

In the Matter Of:

MEMPHIS CITY COUNCIL EXECUTIVE SESSION

16.

TAPE TRANSCRIPTION

May 05, 2020



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MEMPHIS CITY COUNCIL
EXECUTIVE SESSION

ITEM NO. 16. ADD-ON ITEM: RESOLUTION REQUESTING
INFORMATION NECESSARY TO DETERMINE THE FEASIBILITY
OF SUPPLYING THE MEMPHIS MARKET WITH ELECTRICITY
INDEPENDENT OF TVA

MAY 5, 2020

BE IT REMEMBERED, that the
above-captioned cause came on to be heard, on
this, the 5th of May 2020 before PATRICE J.
ROBINSON, Chairwoman presiding, when and where the
following proceedings were had, to-wit:

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A P P E A R A N C E S

PATRICE J. ROBINSON, CHAIRPERSON
FRANK COLVETT, JR., VICE CHAIR
J. FORD CANALE
RHONDA LOGAN
JAMITA SWEARENGEN
WORTH MORGAN
EDMUND FORD, JR.
MICHALYN EASTER-THOMAS
CHEYENNE JOHNSON
MARTAVIUS D. JONES
CHASE CARLISLE
DR. JEFF WARREN
JB SMILEY, JR.

ALSO PRESENT:

ALLAN WADE, ESQ.
J.T. YOUNG
ALONZO WEAVER

1 P R O C E E D I N G S

2 * * * * *

3 COUNCILMAN WARREN: Thank you, Madame
4 Chair. I'd like to have an add-on item. It's a
5 proposal for the Council to request information from
6 MISO and ACES concerning what it would cost us to
7 get electricity.

8 I'm concerned that the current MLG&W
9 process with Siemens has not asked for that
10 information. And we're getting ready to have to
11 vote on rate increases, and we have not yet
12 ascertained if there is a way we can possibly save
13 money.

14 So I'd like for us to at least request to
15 see what it would cost us or if it will cost us to
16 get that information before we have to do a vote on
17 raising taxes.

18 And I think I've got seven votes to put
19 that as an add-on tonight.

20 CHAIRPERSON ROBINSON: Is that a motion?

21 COUNCILWOMAN JOHNSON: I'm sorry.

22 CHAIRPERSON ROBINSON: Is that a motion?

23 COUNCILMAN WARREN: Yes, ma'am. I'd move
24 that. And I think the resolution has been sent to

1 people (inaudible) so far (inaudible).

2 CHAIRPERSON ROBINSON: May I ask you a
3 question, Dr. Warren? Have you talked to our
4 attorney about that motion?

5 COUNCILMAN WARREN: Yes, ma'am.

6 CHAIRPERSON ROBINSON: And -- and what did
7 Allan Wade share with you so the council members
8 will know? That's not normally what we do. We
9 usually allow MLGW to come and make their
10 presentation, and if we need any further information
11 to that, that's where we ask for that information.

12 COUNCILMAN WARREN: Well, I would like to
13 move this because I've been waiting for MLG&W to
14 tell me what MISO and ACES can do. That's pretty
15 much what this whole thing started about. And
16 Councilman Smiley's resolution that we backed was to
17 get that information. And so far, none of that
18 information has been asked for.

19 I would like us as the council to know
20 what our options are before we vote on raising taxes
21 on our citizens in the middle of a recession.

22 CHAIRPERSON ROBINSON: Okay. Let me ask
23 one -- Councilman Jones, when do they -- I know it
24 should be within the next week. When do they plan

1 on having (inaudible)?

2 COUNCILMAN JONES: Having the -- I didn't
3 hear the last part. You went out (inaudible).

4 CHAIRPERSON ROBINSON: When do -- when
5 will MLGW present to the council the IRP process,
6 the results, from the PSAT meeting?

7 COUNCILMAN JONES: I'm thinking that it
8 will take place -- and I'll double check with
9 Mr. Young. But it is my expectation that we will
10 have that before -- before month's end.

11 So now, I know we're at the beginning of
12 the month but -- as far as the schedule. And I can
13 double check with him. I know that that's something
14 that they are in the works of preparing and
15 finalizing to get something to us.

