND POWER
GENERAL MANAGER'S REPORT
BOARD MEETING OF JANUARY 25, 2024

down \$405,793 (or 8.90%). All non-power supply operating expenses for the first half of FY 2024 were \$553,869 below budget (or 13.33% below budget).

Renewable purchases increased 3.65% FYTD 2024 over FYTD 2023 to 22.2% of total energy volume, as a result of increased solar purchases.

5. H. Confirm Purchase Orders – There are two (2) confirming Purchase Order on the Consent Agenda this month totaling **\$28,879**.

Confirming Purchase Orders on the Consent Agenda are either routine expenses within approved budgeted parameters, with prequalified and approved contractors or vendors, services or supplies that may have required immediate attention, again using prequalified and approved contractors or vendors when possible or change orders under a previously approved PO (and we are seeking after the fact concurrence/confirmation of the expenditure by the Board).

All applicable purchasing policy provisions associated with this Purchase Orders were followed. Budgeted funds are available. Staff is recommending approval. (Board action is requested through the approval of the Consent Agenda).

6. A. Approve Purchase Order – There is (1) Purchase Order totaling **\$228,280** on the regular agenda.

The PO number, contractor name, associated dollar value, and short description of this item are listed on the agenda.

I, or an appropriate staff member, can answer any further questions you may have regarding this item.

All applicable purchasing policy provisions associated with this item were followed. Capital planning or budgeted funds are available. Staff is recommending approval of this item. (Board action is requested).


6. B. Reminder: Respectful Workplace Training – This training for the Board and employees has been scheduled for Friday, February 9th from 2:30 - 4:00 PM.

6. C. Reschedule February 15, 2024, Board Meeting – I will be out of the office for 8 regular working days in February, primarily to attend the annual Next Era's Public Power Summit and APPA BOD meetings and Legislative Rally. The chair will also be out of area for several days in February. As such we would like to reschedule our February Board meeting to February 29, 2024 at 6:00 PM.

GRAND HAVEN BOARD OF LIGHT AND POWER
GENERAL MANAGER'S REPORT
BOARD MEETING OF JANUARY 25, 2024

7. A. By-Laws Change Review – the Board Chair and Secretary will be leading this discussion of potential changes to the Board's By-laws that was postponed from our last meeting. See attached information.

Items 7. B. through 7. E - It is my understanding that the Chair, with the assistance of the Board Secretary, will lead the discussion of the remaining items in Section 7., the "Chairman's Report," and provide any additional advanced materials as they deem appropriate.

DW/dm 
Attachments
01/22/24



Memorandum

To: Michael Westbrook, Board Chair

From: Danielle Martin, Administrative Services Supervisor

Date: December 15, 2023

Subject: Bylaw Comments

At the November 16, 2023, meeting, the process was established for Board Directors to send comments regarding updates **to the Board's Bylaws** to the Secretary for **the Board's** consideration at its December meeting. A summary of the comments received is provided below.

1. Add Intent Section (Hendrick)

Example provided: "The intent of these Bylaws is to effectively facilitate the democratic process by providing a framework for fair, open, and efficient processes of deliberation by the Board."

2. Section 6 Declaring Vacancies on the Board – remove (Hendrick)
3. Section 9.A.4. Duties of Board Officers – discussion (Hendrick)
4. Section 9.A.6. Duties of Board Officers - discussion (Hendrick)
5. Section 9.A.8. Duties of Board Officers – remove (Hendrick)
6. Section 17 Board Meeting Agenda – specify materials must be distributed at least three calendar days before a meeting (Hendrick)
7. Section 18.C. Public Board Meetings and Public Participation – clarify language to state overall time allotted for public comment cannot be limited while a time limit for individual speakers is permitted (Hendrick)
8. Section 18.D. Public Board Meetings and Public Participation – **remove "five minutes" and replace with "three minutes" (Crum)**
9. Section 19 Remote Board Member Participation in Board Meetings – update to match current Open Meetings Act provisions (Hendrick)
10. Section 20 Meeting Rules of Order – revise to indicate decisions are made by the body, not the Chair alone (Hendrick)
11. Section 31 Indemnification of the Board – **remove "and/or the City" to read "This right to indemnification does not apply to those actions, suits, or proceedings brought by or on behalf of the BLP against the Board member." (Crum)**
12. Section 31 Indemnification of the Board - **add D "Representation and all costs associated with indemnification shall require prior approval from the Board." (Crum)**

Comments on Grand Haven Board of Power and Light Bylaws

The text in italics is from the bylaws. My comments are underlined.

