

# Finishing up a productive year of projects...

Though the energy industry never rests, the end of the fiscal year and beginning of another provides a brief moment for the

**From the Executive Director**



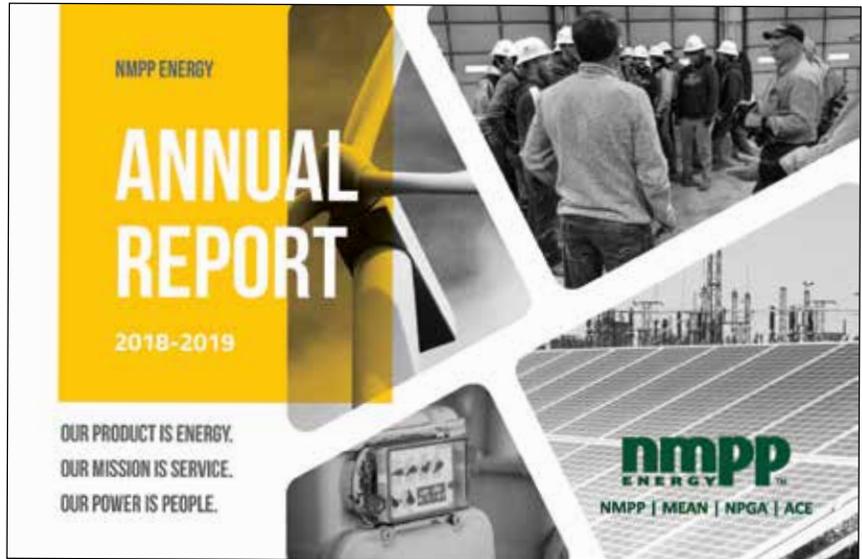
By Bob Poehling

organizations of NMPP Energy to consider the accomplishments recently achieved. Fiscal year 2018-19 was marked with many successes for each of the organizations.

The following are just a few accomplishments of the organizations of NMPP Energy during the year:

## Nebraska Municipal Power Pool

- NMPP revamped its utility training program, providing added value to member municipal utilities. Training sessions covering a variety of topics were strategically held in three locations to maximize attendance opportunities for utility personnel.



The 2018-2019 NMPP Energy Annual Report and audited financial information is available online.

Go to [www.nmppenergy.org](http://www.nmppenergy.org) and click on the Annual Report link on the home page.

- Staff facilitated a new Utility Sharing Service to help in addressing workforce shortage challenges for smaller utilities.

- NMPP continued to serve its member communities through a variety of services, including its Electric Distribution Service program, Cost of Service Utility Rate Studies, regulatory and environmental reports. In partnership with Salt Creek Software, it also serviced more than 170 PowerManager software users.

## Municipal Energy Agency of Nebraska

- The MEAN Board and Management Committee approved a 5.8 percent decrease in MEAN's overall targeted revenue requirement

for fiscal year 2019-20. This marked the fourth straight year that MEAN lowered its targeted revenue requirement, which is the total net revenue required to cover MEAN's cost of operation.

- MEAN expanded its renewable energy portfolio as the Kimball Wind Facility went into commercial operation. MEAN signed a power purchase agreement for the output of the facility, which has a nameplate capacity of 30 megawatts.

- A partnership was finalized with The Energy Authority for portfolio management, energy trading and dispatching services.

See 'PROJECTS' on page 2

# NMPP/MEAN facilitates utility sharing arrangements with member communities

The Nebraska Municipal Power Pool and Municipal Energy Agency of Nebraska recently facilitated utility sharing agreements to help address workforce challenges among smaller utilities with limited personnel resources.

NMPP/MEAN facilitated two agreements, one between the Nebraska cities of Pierce and Battle Creek and the other between the Nebraska villages of Stuart and Spencer. NMPP/MEAN is currently working to facilitate more utility sharing agreements involv-

ing other communities as well.

Under the agreement, the City of Pierce Utilities provides operation and maintenance of Battle Creek's local electric distribution system, including testing meters, connections and disconnections, storm damage repair, and other functions necessary to keep the system reliable and in good operational condition. The Village of Stuart will be assisting the Village of Spencer under a similar agreement.