16 MR. YOUNG: Madame Chair?

17 CHAIRPERSON ROBINSON: Okay. Who --
18 somebody asked a --

19 MR. YOUNG: Madame Chair, this is J --
20 this is J.T. Young. Can you hear me okay?

21 CHAIRPERSON ROBINSON: Yes, Mr. Young.

22 MR. YOUNG: May -- may I address that?

23 CHAIRPERSON ROBINSON: Yes, sir.

24 MR. YOUNG: Okay. So currently, we are

1 within about two weeks from receiving the draft
2 integrated resource plan. And the process is that
3 once we receive that, review it, have a virtual
4 meeting with the PSAT team and the community and
5 have a 30-day comment period for the public, then
6 following that 30-day comment period, Siemens will
7 complete and finalize the IRP, at which time we will
8 be able to make a recommendation to our board based
9 on the output from that IRP.

10 And should it be necessary based on that
11 recommendation, of course, we would bring the -- and
12 either way, we will certainly give the council the
13 results of the IRP. So you're within a few weeks of
14 getting that.

15 There has been a process in place called
16 the integrated resource plan now for a while. We
17 have been following the process that utilities use
18 to do that. And so the process that we're using
19 will identify what should be the optimal mix to
20 serve the Memphis community with electricity. And
21 so I want to make sure that everyone's aware that
22 that process is -- is near the end.

23 We've had significant input from the power
24 supply advisory team that has been incorporated into

1 the IRP. There's something later on the agenda that
2 you'll see that's a result of that. Some of the
3 input has required additional analysis to be done.
4 And so I just want to make sure that everyone is
5 aware that there is currently a process in place to
6 determine that.

7 The decision around request for proposals
8 needs to be based on the output from that integrated
9 resource plan. Otherwise, there will not be a
10 great -- a solid basis or foundation for an IRP.

11 CHAIRPERSON ROBINSON: So the council
12 members are concerned that they've asked questions
13 they couldn't get the answer to. Will you share
14 with them clearly why they have not gotten those
15 answers?

16 MR. YOUNG: I'm not sure what answers
17 they've not received. Because we've responded to
18 everything that has been asked, and I'm not -- I'm
19 not aware. If there are outstanding questions, we
20 need to know about that because we've certainly
21 attempted to respond to all questions that we've
22 been given. So if there are other questions, let us
23 know.

24 And if you're speaking about -- if there's

1 a question around the transmission study, that is
2 addressed in the IRP if that's the question.

3 CHAIRPERSON ROBINSON: Okay. Dr. Warren?

4 COUNCILMAN WARREN: Yes, Madame Chair. I
5 do not believe that MISO or ACES have been contacted
6 with the question that we initially asked, which was
7 if we asked them for an RFP, what it would cost to
8 convert to them from TVA, what would it cost us.

9 We now have a report from Siemens where
10 they're trying to tell us that we have to spend
11 money to become an energy producer. We do not have
12 to do that if we convert to MISO. We need to know
13 what that is. And this RFP process did not go
14 there.

15 It is intentionally -- maybe not
16 intentionally, but it has not asked the question
17 that we initially wanted to know was can we save
18 money by switching to MISO and ACES and do we have
19 to build towers to do that. Okay?

20 And right now, what Siemens says is, oh,
21 yeah, you can switch from TVA and become your own
22 power person. We didn't ask to become our own power
23 person. Our question was could we actually switch.

24 The transmission study has not contacted

1 and requested definitive information from either of
2 those entities to be able to allow us to make a good
3 decision.

4 So as a council member, I want to know
5 what that option is before I vote to raise taxes.
6 And that's why this is coming up today because that
7 has not been done in the process that has occurred
8 to date.

9 CHAIRPERSON ROBINSON: So Dr. Warren, are
10 you asking the council members to initiate our own
11 RFP? Because we cannot direct the MLGW staff. Are
12 you asking that we do it?

13 COUNCILMAN WARREN: Yes. We don't need to
14 the direct MLG&W staff, but we do need to know what
15 really is possible. So if something is really
16 possible that we're not getting from the MLG staff,
17 our direction is we don't fund what they're doing,
18 and we can say if you want funding, you should go
19 here.

20 So unless we have that information, we
21 can't, you know, make decent decisions for people in
22 the middle of a depression.

23 What is wrong by asking what that
24 information is and seeing what our options really

1 are? If we can actually have banks loan us a
2 billion dollars and we could use some of that money
3 now in shortfall during the recession for the next
4 few years and do our infrastructure, should we not
5 at least know that's an option? We will not get
6 that option out of the Siemens RFP process.

7 CHAIRPERSON ROBINSON: So my last question
8 is, do you know -- are you familiar with the RFP
9 process? And we would have to pay someone to write
10 it for us. It's not a simple question just like you
11 stated to give additional information.

12 So I just want to make sure that you are
13 clear about what you're asking the council to
14 approve.

15 COUNCILMAN WARREN: (Inaudible) is for us
16 to contact those entities to see what it would cost,
17 if anything, to have that study.

