

ARKANSAS RIVER POWER AUTHORITY
Board of Directors Meeting Minutes
December 1, 2022

The Board of Directors of the Arkansas River Power Authority (ARPA) met at the Otero Junior College Student Center, 2001 San Juan, La Junta, CO., on Thursday, December 1, 2022. Following appropriate notice, President Sutherland called the meeting to order at 10:00 AM.

ARPA Board Members present:

HOLLY: Randy Holland
Blaine Ice

LA JUNTA: Gary Cranson
P. Lorenz Sutherland

LAMAR: Houssin Hourieh

LAS ANIMAS: Ron Clodfelter
Rick Stwalley

SPRINGFIELD: Heath Piper
Jay Suhler

TRINIDAD: Carlos Lopez

ARPA Staff present:

Rick Rigel, General Manager
Aarin Ritter, Finance/Accounting Manager
Arvenia Morris, Office Manager

ARPA Legal Counsel present:

Ryan Tharp, Fairfield and Woods, PC¹

Others (guests) present:

Lynn Wright, City of Las Animas
Paul Valasquez, City Council, La Junta²
Bill Jackson, Utility Director, City of La Junta

¹ Attended by zoom

² Left the meeting at 10:50 AM

ROLL CALL: President Sutherland called the meeting to order at 10:00 AM. Roll call was circulated. Guests were those listed on page 1. Board Members Williamson and Stagner were absent.

QUORUM: A quorum of the Board was present and voting at the meeting.

APPROVAL OF AGENDA: The agenda was revised by adding, as 11ei, *Colorado Energy Office Grid Resiliency Resolution*. The agenda was approved as printed and amended.

APPROVAL OF THE MINUTES: a. OCTOBER 27, 2022 REGULAR MEETING. The minutes of the October 27 regular meeting were approved as presented.

PUBLIC COMMENT: None.

EXECUTIVE SESSION CRS § 24-6-402 (4)(b) and (e): a. Power Supply Contract Negotiations. The Authority's General Counsel stated that the matter to be discussed in Executive Session would include Power Supply Contract Negotiations. The specific subsections of CRS § 24-6-402(4) authorizing this matter to be conducted in Executive Session are as follows:

- Under subsection (b), conference with the General Counsel of the Authority for the purpose of receiving legal advice on specific legal questions; and
- Under subsection (e), determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

At 10:06 AM Board Member Hourieh moved to go into Executive Session to discuss the topic as stated, seconded by Board Member Cranson. The motion was approved unanimously. The Executive Session was concluded at 10:52 AM.

BUDGET HEARING 2023 BUDGET: President Sutherland opened the budget hearing at 10:53 AM. General Manager Rigel presented a review of the proposed 2023 budget. There were no written or oral comments from any member of the public on the proposed budget. President Sutherland closed the public hearing at 11:04 AM. **a. Approval of the ARPA Budget and Appropriation Resolution of 2023.** Board Member Lopez moved to adopt **Resolution No. 04-22** to approve the 2023 Budget and to appropriate an expenditure of \$25,487,853 in 2023, seconded by Board Member Suhler. The motion passed unanimously. A copy of **Resolution No. 04-22** is attached to and made a permanent part of these official minutes.

FINANCIAL REPORT AND APPROVAL OF OUTSTANDING BILLS: a. October 2022 Financial Statement. Finance Manager Ritter presented the October 2022 financial statement. Board Member Hourieh moved to accept the October financial statement and approve outstanding bills, seconded by Board Member Ice. The motion was approved unanimously. **b. 2022 3rd Quarter Financial Review.** Finance Manager Ritter presented the 3rd Quarter Financial Review. **c. Update on Year End Financial Projections.** General Manager Rigel provided the end of year financial projections using the actual performance for January through October 2022 and the budgeted financial performance for November through December 2022.