"With workforce shortage pressures, especially for smaller utilities, there is a growing need for neighboring municipal utilities to share personnel, equipment and services," said Rich Eymann, electrical distribution O&M specialist for NMPP/MEAN. "I'm pleased we were able to facilitate agreements between these communities. Smaller utilities and communities working together is the foundation of NMPP and MEAN and its community members."

## More Information

If your utility would like more information regarding how NMPP/MEAN facilitated a utility sharing agreement, contact Rich Eymann or Carol Brehm at (800) 234-2595.

## Projects

Continued from page 1

### National Public Gas Agency

- The NPGA Board approved a gas supply contract with the Public Energy Authority of Kentucky that will provide discounted natural gas and lower costs for NPGA members.

- Staff assisted members in executing Asset Management Arrangements on two pipelines that will result in savings for NPGA members served by those pipelines.

### Public Alliance for Community Energy

- ACE continued to provide competitive pricing in the annual Choice Gas Program and maintained its market share by securing nearly 18,000 accounts.

- The ACE Board approved

distributing \$300,000 back to its member communities through its revenue distribution program. Since ACE's inception, ACE has returned more than \$2.4 million to its member communities.

- ACE continued advocating for all customers in the program, spending significant time meeting with other entities and discussing possible program improvements.

This list is just a sample of the diverse issues that NMPP Energy's dedicated staff work on for the benefit of the members we serve as we continue to adhere to the five tenets of NMPP Energy's culture:

- Member Driven
- Service Driven
- Economic Value Driven

- Values Driven
- Staff Driven

The accomplishments I've listed here, along with many others, are included in the NMPP Energy 2018-19 Annual Report, which is posted on the NMPP Energy website ([www.nmppenergy.org](http://www.nmppenergy.org)). I encourage you to take a moment to look through the report.

The accomplishments of the last year would not be possible without the leadership of dedicated boards and committee members who direct and guide the organizations.

I look forward to another year of serving member communities through the organizations of NMPP Energy.

# States making plans with VW settlement funds

What are the NMPP/MEAN states doing with the Volkswagen settlement funds when it comes to electric vehicles? Here's a run-down by state:

## Nebraska

In Nebraska, the Nebraska Department of Environment and Energy (formerly the Nebraska Department of Environmental Quality) was designated by Gov. Pete Ricketts as the lead agency to administer funds allocated to the state from the Volkswagen Diesel Emissions Environmental Mitigation Trust for State Beneficiaries, Puerto Rico, and the District of Columbia (VW State Trust). As directed by the VW State Trust Agreement, these funds are to be used to undertake authorized actions to reduce nitrogen oxide emissions. The initial allocation to Nebraska from the VW State Trust was approximately \$12.25 million. About \$1.2 million will be used in the Zero Emission Vehicle (ZEV) charging infrastructure across the state.

### Legislative Notes



By Chris Dibbern

## Three ways of EV charging

**Level 1** – Uses a standard 120-volt outlet. Most plug-in electric vehicles will require 8 to 12 hours to fully charge.

**Level 2** – Uses a 240-volt rated charging station. Charging time is typically 4 to 8 hours.

**Level 3** – DC Quick Charge uses a 480-volt connection. Charging time is 30 to 45 minutes.

## Colorado

As reported recently at the Colorado Association of Municipal Utilities (CAMU) Annual meeting in Delta, Colo., the State of Colorado will receive more than \$68.7 million from the same Volkswagen settlement. Some of that money will be used to help improve air quality, encourage deployment of electric vehicles across the state and support implementation of the Colorado Electric Vehicle Plan. The Regional Air Quality Council and the Colorado Energy Office are partnering to provide financial support from that program for electric vehicles and electric vehicle charging stations through the Charge Ahead Colorado program. Grants are available on scheduled cycles according to the Colorado Energy Office.

## Iowa

As a result of two related Volkswagen settlements, the state of Iowa is expected to receive approximately \$21 million in environmental mitigation trust funds over the next 10 years for projects that reduce emissions of nitrogen oxides. The money is expected to be used primarily for public transportation and public electric charging stations.