Section 18. Public Board Meetings and Public Participation.

C. The Chairperson shall have the discretion to curtail public comments that are repetitive and may limit public comments if they become so prolonged as to unduly interfere with the ability of the Board to address other items on the Board meeting's agenda or to conduct necessary Board business.

It is important that this section makes it clear that the overall time allotted to the public for comment cannot be limited while a time limit for an individual speaker is permitted.

D. Persons attending the meeting who wish to speak or enter into the record a written statement, either during a public participation period or during a public hearing, shall be invited to do so for up to five minutes (or as otherwise limited by the Chairperson) in accordance with the following:

Based on comments made at the meeting this time limit does not seem to reflect current practice.

Section 19. Remote Board Member Participation in Board Meetings. A Board member may participate remotely in a Board meeting via teleconference as allowed in the Open Meetings Act only if a Board quorum is physically present at the noticed location of the Board meeting.

Whether or not an elected person can participate remotely is a frequent question. Which portion of the OMA is cited as a basis for this statement?

Section 20. Meeting Rules of Order. Unless the Board determines otherwise, all meetings of the Board shall be governed by Robert's Rules of Order as may be modified by the Chairperson in the Chairperson's sole discretion, except to the extent that those rules conflict with these Bylaws, the Charter, or any applicable laws.

The statement implies that the chairperson has the right to change the rules at their sole discretion without a vote of the other members of the board.

Eleanor Siewert, PRP
March 23, 2023

Tuesday, November 28, 2023

Grand Haven Board of Light & Power
1700 Eaton Drive
Grand Haven, MI 49417

RE: GRAND HAVEN BOARD OF LIGHT & POWER 2023 BYLAW AMENDMENTS

Chairman Westbrook & Ms. Martin,

Thank you for putting the review of the Grand Haven Board of Light and Power Bylaws on the agenda for the December 21st, 2023, meeting. I am respectfully asking that my comments are reviewed and considered. The issues that I raise are not meant to be accusatory or contentious, so I also respectfully ask that they are considered assuming that I have the best intent. Most of the content within the current BLP Bylaws is helpful and well done. Improving a few items will help us to operate as a more cohesive board.

Below are my comments regarding potential amendments to the Grand Haven Board of Light and Power Bylaws.

History

The Bylaws were drafted and adopted in 2020. Many times, when I hear the general manager discuss the intent for certain language, the motives of the chosen words were a reaction to a board member. While I understand it is not always enjoyable to hear and consider opinions that are not your own, this is exactly the role of elected bodies of government. I would like us to produce proactive policies, not make policies that are reactive.

Going forward, I would like to have a general agreement by the Board that the authority given to the Chair is with the purpose of facilitating fair, open, and efficient governance. It seems that this could be facilitated by providing an intent section to our Bylaws that further governs the discretion of the Board Chair. Please consider adding this section.

Intent Section Example

“The intent of these Bylaws is to effectively facilitate the democratic process by providing a framework for fair, open, and efficient processes of deliberation by the Board.”

Section 6. Declaring Vacancies on the Board

Per City Charter Section 4.11. The resignation of elective officers shall be reported to the Clerk. This is contrary to the language of Section 6, stating the Chair declares a vacancy. The process set forth in the GH BLP Bylaws contradicts Section 4.11 of the City of Grand

Haven Charter. More importantly, it impedes the ability of the City Council to fulfill the requirements of filling vacancies set forth in Section 4.13. of the City of Grand Haven Charter. Specifically, I believe this was a procedural issue in the appointment of Director Knoth after the resignation of Chairperson Kieft. I believe this section should be removed.

Section 9. Duties of Board Officers

A.6

Acting as the liaison between the Board and the Director or acting as the spokesperson for the Board does not mean that the Chair has authority to deny other Trustees access to public documents or to make unilateral decisions for the Board. While I would not interpret this section to allow for this, it has interpreted this way. In my opinion, this is not acting in good faith or allowing open deliberations of the Board. We seem to need a remedy for this.

A.4.

As were stated in the Human Relations Report and again advised by Christopher Johnson, MML General Counsel in the 2023 March 16 OMA & Parliamentary Training, the chair is responsible for fair enforcement of the rules. Specifically, it is the Chair's responsibility to enforce the rules the whole Board has determined whether it is something they agree with or not.