ARPA WHOLESALE RATE – MODIFICATION TO AVOIDED COST RATE. It was discussed at the October meeting to change ARPA's Avoided Cost Rate from the average hourly energy rate of the Energy Imbalance Market (EIM) to ARPA's monthly blended rate. The blended rate is the sum of ARPA's monthly power supply costs divided by that month's energy purchases and is reported in the Operating Report each month. The Avoided Cost Rate is also the rate used for reimbursing the excess output from Renewable Generation Resources as defined in ARPA's Distributed Generation Policy. ARPA Board Member Suhler moved to adopt the following resolution:

Resolution No. 05-22. Wholesale Rate – Volume VIII

A Resolution of the Board of Directors of the Arkansas River Power Authority to Modify Wholesale Rate Volume VIII

RESOLVED, that the Board of Directors hereby modifies the Authority's Wholesale Rate Volume VIII, by canceling the Original Sheet 4 with an effective date of 12-01-2021, and replacing it with Revised Sheet No. 4 with an issue date of 12-01-2022, as presented to the Board; and

BE IT FURTHER RESOLVED, that the Revised Sheet 4 of the Wholesale Rate (Volume VIII) shall become effective as of January 1, 2023, and the Original Sheet 4 shall be canceled upon the effective date of the Revised Sheet 4.

The motion to adopt Resolution No. 05-22 was seconded by Board Member Holland and passed unanimously. Resolution No. 05-22, Revised Sheet 4 of the Wholesale Rate Volume VIII has been incorporated into the Wholesale Rate Volume VIII and incorporated in these minutes in its entirety. The ARPA staff will formally notify the member systems of the modification to the existing wholesale rate pursuant to the requirements in Section 12.3 of the 1983 Power Sales Agreement.

OPERATING REPORT: Aarin Ritter presented the Operating Report for October 2022. **a. Wind Report.** Arvenia Morris presented the Wind Report for October 2022. LUB Electric Superintendent Hourieh reported that the main circuit breaker on Turbine 1 failed and had to be replaced.

OPERATING COMMITTEE REPORT: The General Manager presented a review of the items discussed at the Operating Committee conference call meeting that was held on November 14. The primary topic of discussion included EV charging stations and the potential funding for infrastructure improvements and installation of the charging units.

GENERAL MANAGER REPORT: **a. Update on Black Hills Transmission Rate Filing.** General Manager Rigel provided an update on Black Hill's recent filing with the Federal Energy Regulatory Commission (FERC) requesting an increase in its OATT (Open Access Transmission Tariff). ARPA will be included in the Settlement discussions being held in mid-January 2023. **b. Update on Tri-State FERC Filing.** General Manager Rigel provided an update on Tri-State's review of its sub-station facilities on Tri-State's network system. The review is based on a FERC filing requiring "direct assignment" of costs. ARPA is a party to the proceedings. **c. Update on RFP for Power Supply Resources.** An update was provided in executive session. **d. General**

Counsel Fee Agreement. ARPA received a proposal from Ryan Tharp (Fairfield and Woods) for legal representation. Following review of the proposal, and hearing no objection, staff will execute the proposal with Fairfield and Woods. This agreement will replace all existing agreements between F&W and ARPA. **e. Miscellaneous. Resource Adequacy Legislation.** Xcel Energy is proposing legislation that all Load Serving Entities be required to submit an annual report on resource adequacy to the Colorado Public Utilities Commission (CPUC). Colorado municipal utilities (including ARPA) have proposed changes to the language initially proposed by Xcel. Included in the changes is language that would provide that utilities belonging to a Joint Action Agency (JAA) could have the JAA provide the report on behalf of its members and that the report would be provided to the JAA governing body for approval. *Evergreen Natural Resources.* The General Manager reported he met with Evergreen Natural Resources who are located near Trinidad. They are interested in installing natural gas co-generation. **i. Colorado Energy Office Grid Resiliency Resolution.** The General Manager briefed the Board on the federal and state funding that will become available in 2023. There is approximately \$8.5 million in funding from the Department of Energy (DOE) to Colorado with a portion of the funds directed toward rural communities, defined as cities of less than 25,000 population, and counties of less than 50,000 population. The Colorado Energy Office (CEO) is receiving comments on Colorado's approach to the DOE grant funding. Comments are due by December 5. A resolution was presented to the Board for its consideration requesting that the CEO reevaluate its priorities for funding and prioritize certain uses for infrastructure improvements such as undergrounding of electrical equipment, utility pole management, relocation of power lines, and replacement of old overhead and underground conductors. Board Member Suhler moved to adopt **Resolution No. 06-22** in response to the Colorado Energy Office application for grid resilience funding, seconded by Board Member Hourieh. The motion passed unanimously. **Resolution No. 06-22** is attached to and made a permanent part of these official minutes.