MidAmerican Energy is also supportive of electric vehicles, recently announcing a 2019 program to contribute \$1,500 for Level 2 residential charging stations in their service areas, when you purchase an electric vehicle in the state.

## Wyoming

Lastly, over the next 10 years Wyoming is anticipating access to \$8.125 million in mitigation funds from the combined Volkswagen settlements and is seeking projects in the transportation arena to achieve emissions reduction. This money is expected to be used in trucking fleet areas.

\* \* \*

Chris Dibbern is general counsel of NMPP Energy. Contact her at [cdibbern@nmppenergy.org](mailto:cdibbern@nmppenergy.org) or (800) 234-2595.

## Battle Creek becomes newest NMPP member

The City of Battle Creek, Neb., recently became the newest member of the Nebraska Municipal Power Pool. The City of 1,200 residents is located in Madison County in Northeast Nebraska.

The City is currently using NMPP's PowerManager software and plans to use NMPP's training and mutual aid services.

As a member, the City has access to NMPP's cost-based services that include utility rate study assistance, electric distribution/demand, regulatory reporting assistance, education opportunities and other general services.

# **nmpp** **Meet your staff...** ENERGY



**THANH LE**

## **Rate Analyst**

**Joined NMPP Energy:** May 2010

### **What organization are you assigned to?**

Nebraska Municipal Power Pool, Municipal Energy Agency of Nebraska and Public Alliance for Community Energy

### **How do you assist member communities in your position?**

I collect financial data, power cost and billing data from member communities to perform cost of service rate studies. I provide initial recommendations on the level of rate increases and design rates. I conduct NMPP's annual Typical Bill Survey for electric, water and sewer utilities by performing or coordinating utility data requests, preparation of database for data entry and analyzing the data results, and prepare and distribute the final survey results to participants. I developed the NMPP membership contact tool and maintain the database. I also assist ACE by creating reports during the Choice Gas selection period. The most important thing is when NMPP members need help with questions or data request, I always try to respond very quickly.

### **What do you love about your job?**

I always enjoy working with everyone at NMPP Energy. The atmosphere is wonderful and the people are great. We always say hi and smile whenever we meet in the hallway. The building looks nice and clean.

## **FERC's LaFleur to leave at end of August**

Cheryl LaFleur, who has served as a Commissioner at the Federal Energy Regulatory Commission for nine years, recently announced she will be leaving FERC at the end of August.

In January, LaFleur announced that she was no longer seeking a third term at FERC and would be leaving the Commission later in 2019.

LaFleur was first nominated by President Barack Obama to

FERC in 2010 and was confirmed for a second term by the Senate in 2014. She served as Acting Chairman of the Commission from November 2013 to July 2014 and January to August 2017, and as Chairman from July 2014 until April 2015.

In early May, LaFleur reviewed her tenure at the Commission in remarks at an Energy Bar Association meeting in Washington, D.C.

Once LaFleur departs FERC the remaining commissioners will be Chairman Neil Chatterjee, Commissioner Bernard McNamee and Commissioner Richard Glick.

Commissioner Kevin McIntyre passed away earlier this year, so with LaFleur's departure, there will be two vacant Commission seats that need to be filled.



# FCC Order adversely impacts municipal control regarding wireless service providers

By Bob Duchon

River Oaks  
Communications Corporation

Once again, the federal government is telling communities how to “best” manage their public rights-of-way. The Federal Communication Commission’s Order on Small Wireless Facilities (SWFs) went into effect in mid-January. The Order currently applies to municipal electric facilities (although this is being challenged by Lincoln Electric System, NMPP and others in the United States Court of Appeals for the Ninth Circuit). The Order adversely impacts municipal control and caps fees on what municipalities can charge the wireless service providers.

Here are some of the pertinent considerations:

## What are SWFs?

Each antenna is not more than three cubic feet in volume; pre-existing and new associated equipment is not more than 28 cubic feet in volume; the facilities are on structures 50 feet or less in height (including the antennas) or on structures no more than 10 percent taller than adjacent structures or they do not extend existing structures to a height of more than 50 feet or more than 10 percent, whichever is greater.