A.8.

Per City Charter Section 4.10. and 4.11. the Board of Light and Power Chair is not given the power or authority to declare vacancies. In my opinion, Section 9.A.8. should be removed from the Bylaws.

Section 17. Board Meeting Agenda

Please note this Section. I am requesting that all materials for the Board be distributed at least three calendar days before the meeting. It has become a practice to withhold documents from the whole Board until the item is introduced at the Board meeting or handed out at the beginning of the meeting.

There are many examples of this, but here are a few of the consequential issues that were handled by Resolution that were not provided to the Board ahead of time:

8-3-2022 Resolution to appoint Varnum as Special Legal Council for the Board of Light & power.

3-16-2023 PAE Fire Station Conceptual Study

8-17-2023 Reviewing the Record Presentation

11-16-2023 Resolution to remove environmental surcharge.

I am respectfully requesting that documents provided by staff are provided three calendar days before the meeting. I would personally prefer we have even more time if the entire Board is open to considering that.

Section 18.C.

The 2023 March 16th Parliamentary procedures had a few more defensible ways of addressing public comment vs. giving the Chair discretion to cut off public comment. We do not have the authority to say who gets to give public comment or not. We can decrease time based on the number of speakers, but the amount of time must be equitable.

Section 19. Remote Board Participation

This section should be amended to comply with the post COVID Michigan OMA rules.

Section 20. Meeting Rules of Order

As mentioned by Ms. Eleanor Siewert in the 2023 March 16th Parliamentarian Training, the language of this Section, specifically the section that states the “Sole discretion of the Chair” language give too much power to the Chair. Decisions should be made by the body and not the Chair alone.

Section 22.A.1. Last Sentence

Is this supposed to be “plant” capital, or planned capital?

Thank you for your consideration. I look forward to discussing these comments at the December 21st meeting.

Andrea Hendrick
Board of Light & Power Trustee

From: Todd B. Crum
To: Danielle Martin
Subject: Bylaws
Date: Tuesday, November 21, 2023 5:43:35 PM

Hi Danielle

My thoughts concerning possible changes to the BYLAWS.

Section 18 public board meetings and public participation
D. Change (five minutes)to (three minutes)

Section 31 indemnification of the board
Second sentence.

Strike the words “and/or the City”

Have it read as the following:

This right to identify does not apply to those actions, suits, or proceedings brought by or on behalf of BLP against the Board member.

Section 31 indemnification of the board
Add new:

D. Representation and all costs associated with
indemnification shall require prior approval from the Board.

Thanks, Todd

Sent from my iPad

Board of Light and Power Board Resolution Regarding Indemnification

WHEREAS, Section 31 of the Grand Haven Board of Light and Power (the “BLP”) Bylaws (the “Bylaws”) provides in relevant part that a “. . . Board member shall be indemnified by the BLP as of right to the fullest extent now or hereafter permitted by law in connection with any actual or threatened civil, criminal, administrative, or investigative action, suit, or proceeding, which is brought against the member because of the Board member’s position on the Board”

WHEREAS, Andrea Hendrick is a member of the BLP Board.

WHEREAS, the BLP General Manager (the “General Manager”) has submitted a request under the Freedom of Information Act (“FOIA”) for:

E-mail and text correspondence to or from personal and/or GHBLP e-mail addresses and cell phones of **GHBLP Board Member Andrea Hendrick** mentioning [sic], discussing [sic], or addressing in any way **GHBLP employee David Walters** by name (Dave or David) or by position (General Manager, GM, or Director of Light and Power) **with** Grand Haven **Council Members** including Ryan Cummins, Kevin McLaughlin, and/or Karen Lowe **and/or** **GHEO/BLPCCC group members** including John Field Reichardt, Dennis Craun, John Nasser, Jeff Miller, David Mann, Steve Miller, and/or Jon Jellema **and/or reporters, writers, columnists, and/or submitters of “your views” in the Grand Haven Tribune** including Karalea Davis, Brendon Thomas, Jared Cramer, and/or Elizabeth Pell, since taking office as a Board Member in November, 2021.

WHEREAS, the General Manager has stated that the purpose of his FOIA request for these records of Director Hendrick pertain to her position on the BLP Board, because the General Manager believes these records of Director Hendrick will show that he has been constructively discharged by the BLP Board.