NEW BUSINESS: a. Designating Public Places For Posting of Meeting and Other Notices in 2023. Designating Public Places For Posting of Meeting and Other Notices in 2023, was presented to the Board. Board Member Cranson moved to adopt **Resolution No. 07-22** as presented, seconded by Board Member Hourieh. The motion was approved unanimously. **b. Designating Dates and Locations for Meetings – Action Item.** Designating Dates and Locations For Regular Meetings of the Board of Directors in Calendar Year 2023, was presented to the Board. Board Member Suhler moved to adopt **Resolution No. 08-22** as presented, seconded by Board Member Lopez. The motion was approved unanimously. A copy of **Resolutions No. 07-22 and 08-22** are attached to and made a permanent part of these official minutes.

UNFINISHED BUSINESS: None.

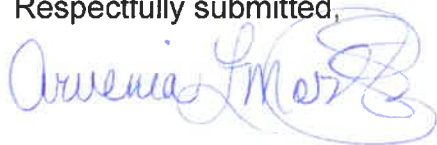
PLANNING AND COMMUNICATION: None.

MEMBER CITIES' REPORTS: General Manager Rigel asked if the cities of Lamar and La Junta had approved their 2023 budgets. S&P is conducting ARPA's annual credit analysis and is requesting those member's 2023 budgets. Board Member Lopez reported there was a Colorado Outdoor Recreation Industry meeting for tourism development being held in La Junta at Otero Junior College on Tuesday, December 6. Board Member Suhler reported on an article he saw regarding the "threatened" and "endangered" status of the lesser prairie chicken in the states of Oklahoma, Kansas, Texas and Colorado. LUB Superintendent Hourieh reported they were able to order rebuilt transformers from T&R Electric with a 52-week estimated delivery date. General Manager Rigel reported APPA is urging lawmakers to appropriate funds to address the supply chain crisis for electric distribution transformers.

NEXT MEETING DATE: The next regularly scheduled meeting of the Board of Directors is February 23, 2023, in La Junta at the Otero Junior College Student Center.

ADJOURN: The December 1, 2022 meeting of the Board of Directors was adjourned at 12:27 PM.

Respectfully submitted,



Arvenia L. Morris
Secretary of the Board

ARPA BUDGET AND APPROPRIATION RESOLUTION OF 2023
RESOLUTION No. 04 -22

WHEREAS, the Arkansas River Power Authority (ARPA) was created and organized as a political subdivision of the State of Colorado; and

WHEREAS, it is necessary that the Board of Directors adopt a budget for the year 2023; and

WHEREAS, following advance published notice in accordance with Colorado law, a hearing was held on the proposed 2023 budget at a regular meeting of the Board of Directors on December 1, 2022, at which meeting a quorum of the Board was present; and

WHEREAS, the Board is now appropriately advised and desires to take action on the proposed budget dated December 1, 2022

BE IT RESOLVED By the Board of Directors of the Arkansas River Power Authority (ARPA) that:

(1) Title

This Resolution shall govern the expenditure of funds by general purpose and amount for the calendar year 2023 commencing January 1 and ending December 31 and may be cited as "ARPA Budget and Appropriation Resolution of 2023".

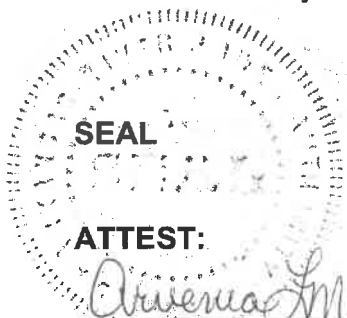
(2)

The 2023 Budget presented to the Board on December 1, 2022, is hereby approved and there is budgeted and appropriated from revenues, assessments and other funds available to ARPA, the sum of Twenty-five million, Four hundred eighty-seven thousand, eight hundred fifty-three (\$25,487,853) dollars or so much thereof as the General Manager shall find necessary or desirable to expend to conduct the activities of ARPA, in accordance with the budget herein adopted and the ARPA Fiscal Resolution as it currently exists or as it may subsequently be amended.

