

**STATE OF NEBRASKA  
NEBRASKA POWER REVIEW BOARD**

IN THE MATTER OF THE PETITION	)	<b>Charter Amendment #6</b>
OF STANTON COUNTY PUBLIC	)	<b>PETITION TO AMEND</b>
POWER DISTRICT TO AMEND ITS	)	
CHARTER	)	

Stanton County Public Power District, Petitioner, hereafter referred to as "the District" represents to the Nebraska Power Review Board as follows:

1. The District is a public power district organized and existing under NEB. REV. STAT. §§ 70-601 *et seq.*, with its principal place of business located in Stanton, Stanton County, Nebraska.

2. The District is engaged in the business of public utility service, and is without the ability to levy taxes or to issue general obligation bonds.

3. On June 22, 2023, at a regular meeting of the Board of Directors of the District held at its offices in Stanton, Stanton County, Nebraska, due and proper notice of said meeting having been given as provided by law, and six (6) members of the Board being present, upon a vote of record the Board voted 6-0 to authorize that a Petition be filed with the Power Review Board, in accordance with NEB. REV. STAT. § 70-662, containing the amendments as described herein. See Exhibit "A". The reason for the adoption of the Charter Amendment is to bring the Charter into compliance with NEB. REV. STAT. § 70-604.

4. The territory of the district shall not be subdivided for purposes of voting subdivisions and all six (6) directors shall be elected at-large from the Chartered Territory, depicted in Exhibit "B".

5. This amendment is in the best interest of and in no way prejudices the rural customers served by the District.

6. Section/Paragraph (II) of the District's Charter shall be amended to read as follows:

2. ~~That the name of the municipality (county) constituting the proposed public power district be composed of the following territory: is and shall be Stanton County, of the State of Nebraska, bounded as set forth in Article 1, Chapter 25, Compiled Statutes of Nebraska for 1929.~~

All of Stanton County, except Sections 1-10, the North ½ and the West ½ of the Southwest ¼ of Section 11, the North ½ of Section 12, the Northwest ¼ of Section 15, the North ½ and the Southwest ¼ of Section 16, Sections 17-20, the West ½ of Section 21, the Northwest ¼ of Section 28, the North ½ of Sections 29 and 30, Township 24 North, Range 1 East of the 6<sup>th</sup> P.M.

These portions of Wayne County: The South ½ of Section 24, Section 25, the South ½ and the South ½ of the North ½ of Sections 26-28, the Southeast ¼ and the South ½ of the Northeast ¼ of Section 29, the East ½ of Section 32, all of Sections 33-36, Township 25 North, Range 2 East of the 6<sup>th</sup> P.M.; the South ½ of Section 19, the Southwest ¼ of Section 20, the West ½ of Section 29, all of Sections 30 and 31, the West ½, the Southeast ¼ and the South ½ of the Northeast ¼ of Section 32, the South ½ and the South ½ of the North ½ of Section 33, the Southwest ¼ and the South ½ of the Northwest ¼ of Section 34, Township 25 North, Range 3 East of the 6<sup>th</sup> P.M.

These portions of Madison County: The East ½ of Section 12, the East ½ and the Southwest ¼ of Section 13, the Southeast ¼ of Section 21, the South ½ of Sections 22 and 23, all of Sections 24-27, the East ½ of Sections 28 and 33, all of Sections 34-36, Township 21 North, Range 1 West of the 6<sup>th</sup> P.M.

These portions of Cuming County: the Southwest ¼ of Section 19, the West ½ of Sections 30 and 31, Township 21 North, Range 4 East of the 6<sup>th</sup> P.M.; the Southwest ¼ and the West ½ of the Southeast ¼ of Section 30, the Northwest ¼, the West ½ of the Northeast ¼, the Northwest ¼ of the Southeast ¼, and the North ½ of the Southwest ¼ of Section 31, Township 22 North, Range 4 East of the 6<sup>th</sup> P.M.

