



## Utility Committee Meeting

### AGENDA

November 4, 2008

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#### I. CALL TO ORDER

#### II. MATTERS BEFORE COMMITTEE

1. [Clarification / Approval - Water / Sewer Rate Schedule](#)
2. [Discussion / Approval - 2nd Amendment to Municipal Competitive Trust](#)
3. [Discussion - Business Units Spin Off](#)
4. [Discussion / Approval - Purchase of Transformers](#)
5. [Discussion / Approval - Municipal Competitive Trust Voluntary Deposits](#)
6. [Discussion / Approval - Bond Validation Plant Vogtle](#)

#### III. ADJOURN



## Utility Committee Meeting

### AGENDA

November 4, 2008

**Item:**

Clarification / Approval - Water / Sewer Rate Schedule

**Department:**

**Additional Information:**

**Financial Impact:**

**Budgeted Item:**

**Recommendation / Request:**

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[2009 Water & Sewer Rate Schedule](#)

[2010 Water & Sewer Rate Schedule](#)

## WATER RATES

(Effective January 1, 2009)

### RESIDENTIAL/SMALL COMMERCIAL WATER RATE (up to 1" meter)

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$12.00	\$15.00
1,000 - 3,000 Gallons	\$1.95 per 1,000 Gals.	\$3.00 per 1,000 Gals.
3,001 - 6,000 Gallons	\$3.77 per 1,000 Gals.	\$5.84 per 1,000 Gals.
6,001 - 10,000 Gallons	\$3.81 per 1,000 Gals.	\$5.90 per 1,000 Gals.
10,001 - 125,000 Gallons	\$3.85 per 1,000 Gals.	\$5.97 per 1,000 Gals.
All over 125,000 Gallons	\$3.90 per 1,000 Gals.	\$6.02 per 1,000 Gals.
Minimum Bill	\$12.00	\$15.00

### COMMERCIAL WATER RATE (larger than 1" meter)

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$35.00	\$50.00
1,000 - 3,000 Gallons	\$1.95 per 1,000 Gals.	\$3.00 per 1,000 Gals.
3,001 - 6,000 Gallons	\$3.77 per 1,000 Gals.	\$5.84 per 1,000 Gals.
6,001 - 10,000 Gallons	\$3.81 per 1,000 Gals.	\$5.90 per 1,000 Gals.
10,001 - 125,000 Gallons	\$3.85 per 1,000 Gals.	\$5.97 per 1,000 Gals.
All Over 125,000 Gallons	\$3.90 per 1,000 Gals.	\$6.02 per 1,000 Gals.
Minimum Bill	\$35.00	\$50.00

### INDUSTRIAL WATER RATE

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$150.00	\$225.00
1,000 - 1,000,000 Gallons	\$3.71 per 1,000 Gals.	\$5.72 per 1,000 Gals.
1,000,001 - 2,500,000 Gallons	\$3.77 per 1,000 Gals.	\$5.79 per 1,000 Gals.
All Over 2,500,000 Gallons	\$3.84 per 1,000 Gals.	\$5.85 per 1,000 Gals.
Minimum Bill	\$150.00	\$225.00

## SEWER RATES

(Effective January 1, 2009)

### RESIDENTIAL SEWER RATES

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$12.00 per month \$3.58 per 1,000 gals of water used	\$15.00 per month \$5.33 per 1,000 gals of water used
Minimum Bill	\$19.16 per month	\$25.66 per month

### COMMERCIAL/INDUSTRIAL SEWER RATE

The monthly Sewer charge is 190% of the current water charge.