18 In the meantime, there are a number of
19 citizens who are trying to fund money to see if they
20 could fund a study so we do not have to pay for it.

21 And as of today, we're being asked for
22 another 220 million dollars to see if we can fund
23 Siemens to do a study about what it's going to cost
24 to do our own transmission study.

1 We've already given them 500 million
2 dollars. This is the third 500 million dollar study
3 that we've had by MLG&W. And I think it's
4 reasonable that we get some study that gives us a
5 different thought process.

6 MR. YOUNG: Madame Chair?

7 CHAIRPERSON ROBINSON: Yes. President
8 Young.

9 MR. YOUNG: This is -- this is Young
10 again. So there are a number of things I'd like to
11 try to unpack that Councilman Warren shared just to
12 be clear.

13 The request today is not 220 million.
14 It's 220,000. So that's a part of the Siemens
15 study. But more importantly -- I'm sorry? But
16 more -- more importantly, I guess I just want to
17 drive home the point, there have been several, and I
18 mean multiple, conversations between -- with MISO.
19 There have been a number of conversations with TVA.
20 There's been -- that's the necessity of doing this
21 integrated resource plan.

22 So there have been number -- a number of
23 conversations that have been had and that probably
24 still need to be had, I'm sure, to finalize this

1 report.

2 My concern is, is that to -- in essence,
3 to sort of usurp or -- in other words, in order to
4 sort of to go around the process that's currently in
5 place, this is the process that we spoke about last
6 year that our board approved and that the council
7 approved and that we told the council we would do.
8 We are doing what we said we were going to do.

9 And so now the concern that I have is that
10 there will be some confusion brought into the
11 process with yet another -- and again, we -- you
12 know, you-all can certainly do whatever you deem --
13 whatever you want to do in that regard.

14 We are going to follow the process that we
15 established. The recommendation that we will make
16 will be based on the integrated resource plan that
17 has been -- that is being finalized now that will
18 give us an answer around the type of arrangement
19 that will give the optimal mix to serve the
20 citizens, our customers.

21 Our focus has been on the customers from
22 day one. And so -- and so at the end of the day,
23 we're going to make sure that that's the process we
24 follow. And so we're -- we are convinced that

1 the in -- and the output of it will be what it is.

2 It will -- it will direct us in the recommendation.

3 And our board will have an opportunity,
4 once we make a recommendation, to say yea or nay.

5 The council will have certainly an opportunity to
6 weigh in, as well.

7 And so that whole concept or the idea that
8 this is somehow tied to our infrastructure needs
9 internally is an inappropriate comparison. Because
10 our infrastructure needs will be there whether or
11 not we're with TVA. And those infrastructure needs
12 are there, you know, and will continue to be there.

13 This power supply evaluation of the
14 integrated resource plan is about how we get energy
15 to Memphis. It's not about what happens with the
16 infrastructure.

17 And so that's -- that's just something I
18 think that's important for the council to make sure
19 that you-all understand. We're following the
20 process.

21 COUNCILMAN WARREN: Mr. Young -- President
22 Young, can you tell me that this process
23 specifically asked for a request from MISO and ACES
24 of how they could supply power and what it would

1 cost us? Did you ask that specifically and got a
2 response from a specific request?

3 MR. YOUNG: Councilman Warren, the reason
4 that has not been maybe done the way you phrased it
5 is because to do an RFP appropriately, you actually
6 have to have the output from the integrated resource
7 plan which we do not have now. So to ask for
8 request for proposals, you are asking for someone to
9 build you a house without the completed house plan.
10 And that's not advisable when it comes to a utility
11 infrastructure.

12 So you can ask for an RFP -- I'm sorry?

13 COUNCILMAN WARREN: I'm not sure building
14 you a house is an accurate analogy here.

15 MR. YOUNG: Well, if you want to build a
16 house, you do -- you need house plans to do that.

17 So this is -- the integrated resource plan
18 are the house plans for which -- from which an RFP
19 can be determ -- devised so that you can know
20 exactly what are you trying to address. Otherwise,
21 you're going to have folks shooting in the dark as
22 to how they're going to try to provide you with --
23 with -- with power.

24 So this is -- this is a complicated thing,

1 and that's what we've been stating all along. So I
2 just want everybody to be aware of that up front,
3 make sure that everyone understands if and when you
4 decide to ask for an RFP to serve energy at MLGW,
5 the elements and the basis of that RFP should come
6 from the integrated resource plan.