Dated this 1st day of December, 2022.



P. Lorenz Sutherland
President
Board of Directors
Arkansas River Power Authority



ATTEST:



Arvenia L. Morris
Secretary



Wholesale Rate

Volume VIII

Adopted on 10-28-2021

Resolution No. 08-21

Effective Date: 12-01-2021

1st Revised Sheet 4 issued 12-01-2022

Resolution No. 05-22

Effective Date: 01-01-2023

SCHEDULE A
WHOLESALE RATES

1. Applicability

This Wholesale Rate is applicable to all Members of the Arkansas River Power Authority ("Authority" or "ARPA").

2. Energy Supplied By The Authority

The Authority shall supply the total power and energy requirements of each Member except for power and energy (a) supplied by other parties under purchased power agreements entered into prior to December 13, 1983, including renewals or extensions of such agreements (b) that are permitted to reduce a Member's purchases from the Authority under the terms of the Authority's Renewable Distributed Generation Policy (as in effect on the date hereof and as may be amended from time to time hereafter, the "DG Policy"), (c) generated by a Member from Member-owned units shown on Schedule C that is not purchased by the Authority, and (d) purchased or generated under other arrangements specifically approved by the Authority's Board of Directors.

3. Energy Purchased By The Authority From Members

Except as provided for in this paragraph, each Member shall sell to the Authority all energy generated by the Member. Such energy shall be sold to the Authority as described in Section 4.

3.1 The Authority shall purchase the Cap-Limited Renewable Energy (as defined in the DG Policy) of each Member under the terms of the DG Policy and this Wholesale Rate Tariff, subject to all their respective conditions and limitations. The Authority will have no obligation to purchase energy from a Member except purchases expressly required under the DG Policy, purchases from a Member under purchased power agreements, and purchases of energy generated by resources listed on Schedule C.

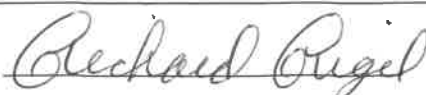
3.2 The Authority shall have the right to decline to purchase all or a portion of the energy generated by a Member even when the source is listed on Schedule C if the Authority's Board of Directors determines such purchase would not be advantageous on a cost or operational basis to the collective interests of the Members of the Authority. Generation by a Member in circumstances where the Authority declines to purchase for the reasons set forth herein shall not modify that Member's Monthly Billing Demand as defined hereafter for billing purposes. The General Manager shall have the authority to make such purchase determinations in emergency situations.

4. Member-Owned Generation: Reimbursements and Purchases

4.1. Member Generation: Fuel Costs: The Authority shall reimburse the Member for actual fuel costs associated with energy purchased from the Member-owned units shown on Schedule C. Fuel expense may also include, at the discretion of, and upon the sole determination of the Authority's Board of Directors, any investment and operating costs incurred by a Member with respect to fuel transportation and gathering facilities, including equipment and interconnections related thereto ("transportation facilities"), whether such transportation

Resolution

Number 08-21



Richard Rigel, Issuing Officer

Issue Date 10-28-2021

Effective Date 12-01-2021

facilities are owned in whole or in part by a Member or a Member has contract rights and obligations with respect to such transportation facilities.

4.2. Member Generation: Units that do not Consume Fuel shown on Schedule C: With regard to non-fuel consuming generating sources shown on Schedule C, the Authority shall reimburse the Member solely for the monthly capitalized payment related to the purchase and installation and Operating and Maintenance cost of the source, less any renewable energy credits or similar rebates attributable to the source.

4.3. Member Generation: Renewable Generation Resources: As stated in more detail in the DG Policy, the Authority shall provide a credit on the Member's monthly invoice for all Cap-Limited Renewable Energy produced by the Member's Member-Owned RGR (as defined in the DG Policy) during the period covered by the invoice, at the Avoided Cost Rate shown in Section 6.5 below, except that purchases of energy generated by Member-owned units shown on Schedule C will be made under Sections 4.1 and 4.2 above.