Minimum Bill      \$21.06 per month

## WATER RATES

(Effective January 1, 2010)

### RESIDENTIAL/SMALL COMMERCIAL WATER RATE (up to 1" meter)

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$14.00	\$18.00
1,000 - 3,000 Gallons	\$1.95 per 1,000 Gals.	\$3.00 per 1,000 Gals.
3,001 - 6,000 Gallons	\$3.77 per 1,000 Gals.	\$5.84 per 1,000 Gals.
6,001 - 10,000 Gallons	\$3.81 per 1,000 Gals.	\$5.90 per 1,000 Gals.
10,001 - 125,000 Gallons	\$3.85 per 1,000 Gals.	\$5.97 per 1,000 Gals.
All over 125,000 Gallons	\$3.90 per 1,000 Gals.	\$6.02 per 1,000 Gals.
Minimum Bill	\$14.00	\$18.00

### COMMERCIAL WATER RATE (larger than 1" meter)

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$35.00	\$50.00
1,000 - 3,000 Gallons	\$1.95 per 1,000 Gals.	\$3.00 per 1,000 Gals.
3,001 - 6,000 Gallons	\$3.77 per 1,000 Gals.	\$5.84 per 1,000 Gals.
6,001 - 10,000 Gallons	\$3.81 per 1,000 Gals.	\$5.90 per 1,000 Gals.
10,001 - 125,000 Gallons	\$3.85 per 1,000 Gals.	\$5.97 per 1,000 Gals.
All Over 125,000 Gallons	\$3.90 per 1,000 Gals.	\$6.02 per 1,000 Gals.
Minimum Bill	\$35.00	\$50.00

### INDUSTRIAL WATER RATE

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$150.00	\$225.00
1,000 - 1,000,000 Gallons	\$3.71 per 1,000 Gals.	\$5.72 per 1,000 Gals.
1,000,001 - 2,500,000 Gallons	\$3.77 per 1,000 Gals.	\$5.79 per 1,000 Gals.
All Over - 2,500,000 Gallons	\$3.84 per 1,000 Gals.	\$5.85 per 1,000 Gals.
Minimum Bill	\$150.00	\$225.00

## SEWER RATES

(Effective January 1, 2010)

### RESIDENTIAL SEWER RATES

	<u>IN-CITY</u>	<u>OUT-OF-CITY</u>
Base Charge	\$14.00 per month \$3.58 per 1,000 gals of water used	\$18.00 per month \$5.33 per 1,000 gals of water used
Minimum Bill	\$21.16 per month	\$28.66 per month

### COMMERCIAL/INDUSTRIAL SEWER RATES

The monthly Sewer charge is 190% of the current water charge.

Minimum Bill      \$24.58 per month



## Utility Committee Meeting

### AGENDA

November 4, 2008

**Item:**

Discussion / Approval - 2nd Amendment to Municipal Competitive Trust

**Department:**

Electric and Telecommunications

**Additional Information:**

**Financial Impact:**

**Budgeted Item:**

**Recommendation / Request:**

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

 [2nd amendment](#)



September 25, 2008

Mr. Brian Thompson  
Electric Director  
City of Monroe - Utility Dept.  
215 N. Broad Street  
Monroe, GA 30655

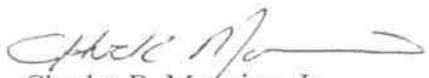
RE: Second Amendment to the Municipal  
Competitive Trust

Dear Brian:

I am enclosing a Second Amendment to the Municipal Competitive Trust for your review and execution. This document amends the Municipal Competitive Trust in two respects. First, it creates a new generation funding account which will afford each Participant the option to make deposits into this account for the purpose of paying its share of any new generation facility constructed by MEAG, including the new nuclear units proposed at Plant Vogtle, Georgia. Second, it requires each Participant to reconfirm two individuals by position or name who are authorized on behalf of the Participant to make decisions involving deposits into or withdrawal from any of the accounts, including the new account, established under the Municipal Competitive Trust. The latter requirement was deemed prudent by the MEAG Board since each Participant will begin to receive significant credits against its power supply bill in January of 2009 which may increase both deposits and withdrawals into the various trust accounts.

Please call me or your regional manager if you have any questions concerning this document. You may reach me at 770-563-0022, John Giles at 770-661-2712, Stuart Jones at 770-563-0431 or Scott Miller at 770-661-2738.

Sincerely,

  
Charles B. Manning, Jr.  
Sr. Vice President  
Participant & Corporate Affairs

Enclosure

c: Board of Directors  
Executive Staff

Item # 2  
Municipal Electric Authority of Georgia  
1470 Riveredge Parkway NW  
Atlanta, Georgia 30328-4686

SECOND AMENDMENT TO THE DECLARATION OF TRUST  
THE MUNICIPAL COMPETITIVE TRUST

This Second Amendment to the Declaration of Trust The Municipal Competitive Trust ("Second Amendment") is made and entered into as of this \_\_\_\_\_ day of September, 2008.