WHEREAS, the BLP has subsequently received identical requests for the same documents from members of the public, Vanessa Wilhelm and Ed Lystra.

WHEREAS, the General Manager’s FOIA request, and the subsequent FOIA requests, are so broad that they cover not only “public records” as defined by the FOIA, but they also cover records that could be personal to Director Hendrick and thus exempt from FOIA, as well as records that could be subject to Director Hendrick’s rights under the First Amendment to the United States Constitution and thus exempt from FOIA, as well as records that could be exempt from FOIA for other lawful reasons.

WHEREAS, because the General Manager’s FOIA request, and the subsequent FOIA requests, are so broad that they will only be partially granted and partially denied, and because determining which of Director Hendrick’s documents are subject to FOIA and which are exempt from FOIA will of necessity involve interpretations of applicable law and constitutional provisions, Director Hendrick has incurred and will continue to incur legal expenses in order to respond to the FOIA request.

WHEREAS, Director Hendrick’s attorney has filed a claim for insurance coverage by the BLP, but that claim has been denied, as has the appeal of that denial. The latest denial was by a letter dated December 29, 2023.

THEREFOR, the BLP Board resolves as follows.

1. The BLP Board is obligated to indemnify Director Hendrick for her legal expenses which are the result of the General Manager's FOIA request and the subsequent FOIA requests for the same material.
2. The BLP Board agrees to reimburse Director Hendrick for \$6,050.00, an amount equal to the legal expenses she has already incurred as a result of the General Manager's FOIA request, and the subsequent FOIA requests for the same material, as evidenced by the information received from Director Hendrick's attorney which is attached as Exhibit A.
3. The BLP Board agrees to reimburse Director Hendrick for reasonable future legal expenses incurred as a result of the General Manager's FOIA request, and the subsequent FOIA requests for the same material, as long as the legal expenses are incurred in accordance with the information received from Director Hendrick's attorney which is attached as Exhibit A.
4. Having resolved the indemnification issue regarding Director Hendrick and the FOIA requests by the General Manager and other members of the public, the BLP Board now directs its attorney and Director Hendrick's attorney to resolve their respective clients' positions regarding these FOIA requests as promptly as reasonably possible.
5. The reimbursement payment to Director Hendrick will be made after any FOIA disputes have been resolved by the BLP Board; and the materials subject to FOIA, as determined by the BLP Board, have been provided to the General Manager and the other requesting parties.

EXHIBIT A



ATTORNEYS AT LAW
146 MONROE CENTER STREET, NW, SUITE 418
GRAND RAPIDS, MICHIGAN 49503-2818
TELEPHONE (616) 451-8496

Sarah Riley Howard
showard@pinskysmith.com

January 21, 2024

Michael Westbrook
Board Chair, Grand Haven Board of Light & Power
VIA EMAIL ONLY to Counsel for GHBLP, Ron Bultje

Re: Indemnification of legal costs, Andrea Hendrick

Dear Chair Westbrook,

Per your request for further information, I am submitting this letter regarding Andrea Hendrick's claim for indemnification for legal costs as a member of the Board of Directors of the GHBLP.

As you know, General Manager David Walters filed an extensive FOIA request seeking communications of Ms. Hendrick. Many of the communications sought by the request are personal, not properly produced per FOIA, and represent an intrusive violation of various legal rights of Ms. Hendrick. I provided prior legal services in helping Ms. Hendrick review, collect and produce all of the extensive communications sought by the FOIA request to BLP's legal counsel, Ron Bultje, and communicating with him regarding our objections to production.

Assuming that the Board grants and approves Ms. Hendrick's claim for indemnification for past and further legal services in responding to the FOIA request under its Board policy, I propose the following:

- **Scope of work**: I have already provided the above described legal services. On the timeline described below, I will provide legal representation and advice to Ms. Hendrick with respect to responding to Mr. Bultje regarding the

communications which are subject to FOIA. I will communicate Ms. Hendrick's positions on these communications to Mr. Bultje, and Mr. Bultje and I will meet and attempt to resolve any differences of opinion about what FOIA requires BLP to produce in answer to the FOIA request. In the event that Mr. Bultje and I have remaining disputes about what FOIA requires be produced after our conference, I will file a complaint with the Circuit Court on Ms. Hendrick's behalf seeking to block the disputed communications from the FOIA production and to trigger the Court's determination.

