

MINUTES
WYOMING INFRASTRUCTURE AUTHORITY
PUBLIC BOARD MEETING
CONFERENCE CALL
May 6, 2010

I. Roll-call, Establish Quorum

Board Members in attendance included Mike Easley, Kyle White, Bryce Freeman, J.M. Shafer and Bret Jones. A quorum was established. Also participating were Steve Ellenbecker, Executive Director, Loyd Drain, Project Consultant, Tom Dennis and Johanna Polseberg of Cassidy and Associates.

II. Approve Agenda

Bryce made a motion to approve the agenda as amended to add a D. C. update. Bret seconded that motion. The agenda was approved by unanimous assent.

III. DC Update: Tom Dennis, Cassidy & Associates

Tom reported that Nancy Freudenthal was confirmed by the U.S. Senate as a judge on the United States District Court for Wyoming by a vote of 96 to 1 (the lone dissent came from Sen. Tom Coburn, R-Okla.)

IV. Postponement of the May 11th meeting with staff from the Budget and Auditor's Offices

While no formal action was required, the Board agreed to postpone the meeting given that additional information is being prepared for these discussions.

V. Items for Discussion and Possible Formal Action:

a. Encumbrance of available funds remaining June 30, 2010: Staff recommends the allocation as follows (See Diagram that follows the Agenda):

- i. 80% to the Wyoming-Colorado Intertie and High Plains Express Projects; and
- ii. 20% to studies which will be used as matching funds for 3rd party contributions or the following activities:
 - Additional Collector System Studies
 - Economic Benefits Study relative to new transmission, generation and the collector system in Wyoming
 - Integrated Planning Model which would determine power costs to the marketplace as well as use as an evaluation tool in comparing Wyoming's

competitive position with other states abilities to deliver power to the marketplace

J. M. made a motion to encumber the funds in the same manner as recommended by staff; Bret seconded the motion; and the motion was approved by unanimous assent. The Board asked staff to clarify its intention to encumber such funds with the Chairman of the Senate Appropriations Committee, Phil Nicholas.

b. Preparation of a 2 page information document to share with candidates seeking the Office of Governor in the upcoming election in November, 2010.

After discussion, it was determined that no formal action was necessary and the Board instructed staff to prepare a draft for review which will be used in meetings with the candidates.

c. Discussion relative to an expected filing of a Statement of Interest (SOI) with Western Area Power Administration (Western) by Renewable Energy Transmission Company, Inc. (RetCo) which will petition Western for its involvement in the Wyoming Collector System utilizing American Recovery and Reinvestment Act (ARRA) funds. Provided such a filing is made, staff is seeking authorization to file a statement of support with Western.

Following discussion by the Board, a motion to support RetCo's filing was made by Bryce; seconded by JM.; and the motion was approved by unanimous assent.

d. Consider making a request of counsel for a legal opinion on any limitation imposed by Section 332 from Chapter 39, Wyoming Session Laws 2010. This legal opinion would clarify the mission, current authority and responsibility of the WIA and:

- i. Investigate the impact on project development agreements and bond arrangements of the WIA possibly caused by transitioning from a body corporate operating as a state instrumentality to a state agency;
- ii. Consider legal structures which would eliminate adverse impacts to these agreements and arrangements;
- iii. Evaluate our ongoing authority to commit remaining SLIB approved project development funds in accordance with prudent business planning; and
- iv. Consider the structure necessary to enable the WIA to draw all or part of the remaining project development funds for use in the collector system design by developing a business plan and partnership agreements for the collector system work and presenting the request to SLIB for approval pursuant to previous legislative authority.

Following discussion by the Board, a motion to proceed was made by Bret; seconded by Kyle; and the motion was approved by unanimous assent.

VI. New Business

No new business was conducted.

VII. Public Comment Opportunity

No public comment was offered.

VI. Adjournment