WHEREAS, the Municipal Electric Authority of Georgia ("MEAG") created and established for the Beneficiaries (as that term is defined in the Municipal Competitive Trust) as of January 1, 1999, a trust referred to as the Municipal Competitive Trust;

WHEREAS, the original purpose of the Municipal Competitive Trust was to provide a means for MEAG and the Beneficiaries to accumulate funds for the purpose of mitigating the effect of anticipated changes in the electric industry involving competition for retail electric power supply;

WHEREAS, the First Amendment to the Municipal Competitive Trust was made and entered into on the first day of June, 2006, to provide additional flexibility to the Beneficiaries pertaining to the withdrawal of funds accumulated in certain of the accounts created by the Municipal Competitive Trust for the purpose of lowering the Beneficiaries' annual generation charges from MEAG over the period of January 1, 2009 through December 31, 2018, regardless of whether deregulation of the retail electric power supply occurs within the stated time frame;

WHEREAS, an additional purpose of the First Amendment was the creation of a Generation Construction Trust Account for the purpose of funding all or a portion of a Beneficiaries' entitlement share of the Costs of Acquisition and Construction of any

future generation project created by MEAG as to which a Beneficiary elects to be a participant;

WHEREAS, MEAG and the Beneficiaries desire to modify the provisions relating to the Generation Construction Trust Account to provide additional flexibility pertaining to the funding of new generation projects by MEAG;

WHEREAS, MEAG and the Beneficiaries desire to confirm the authority and identity of the individuals authorized by the Beneficiaries to make decisions concerning deposits and withdrawals involving the Subaccounts established under the Municipal Competitive Trust;

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and agreements hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and between the parties hereto as follows:

SECTION 1. The Municipal Competitive Trust, as amended, is hereby further amended by deleting from Article 3 the definition of "Generation Construction Trust Account" in its entirety and substituting in lieu thereof the following:

"New Generation Funding Account" – defined in Clause (f) of Article 4.

SECTION 2. The Municipal Competitive Trust, as amended, is hereby further amended by deleting Clause (f) of Article 4 in its entirety and substituting in lieu thereof the following:

(f) New Generation Funding Account. This type of Sub-Account may be funded from contributions by a Beneficiary from any of its own funds that it has available for such purposes,

including funds contained within said Beneficiary's Flexible Operating Trust Account.

SECTION 3. By deleting the last paragraph at the end of Article 5 in its entirety and substituting in lieu thereof the following:

If so directed by a Beneficiary, the Trustee shall pay all or any portion of the amounts contained in the Beneficiary's New Generation Funding Account to MEAG for the purpose of applying said amounts as a credit against said Beneficiary's obligation share (or entitlement share) of either Costs of Acquisition and Construction or Project Annual Costs of any future generation project created by MEAG after the effective date of this Amendment as to which the Beneficiary elects to be a participant, including the Plant Vogtle Additional Units Non-PPA Project, the Plant Vogtle Additional Units PPA Project and the Plant Vogtle Additional Units PPA-2 Project. Additionally, if MEAG provides the Beneficiary with the option of paying interest expense incurred in connection with the construction of a future generation project prior to commercial operation (rather than financing interest expense through the proceeds of a bond issuance), the Beneficiary may direct the Trustee to pay all or any portion of the amounts contained in said Beneficiary's New Generation Funding Account to MEAG for the purpose of applying such amounts as a credit against any capital contributions

committed to by such Beneficiary in lieu of interest expenses related to the future generation project.

SECTION 4. By deleting Clause (c) of Article 6 in its entirety and substituting in lieu thereof the following:

(c) Each Beneficiary shall have the right to withdraw part or all funds from the New Generation Funding Account after January 1, 2037.