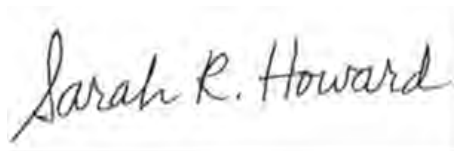
- **Budget with cost:**
 - See below under Timeline for budgeted time and costs.
 - Budget if a Circuit Court action is not necessary: \$5,800
 - Additional budgeted cost for a potential Circuit Court action: \$13,100
 - Total cost if a Circuit Court action is necessary: \$18,900
- **Hourly rate:** I charge \$500 per hour. I will engage assistance of lower cost professionals where possible to assist with the work to keep the price down. My paralegal's assistance costs \$100 per hour.
- **Timeline:**
 - **Between 1/26/2024 and 2/8/2024:** Review of Mr. Bultje's objections to my conclusions about the scope of production, and review same with Ms. Hendrick. Report to Mr. Bultje regarding Ms. Hendrick's remaining objections to production of communications per FOIA.
 - SRH time of 4 hours * \$500 = \$2,000
 - Paralegal time of 8 hours * \$100 = \$800
 - Total for phase = \$2,800
 - **Between 2/8/2024 and 2/13/2024:** Potential additional legal research re: FOIA. Meet with Mr. Bultje re: remaining objections and attempt to resolve disputes. Review same with Ms. Hendrick. Advise Mr. Bultje by 2/13/2024 whether I need to file an action in Circuit Court seeking resolution of objections to the disputed communications.
 - SRH time of 4 hours * \$500 = \$2,000
 - Assoc. lawyer time on legal research of 4 hours * \$250 = \$1,000
 - Total for phase = \$3,000
 - **2/14/2024 or later:** Mr. Bultje will be able to release non-disputed communications responsive to the request.

- **By Friday, 2/23/2024**: If applicable, I will file an action in Circuit Court on Ms. Hendrick's behalf seeking resolution of objections to the disputed communications.
 - Draft and file complaint in Circuit Court for resolution of FOIA production dispute(s) – SRH time of 4 hours = \$2,000; Paralegal time of 4 hours = \$400. Subtotal = \$2,400.
 - Compose and file motion for judgment on the legal issues, and argue same at Court hearing = SRH time of 20 hours = \$10,000; Paralegal time of 4 hours = \$400. Subtotal = \$10,400.
 - Filing fees (complaint and motion fees), plus potential courier fees = \$300 or less.
 - Total budget for a Circuit Court action = \$13,100.
- **Expected deliverables**: See the above statement under Timeline for a description of expected deliverables.
- **Reporting mechanism back to the Board**: I will provide update statements which do not contain attorney-client privileged information to Mr. Bultje to pass along to the Board on each of the above steps.

Please reach out at any time if you have further questions.

Very Truly Yours,

PINSKY SMITH PC

A handwritten signature in cursive script that reads "Sarah R. Howard". The signature is written in black ink on a white background.

Sarah Riley Howard

SRH/

Pinsky Smith, PC

146 Monroe Center NW, Suite 418

Grand Rapids, MI 49503 US

+1 6164518496

info@pinskysmith.com

www.pinskysmith.com

Invoice 1348

BILL TO
Andrea Hendrick

DATE 09/07/2023	PLEASE PAY \$2,820.00	DUE DATE 10/07/2023
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DATE		DESCRIPTION	QTY	RATE	AMOUNT
08/24/2023	Services	Meeting with client re FOIA - Natasha Robertson	5:30	100.00	550.00
08/25/2023	Services	Email to Mr. Bultje outlining terms of Ms. Hendrick submitting her personal communications for his review - Sarah Howard	0:18	500.00	150.00
08/25/2023	Services	Meeting with client re FOIA - Natasha Robertson	4:00	100.00	400.00
08/26/2023	Services	Meeting with client re FOIA - Natasha Robertson	2:00	100.00	200.00
08/28/2023	Services	Conferences with Ms. Robertson regarding review and processing of Ms. Hendrick's communication for Mr. Bultje's review under FOIA request - Sarah Howard	0:36	500.00	300.00
08/28/2023	Services	Reviewed and bates stamped FOIA docs - Natasha Robertson	4:30	100.00	450.00
08/29/2023	Services	Reviewed and bates stamped FOIA docs - Natasha Robertson	2:30	100.00	250.00
08/30/2023	Services	Reviewed and bates stamped FOIA docs - Natasha Robertson	2:12	100.00	220.00
08/30/2023	Services	Status check on progress with Ms. Robertson; respond to Mr. Bultje's email; correspondence to MPIA for claim on behalf of Ms. Hendrick - Sarah Howard	0:36	500.00	300.00

TOTAL DUE

\$2,820.00

THANK YOU.