7 CHAIRPERSON ROBINSON: Okay. Dr. Warren,
8 you have a motion you placed on the floor. I need
9 to get a second. And then I have about seven
10 council members that have questions.

11 COUNCILWOMAN SWEARENGEN: Second.
12 Swearengen.

13 CHAIRPERSON ROBINSON: Okay. Councilman
14 Johnson -- Councilwoman Johnson.

15 COUNCILWOMAN JOHNSON: Okay. Swearengen,
16 Jamita, you beat me to that second. Because I do
17 (inaudible) that it should be seconded.

18 I'm in a situation where you're going to
19 ask me to make a major decision in the near future
20 in regards to an issue that's going to affect all
21 the citizens here. And it's becoming confusing and
22 somewhat complex (inaudible) from different people.

23 I think that any information or any
24 additional information that we can -- however we can

1 receive it, we need to go forward. We cannot just
2 limit ourselves and wait on information. We should
3 reach out, get this other company or whoever we
4 asked these for proposals from, think they need
5 additional information, let them tell us they need
6 that additional information. But in the meantime,
7 we need to go forward with it.

8 This is the -- you know, more and more you
9 talk about it, you get into it, you realize that
10 it's a possibility maybe we are moving too fast on
11 some issues, that we may need to slow down and pay
12 close attention. Because once we make this
13 decision, it's going to be a 30-year decision that
14 these (inaudible) are going to have to live with.

15 So I'm in support of moving forward for
16 asking for information from anybody who can help us
17 make this decision that we need to make in the next,
18 I'm assuming, two to -- two to three months. Thank
19 you.

20 CHAIRPERSON ROBINSON: Councilman Morgan.

21 COUNCILMAN MORGAN: I believe Councilman
22 Swaengen is in the cue before me.

23 CHAIRPERSON ROBINSON: Okay. I'm sorry.
24 I had her after Logan. IS that not correct?

1 Councilwoman Swearengen.

2 COUNCILWOMAN SWEARENGEN: I don't mind
3 going after Logan, chair lady.

4 CHAIRPERSON ROBINSON: Okay. Thank you.
5 Council -- Councilman Morgan. You're -- you're on
6 there twice.

7 COUNCILMAN MORGAN: Oh. Well, okay.
8 Well, I'll speak now.

9 So my first reaction when I saw this was a
10 lot of anger. I'll be honest. Having this emailed
11 out to the City Council nine minutes before our
12 meeting with zero public notice I think was
13 unbelievably unfair (inaudible) to your colleagues
14 and the public to be able to have a reasonable
15 debate on this. We typically don't do that.

16 If he -- if there is last minute clean-up
17 of the language, something going on like that, it
18 can be handled exactly the way the mass ordinance
19 was. But as soon as you know you want to have
20 something on the agenda concerning a certain item,
21 you put that request in, the public can know about
22 it and then you can polish up the language ahead of
23 time.

24 So just as kind of a point of personal

1 privilege, I hope we don't do that in the future
2 especially a decision like this that has 30-year
3 consequences.

4 And the real reason that you do that is to
5 try to limit the debate publicly, and you try to
6 limit the debate in council by not allowing other
7 people to be prepared or have other people come into
8 the conversation. And I don't want us to be doing
9 that over the next four years as we try to work
10 together.

11 I have a couple -- then -- I've got past
12 the anger. Then the next couple of issues I would
13 just echo upon on what J.T. Young was saying about
14 this. And there's some just general confusion where
15 it does seem that we have a charter issue with legal
16 authority. But recommending that the council go
17 around MLGW, go around MLGW board and do this
18 ourselves, maybe that will satisfy that charter
19 issue. I'm not sure it's advisable. I'm not sure
20 what the message it sends to the MLGW board. It
21 does usurp a lengthy RFP process.

22 We have been talking about this just about
23 every month when the debate comes up about something
24 with MLGW. And now we're finally in the month where

1 we get the RFP back, and I think we're going to trip
2 at the finish line by not getting -- or attempting
3 to not get the info back that is required and needed
4 for an RFP. That's the IRP.

5 Honestly, I don't know what you do with
6 the RFP without the IRP information. We have a
7 number of studies -- studies that are out there.
8 ACES has already done one of them. It's 21 pages.
9 You can go and read it. And the information there
10 is not valuable enough for us to be able to make a
11 30-year decision on because it lacks the necessary
12 criteria in which to evaluate that decision.

13 The IRP provides that. We don't have that
14 yet. And no one can sit here and tell us what is in
15 that IRP. No one has seen it.

16 We don't have an executive summary yet.
17 There has been a PSAT process that has been very
18 public, and people have been able to engage in it.
19 Representatives from MISO have been at every single
20 meeting of PSAT, TVA. Other energy companies have
21 been engaged.