## Application and Recurring Fees

- \$500 for an application, in or outside the right-of-way (ROW), that can include five SWFs; \$100 for each supplemental SWF; or \$1,000 for a new pole involving SWFs
- \$270 per year per SWF in

[www.rivoaks.com](http://www.rivoaks.com)

the ROW

If you are not happy with these figures, be prepared to do a cost study. For SWFs in the ROW, you need to determine a reasonable approximation of your costs, the costs must be reasonable and you must not discriminate among providers.

## Aesthetic (Stealth) Guidelines

The FCC guidelines for aesthetics went into effect in mid-April. Your requirements must be (i) reasonable; (ii) not more burdensome than what you would require for other types of infrastructure deployment; (iii) objective; and (iv) published in advance.

## Shot Clocks: Time Frames for Municipal Decisions

These are the time frames within which you need to act on providers’ applications. This is the total amount of time you have to review the applications, process permits, do zoning approvals and negotiate agreements with the wireless services providers for use of the ROW and municipal poles. There are five different shot clocks:

### 1) Eligible Facilities Request

A 60-day shot clock commences when the application is filed. A local government must approve a request for modification of an existing tower or base station that does not result in a substantial change to the physical dimensions of the tower or base station. This involves collocation, removal or replacement of transmission equipment. Your community has 30 days to notify the applicant of an incom-

plete application, which then tolls the shot clock. When the applicant resubmits, the shot clock runs again and you have 10 days to notify the applicant of incompleteness (only with regard to missing information or documents in the original filing). If your community fails to timely act (accounting for any tolling), the application will be “deemed granted” after expiration of the 60-day period when the applicant so notifies you in writing. This is the only shot clock with a “deemed granted” remedy under federal law.

### 2) Small Wireless Facilities – Collocation on Existing Structures

There is a new 60-day shot clock for acting on an application for installing small wireless facilities on existing structures (for example, poles). Your community only has 10 days to notify the applicant of an incomplete application. When the applicant resubmits, a new 60-day shot clock begins. You then have 10 days to notify the applicant of an incomplete filing; thereafter, tolling provisions apply. Failure on your part to make a timely decision invites litigation.

### 3) Small Wireless Facilities – New Structures

There is a new 90-day shot clock for acting on an application for installing small wireless facilities on a new structure (for example, an additional pole). Your community only has 10 days to notify the applicant of an incomplete application. When the applicant resubmits, the 90-day shot clock begins again. You then have 10 days to notify the applicant of an incomplete filing;

See ‘FCC ORDER’ on page 6

# FCC Order

Continued from page 5

thereafter, tolling provisions apply. Failure on your part to make a timely decision again invites litigation.

#### 4) Collocation for Other Than Small Wireless Facilities

There is a 90-day shot clock for acting on an application for the placement of larger wireless facilities on an existing structure. Your community has 30 days to notify the applicant of an incomplete application and the shot clock tolls until resubmission. After resubmission, the City has 10 days to notify the applicant of incompleteness and the shot clock tolls again. Failure to act within 90 days (accounting for tolling) allows the applicant to pursue judicial relief.

#### 5) New Site or Towers — Deployment on a New Structure

There is a 150-day shot clock for acting on an application for

new sites (for example, macro cell towers). Your community has 30 days to notify the applicant of an incomplete application and the shot clock tolls until resubmission. After resubmission, you have 10 days to notify the applicant of incompleteness and the shot clock tolls again. Failure to act within 150 days (accounting for tolling) allows the applicant to pursue judicial relief.

#### Conclusion

If all of this seems complicated by federal law, it is. More information is available from Bob Duchon, vice president of River Oaks Communications Corporation at (303) 721-0653 or [bduchon@rivoaks.com](mailto:bduchon@rivoaks.com). The Company works on behalf of NMPP communities throughout the Midwest and West to provide guidance and assistance.