4.4. ARPA Owned Generation in Holly and Trinidad: The Authority shall reimburse the Member for the actual fuel costs and operation and maintenance expenses (excluding Member labor costs) incurred by the Member, when such are associated with ARPA-owned generation.

4.5. Other expenses: The Authority may reimburse the Member for other expenses associated with energy purchased from the Member as determined from time to time by the Authority's Board of Directors; provided, however, that such expenses shall be related to production of energy, operation of a generating unit(s), environmental permitting or emission fees or licensing fees.

5. Calculation of the Total Monthly Charges

5.1. Hourly Metered Demand: The Hourly Metered Demand for a Member shall be the hourly energy sold to the Member, which shall be calculated as the sum of energy delivered to the City, plus local generation from ARPA- or Member-owned generating resources listed on Schedule C and from Member-Owned RGR's, less Colorado River Storage Project (CRSP) Deliveries (Lamar Only), less Station Service Attributed Solely to ARPA-Owned Generation, plus delivery losses related to deliveries over Sub-Transmission Facilities.

5.2. Monthly Billing Demand: The Monthly Billing Demand shall be the highest Hourly Metered Demand occurring during the Billing Month.

5.3. Monthly Billing Energy: The Monthly Billing Energy for a Member shall be the energy sold to the Member, which shall be calculated as the sum of energy delivered to the City, plus local generation purchased by ARPA including Member- and Customer-Owned RGR's (as defined in the DG Policy), less CRSP Deliveries (Lamar Only), less Station Service attributed solely to ARPA-owned generation, plus delivery losses related to deliveries over Sub-Transmission Facilities.


- 5.4. Monthly Demand Charge: The Monthly Demand Charge shall be the Monthly Billing Demand multiplied by the Demand Rate shown in the Rate Schedule, Section 6.1 below.
- 5.5. Monthly Energy Charge: The Monthly Energy Charge shall be the Monthly Billing Energy multiplied by the Energy Rate shown in the Rate Schedule, Section 6.2, plus Energy Cost Adjustment, if any, shown in Section 6.3, plus Debt Service Coverage (DSC) Adder shown in Section 6.4 below.
- 5.6. Sub-Transmission Charge: The Monthly Demand Charge and Monthly Energy Charge includes costs for Network Integration Transmission Service deliveries, including losses related to facilities greater than 100 kV.
- 5.6.1. Certain Members require service over Sub-Transmission Facilities. For purposes of this Rate Schedule, Sub-Transmission Facilities are defined as those facilities that are operated at a voltage of less than 100 kV.
- 5.6.2. A Sub-Transmission Charge will be assessed to those Members that require the use of Sub-Transmission Facilities, equal to the charges incurred by ARPA to use those Sub-Transmission Facilities.
- 5.6.3. In the event the costs for Sub-Transmission Facilities are included in a Transmission Provider's Network Integration Transmission System rate to a Member and are not charged a separate rate by the Transmission Provider, there will be no additional Sub-Transmission Charge to that Member.
- 5.7. Total Monthly Charges: The Total Monthly Charges will be the sum of the Monthly Demand Charge, Monthly Energy Charge, and, if applicable to a specific member(s), the Sub-Transmission Charge.

6. Rate Schedule

- 6.1. Demand Rate: \$5.49 per kW of Monthly Billing Demand
- 6.2. Energy Rate: \$0.08836 per kWh of Monthly Billing Energy
- 6.3. Energy Cost Adjustment: The Authority may assess an Energy Cost Adjustment to Members if the actual Monthly Energy Cost exceeds the budgeted energy cost per kWh in any month. The average Monthly Energy Cost is calculated as the sum of the production and purchased energy costs, less revenues from sale of energy to non-members and WAPA CRSP capacity and energy to Lamar, divided by the energy sold to Members. The monthly Energy Cost Adjustment will equal the positive difference between actual energy costs and the budgeted average Energy Cost per kWh. In no event shall the Energy Cost Adjustment be less than zero. The Charge shall be equal to the Member's Monthly Billing Energy, multiplied by the monthly Energy Cost Adjustment, and shall be billed in the billing period following the month in which such adjustment occurs.

