

MID-AMERICA REGULATORY CONFERENCE

MINUTES

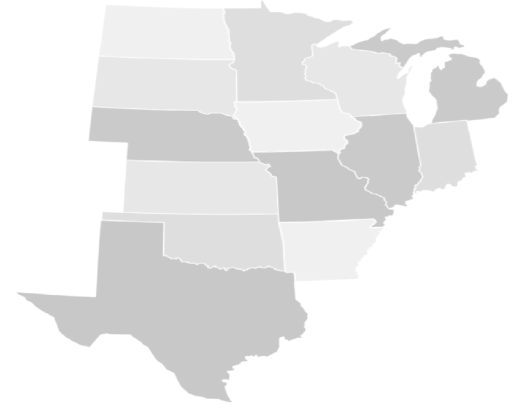
January 7, 2021 | Virtual Meetings

The following Commissioners attended the meeting

X	Kim O’Guinn	AR
X	Justin Tate	AR
X	Ted Thomas	AR
X	Maria Bocanegra	IL
X	Michael Carrigan	IL
X	D. Ethan Kimbrel	IL
X	Sadzi Oliva	IL
X	Carrie Zalewski	IL
X	Sarah Freeman	IN
X	Jim Huston	IN
X	Stefanie Krevda	IN
X	David Ober	IN
X	David Ziegner	IN
X	Josh Byrnes	IA
X	Geri Huser	IA
X	Richard Lozier	IA
X	Susan Duffy	KS
X	Andrew French	KS
X	Dwight Keen	KS
X	Katherine Peretick	MI
X	Tremaine Phillips	MI
X	Dan Scripps	MI
	Valerie Means	MN
	Matthew Schuerger	MN
X	Katie Sieben	MN
X	Joe Sullivan	MN

X	John Tuma	MN
	Maida Coleman	MO
	Jason Holsman	MO
X	William Kenney	MO
	Scott Rupp	MO
	Ryan Silvey	MO
	Rod Johnson	NE
	Crystal Rhoades	NE
	Mary Ridder	NE
X	Tim Schram	NE
X	Dan Watermeier	NE
X	Randy Christmann	ND
X	Julie Fedorchak	ND
X	Brian Kroshus	ND
X	Bob Anthony	OK
	Todd Hiett	OK
X	Dana Murphy	OK
X	Gary Hanson	SD
X	Kristie Fiegen	SD
X	Chris Nelson	SD
X	Shelly Botkin	TX
	Arthur D’Andrea	TX
	DeAnn Walker	TX
X	Tyler Huebner	WI
X	Ellen Nowak	WI
	Rebecca Valcq	WI

MARC



President

Gary Hanson, SD

Vice President

Sadzi Oliva, IL

Treasurer

Katie Sieben, MN

Secretary

Dan Scripps, MI

Executive Committee

Ellen Nowak, WI

Arkansas • Illinois • Indiana
 Iowa • Kansas • Michigan
 Minnesota • Missouri • Nebraska
 North Dakota • Oklahoma
 South Dakota • Texas • Wisconsin

1. Call to Order/ Welcome New Commissioners

The meeting was called to order at 4:30PM PM Eastern Time by President Hanson.

During the Call to Order, MARC welcomed the following two new Commissioners:

- Commissioner Josh Byrnes, Iowa Utilities Board
- Commissioner Katherine Peretick, Michigan Public Service Commission

2. Minutes and Secretary's Report (Commissioner Scripps)

The minutes from the November 9, 2020 MARC Board meeting were presented.

The minutes were moved by Commissioner Scripps (MI), seconded by Commissioner Ziegner (IN), and adopted by the Board.

3. Treasurer's Report (Commissioner Sieben)

The Treasurer's report for November and December 2020 was presented by Treasurer Sieben, and was largely unchanged from the report in November, with a current net balance of \$309,973. The Treasurer's report was moved by Commissioner Duffy (KS), seconded by Commissioner Bocanegra (IL), and adopted by the Board.