SECTION 5. By adding a new Article 12 (A) to the Municipal Competitive Trust, as amended, as follows:

#### ARTICLE 12 (A)

Each Beneficiary shall be required to adopt a resolution substantially in the form attached hereto as Exhibit A, which authorizes two individuals by position or name identified in the resolution to make decisions on behalf of the Beneficiary concerning both deposits into and withdrawals from the Beneficiary's Subaccounts created by the Municipal Competitive Trust, as amended. Any decisions pertaining to deposits into or withdrawals from such Subaccounts must be communicated by the Beneficiary, through its authorized signatories, pursuant to the notice provision set forth in Article 12 hereof and such notice must be jointly signed by such authorized signatories.

SECTION 6. The Municipal Competitive Trust as amended hereby shall continue in full force and effect. Terms not defined herein or in the Municipal Competitive Trust, as amended, are to be defined as in the existing project power sales contracts.

IN WITNESS WHEREOF, MEAG has caused this Second Amendment to be executed by its duly authorized officers and its official seal to be hereunto affixed and attested as of the date first above written.

MUNICIPAL ELECTRIC AUTHORITY  
OF GEORGIA

By: \_\_\_\_\_  
Chairman

ATTESTED

By: \_\_\_\_\_  
Secretary-Treasurer

ACCEPTANCE BY TRUSTEE:

U.S. BANK NATIONAL ASSOCIATION

By: \_\_\_\_\_  
Title: \_\_\_\_\_

The undersigned Beneficiary hereby approves and executes the Second Amendment to the Municipal Competitive Trust.

BENEFICIARY

[NAME OF PARTICIPANT]

By: \_\_\_\_\_

Its: [Authorized Official]

Attested:

By: \_\_\_\_\_

[SEAL]

[BOARD/COMMISSION]

By: \_\_\_\_\_

Its: [Authorized Official]

Attested:

By: \_\_\_\_\_

[SEAL]

RESOLUTION OF \_\_\_\_\_

WHEREAS, the [City/County] is a Beneficiary of the Municipal Competitive Trust, as amended (the “Trust”); and

WHEREAS, MEAG Power has requested that the [City/County] reconfirm the authority and position of the individuals authorized by the [City/County] to communicate to MEAG Power the decisions of the [City/County] concerning both deposits into and withdrawals from any of the [City/County]’s Subaccounts created by the Municipal Competitive Trust, as amended; and

WHEREAS, the [City/County], after due consideration, has determined that the requested confirmation as to the authority and identity of the authorized individuals is in the best interest of the [City/County].

NOW, THEREFORE, BE IT RESOLVED that henceforth [Position or Official 1] and [Position or Official 2] (together, the “Authorized Officials”) are authorized to communicate the decisions of the [City/County] to MEAG Power with respect to any deposits into or withdrawals from any of the [City/County] Subaccounts established by the Municipal Competitive Trust, as amended, consistent with the term of the Municipal Competitive Trust, as amended; and

FURTHER RESOLVED that the [City/County] hereby authorizes the Authorized Officials to execute, and the [City/County] [Clerk/Secretary] to attest and deliver, certificates specifying the names, titles, term of office and specimen signatures of the Authorized Officials and other certificates and documents that MEAG Power may require from time to time to effect the purposes of the Trust and this Resolution.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
[City/County][Clerk/Secretary]  
[SEAL]

EXHIBIT A

INCUMBENCY AND SIGNATORY CERTIFICATE

I, the undersigned [insert name here], DO HEREBY CERTIFY that I am the duly appointed and acting [City/County] [Clerk/Secretary] of [the City of \_\_\_\_\_/ County) (the “[City/County]”). I HEREBY FURTHER CERTIFY that the below named persons have been duly appointed or elected, as applicable, have been qualified, are duly holding the offices set opposite their names on this day and the signatures set opposite their names are their genuine signatures:

<u>Name</u>	<u>Office</u>	<u>Term Expires</u>	<u>Signature</u>
_____	_____	_____ *	_____
_____	_____	_____ *	_____

IN WITNESS WHEREOF, I have hereunder subscribed my name and affixed the official seal of the [City/County] this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

By: \_\_\_\_\_  
Its: [City/County] [Clerk/Secretary]

[SEAL]