22 And I think our last meeting between MLGW,
23 Simons -- Siemens and MISO was April 24th. There
24 has been constant communication in the transfer of

1 information back and forth.

2 So I don't believe it's accurate to say
3 that MISO hasn't been a part or had the opportunity
4 to be a part of the IRP process. There have been
5 people that have chosen not to be a part of the
6 process, and they've been lobbying misinformation, I
7 think, cherry pick numbers from the outside.

8 And I hate how political this process has
9 gotten. I have no dog in this hunt other than the
10 rate payers. And I feel many of you are in the same
11 situation. And we shouldn't run out in front of
12 this issue and start drawing battle lines for one
13 side or the other without having the information
14 available.

15 I want a good, deliberative process, good
16 debate. And I think at the end of that debate,
17 we'll get to the right decision for the citizens of
18 Memphis. And it may be going with MISO. It may be
19 staying with TVA. It may be a combination of
20 different options.

21 But if we get this too political or
22 there's too much misinformation that we allow to get
23 in -- there's certainly a lot of noise in emails --
24 I think that runs the risk of us coming to a bad

1 conclusion, and that makes me nervous.

2 I think this resolution is premature.

3 Let's get the IRP. Let's see what it says. There's
4 going to be a lot of information in there. And I'd
5 like to be able to dig through it without -- without
6 the council really preselecting ACES even to offer
7 the RFP.

8 Even with Siemens, we did a process where
9 I think there were six bidders. And they were the
10 consultant that was selected unanimously by the
11 council to -- to do the IRP.

12 And if we're going to write this RFP, we
13 ought to probably have a selection process again.
14 They've already been involved. We've already -- I
15 don't know who contacted them. I don't know if it
16 was an interested party that has already worked with
17 them, whether it's (inaudible) development or
18 somebody else or if they did it independently. But
19 there's enough to give me cause for concern where I
20 think all of us should be evaluating who the
21 consultant and options are out there.

22 And again, with this being delivered at
23 12:21, no one has any real time to look into ACES,
24 the study they've already done and what work they

1 might do for us in the future.

2 So I'm going to formally object to this
3 being added on to the agenda tonight. I think this
4 is too rushed, and I would like to see the IRP.
5 Thank you.

6 COUNCILMAN WARREN: Your phone's off
7 again.

8 CHAIRPERSON ROBINSON: Thank you. Is
9 Allan Wade back on the line? He's not? Let me --
10 we -- the staff asked that we have -- I can't hear
11 you.

12 UNIDENTIFIED FEMALE SPEAKER: Chairwoman,
13 attorney Wade should be on momentarily. He is
14 (inaudible) now.

15 CHAIRPERSON ROBINSON: Okay. We need to
16 process for our next meeting. And I'm going to call
17 on the other council members while Allan is, I mean,
18 aboard so that I can get some clearer guidance as it
19 relates to what our rules are on objections and
20 where we are in this process.

21 Councilwoman Logan?

22 COUNCILWOMAN LOGAN: Thank you.

23 CHAIRPERSON ROBINSON: You had a question
24 or concern?

1 COUNCILWOMAN LOGAN: Yes. I have a
2 question concerning what Councilmember Warren
3 brought up in this whole process, if I may.

4 I wanted to make sure -- you know, talking
5 about being transparent and talking about making
6 sure we have all the information as Councilman
7 Morgan brought up, I want to know -- because I've
8 received (inaudible) information concerning the
9 company that did the -- that's doing the study,
10 Siemens. And I wanted to make sure that I have
11 accurate information in moving forward as does the
12 full -- this council.

13 I want to know from President Young, or
14 whoever can answer, if Siemens has any past or
15 current relationship with TVA and prior relationship
16 or contracts with TVA that would sway the
17 information that they give us. Because if that's
18 the case (inaudible) -- I'm sorry.

19 MR. YOUNG: Councilwoman Logan, can you
20 hear me?

21 COUNCILWOMAN LOGAN: Yes.

22 CHAIRPERSON ROBINSON: Yes.

23 MR. YOUNG. Okay. So I can't specifically
24 tell you all of that other than to say that Siemens

1 is a 53 billion dollar -- they did 53 billion
2 dollars or so worth of business last year with
3 multiple utilities.

4 I am aware that they do business with TVA.
5 They do business with MISO. They do business with
6 MISO members.

7 Siemens is a global conglomerate. So it's
8 very, very likely that they've done a lot of
9 business with a lot of utilities, including TVA and
10 MISO and MISO members. MISO is not a utility. I'm
11 sorry. With MISO members.