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6.4. Debt Service Coverage Adder: The Authority may assess a Debt Service Coverage (“DSC”) Adder to the wholesale electric rate charged to Members. The DSC Adder shall be for the sole purpose of collecting revenues required to meet the Authority’s DSC obligations under certain outstanding bonds, which require that the Authority collect revenues equal to 1.25 times the annual amount of debt service paid on any outstanding bonds. Each member may be assessed a DSC Adder equal to the energy sold to that member by the Authority during the month in which the billing represents, multiplied by the monthly DSC Adder, as calculated below, where necessary for the Authority to meet its DSC obligation under the bonds.

6.4.1. The DSC Adder shall be the difference between the monthly debt service payment and the monthly DSC requirement of 1.25 times the monthly debt service payment, divided by the total number of kilo-watt hour monthly sales.

6.5. Avoided Cost Rate: The Authority’s Avoided Cost Rate shall be consistent with applicable legal and regulatory standards and shall be calculated on a monthly basis as the sum of ARPA’s power supply costs for the month, including a) ARPA Owned Generation, b) Member Owned Generation, c) Renewable Resources Generation (as defined in the DG Policy), d) power supply allocations from the Western Area Power Administration, and e) purchases of Supplemental power from third-parties; divided by f) the total energy purchases for the month. For purposes of calculating the Avoided Cost Rate, ARPA’s power supply costs do not include transmission service, debt service, or ARPA’s administrative and general costs.

7. Other Provisions

7.1. The Authority will promptly prepare the Members’ monthly bill following receipt of necessary data pertaining to the previous month. At the discretion of the Authority, and in order to timely issue the Member bills, the Authority may estimate certain data and account for the difference between the estimated and actual data on the next monthly billing after the actual data becomes available.

7.2. The requirements and procedures for the payment of bills by the Members to the Authority shall be as set forth in Section 15 of the “Agreement for the Supply of Electric Power and Energy to Municipal Members of the Arkansas River Power Authority”.



SCHEDULE B
NOT USED

Resolution
Number 08-21


Richard Rigel, Issuing Officer

Issue Date 10-28-2021
Effective Date 12-01-2021

SCHEDULE C
LIST OF ARPA AND MEMBER OWNED GENERATING UNITS

Location	Year Installed	Unit #	Individual Unit Operational Capacity ¹	Status ²
Holly	1991	# 4	750 kW	Emergency Only Standby
	1997	# 5	400 kW	Emergency Only Standby
	2008	#1 N Sub	1,825 kW	ARPA Unit – Standby
Lamar	2004	T1, T2, T3, T4	1,500 kW each	Wind Turbines; T4 is ARPA Unit
Las Animas	1941	# 1	300 kW	Emergency Only Standby
	1941	# 2	250 kW	Emergency Only Standby
	1951	# 4 & # 5	1,225 kW each / 900 kW ea	Dual-fuel – Emergency Only Standby
	1967	# 6	3,000 kW / 2,600 kW	Dual-fuel – Emergency Only Standby
Springfield	1967	# 1	1,250 kW	Dual-fuel – Emergency Only Standby
	1950	# 2	200 kW	Dual-fuel – Emergency Only Standby
	1954	# 4	592 kW	Dual-fuel – Emergency Only Standby
	1962	# 5	800 kW	Dual-fuel – Emergency Only Standby
	2004	T1-S	1,500 kW	ARPA Unit- Wind Turbine
Trinidad	1965	# 3	1,750 kW	Dual-fuel - Emergency Only Standby
	1965	# 4	1,750 kW	Dual-fuel - Emergency Only Standby
	1999	# 5, # 6, # 7	1,880 kW each	ARPA Units – Standby

¹ The values designated in this column are based on unit operational capacity determined on a stand-alone basis and do not take into account capacity loss that may result from cooling, permitting, or other restrictions, such as when two or more units are operated simultaneously. Units with a noted “approximate” capacity are temperature-dependent. If there are two capacity values listed for a unit, the first value is nameplate and the second value is the preferred maximum operating level.

