



**MINUTES OF A SPECIAL MEETINGS OF THE  
DELTA-MONTROSE ELECTRIC ASSOCIATION  
BOARD OF DIRECTORS  
November 9, 2023**

**Special Board Session.** On November 9, 2023, the Board of Directors of Delta-Montrose Electric Association (DMEA) met for a Special Meeting at the cooperative's headquarters located at 11925 6300 Rd., Montrose, CO 81401.

<b>During its special meeting, the DMEA Board:</b>
<b>1.</b> Appointed Steve Metheny as the District 2 Board seat representative.
<b>2.</b> Conducted a hearing to consider PURPA Section 111(d)(20) and (21) standards regarding demand-response practices and EV charging programs.
<b>3.</b> Adopted resolution 2023-9 regarding the foregoing purpose of the PURPA section 111(d)(20) and (21) standards for demand-response practices and EV charging programs.

**Special Board Session**

- I. **Call Meeting to Order.** President Cannon called the meeting to order at 2:48 p.m.
  - **Directors present:** Stacia Cannon, Damon Lockhart (via Zoom), Enno Heuscher (via Zoom), Jock Fleming, Emily Sanchez, Kevin Williams, Jacob Gray (via Zoom), Bill Patterson, Steve Metheny (in during VI-Special Business)
  - **Directors absent:** None
  - **DMEA staff present:** Amy Taylor (CoS) Jack Johnston (CEO), Mateusz Pena (Chief Engineering & Power Resources Officer), Cody Carver (COO), Gayle Gouker (CFO), Bob Farmer (CIO) (via Zoom) (in during V-Executive Session)

- **Others present:** Sarah Abbott (Attorney), Gail Marvel (member, reporter with the *Montrose Mirror*) (not present during V-Executive Session), Tony Hoag (member) (in during VII-Public Hearing)

- II. **Pledge of Allegiance** was led by Director Fleming.
- III. **Determination of a quorum.** President Cannon confirmed the presence of a quorum to conduct business.
- IV. **Approval of the agenda.** The Board unanimously approved the agenda posted on October 19, 2023.
- V. **Executive Session.** At 2:50 p.m., upon motion from Director Fleming, seconded by Director Sanchez, the Board unanimously entered Executive Session to review the appointment for the District 2 vacant Board seat; to discuss the PURPA 111(d) public hearing; and to discuss corporate, regulatory, and litigation matters. At 3:31 p.m., upon motion from Director Patterson, seconded by Director Williams, the Board unanimously approved exiting Executive Session.

*The Board took a brief recess at 3:31 p.m. The meeting resumed at 3:35 p.m.*

- VI. **Special Business.** Upon motion from Director Fleming, second by Director Patterson, the Board unanimously appointed Steve Metheny as the District 2 seat representative. Mr. Metheny will take his seat immediately.
- VII. **Public Hearing.** President Cannon opened the public hearing at 3:36 p.m. to consider PURPA Section 111(d)(20) and (21) standards regarding demand-response practices and EV charging programs. Attorney Abbott provided a general overview on what PURPA is, the Public Utility Regulatory Policies Act, and the nature behind its adoption in 1978 to promote energy conservation and promote great use of renewable energy. In 2021, as part of the

Infrastructure Investment & Jobs Act (IIJA), PURPA was amended to require nonregulated electric utilities that generate over 500 million kilowatts or greater of electric revenue to consider and determine a plan of action on possible ratemaking efforts for demand-response practices and EV programs. In September 2022, this was brought before the Board to let them commence consideration with a deadline to hold a public hearing and make a determination on said standards by November 15, 2023.

Chief Engineering & Power Resources Officer Pena presented on the standards and DMEA's roles already existing within these standards and into the future if adopted. The Board discussed Pena's presentation and presented inquiries to staff which were addressed.

At 4:09 p.m., Board discussion ended, and the public comment period commenced. There were no verbal comments presented at the meeting. Prior to the meeting, member Joseph McGill was sent a PDF copy of the presentation with a return comment that he "[agreed] with the recommendations in the pdf". President Cannon closed the hearing at 4:10 p.m.

- VIII. **Special Business (continued).** Upon motion from Director Fleming, seconded by Director Patterson, the Board unanimously adopted resolution 2023-9 regarding the foregoing purpose of the PURPA section 111(d)(20) and (21) standards for demand-response practices and EV charging programs. This resolution will be posted to the DMEA website for public review.
- IX. **Adjournment.** Having no further business to conduct, the Board adjourned its regular meeting at 4:16 p.m.



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Kevin Williams, Secretary/Treasurer