# August MEAN meetings moved to Lincoln

Due to the recent flooding in Kearney, Neb., the August 14-15 MEAN Committee and Board meetings have been moved to the NMPP Energy facility in Lincoln. The schedule is as follows:

#### Aug. 14

11 a.m. — Governance Review Committee

1 p.m. — Finance/Risk Oversight Committee

2 p.m. — Services Committee

3 p.m. — Power Supply Committee

#### Aug. 15

9 a.m. — Board/Management Committee

For a complete listing of NMPP Energy Champion Businesses, see page 11

## Employment Opportunities

#### Electric distribution lineman

The City of Sutton, Neb., has an opening for an electric distribution lineman. The position requires knowledge of electrical distribution. Experience in construction and maintenance of overhead and underground, primary/secondary is desired or will train the right individual. Education may substitute for experience. Full benefits including health insurance, H.S.A., pension contribution, vacation, comp. time, uniforms, etc. Lineman will work under our electric utility foreman. Salary negotiable. Resume, cover letter and application may be sent to: Sherrie Bartell, City Clerk, PO Box 430, Sutton, NE 68979-0430. A complete job description and application can be obtained by calling (402) 773-4225 or by e-mail: [cityofsutton@gmail.com](mailto:cityofsutton@gmail.com) Sutton is an equal opportunity employer. Position open until filled.

#### To submit an ad

NMPP members can advertise job openings for free in the Essent newsletter and on the NMPP Energy Web site. E-mail Kevin Wickham at [kwickham@nmppenergy.org](mailto:kwickham@nmppenergy.org).

#### Utility Superintendent/Journeyman Lineman

The City of Scribner, Neb., is accepting applications for the position of utility superintendent/journeyman lineman. The utility superintendent will need to be licensed in water, waste-water and ability to work with high voltage electricity including skilled line work, maintenance and repair of distribution systems, operation of associated equipment and be willing to learn the operation of electrical generation units and apparatus. The superintendent will be responsible for direction of

employees in water, waste-water, electrical distribution/generation operation, streets and parks. Utility superintendent will be supported by the natural gas superintendent and other cross-trained personnel. The utility superintendent must have the ability to lead effectively, communicate goals to employees and will be responsible for safety, compliance, record keeping, testing. The utility superintendent will be in an on-call rotation and must have the physical ability to work for extended periods in all types of weather. Successful candidate must hold or be able to obtain a Grade 3 Water License and a Grade 2 Waste-Water license within first year. Salary commensurate dependent on qualifications and experience. The City of Scribner offers an excellent benefit package. For complete job description and application contact City of Scribner

See 'EMPLOYMENT' on page 8

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## Support NMPP member communities through the Champions Business Program

Champions are businesses and organizations that support NMPP Energy's effort to provide products and services to members. Consider these businesses when your utility or municipality has a business need. If your business is interested in becoming an NMPP Energy Champion, call Andrew Ross at (800) 234-2595.



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## Champions Business Directory of Services

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### **Financial**

<b>Ameritas Investment Corp.</b> (Ameritas.com).....	Omaha, Neb.
<b>D.A. Davidson &amp; Co.</b> (dadavidson.com/ficm) .....	Omaha, Neb.
<b>First National Bank</b> (Firstnational.com).....	Omaha, Neb.
<b>UNICO Group, Inc. and Midlands Financial Benefits</b> (unicogroup.com) .....	Lincoln, Neb.
<b>Nebraska Energy Federal Credit Union</b> (ne-fcu.org).....	Columbus, Neb.
<b>RBC Capital Markets</b> (rbc.com).....	Denver, Colo.

### **Regulatory/Compliance**

<b>Power Plant Compliance</b> (Powplant.com).....	Oketo, Kan.
<b>NAQS Environmental Experts</b> (naqs.com).....	Lincoln, Neb.

### **Utility/Community**

<b>Dogwood Energy</b> .....	Columbia, Md.
<b>EnergySolutions, Inc.</b> (energysolutions-inc.com).....	Omaha, Neb.
<b>Hometown Connections, Inc.</b> (Hometownconnections.com).....	Lakewood, Colo.
<b>Foundation for Educational Services</b> (fes.org).....	Lincoln, Neb.
<b>GenPro Energy Solutions</b> (Genproenergy.com).....	Piedmont, S.D.
<b>JK Energy Consulting, LLC</b> (JKenergyconsulting.com) .....	Lincoln, Neb.
<b>Border States</b> (borderstates.com).....	Fargo, N.D.
<b>NovaTech</b> (Novatechweb.com).....	Lenexa, Kan.
<b>PDS, Inc.</b> (PDSinc.biz) .....	Omaha, Neb.
<b>Protective Equipment Testing Laboratory</b> (petl.com) .....	Great Bend, Kan.
<b>RESCO (Rural Electric Supply Cooperative)</b> (resco1.com) .....	Ankeny, Iowa
<b>Sol Systems</b> (solsystems.com).....	Washington, D.C.
<b>Solomon Corporation</b> (Solomoncorp.com).....	Solomon, Kan.