7. Section/Paragraph (V) of the District's Charter shall be amended as follows:

~~That the proposed district shall have no power of taxation nor to issue general obligation bonds and all property within said district shall be exempt from the levy of any taxes for the payment of any obligations of the district.~~

8. Section/Paragraph (VI) of the District's Charter shall be amended as follows:

The Board of Directors of the District shall be comprised of six (6) Directors and shall be elected from all of the Chartered Territory described in Paragraph (II) above, voting precincts of Stanton County, except for the area in Spring Branch Precinct, including Woodland Park, that is not served by the Stanton County Public Power District. The six (6) Directors shall be broken into three voting groups, two directors in each group, with each group serving a six (6) year term. Group 1 shall be elected at the general election in 2024, Group 2 shall be elected at the general election held in 2026, Group 3 shall be elected at the general election held in 2028. Each group shall hold office until their successors are elected at the first statewide general election thereafter.

9. The Amendment set forth above will not be contrary to the best interests of the District, nor will it jeopardize or impair the rights of the creditors of the District.

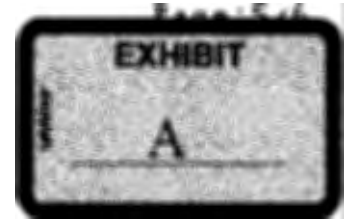
WHEREFORE, the District requests that the Nebraska Power Review Board publish the required notice and issue a Certificate approving Charter Amendment #6, and do all and further things required by or appropriate under the laws of the State of Nebraska.

Dated: September 1 2023

STANTON COUNTY PUBLIC POWER DISTRICT, Petitioner,

*Ellen Kreifels*

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Ellen Kreifels  
Nebraska Bar No. 25481  
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**STANTON COUNTY PUBLIC POWER DISTRICT  
RESOLUTION 2023-17 APPROVING CHARTER AMENDMENT #6**

WHEREAS, The Board of Directors ("Board") of Stanton County Public Power District ("District") has reviewed the proposed Charter Amendment #6 at a Regular Meeting of said District held on June 22, 2023, said meeting having been advertised as required by Nebraska Statutes;

WHEREAS, the Board has deemed it to be in the best interest of its customers to revise its Chartered Territory. It will add language creating a chartered territory description, identify how many directors comprise the Board of Directors, and add language stating that the District is without the ability to issue general obligation bonds; and

NOW THEREFORE, BE IT RESOLVED, that the Board approves by a 5-0 vote, with 1 member absent, that the Charter Amendment #6, in the form set forth in the Petition to Amend #6, be presented to the Nebraska Power Review Board; and

BE IT FURTHER RESOLVED, it is appropriate to maintain the chartered territory without voting subdivisions and all six directors elected "at-large" from the chartered territory; and

BE IT FURTHER RESOLVED, it is appropriate to add the chartered territory description for all areas served in Stanton, Wayne, Cuming, and Madison counties; and

BE IT FURTHER RESOLVED, the Board agrees and acknowledges it has no authority to levy taxes or issue general obligation bonds; and

BE IT FURTHER RESOLVED, that the Board authorizes the General Manager or the District's legal representatives to make corrections to the Charter or Petition as may be reasonably necessary to effectuate the intent of this resolution; and

BE IT FURTHER RESOLVED, all such changes made in the Charter Amendment #6 shall become effective immediately upon the Nebraska Power Review Board's confirmation and approval.