12 COUNCILWOMAN LOGAN: Okay. I'm not
13 necessarily concerned about MISO. I'm just wanting
14 to make sure that the information that we are
15 getting from Siemens as in regards to whether or not
16 we should stay with TVA is not swayed because they
17 have contracts with TVA. That's what I want to make
18 sure of.

19 MR. YOUNG: Yeah. And we can't -- and I
20 can't speak to -- to the utilities with whom they
21 have contracts. I would assume they have multiple
22 contracts with many utilities.

23 And so their business, though, is to
24 provide the kind of consulting services that they're

1 doing for us now. And they've done that for years.
2 So this is -- this is what they do.

3 COUNCILWOMAN LOGAN: So what -- are they
4 able to let us know -- because if they're consulting
5 whether or not we should stay with them or we can
6 invest with them as it relates to TVA and they are
7 contracted by TVA, that's problematic for me if
8 they're recommending whether or not we should stay
9 or leave.

10 MR. YOUNG: Yeah. And I would just
11 encourage you to -- again, I'll try to make it this
12 way: It's publicly known that Siemens is contracted
13 or engaged with multiple utilities, utilities that
14 are members of MISO, utilities that are members of
15 TV -- that -- TVA, as well, as well as others.

16 So my -- the premise of your question
17 seems to suggest that they may have a contract with
18 TVA for something they would be biased. And my
19 response so you is it would seem reasonable to
20 assume that they have contracts with many utilities,
21 including those who are members of MISO and others.

22 So I don't know that I agree that they
23 would be biased towards any utility in this
24 analysis. That's not the premise of the analysis.

1 COUNCILWOMAN LOGAN: So your answer
2 directly is that they -- that you don't feel that
3 they have that, have a contract with them or would
4 be biased or --

5 MR. YOUNG: I do not. I do not. And the
6 reason I don't is --

7 MR. WEAVER: May I?

8 MR. YOUNG: Yeah. Alonzo, are you on?

9 MR. WEAVER: Yes, I am.

10 MR. YOUNG: Go ahead. Can you address
11 that?

12 MR. WEAVER: Yeah. So --

13 MR. YOUNG: This is Alonzo Weaver. Alonzo
14 Weaver is speaking.

15 MR. WEAVER. Yeah. Alonzo Weaver, senior
16 vice president and chief operating officer.

17 The consulting arm is walled off from
18 either construction or generation or power supply,
19 power equipment group. So they don't consult
20 with -- they don't go back and forth on contracts
21 and say, hey, look, are you working with TVA and
22 that sort of thing. You know, it is not done that
23 way.

24 The consulting arm is a separate walled

1 off group, and they provide consulting to the people
2 who are paying for them. The -- so no, there's no
3 bias there.

4 As J.T. said, the -- it's -- they're a 53
5 billion dollar company. There's a site that claims
6 they have a 140 million dollar multi-year contract
7 with TVA. I'm not sure about that. I'm not -- I
8 can't validate that or not.

9 But I do know for sure that they do a lot
10 of work for a lot of different utilities, and they
11 do a lot of work for MISO and MISO members.

12 So there's no bias if they're doing all
13 that type of work for a lot of different utilities.
14 They just want to get out there and get the
15 business.

16 CHAIRPERSON ROBINSON: Thank you. Our
17 attorney, Allan Wade, is now on the call.

18 Allan, we had a question about procedure.
19 Dr. Warren has placed on the floor that he would
20 recommend the council to move forward and do our own
21 RFP as to what it will cost, how much they would
22 sell us electricity from MISO. Allan --

23 COUNCILMAN WARREN: Madame Chair?

24 CHAIRPERSON ROBINSON: Yes.

1 COUNCILMAN WARREN: Madame Chair, the
2 resolution is to request the information concerning
3 what it would cost us for an RFP. It's not to
4 proceed with an RFP. It's to get the information so
5 then we'll know what we have to do if when we get
6 the report from Siemens, it doesn't give us what we
7 need to know to move forward.

8 So this isn't a request for an RFP. It's
9 a request to contact Siemens and ACES for
10 information for moving with an RFP in the future.

11 MR. WADE: Is that part of what Siemens
12 would be providing anyway?

13 CHAIRPERSON ROBINSON: Yes.

14 COUNCILMAN WARREN: Not according to my
15 information. Siemens has been part of the -- part
16 of what's been going on with this process. But the
17 question that we asked back in January was if MISO
18 and ACES took over our electricity delivery. Could
19 they do it and what would it cost has not been asked
20 in the current situation that I know of.

