

MINUTES OF MEETING  
of  
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS  
CITY OF MEMPHIS  
held  
February 16, 2006

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A regular meeting of the Board of Light, Gas and Water Commissioners, City of Memphis, was held in the Board room of the Administration Building, 220 South Main Street, Thursday, February 16, 2006 at 1:30 p.m. The following were in attendance: Rick Masson, Chairman; V. Lynn Evans, Vice Chairman; Nick Clark, Commissioner; William L. Taylor, Commissioner; James L. Russell, Commissioner; Joseph Lee, III, President and CEO; John McCullough, Vice President, CFO and Secretary-Treasurer; Odell Horton, Jr., Vice President and General Counsel; Diana Veazey, Vice President, Construction and Maintenance; Alonzo Weaver, Vice President, Customer Operations; Christopher Bieber, Vice President, Engineering; Carolyn Turman, Interim Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer.

Commissioner Clark moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held February 2, 2006, that they be recorded as the official record, seconded by Vice Chairman Evans and unanimously carried.

The Secretary-Treasurer acknowledged receipt of certified copies of City Council Resolutions dated February 7, 2006, as follows: Item Nos. 8 through 15, 17 and 18, approving items approved by the MLGW Board at meeting held January 19, 2006, and Item No. 27, approving support of the Plug-In Partners National Campaign by the City of Memphis, approved by the MLGW Board at meeting held January 5, 2006 (see Minute File No. 1277.)

The Secretary-Treasurer updated the Board on City Council matters.

Dana Jeanes, MLGW employee, presented the 2005 Corporate Scorecard to the Board.

1. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners award of Contract No. 11081, Air Intake for the

MLGW Administration Building, to Barnes & Brower, Inc., in the funded amount of \$109,924.00.

The project scope is to install a new air intake system for the MLGW Administration Building located at 220 S. Main Street, Memphis, Tennessee.

Bids were opened on January 11, 2006 for Contract No. 11081, Air Intake for the MLGW Administration Building, with the lowest and best bidder of three, being the firm of Barnes & Brower, Inc.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11081 to Barnes & Brower, Inc., in the funded amount of \$109,924.00 as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the contract.

2. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners award of Contract No. 11083, Project SAS 70, Type II Report, to Watkins Uiberall, PLLC in the funded amount of \$75,000. The funded amount of \$75,000 will be reimbursed by TVA.

The project scope is to produce a SAS 70, Type II Report on Internal Controls of the End-Use Billing Process. The purpose of this project is to assess the effectiveness of not only TVA internal controls over the end-use billing process and also the related controls performed by distributors such as MLGW.

Proposals were received on January 25, 2006, for Project SAS 70, Type II Report, Contract No. 11083, with the lowest and best proposal of two being Watkins Uiberall, PLLC.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11083 to Watkins Uiberall, PLLC in an estimated funded amount of \$75,000, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the award.

3. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners award of Contract No. 11090, Serena Master License Agreement, to Serena Software, Inc., in the funded amount of \$52,682.05.

The project scope is to purchase three additional seats for the Serena Team Track Software and to combine previous purchased Serena products into one maintenance contract through July 28, 2007. Serena Team Track is a process and issue management application for information technology change request, business processes and product development. It is further requested that continuous annual maintenance be purchased for all products provided the cost does not exceed 10% over the prior years cost. The maintenance cost at the end of July 28, 2007 is \$31,194.00.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11090 to Serena Software, Inc. in the funded amount of \$52,682.05 as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the contract.

4. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners award of Contract No. 11097, Grounds and Landscaping Services, to Environmental Landscape in an estimated funded amount of \$67,081.00.

The project scope is to perform spraying, trimming, weed-eating, brush clearing, mowing and other grounds maintenance duties at the MLGW Administration Building located at 220 South Main Street, Downtown Credit Office located at 245 South Main and the Business Center located at 1665 Whitten Road in Memphis and Shelby County, Tennessee, for the annual amount of \$67,081.00. The term of the contract shall be for a period of one-year with the option for four one-year renewals.