### **Computer/Technology**

<b>Proteus</b> (Proteus.co) .....	Lincoln, Neb.
<b>Salt Creek Software, Inc.</b> (Saltcreek.com) .....	Lincoln, Neb.

### **Engineering**

<b>EPSIM Corporation</b> (epsim.us) .....	Boulder, Colo.
<b>Exponential Engineering Company</b> (exponentialengineering.com) .....	Fort Collins, Colo.
<b>JEO Consulting Group, Inc.</b> (jeo.com) .....	Wahoo, Neb.
<b>Lutz, Daily &amp; Brain, LLC</b> (ldbeng.com).....	Overland Park, Kan.
<b>Olsson</b> (Olsson.com) .....	Lincoln, Neb.
<b>Power Engineers</b> (powereng.com).....	Overland Park, Kan.

### **Insurance**

<b>League Association of Risk Management</b> (larmpool.org) .....	Lincoln, Neb.
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### **Legal**

<b>Chapman and Cutler, LLP</b> (chapman.com) .....	Salt Lake City, Utah
<b>Spiegel &amp; McDiarmid</b> (spiegelmcd.com) .....	Washington, D.C.

### **Telecommunication**

<b>Community Broadband Action Network</b> (broadbandaction.com) .....	Indianola, Iowa
<b>River Oaks Communications Corp.</b> (rivoaks.com) .....	Centennial, Colo.



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## Employment (cont.)

Offices at [clerk@scribner-ne.gov](mailto:clerk@scribner-ne.gov). Applications must include resume and references. EOE.

### Electric Lineworker

The City of Mitchell, Neb., will be accepting applications for the position of line worker for the Electric Department until the opening is filled. Salary is commensurate on experience. The successful applicant must establish residency within a 15-minute response time, must be able to obtain a Nebraska Commercial Driver's License upon hire, and is subject to random drug testing as required by DOT regulations. Applications and complete job descriptions are available at the Mitchell City Offices, 1280 Center Avenue, Mitchell, NE 69357, (308) 623 1616, or [cityadmin@mitchellcity.net](mailto:cityadmin@mitchellcity.net). AAA/EEO.

### Electric Department Foreman

The City of Mitchell, Neb., will be accepting applications for the position of foreman for the Electric Department until the opening is filled. Salary is commensurate on experience. The successful applicant must establish residency within a 15-minute response time, must be able to obtain a Nebraska Commercial Driver's License upon hire, and is subject to random drug testing as required by DOT regulations. Applications and complete job descriptions are available at the Mitchell City Offices, 1280 Center Avenue, Mitchell, NE 69357, (308) 623 1616, or [cityadmin@mitchellcity.net](mailto:cityadmin@mitchellcity.net). AAA/EEO.

### Director of Environmental Services, Sanitation Department

The City of Gering, Neb., has an opening for a director of environmental services,

sanitation department. This is a working management position responsible for operation and maintenance of solid waste collection services, baling facility and landfill operations. Preferred qualifications include five years of heavy equipment operation and maintenance; five years' experience with the management of solid waste collection; baling facility and landfill experience. Salary commensurate dependent upon qualifications and experience. Application and job description can be picked up at the City of Gering Administration Building or at [www.gering.org](http://www.gering.org). Return application in a sealed envelope marked "Director of Environmental Services Applicant" to Tammy Cooley, director of human resources at City of Gering, P O Box 687, Gering, NE 69341. Position will remain open until filled. EOE

**Complete job descriptions are posted at [www.nmppenergy.org](http://www.nmppenergy.org)**