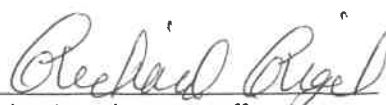
² All units operate on diesel or dual fuel unless otherwise noted.

SCHEDULE D
ECONOMIC DEVELOPMENT RATE

The Authority believes that its Wholesale Rate Tariff provides each Member with the tools necessary to implement their own individualized economic development rates. Notwithstanding, future circumstances may exist whereby a Member has an opportunity to attract a new customer with a high load factor and/or high off-peak usage, where such usage could significantly reduce energy costs to all ARPA Members. In those instances, upon the specific request of a Member, the Authority will evaluate the development of an individual economic development rate specific to that potential new customer.

Resolution

Number 08-21


Richard Rigel, Issuing Officer

Issue Date 10-28-2021

Effective Date 12-01-2021

SCHEDULE E

WAPA WESTERN REPLACEMENT FIRING PROGRAM
SHORT-TERM REDUCTION IN WAPA ALLOCATION


The Authority believes that its Wholesale Rate Tariff provides each Member with the tools necessary to address short-term programs or events that impact existing Western Area Power Administration ("WAPA") Firm Electric Service ("FES") customer's power supply contracts, where the existing FES customer's contract benefits all the Authority's Members. In the event short-term programs of two-years or less are implemented by WAPA, whereby the FES contracted allocation of energy is reduced, the Authority will provide the replacement energy, in the amount of energy equal to the amount reduced by the program, at the Authority's most current fixed rate per its Partial Requirements Agreement.

If, at the end of the two-years, the WAPA FES Member's contracted allocation becomes a permanent reduction in part or in whole, the Authority shall provide the amount of reduced energy per its full Member's rate in accordance with Section 6 of this Wholesale Rate Tariff.

The Authority retains the right to evaluate This SCHEDULE E on an annual basis or more often as developments in the program(s) may dictate.

Resolution

Number 08-21


Richard Rigel, Issuing Officer

Issue Date 10-28-2021

Effective Date 12-01-2021

RESOLUTION No. 06-22

A RESOLUTION OF THE ARKANSAS RIVER POWER AUTHORITY IN RESPONSE TO THE COLORADO ENERGY OFFICE APPLICATION FOR GRID RESILIENCE FUNDING

WHEREAS, the Arkansas River Power Authority (“Authority” or “ARPA”) is a political subdivision of the state of Colorado whose purpose is to supply the wholesale electricity needs of its Member Municipalities, which include the Colorado municipalities of Holly, La Junta, Lamar, Las Animas, Springfield and Trinidad; and

WHEREAS, the Authority and its member municipalities have demonstrated forward looking and progressive vision by being one of the first utilities to fund, construct, and commission wind facilities in 2004 in Prowers and Baca Counties; and

WHEREAS, the Authority and its member municipalities are in the process of evaluating steps necessary to harden their distribution grids, reduce outages to improve reliability and grid resiliency, and transition to a low-carbon economy; and

WHEREAS, the Department of Energy (“DOE”) has allocated Colorado funds to improve grid resiliency through Section 40101(d) of the Infrastructure Investment and Jobs Act (“IIJA”) to be administered through the Colorado Energy Office (“CEO”); and

WHEREAS, among the stated uses of the IIJA funds provided to the CEO included, among others, the undergrounding of electrical equipment, utility pole management, relocation of power lines, and replacement of old overhead and underground conductors; and

WHEREAS, the CEO’s Draft Program Narrative titled Bipartisan Infrastructure Law-Section 40101(d) states “Among the uses allowed under 40101(d), Colorado does not intend to prioritize funding for the following types of projects” include those uses listed above; and

WHEREAS, The Draft Program Narrative goes on to state, in part, that a portion of the IIJA funds are reserved for municipal utilities that serve rural areas: and

