

Board Meeting
Thursday, February 23, 2023

The Northern Illinois Municipal Power Agency (NIMPA) meeting was held at RMU Technology Center, 910 Technology Parkway in Rochelle, Illinois on Thursday, February 23, 2023 at 10:00 am.

1. Call to Order and Roll Call:

President Gary Holm called the meeting to order at 10:14 am.

Present:

Gary Holm, City of Batavia
Steve Allen, City of Batavia
Blake Toliver, City of Rochelle
Susan Steffens, City of Rochelle

Present via teleconference:

Jeff Fiegenschuh, City of Rochelle
Rahat Bari, City of Batavia
Aaron Holton, City of Geneva
Rich Babica, City of Geneva

Richard Heinemann, General Counsel
Noah Hansen, Avant Energy
David Niles, Avant Energy
Joe Fulliero, Avant Energy

Members of the Public:

None

2. Approval of the January 26th 2023 Regular Session Meeting Minutes

MOTION: To move to approve January 26, 2023, meeting minutes.

MAKER: Gary Holm

SECOND: Aaron Holton

VOICE VOTE: All in favor, motion carried.

3. Administrative Report –

a. **Monthly Financials**

David Niles provided a summary of the monthly financials for December 2022. NIMPA's rate to members was \$16.44 per MWh lower than budget for December 2022. This was a result of lower than budgeted purchase power and fuel cost and offset by higher than budgeted transmission and maintenance costs.

b. **Credit Facility / LOC Status Update**

David Niles stated at the end of December, NIMPA had \$15 million credit facility with PNC Bank. NIMPA had a \$2.5 million letter of credit with PJM, leaving \$12.5 mill of credit facility unused and will be renewed for another year.

c. **Year-to-date Budget, ECA and Capital Reserve Fund Status Update**

David Niles gave an update on the Budget, ECA and Capital Reserve Fund Status.

The ECA payable to members increased by \$1.6 Million in December. This was a combination of a budgeted ECA increase \$156,000 and lower cost than budget of \$1.5 million. Then ECA balance at the end of December was \$2.2 million.

NIMPA's Capital Reserve Fund had a balance of \$11 million at the end of December. This represents of more than 4 years of NIMPA's share projected capital cost based on Prairie State's projected capital expenditures over the next 5 years.

d. ***Investment Report***

David Niles shared the cash and investment reports. NIMPA had a total of \$70,983 million of cash and investments.

David Niles stated the audit will be complete before the next meeting. The Board decided to issue a new RFP for new audit services.

MOTION: To approve the monthly financials from December 2022.

MAKER: Gary Holm

SECOND: Blake Toliver

VOICE VOTE: All in favor, motion carried

e. ***Monthly Management Report- December 2022***

Noah Hansen reported that December's cold weather had very high prices on 12/23 when MISO and PJM had Emergency events. MISO congestion costs were very large revenue for NIMPA during the cold weather events – congestion favorable on MISO side, as a result of, 12/23 and 12/24. NIMPA Favorable variance to budget of \$1.28 Million in December due to strong congestion costs, ARR Revenues, and strong PSGC performance.

f. ***General Counsel update***

Richard Heinemann provided an update. The Build American Bonds appeal decision was a summary dismissal. The Court of Appeals for the Federal Circuit adopted the lower court's decision without much analysis. Richard Heinemann stated that the owners had yet to decide whether to appeal to the U.S. Supreme Court and will be getting an update from the Healy Firm. NIMPA's shared cost of the Federal Circuit appeal was \$3000.

4. Amendment to Master Services Agreement between NIMPA and Avant Energy, Inc.

Richard Heinemann summarized the second amendment to the Master Services Agreement between NIMPA and Avant Energy, Inc. The amendment extends the agreement with the 4 service schedules until December 31, 2027. The amendment adds language permitting a performance bonus for outstanding service.

MAKER: Gary Holm

SECOND: Aaron Holton

VOICE VOTE: All in favor, motion carried

5. Executive Session (Consideration of contracts for sale, purchase, or delivery of electricity) (Prairie State Project)

MOTION: adjourn into executive session at 10:41 am.

MAKER: Gary Holm

SECOND: Blake Toliver

VOICE VOTE: All in favor, motion carried

6. Action Items from Executive Session

None

7. Old Business

A rate comparison study will be conducted.

12. New Business

None

13. Comments

a. **Board-** None

b. **Public-** None

14. Adjournment:

MOTION: To adjourn the meeting

MAKER: Gary Holm

SECOND: Jeff Fiegenschuh

VOICE VOTE: All in favor, motion carried

Minutes submitted by: Susan Steffens