21 And correct me if I'm wrong, President
22 Young.

23 MR. YOUNG: Yes. I will attempt to
24 correct that. So the -- again, I'll go back to the

1 process that's been approved by our board and the
2 council which is the integrated resource plan.

3 It does exactly -- it does provide the
4 roadmap, the frame work, that allows a request for
5 proposals to be appropriately conducted. Without
6 the integrated resource plan, you really can't get
7 what I think you're trying to get.

8 You're trying to get to the answer of how
9 much it will cost for us to be served by MISO. And
10 so --

11 COUNCILMAN WARREN: Without producing our
12 own electricity.

13 MR. YOUNG: I'm sorry?

14 COUNCILMAN WARREN: Without producing our
15 own electricity.

16 MR. YOUNG: Exactly. And so the real --
17 the real point here is that the integrated resource
18 plan process even till this point, which is why you
19 do it, has determined that it's imprudent and not
20 even really feasible for us to receive electricity
21 without constructing additional generation of some
22 sort.

23 And so that's the reason we do -- that you
24 do an RFP is so that you can figure out exactly how

1 should this happen.

2 We are a large complex utility. And so it
3 was important for us to do this the right way to get
4 the right answer. And that's what we've been trying
5 to do throughout this process.

6 We have no -- we -- we have no bias. We
7 have no reason to be biased. We're trying to get
8 the right answer for our customers, and that's
9 really what we've been trying to do. And that's
10 what was approved by the board and the council in
11 approving the IRP process.

12 MR. WADE: Okay. Let me go back to my
13 question again. I think I heard Dr. Warren say he
14 is not seeking an RFP but only seeking the cost of
15 obtaining an RFP. Is that correct?

16 COUNCILMAN WARREN: That's correct. I
17 would like us to contact those two agencies, see
18 what it would cost for an RFP. Because I understand
19 that Siemens has said we have to produce
20 electricity. I am not sure that is -- that is
21 correct.

22 And so if our process has come up saying
23 we have to produce electricity, I would like to see
24 if there is an alternative to that process.

1 COUNCILMAN MORGAN: Point of information,
2 Madame Chair?

3 CHAIRPERSON ROBINSON: Who --

4 COUNCILMAN MORGAN: Councilman Morgan.

5 CHAIRPERSON ROBINSON: Okay. Councilman
6 Morgan.

7 COUNCILMAN MORGAN: The language of the
8 resolution says to develop and issue a request for
9 proposal, not to ask of pricing, to develop and
10 issue.

11 COUNCILMAN WARREN: Yes. But it's to
12 contact. And then after we've been contacted, we'll
13 have to vote on a proposal. So we can't do that.

14 This is for them to say this is what it
15 going to cost you, this is -- you know, each year
16 the request for proposal means this is what we've
17 got to pay to get that. So we need to know what it
18 will cost us if we have to ask for that.

19 CHAIRPERSON ROBINSON: Allan, did you
20 finish your comments?

21 MR. WADE: Yeah. Yeah. So I'm -- I'm
22 confused. Because I think we have to prepare a
23 request for proposals, and that will be done by us,
24 not by -- by -- did you say Siemens would have to

1 help us? Oh, I see what you're saying.

2 You want to know from Siemens how much
3 they will charge to prepare a request for proposals.
4 Is that what --

5 COUNCILMAN WARREN: No. I want to know
6 what it would cost us to get the information from
7 MISO and from ACES about whether they can provide us
8 electricity and what it would cost and for them to
9 say if you want that information in front of us,
10 you're going to have to pay us this amount of money.
11 And let's see what that is and see what that cost
12 us.

13 Because I don't think the process we had
14 asked that question. The process we had went around
15 and decided we've got to generate our own
16 electricity. And I'm not sure that we have to do
17 that. That was not given to us as one option.

18 If you don't generate your electricity, do
19 you have another option. That's not part of what
20 came out of MLG&W's study.

21 CHAIRPERSON ROBINSON: We haven't heard
22 the report from the study. So how do we know what
23 came out of the study?

24 COUNCILMAN WARREN: You've been seeing

1 preliminaries.

2 CHAIRPERSON ROBINSON: Okay.

3 MR. WEAVER: The preliminaries are driven
4 by the fact MISO said they couldn't do it.

5 CHAIRPERSON ROBINSON: So let me --

6 COUNCILMAN WARREN: I think the council --

7 CHAIRPERSON ROBINSON: Let me (inaudible)
8 at this meeting. I only have approximately ten
9 minutes to get ready for our 3:30 meeting. I had
10 one two, three, four, five, six other council
11 members that wanted to speak on this item.