Pinsky Smith, PC

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Invoice 1355**BILL TO**

Andrea Hendrick

DATE
09/26/2023PLEASE PAY
\$6,050.00DUE DATE
10/26/2023

DATE	ACCOUNT SUMMARY	AMOUNT
09/07/2023	Balance Forward	2,820.00
	Other payments and credits after 09/07/2023 through 09/25/2023	0.00
09/26/2023	Other invoices from this date	0.00
	New charges (details below)	3,230.00
	Total Amount Due	6,050.00

DATE		DESCRIPTION	QTY	RATE	AMOUNT
09/05/2023	Services	Tcw Ron Bultje re FOIA request update - Natasha Robertson	0:12	100.00	20.00
09/07/2023	Services	Tcw Ron Bultje re FOIA request - Natasha Robertson	0:12	100.00	20.00
09/12/2023	Services	Conference with Ms. Hendrick regarding status of review of documents - Sarah Howard	0:06	500.00	50.00
09/13/2023	Services	Telephone conference with Mr. Bultje regarding status of review of documents - Sarah Howard	0:06	500.00	50.00
09/20/2023	Services	Continue review of documents for potential FOIA production and update production chart for Mr. Bultje - Sarah Howard	3:42	500.00	1,850.00
09/21/2023	Services	Emailed client re email production - Natasha Robertson	0:24	100.00	40.00
09/22/2023	Services	TCW client re email production - Natasha Robertson	0:36	100.00	60.00
09/22/2023	Services	Uploaded and finalized email production re FOIA - Natasha Robertson	1:54	100.00	190.00

DATE		DESCRIPTION	QTY	RATE	AMOUNT
09/22/2023	Services	Telephone conference with Ms. Hendrick to update her on progress of production to Mr. Bultje; continue review of documents for potential production; telephone conference with Ms. Hendrick to review final results of document review; email to Mr. Bultje with explanation of documents and position on production of same - Sarah Howard	1:54	500.00	950.00

TOTAL OF NEW CHARGES 3,230.00

TOTAL DUE **\$6,050.00**

THANK YOU.



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Description

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15 Part On-demand Training

As technology, customer expectations, and policies and regulations continue to transform public power, governing boards play an increasingly important – and complex – role. On top of these factors, most utility governance officials must also quickly learn the roles, responsibilities, and expectations that come with the job.

This new on-demand series offers a convenient way to get up-to-speed on the nuts and bolts of governance requirements, such as complying with charters and bylaws, reporting conflicts of interest, understanding duties and legal obligations, and facilitating an effective board meeting. Review other keys to governance success, including how to communicate effectively, meaningfully monitor performance, foster accountability, and much more. The learning modules are specially designed to help you build the skills necessary to become a productive board member that contributes to the long-term success of your organization.

Learn on your own schedule, through a series of 15 short videos (typically 12-25 minutes each) led by an expert instructor with decades of experience instructing and advising public power governing boards.

Course Modules

1. Public Power Governance Models
2. The Fine Print: Charters, Bylaws, Codes of Conduct
3. Duties, Responsibilities, and Legal Obligations
4. Duty of Care, Loyalty, and Obedience
5. Conflicts of Interest
6. Conflict of Interest Scenarios
7. Individual Roles and Responsibilities
8. Board Development: Establishing a High Performing Board
9. Performance Monitoring for Boards
10. Governing Board Self-Assessments
11. The Board Meeting
12. Board Conflict
13. In-the-Weeds, Not In-the-Weeds

- 14. Strategic Planning and the Role of the Governing Board
- 15. The Board's Role in Stakeholder Engagement

Recommended for

This training was developed for newly elected or appointed public power policymakers (e.g., utility board members, city councilmembers, commissioners, city managers, mayors), though experienced policy officials can also benefit.

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Public Power Governance Essentials has been approved by the Tennessee Office of the Comptroller for 4.0 training hours toward the Utility Board Training requirement.

