

**STATE OF NEBRASKA
NEBRASKA POWER REVIEW BOARD**

IN THE MATTER OF THE JOINT)	SAA 43-25-A
APPLICATION OF THE NEBRASKA)	
PUBLIC POWER DISTRICT, McCOOK)	
PUBLIC POWER DISTRICT, AND THE)	
CITY OF McCOOK, NEBRASKA TO)	ORDER
MODIFY RETAIL SERVICE AREA)	
AGREEMENT 43)	

ON THE 20th day of June, 2025, the above-captioned matter came on for consideration by the Nebraska Power Review Board (the Board) and the Board, being fully advised as to the premises, finds as follows:

1. That the Nebraska Public Power District (NPPD), the McCook Public Power District (McCook PPD) and the City of McCook (McCook) filed a joint application with the Board on May 12, 2025, requesting approval of an amendment to retail Service Area Agreement (S.A.A.) 43. S.A.A. 43 is the written agreement between NPPD and McCook PPD, previously approved by the Board, establishing the service area boundary between the two utilities' adjoining retail service areas.

2. That McCook is served at retail by NPPD. That on October 14, 2024, McCook adopted Ordinance No. 2024-3093 (Exhibit C) annexing territory. A portion of the annexed territory is already part of NPPD's service territory, while another portion is currently part of McCook PPD's retail service area. Only that portion that is not currently within NPPD's service area is involved in this application. The portion outside NPPD's service area that would be transferred by application SAA 43-25-A is indicated

on Exhibit A by a cross-hatched area bright red in color, with the words “Proposed Service Area Addition For Ordinance 2024-3093” below it with an arrow pointing to the bright red area. Both NPPD and McCook wish to have the annexed territory that is not already part of NPPD’s service area added to NPPD’s retail service area in and around McCook.

3. That NPPD and McCook PPD are the only parties to S.A.A. 43 and NPPD, McCook and McCook PPD are the only parties to this application.

4. That McCook is a party to this application because the City and its immediate vicinity is part of NPPD’s retail service area. As previously stated, McCook wishes to have the annexed territory added to NPPD’s retail serve area established in S.A.A. 43. McCook is clearly an interested party in the application and the Board deems McCook’s participation in the filing of a joint application to constitute a Petition for Intervention in the proceeding, which is granted.

5. That McCook PPD currently holds the service area rights to the pertinent portion of the area that McCook annexed. The area is described as located generally in the northwest quarter of Section nineteen, Township three North, Range twenty-nine West of the 6th P.M., Red Willow County, Nebraska, and is located on the northwest edge of McCook’s corporate limits. The area would be transferred from McCook PPD to NPPD by the requested amendment set out in SAA 43-25-A. Is indicated in paragraph 2 of this Order, a map marked “Exhibit A” shows with more specificity the area in the vicinity of McCook that would have the service area rights transferred from McCook PPD to NPPD.

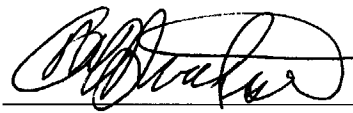
6. That McCook PPD agrees to transfer the annexed territory from its service area as designated in the application to NPPD. McCook wishes NPPD to acquire the service area rights to the annexed territory. When a public power district holds the retail service area rights to a municipality and the municipality annexes territory, the Board considers the public power district to be serving as the municipal power supplier for purposes of service area transfer rights.

7. That during its public meeting held June 20, 2025, a majority of the Board (5-0) voted to approve application SAA 43-25-A.

IT IS THEREFORE THE ORDER of the Nebraska Power Review Board that, pursuant to the Board's action on June 20, 2025, retail Service Area Agreement 43 be amended as requested and described in Application SAA 43-25-A by transferring the service area described in the application and this Order, that the amendment shall become part of retail Service Area Agreement 43 between the Nebraska Public Power District and McCook Public Power District, and that Application SAA 43-25-A be, and hereby is, APPROVED.

Dated this 20th day of June, 2025.

NEBRASKA POWER REVIEW BOARD

By: 

Chuck Hutchison
Chairman