- \* Examples: (1) At the pleasure of the Council; or  
(2) January 1, 2008



## Utility Committee Meeting

### AGENDA

November 4, 2008

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**Item:**

Discussion - Business Units Spin Off

**Department:**

Electric and Telecommunications

**Additional Information:****Financial Impact:****Budgeted Item:****Recommendation / Request:**

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

 [Business Units Spend Off](#)

October 16, 2008



RE: Business Units

Dear Participant:

Currently, MEAG provides support services to the Participants through MEAG's Marketing Services Business Unit and Distribution Services Business Unit. These services currently include: pricing and sales support; energy services; major accounts; technical support; joint contracting; training, education and safety; metering testing; joint purchasing and statewide economic development. With the exception of statewide economic development, each of these services is offered on an optional basis and the Participants can elect each year whether or not to subscribe to any or all of the offered services.

Some Participants have requested that MEAG expand these services to include activities which are not directly related to electric power. Also, we have received requests to provide these services to out of state cities and counties. These requests constitute a great compliment to the MEAG employees who have worked tirelessly to provide quality support services to the Participants. However, we have concluded that we should not expand the existing services to accommodate these requests, because of a concern that such activities could be challenged on the grounds that they are outside the scope of activities authorized by MEAG's enabling legislation.

This decision contributed to the formation of a study group for the purpose of examining both the current and alternative structures for the provision of such services. The Study Group has completed its work and has recommended a "spin off" option for your consideration.

The "spin off" option would involve the current MEAG Business Units becoming part of Electric Cities of Georgia. ECG would offer each of the existing marketing and distribution services as well as additional services which may be requested by the Participants unrelated to electric power and you would have the option to contract with ECG for any or all of such services. The details of this structure will be explained to you in depth at meetings currently being arranged by MEAG's staff, but a few comments are appropriate.

Municipal Electric Authority of Georgia  
1470 Riveridge Parkway, NW  
Atlanta, Georgia

Item # 3

1-800-333-MEAG 770-563-0300

Fax 770-953-3141

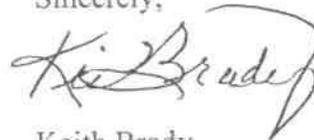
A great deal of planning and analysis preceded the "spin off" recommendation by the Study Group. The proposal provides an opportunity to significantly expand, and thereby enhance the value of, the support services offered to the Cities. Additionally, the costs of such services could potentially be reduced through economies of scale achieved by providing services to an expanded group of customers. Although any new business presents some start up issues, the MEAG Board has concluded that the potential benefits to the Cities from the "spin off" proposal are significant and therefore the Board endorses this proposal and urges each City to give it serious consideration.

If there is not sufficient support for the "spin off" option, MEAG would continue to provide marketing and distribution services, but not expanded services. Additionally, ECG related services, such as joint negotiations of pole attachment agreements, would no longer be provided by the MEAG Business Units. ECG would have to make other arrangements in order to provide such services to the Cities.

The MEAG Board is very appreciative of the efforts of the Study Group. The two options being offered to the Participants involve different risks and benefits which will be discussed in detail at the meetings currently being scheduled. As always, the input of the Participants will be a critical factor to MEAG in considering these options.

The entire MEAG staff will be available to answer any questions.

Sincerely,

A handwritten signature in black ink that reads "Keith Brady". The signature is written in a cursive style with a large, sweeping flourish at the end.

Keith Brady



## Utility Committee Meeting

### AGENDA

November 4, 2008

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**Item:**

Discussion / Approval - Purchase of Transformers

**Department:**

Electric and Telecommunications

**Additional Information:**

**Financial Impact:**

**Budgeted Item:**

Budgeted Item

**Recommendation / Request:**

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Transformers - Quote](#)

**HD SUPPLY**

150kva Padmount	\$5,550.00	1 – 2 days
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**GRESKO**

150kva Padmount	\$10,500.00	2 – 4 weeks
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**WESCO**

150kva Padmount	\$6,395.00	1 – 2 weeks
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**SOLOMON**

150kva Padmount	\$6,350.00	1 – 2 weeks
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## Utility Committee Meeting