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Instructor

Steve VanderMeer is an executive consultant and experienced industry professional who has spent the past 35 years working in and around public power. In 1998, Steve joined Hometown Connections, where he served as the senior vice president for planning and marketing for over 20 years. In his capacity with Hometown Connections, he provided consulting, facilitation, and training services to public power utilities in strategic planning, governance, and customer service. Download full bio (<https://www.publicpower.org/system/files/documents/Instructor%20Bio%20-%20Steve%20VanderMeer.pdf>)

What's included?

1. Access to 15 recorded video modules (4 hours total)
2. Digital access to presentations in each module
3. Access to recordings and course materials for 24 months

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 - Preview what this will look like.
 - Screen shot: Training portal with Policymakers Handbook added (https://s3.us-east-1.amazonaws.com/fonteva-customer-media/00D6g0000035sdaEAA/zMjpHhQA_Screen_shot_Handbook_in_portal.png)
 - Screen shot: Viewing the Handbook in the portal (https://s3.us-east-1.amazonaws.com/fonteva-customer-media/00D6g0000035sdaEAA/BpLkrgDb_Screen_shot_Viewing_Handbook_in_portal.png)
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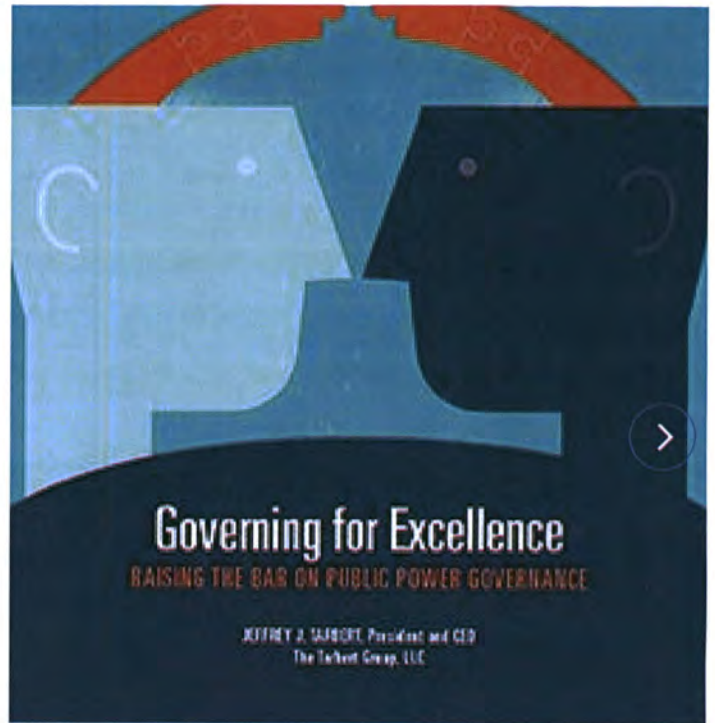
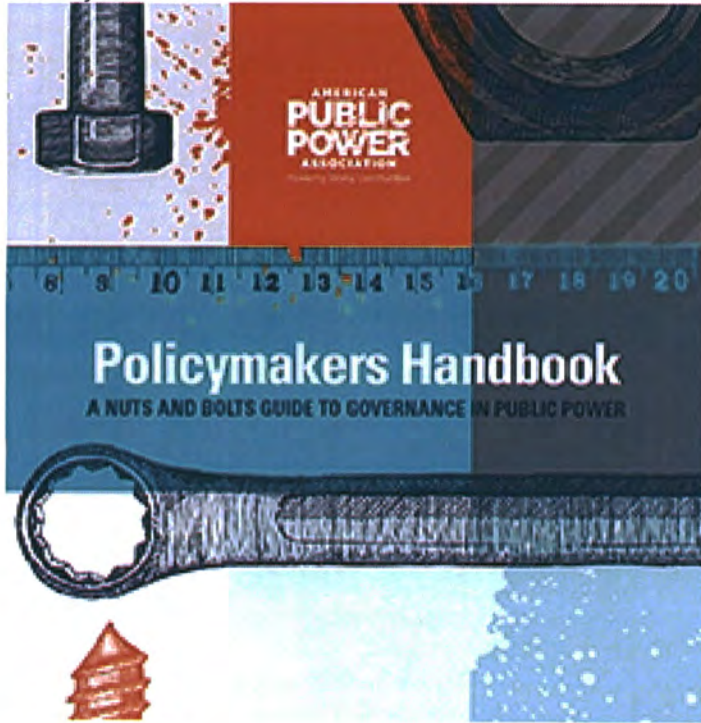
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