**STATE OF NEBRASKA**

**NEBRASKA POWER REVIEW BOARD**

IN THE MATTER OF THE PROPOSED ) PETITION FOR

AMENDMENT TO SECTION 6 OF THE ) AMENDMENT 12

POLK COUNTY RURAL PUBLIC POWER )

DISTRICT’S CHARTER ) NOTICE

In January 2022 the Power Review Board (the Board) published a notice regarding a Petition filed by the Polk County Rural Public Power District (Polk Co. RPPD) to amend its charter. The amendment was designated Petition for Charter Amendment 10. The amendments included changing the number of directors set out in Section 6 in voting subdivisions II and III. The number of directors in subdivision II would have increased from two to three, while the number of directors in subdivision III would have been reduced from three to two. The Board’s notice mistakenly omitted the requested changes to the number of directors in subdivisions II and III. The omission was overlooked and therefore not corrected when Charter Amendment 11 to Polk Co. RPPD’s charter was approved. The purpose of the Petition for Charter Amendment 12 is to correct the error that occurred in charter amendment 10.

Notice is hereby given that the Board proposes on its own motion to amend the language in Section 6 of the Polk Co. RPPD’s charter to include the correct number of directors elected from each subdivision. This is the only change in Charter Amendment 12, and only the pertinent paragraph will be included in this public notice. The proposed language to be added to the charter appears below in text that is underlined, while overstrikes appear over the existing language to be removed from the charter. Anyone interested in obtaining a complete copy of the District’s current charter should contact the Board at the address or phone number provided in this notice.

The proposed changes to section 6 of the District’s charter are as follows:

“6. The Board of Directors shall consist of seven (7) members. For the purpose of the nomination and election of directors the territory of the District shall be, and hereby is, divided into three (3) election subdivisions, as follows:

[The description of the District’s subdivisions is omitted from this notice.]

Two (2) members of the Board of Directors shall be nominated and elected from Subdivision I; ~~two (2)~~ three (3) members of the Board of Directors shall be nominated and elected from Subdivision II; and ~~three (3)~~ two (2) members of the Board of Directors shall be nominated and elected from Subdivision III.

[The list of directors is omitted from this notice.]

Commencing in 2022, as the term of each director expires, a successor shall be elected by the electors of each subdivision represented by such director at the general state election immediately preceding the expiration of such director’s term of office.”

Any interested person may file a written protest, complaint, or objection with the Board objecting to the approval of the above-referenced proposed amendments. All protests, complaints, or objections must be received in the Board’s offices **by 5:00 p.m. on April 12, 2024**, by mailing the document to: Nebraska Power Review Board, P.O. Box 94713, Lincoln, NE 68509-4713, or delivering the document to the Power Review Board’s offices located at 301 Centennial Mall South, lower level, Lincoln, Nebraska. If the Board receives any protest, complaint, or objection by the filing deadline from a person residing in the Polk Co. RPPD’s service area, or any other person or entity affected by the proposed amendment, the Board will hold a hearing, at which the person filing said protest, complaint, or objection may appear and contest the approval of the proposed amendment.

The Board hereby provides notice, pursuant to the Nebraska Administrative Procedure Act, that in the event of a contested hearing, if any party requests that the Board be bound by the formal rules of evidence, all costs of the hearing shall be paid by the party or parties against whom a final decision is rendered. Pursuant to the Board’s Rules of Practice and Procedure set out in Nebraska Administrative Code, Title 285, Chapter 3, section 29.04, if for some reason there is no final decision in which a party requested that the Board be bound by the formal rules of evidence, the costs of the hearing will be borne by the parties to the hearing in a proportionate share according to their respective contribution to the record, unless otherwise ordered by the Board. Individuals requiring special accommodations should contact the Board at the phone number below prior to the time of the hearing.

Requests for additional information or questions should be directed to Timothy Texel, Executive Director and General Counsel, Nebraska Power Review Board, at the above address or by calling (402) 471-2301.

NEBRASKA POWER REVIEW BOARD

Timothy Texel, Executive Director