WHEREAS, ARPA and its member municipalities meet the definition of Rural as defined in the Draft Program Narrative and believe the most beneficial use for funding for Enhancing the Resilience of their Electric Grids are those uses listed above.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Arkansas River Power Authority that

1. The foregoing WHEREAS clauses are incorporated fully in this Resolution.
2. The Authority supports the goals of the IIJA and the Colorado Energy Office and believes the funding for Rural municipal electric grids should be used in such a manner that will:

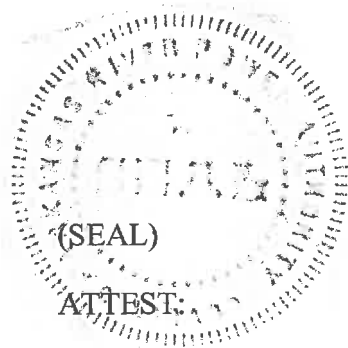
- a. Modernize substations to improve system reliability and renewables integration
- b. Upgrade metering systems to accommodate Virtual Peakers to monitor and manage electric demand
- c. Replace aging infrastructure to reduce outages and improve resiliency
- d. Fund technical assistance for distribution planning to aid in the assimilation of renewables into the distribution system

3. Further, the Authority, and its member municipalities, believe the uses listed above would be the most beneficial use for rural municipal electric systems and funding for such should be **prioritized**. The Arkansas River Power Authority hereby petitions the Colorado Energy Office to reevaluate its priorities for funding, and for the uses of funding, from the IJA and prioritize uses such as the undergrounding of electrical equipment, utility pole management, relocation of power lines, and replacement of old overhead and underground conductors.

APPROVED this 1st day of December, 2022.



P. Lorenz Sutherland
President
Board of Directors
Arkansas River Power Authority



Arvenia L. Morris
Secretary

RESOLUTION No. 07-22

**Designating Public Places For Posting of Meeting
And Other Notices**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ARKANSAS RIVER POWER
AUTHORITY:**

Effective January 1, 2023 the following public places are hereby designated for the posting of meeting and other notices.

Arkansas River Power Authority
3409 South Main Street
Lamar, CO 81052

Arkansas River Power Authority
www.arpapower.org/public-notices
www.arkansasriverpowerauthority.org/public-notices

Post Office
101 East Santa Fe Street
Holly, CO 81047

Las Animas City Hall
532 Carson
Las Animas, CO 81054

Office of the City Clerk
601 Colorado Avenue
La Junta, CO 81050

Springfield City Hall
748 Main Street
Springfield, CO 81073

Lamar Light and Power
100 North Second Street
Lamar, CO 81052

Trinidad City Hall
135 North Animas
Trinidad, CO 81082

ADOPTED this 1st day of December, 2022.



Arvenia L. Morris, Secretary

ARKANSAS RIVER POWER AUTHORITY



P. Lorenz Sutherland, President

RESOLUTION No. 08-22

Designating Dates and Locations For Regular Meetings of
the Board of Directors of the Arkansas River Power Authority
During Calendar Year 2023

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ARKANSAS RIVER
POWER AUTHORITY:**

Subject to further notice, the regular meetings of the Board of Directors of the Arkansas River Power Authority will be held on the following dates in the designated member municipality.

February 23, 2023
10:00 AM
La Junta, CO
ANNUAL MEETING

August 31, 2023
10:00 AM
La Junta, CO

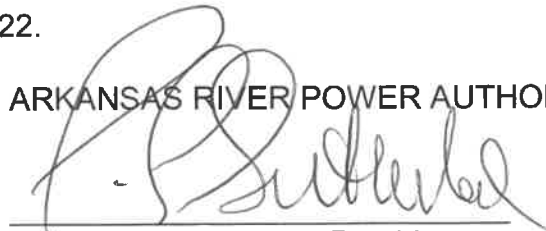
May 25, 2023
10:00 AM
La Junta, CO

October 26, 2023
10:00 AM
La Junta, CO

December 7, 2023
10:00 AM
La Junta, CO

ADOPTED this 1st day of December, 2022.

ARKANSAS RIVER POWER AUTHORITY



P. Lorenz Sutherland, President

ATTEST:



Arvenia L. Morris, Secretary