

STATE OF NEBRASKA
NEBRASKA POWER REVIEW BOARD

Received
State of Nebraska
Power Review Board
Filed at 1:25 This 21
day of September 2016
By: Rebecca Halgren
Title: Business Manager

IN THE MATTER OF THE APPLICATION OF)
BLUESTEM ENERGY SOLUTIONS, LLC,)
HEADQUARTERED IN OMAHA, NEBRASKA,)
REQUESTING AUTHORITY TO CONSTRUCT)
A 37.36 MEGAWATT NATURAL GAS)
GENERATION FACILITY AND RELATED)
FACILITIES IN GAGE COUNTY, NEBRASKA.)

PRB-3835-G

PROTEST OF
NEBRASKA PUBLIC
POWER DISTRICT

COMES NOW, Nebraska Public Power District ("NPPD"), a public corporation and political subdivision of the State of Nebraska, and protests the above captioned application for the following reasons:

1. NPPD is an electric supplier in the State of Nebraska owning and/or operating more than 3000 MW of electric generation.
2. The application presents legal and factual issues which are unprecedented since the creation of the Power Review Board in 1963.
3. The application is contrary to the public policy of Nebraska established by the Nebraska Legislature.
4. Intervenor City of Beatrice and its Board of Public Works lack statutory authority to enter into an agreement to purchase capacity from the proposed generating facility.
5. Existing power supply facilities in Nebraska and the Southwest Power Pool can adequately and most economically provide the City of Beatrice's capacity needs without construction of a \$38.5 million generation project.
6. Nebraska and the Southwest Power Pool currently have surplus generation capacity.
7. The proposed generating facility will not serve the public convenience and necessity.


8. The proposed generating facility will result in unnecessary duplication of facilities which will be detrimental for Nebraska customers of existing generation facilities located in this state.

9. The proposed generation facility will not most economically and feasibly provide the electric service in the State of Nebraska.

For the foregoing reasons, NPPD respectfully requests the application be denied.

Dated the 21st day of September, 2016.

NEBRASKA PUBLIC POWER DISTRICT,
Protestant


By: John C. McClure, #16303
Vice President & General Counsel
Nebraska Public Power District
P.O. Box 499
Columbus, NE 68602-0499

CERTIFICATE OF SERVICE

I, John C. McClure, Vice President and General Counsel of Nebraska Public Power District, hereby certify that a copy of the foregoing Protest in PRB-3835-G has been served upon the following parties by mailing a copy of the same to the addresses listed below, via United States mail, on this 21st day of September, 2016.

David C. Levy, Esq.
Baird Holm LLP
1700 Farnam Street, Suite 1500
Omaha, NE 68102

Kevin Wailes
Administrator & CEO
Lincoln Electric System
P.O. Box 80869
Lincoln, NE 68501

Robert L. Poehling
Executive Director
Municipal Energy Agency of Nebraska
8377 Glynoaks Drive
Lincoln, NE 68516

Tim Burke
President
Omaha Public Power District
444 S. 16th Street Mall
Omaha, NE 68102

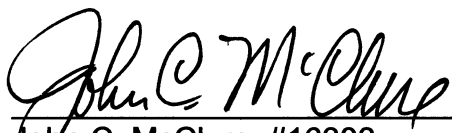
Bruce Vitosh
General Manager
Norris Public Power District
P.O. Box 399
Beatrice, NE 68310

Tom Ourada
City Administrator
City of Crete
P.O. Box 86
Crete, NE 68333-0086

David Hunter, Jr.
General Manager
Auburn Board of Public Works
P.O. Box 288
Auburn, NE 68305-0288

Tobias Tempelmeyer, Esq.
400 Ella Street
Beatrice, NE 68310

Michael Beachler
Utility Superintendent
City of Fairbury
P.O. Box 554
Fairbury, NE 68352



John C. McClure, #16303
Vice President and General Counsel