4. President's Report (Commissioner Hanson)

- Voting for NARUC 2nd Vice President election

With the NARUC Winter Policy Summit transitioning to a virtual conference, there was discussion about how voting would take place for the election of the NARUC 2nd Vice President position.

Kealie Vogel of the Illinois Commerce Commission staff presented on how SurveyMonkey could potentially be used to conduct the election. After some discussion it was decided that email voting would be simpler and the preferred option, though Commissioners thanked Ms. Vogel for her presentation. During the election window, Commissioners will email their votes to Vice President Oliva and Secretary Scripps, who will tabulate the votes in accordance with the MARC bylaws.

Commissioner Fedorchak argued that the time window for voting should be long enough to allow for proxies and for those not in attendance at the meeting to submit their votes.

- Transition of MARC Accounting Support

President Hanson provided an update on the transition of the MARC Accounting Support. In tabulating the time spent, President Hanson noted that Cindy Kemnitz spent 106 hours last year on MARC-related functions, and suggested that we would need to find a permanent replacement for Ms. Kemnitz, as opposed to having the position move from Commission to Commission. An update and recommendation will be shared at a future meeting.

- Discussion of 2021 MARC Annual Meeting

President Hanson noted that it was increasingly impossible to host the 2021 MARC Annual Meeting in the Black Hills out of concern around participation due to COVID-19. Neither sponsors nor speakers are willing to commit, and President Hanson proposed that we cancel the event. The only current contract for the conference is with the venue, but given the circumstances President Hanson expressed confidence that we would be able to cancel without significant penalty. A number of Commissioners thanked President Hanson for his work in preparing for the conference, and expressed regret at not having the opportunity for the conference to be held in the Black Hills.

There was broad discussion around potential alternatives, including the possibility of a Commissioners-only conference, but given both ongoing state travel restrictions and the need for the conference to earn enough to support other MARC activities, there was not support for this option. There was also discussion on hosting a virtual event, which would allow for the transition of officers as outlined in the bylaws.

5. Vice President's Report (Commissioner Oliva)

There was no Vice President's report for this meeting.

6. Executive Committee's Report (Commissioner Nowak)

There was no Executive Committee member's report for this meeting.

7. Old Business

Beyond the items covered in the President's report, there was no additional old business for this meeting.

8. New Business

During the January 8, 2021 discussion as part of the Issues Po-Pourri and NARUC Committee updates session, Commissioner Nowak (WI) provided an overview of the ongoing litigation by the Driftless Area Land Conservancy over alleged conflicts of interests by two of the Wisconsin Commissioners who had decided the case involving the Cardinal-Hickory Creek transmission

line. The attorneys for the Driftless Area Land Conservancy were now pursuing their claims before the 7th Circuit Court of Appeals, and a number of Commissioners advocated for expressing support for the arguments being raised by the Wisconsin Commissioners through an amicus brief, either through NARUC, or in the event that NARUC did not submit an amicus brief, through a MARC-originated brief that MARC states could choose to join.

A motion was made by Commissioner Tuma (MN) and seconded by Commissioner Fedorchak (ND) that “should NARUC not move forward with an amicus brief in support of the Wisconsin Commissioners’ conflict of interest/ sovereign immunity litigation pending before the United State Court of Appeals for the 7th Circuit, MARC shall be authorized to pursue an amicus brief that MARC states could choose to join.” The Board approved the motion with the Iowa Utilities Board members abstaining.

9. Schedule of Upcoming MARC Meetings

- MARC Business Meeting at NARUC Winter Policy Summit
 - Date: February 8, 2021
 - Date: Virtual
- MARC Business Meeting at NARUC Summer Policy Summit
 - Date: July 19, 2021
 - Date: Denver, CO (if possible)

10. Adjourn

Commissioner Duffy (KS) moved to adjourn the meeting, seconded by Commissioner Ziegner (IN), and the motion was supported by the Board. The meeting was adjourned at 5:34pm Eastern Time.