### AGENDA

November 4, 2008

**Item:**

Discussion / Approval - Municipal Competitive Trust Voluntary Deposits

**Department:**

**Additional Information:**

**Financial Impact:**

**Budgeted Item:**

**Recommendation / Request:**

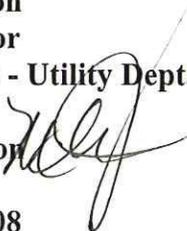
Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[Municipal Competitive Trust Voluntary Deposits](#)



**To:** Brian Thompson  
Electric Director  
City of Monroe - Utility Dept.

**From:** Mary G. Jackson 

**Date:** October 10, 2008

**Subject:** Voluntary Deposits into the Municipal Competitive Trust

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On an annual basis and more frequently if desired, each Participant has the opportunity to voluntarily deposit funds into the Municipal Competitive Trust. For your convenience, if you wish to exercise this option, MEAG Power will include an amount as a line item on your monthly MEAG Power bill and then deposit same amount into the Trust account(s) and investment option(s) that you have selected. The authorization for such action must be in writing and requires a resolution substantially in the form of the resolution that is attached to the second amendment of the Municipal Competitive Trust.

Enclosed with this letter are two election forms to designate the amount of the deposits and the Trust account(s) selected to receive the funds. The first election form is for the disposition of your 2009 off-system energy sales margins and the second election form is to direct staff to add another amount to your monthly bill which will then be deposited into the appropriate Trust accounts.

Please return the attached election forms by December 15, 2008 if you wish to exercise these options beginning with your January 2009 billing.

If you have any questions, please call me at (770) 563-0510 or contact your Regional Manager.

Enclosure

c: w/enclosures

Chuck Manning

John Giles

Stuart Jones

Scott Miller

Municipal Electric Authority of Georgia  
1470 Riveredge Parkway NW  
Atlanta, Georgia 30328-4686

1-800-333-MEAG 770-563-0300

Item # 5

### City of Monroe - Utility Dept.

#### ELECTION FOR OFF-SYSTEM ENERGY SALES MARGINS FOR THE POWER SUPPLY YEAR 2009

Please choose between option 1 OR 2 below regarding the distribution of your off-system energy sales margins.

1. Please deposit my entitled portion of the off-system energy sales margins into the Municipal Competitive Trust as follows:

Flexible Operating Account, Short Term Portfolio	% of funds	_____
Flexible Operating Account, Intermediate Term Portfolio	% of funds	_____
New Generation Funding Account, Short Term Portfolio	% of funds	_____
New Generation Funding Account, Intermediate Term Portfolio	% of funds	_____
Total percent of funds		100%

**OR**

2. Please credit my monthly MEAG Power bill with my entitled portion of each month's off-system energy sales margins.

If you would like the choice you made above to be permanent, until you notify us in writing otherwise, please check this box. This permanent selection will apply only to your energy sales margin election.

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this election form to:

MEAG Power  
c/o Mary G. Jackson  
Senior Vice President and Chief Accounting Officer  
1470 Riveredge Parkway NW  
Atlanta, GA 30328  
Phone: 770-563-0510  
Fax: 770-563-0014

### City of Monroe - Utility Dept.

#### ELECTION FOR PARTICIPANT DIRECTED VOLUNTARY DEPOSITS INTO THE MUNICIPAL COMPETITIVE TRUST FOR THE YEAR 2009

Please add \$\_\_\_\_\_ per month to my MEAG Power bill and deposit such amount to the following accounts beginning the month of \_\_\_\_\_, 2009

Flexible Operating Account / Short Term Portfolio \$ \_\_\_\_\_

Flexible Operating Account / Intermediate Term Portfolio \$ \_\_\_\_\_

New Generation Funding Account / Short Term Portfolio \$ \_\_\_\_\_

New Generation Funding Account / Intermediate Term Portfolio \$ \_\_\_\_\_

Please comply with this election until you receive appropriate written direction to terminate, or otherwise alter, the monthly voluntary deposit.