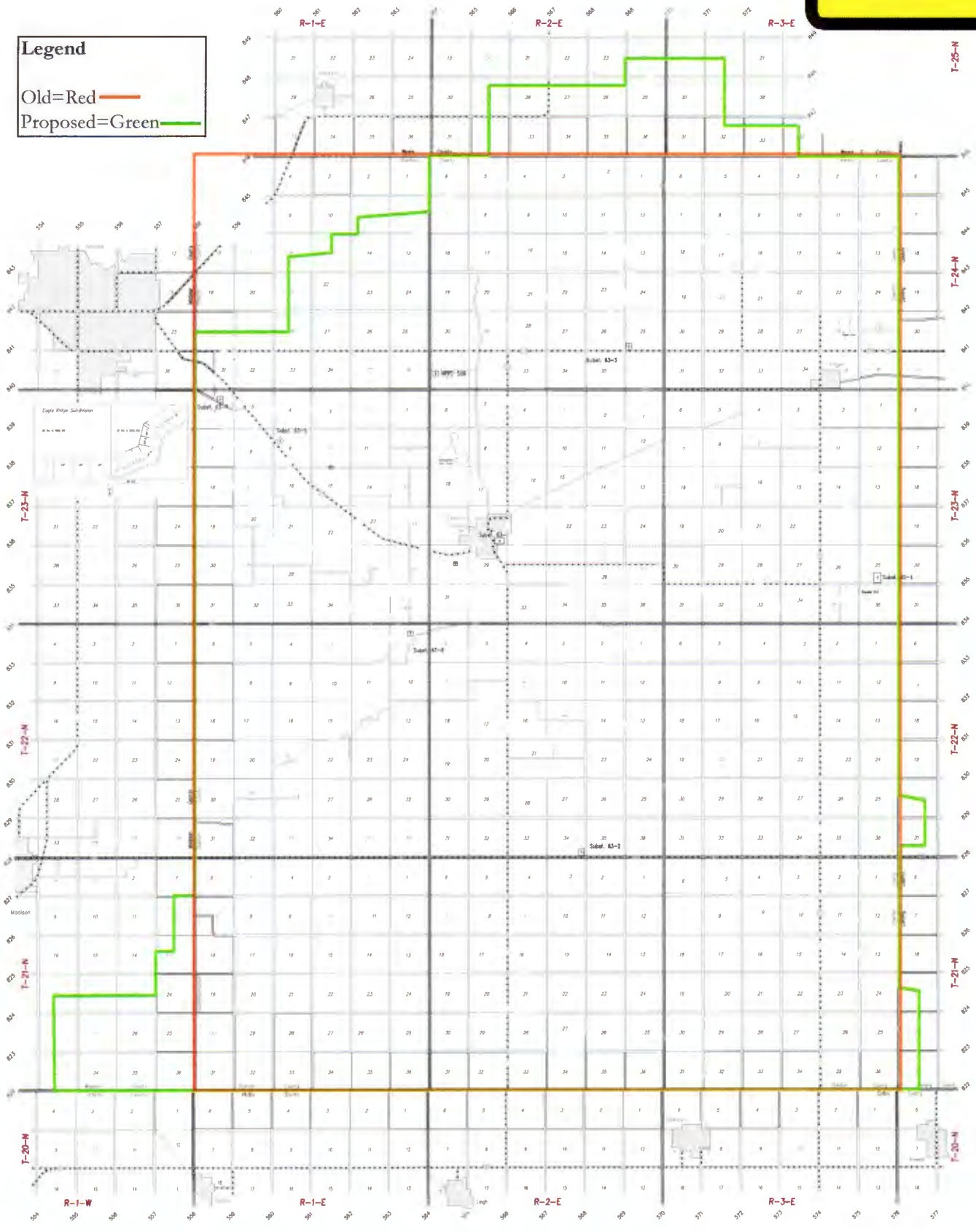
IN WITNESS WHEREOF, I have set my hand this 22<sup>nd</sup> day of June.

By: *Gary Koehlmoos*  
Gary Koehlmoos, President

SEAL

**EXHIBIT**  
**B**

**Legend**  
Old=Red  
Proposed=Green



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F A X C O V E R S H E E T

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To: From: Ellen Kreifels

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Company: Power Review Board Company: BWJ Law Group

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Fax: 14024713715 Phone: 4024757080

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Date: 09/01/2023 10:42:56 Pages: 6 (w/coversheet)

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Subject:

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Message: Attached please find the Executed Petition to Amend Charter Stanton County PPD with Exhibits.