12 Is it possible, Dr. Warren, that we can
13 talk about this at our next meeting?

14 COUNCILMAN WARREN: Madame Chairman, since
15 this is not going to move and make anything happen
16 and we're getting ready to have to vote on rate
17 raises and on bond issues, I think it's going to be
18 important that we at least have the opportunity to
19 ask for this information if we need to.

20 So I would prefer that we vote to contact
21 them today, and then we can figure out where we need
22 to go down the road at the next meeting at that
23 time.

24 That gives us time to gives us time to

1 study (inaudible). This is a time sensitive thing,
2 which is why we came quickly. Councilman Morgan,
3 and I want you to know that I heard what you had to
4 say. And I will make sure that I get you
5 information as quickly as I can. Realize I was
6 working on this as of last night.

7 MR. YOUNG: Madame -- Madame Chair
8 (inaudible).

9 COUNCILMAN CARLISLE: I object. I object
10 to this being moved down. And secondly, point of
11 information --

12 CHAIRPERSON ROBINSON: First of all,
13 who's -- wait a second.

14 COUNCILWOMAN SWEARENGEN: Councilwoman
15 Robinson, I've been waiting to speak 30 minutes.
16 And people that aren't in the cue --

17 COUNCILMAN CARLISLE: This is
18 parliamentary procedure. This is parliamentary. I
19 object. I'm --

20 COUNCILWOMAN SWEARENGEN: It's a lack of
21 decorum.

22 CHAIRPERSON ROBINSON: If there's an
23 objection -- based on our rules, the council rules,
24 if there are two objections, that item will not be

1 heard. Okay?

2 COUNCILMAN CARLISLE: And point of
3 information, as well. It's all parliamentary.
4 Point -- point of information. The --

5 CHAIRPERSON ROBINSON: Okay.

6 COUNCILMAN CARLISLE: -- rate increases
7 have already been voted on just to set the record
8 straight.

9 CHAIRPERSON ROBINSON: Yes. I can't hear
10 you.

11 COUNCILMAN WARREN: When you -- when you
12 move an item to be added to the agenda, it takes
13 seven votes to add it to the agenda. If you have
14 seven votes, can two objections take that away? Can
15 we ask our lawyer?

16 MR. WADE: Unless you suspend the rules,
17 yes.

18 COUNCILMAN WARREN: So I call the
19 question.

20 CHAIRPERSON ROBINSON: Restate that,
21 please. Allan, suspend the rules for what?

22 MR. WADE: To add --

23 CHAIRPERSON ROBINSON: I'm trying to move
24 to the next meeting.

1 MR. WADE: -- in spite of the two
2 objections.

3 CHAIRPERSON ROBINSON: Can we move this
4 item to our regular meeting? We can discuss it
5 there.

6 But now I've got to get my audiovisual
7 together for our next meeting so that we start on
8 time for the public.

9 Can we move this discussion to our next
10 meeting without objection?

11 UNIDENTIFIED COUNCILWOMAN: Councilwoman
12 Robinson, were there already two objections on the
13 floor?

14 CHAIRPERSON ROBINSON: I had objection
15 from Morgan and there was one other. Who was the
16 other person? Carlisle.

17 COUNCILMAN JONES: Make that three
18 objections. Jones objects too.

19 COUNCILMAN WARREN: Question, it is if you
20 have seven votes, you have (inaudible). That's the
21 question.

22 COUNCILMAN CARLISLE: Point of
23 parliamentary procedure.

24 CHAIRPERSON ROBINSON: I can't hear you,

1 Warren.

2 COUNCILMAN CARLISLE: Councilman --
3 Councilman Warren, what -- what Counselor Wade is
4 saying is it's been objected to. What you have to
5 do is then move the item in our regular meeting. If
6 it's objected to down there, then you have to move
7 to suspend the rules to add the item.

8 So you'll have to wait until at least we
9 move to our 3:30 meeting as a matter of
10 parliamentary procedure.

11 COUNCILMAN WARREN: I just wanted to make
12 (inaudible).

13 MR. WADE: That is correct.

14 CHAIRPERSON ROBINSON: Thank you.
15 Everybody, all lines clear. You won't have a break
16 today. I need you to sign out of this meeting so
17 that we can come back and practice so that we'll be
18 ready for our next meeting.

19 This meeting is now adjourned, and we're
20 going to move directly to our 3:30 meeting. But we
21 need to log out, come back in and make sure that we
22 have our audiovisual together. Thank you.

23

24

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