By: \_\_\_\_\_ By: \_\_\_\_\_

Print Name: \_\_\_\_\_ Print Name: \_\_\_\_\_

Title: \_\_\_\_\_ Title \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this election form to:

MEAG Power  
c/o Mary G. Jackson  
Senior Vice President and Chief Accounting Officer  
1470 Riveredge Parkway NW  
Atlanta, GA 30328  
Phone: 770-563-0510  
Fax: 770-563-0014



## Utility Committee Meeting

### AGENDA

November 4, 2008

**Item:**

Discussion / Approval - Bond Validation Plant Vogtle

**Department:**

**Additional Information:**

**Financial Impact:**

**Budgeted Item:**

**Recommendation / Request:**

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

[Plant Vogtle Bond Validation](#)

ALSTON & BIRD LLP

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TO: Russell P. Preston, Esq.  
City of Monroe

FROM: Peter M. Degnan, Esq.  
General Counsel-MEAG Power

DATE: October 30, 2008

RE: Validation of Municipal Electric Authority of Georgia Revenue Bonds for its  
respective Plant Vogtle Additional Units Non-PPA, PPA and PPA-2 Projects

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THIS MEMO IS IN REGARD TO A BOND VALIDATION AND IS SUBJECT TO DEADLINES. PLEASE READ RIGHT AWAY.

I apologize for having to request immediate action with respect to this Petition for Bond Validation. However, MEAG Power has determined that it benefits the Participants participating in the Plant Vogtle Additional Units Projects (Non-PPA, PPA and PPA-2, respectively) to validate the bonds for those respective Projects as soon as possible. And, as you are aware, bond validation proceedings are subject to tight deadlines. We have been able to get the Court to schedule a hearing for November 18, 2008. In order to meet this timeline, we have to have your City's Verification, Acknowledgment and Answer signature pages back in time to file the Answer.

This Validation will validate bonds, and the security therefor, to finance or refinance the Costs of Acquisition and Construction and the Financing Costs of MEAG Power's respective Non-PPA, PPA and PPA-2 Projects to be issued from time to time in separate series or installments in accordance with the provisions of the respective Non-PPA, PPA and PPA-2 Bond Resolutions, as applicable.

Also, enclosed is a copy of the Answer to be filed on behalf of the City. **Please have the Verification of the Answer and the Acknowledgment of Service of the Petition executed by the authorized official of the City.** We do not believe that any formal action is required by the City to authorize this execution since it has already approved the contracts.

**Also, please sign on the separate signature page of the Answer.**

When the Verification, Acknowledgment, and Answer signature pages have been fully executed, please return these three pages in the enclosed prepaid UPS *Next Day Air* envelope, to be received by me as soon as possible, but **NO LATER THAN** Thursday, November 13, 2008.

Please contact me (404-881-7743) or Peter Floyd (404-881-4510) with any questions. Thank you. We appreciate your help in this matter.

VERIFICATION

Before the undersigned attesting officer, duly authorized by law to administer oaths, personally appeared the undersigned officer of the below named Defendant, who, being duly sworn, on oath says that said officer has read the foregoing Answer, and that the allegations contained therein, insofar as such allegations are applicable to such Defendant, are true.

CITY OF MONROE

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_ day  
of November, 2008

\_\_\_\_\_

Notary Public

My Commission Expires:

\_\_\_\_\_

ACKNOWLEDGMENT OF SERVICE OF  
PETITION AND COMPLAINT

The undersigned hereby acknowledges service of the foregoing Petition and Complaint with Exhibits and Order, dated October 30, 2008, copy received; process and any and all other notice, summons and service waived this \_\_\_\_ day of November 2008.

CITY OF MONROE

By: \_\_\_\_\_

Title: \_\_\_\_\_

**WHEREFORE**, defendants pray that the Non-PPA Bonds sought to be issued in Count One, the PPA Bonds sought to be issued in Count Two, and the PPA-2 Bonds sought to be issued in Count Three of the Petition and Complaint, certain unvalidated contracts and amendments discussed therein, and the security for the payment of the respective Non-PPA Bonds, PPA Bonds and PPA-2 Bonds be confirmed and validated, and the court enter judgment confirming and validating the same.

A copy of the foregoing Answer has been delivered to Petitioner's attorney of record.

This \_\_\_\_ day of November, 2008.

ATTORNEY FOR:

CITY OF MONROE

\_\_\_\_\_  
Russell P. Preston, Esq.

State Bar No. \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code