

MINUTES

KANSAS ELECTRIC TRANSMISSION AUTHORITY

May 11, 2009
Room 535-N—Statehouse

Members Present

Representative Carl Holmes, Chairperson
Earnie Lehman, Vice-Chairperson (by telephone)
Tim McKee, Secretary (by telephone)
Les Evans (by telephone)

Staff Present

Mary Galligan, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Melissa Doebelin, Office of the Revisor of Statutes
Rebecca Wempe, Stevens & Brand

Chairperson Holmes called the meeting to order at 2:10 p.m. He proposed additions to the agenda including a request from the League of Municipalities for an article and a letter from the Working Group for Investment in Reliable and Economic Electric Systems (WIRES). *Mr. McKee made a motion to approve the agenda, as amended. Mr. Lehman seconded the motion. The motion passed.*

The Chairperson asked for approval of the minutes of March 27, 2009. *Mr. McKee made a motion to approve the minutes. Mr. Lehman seconded the motion. The motion passed.*

The Chairperson reported that the League of Kansas Municipalities has requested KETA submit an article on transmission for the League's magazine. Staff will draft a document for Board review.

The Chairperson discussed the letter from WIRES, which asks KETA to join with others in signing an open letter to Congress regarding reform of the electric transmission system. The Chairperson appointed a subcommittee of Mr. Lehman, Mr. Evans, and Mr. McKee to develop a KETA response. Mr. Lehman will chair the subcommittee, which will have a draft to the Board for consideration by May 22.

The Chairperson asked for a motion to go into executive session to receive a briefing on the ITC/Prairie Wind docket from the Board's attorney, Rebecca Wempe. *Mr. Evans made, and Mr. McKee seconded, the motion set out below. The motion passed.*

Mr. Chairman,

I move to recess the meeting until 3:20 p.m. for an executive meeting as authorized by subsection (b)(2) of KSA 75-4319, to consult with the Authority's attorney, Rebecca Wempe, regarding the ITC/Prairie Wind dockets on matters which are privileged in the attorney-client relationship. In addition to Board members, the executive meeting requires the attendance of Rebecca Wempe, Stevens & Brand, L.L.P.; Mary Galligan and Cindy Lash, Kansas Legislative Research Department; and Melissa Doeblin, Office of the Revisor of Statutes. The meeting will resume in 535-N.

At 3:20 p.m., the Board returned to open session.

Rebecca Wempe pointed out that under changes made to the Open Meetings Act by the 2008 Legislature, the requirements of the Act come into play when a meeting involves a majority of the membership of a public body, rather than a majority of a quorum of a public body. The three-person subcommittee created earlier is not subject to the Open Meetings Act.

Mr. Lehman made a motion that the Chairman, in consultation with the Board's counsel, be authorized to take a position on the proposed settlement involving ITC and Prairie Wind at the May 12 meeting of signatories, if he thinks it is advisable. Mr. McKee seconded the motion. The motion passed.

The Chairperson noted that the budget bill that passed the Legislature corrected an earlier error and now authorizes KETA to carry over unspent funds from 2009 into 2010.

Mr. McKee asked that the agenda for a future meeting include discussion of Kansas hosting a multistate meeting of the transmission infrastructure authorities, possibly this summer. Mr. Lehman's report on recent SPP meetings also will be taken up at a future meeting.

The Chairperson advised members that if an agreement is reached between ITC and Prairie Wind, cost allocation will be the next issue. KETA will need to be involved to ensure cost allocation is on a postage stamp basis, and that the project is included in the Balanced Portfolio or other appropriate plan.

The date of the next meeting was not set.

The meeting was adjourned at 3:30 p.m.

Respectfully Submitted,

Tim McKee, Secretary

Approved by the Board on:

June 26, 2009

(Date)