Six bids were received on January 4, 2006 for the Grounds and Landscaping Services, Contract No. 11097, with the lowest and best bid being submitted by Environmental Landscape Services.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11097 to Environmental Landscape Services in an estimated funded amount of \$67,081.00, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the award.

5. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, Change No. 9 to Contract No. 10642, Grounds Maintenance, with Bean and Prince Contractors, Inc. to renew the contract for the sixth and final renewal beginning March 16, 2006 to March 15, 2007, in an estimated funded amount of \$565,477.77.

The project scope is to perform spraying, trimming, weed-eating, brush clearing, mowing and other ground maintenance duties at various MLGW locations throughout the Memphis Metropolitan Statistical Area. This is the sixth and final renewal beginning March 16, 2006 to March 15, 2007. The new contract amount is \$3,557,405.53.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 9 to Contract No. 10642 with Bean & Prince Contractors, Inc. in an estimated funded amount of \$565,477.77, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

6. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, Change No. 2 to Contract No. 10809, Grounds and Landscaping Services "North," with Majestic Landscaping to renew the contract for the fourth and final term beginning April 1, 2006 to March 31, 2007, in an estimated funded amount of \$16,966.04.

The project scope is to allow Majestic to continue to perform trimming, weed-eating, brush clearing, mowing and other grounds maintenance duties at various water well lots in the northern section of Shelby County, Tennessee. This is the final of four one-year renewals. The new contract amount is \$80,118.04.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Change No. 2 to Contract No. 10809 with Majestic Landscaping in an estimated funded amount of \$16,966, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

7. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, Change No. 2 to Contract No. 10810, Grounds and Landscaping Services "South," with Majestic Landscaping to renew the contract for the fourth and final term beginning April 1, 2006 to March 31, 2007, in an estimated funded amount of \$23,615.63.

The project scope is to allow Majestic to continue to perform trimming, weed-eating, brush clearing, mowing and other grounds maintenance duties at various water well lots in the southern section of Shelby County, Tennessee. This is the final of four one-year renewals. The new contract amount is \$107,653.63.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Change No. 2 to Contract No. 10810 with Majestic Landscaping in an estimated funded amount of \$23,615.63, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

8. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, Change No. 2 to Contract No. 10811, Grounds and Landscaping Services "East," with Majestic Landscaping to renew the contract for the fourth and final term beginning April 1, 2006 to March 31, 2007, in an estimated funded amount of \$17,084.49.

The project scope is to allow Majestic to continue to perform trimming, weed-eating, brush clearing, mowing and other grounds maintenance duties at various water well lots in the eastern section of Shelby County, Tennessee. This is the final of four one-year renewals. The new contract amount is \$73,038.49.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Change No. 2 to Contract No. 10811 with Majestic Landscaping in an estimated funded amount of \$17,084.49, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

9. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, Change No. 2 to Contract No. 10812, Grounds and Landscaping Services "Central," with Majestic Landscaping to renew the contract for the fourth and final term beginning April 1, 2006 to March 31, 2007, in an estimated funded amount of \$25,854.05.

The project scope is to allow Majestic to continue to perform trimming, weed-eating, brush clearing, mowing and other grounds maintenance duties at various water well lots in the center section of Shelby County, Tennessee. This is the final of four one-year renewals. The new contract amount is \$121,847.05.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 2 to Contract No. 10812 with Majestic Landscaping in an estimated funded amount of \$25,854.05, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

10. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, approval of Expedited Procurement Request for Change No. 6 to Contract No. 10855, Wireless Communication Services, with Cingular Wireless to change the scope to extend the contract beyond the January 29, 2006 expiration date in an estimated funded amount not to exceed \$24,999.00.

The project scope is changed to extend the contract until March 30, 2006 to have time to finalize processing required contract documents to the new Cingular Wireless Contract 11061. The new contract amount is \$391,077.00.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Change No. 4 to Contract No. 10855 with Cingular Wireless in an estimated funded amount not to exceed \$24,999.00, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

11. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners, approval of Expedited Procurement Request for Change No. 4 to Contract No. 10877, Wireless Communication, with Nextel Communications to renew the contract for the fourth and final renewal beginning September 30, 2005 to September 29, 2006, in an estimated funded amount of \$80,000.00.

The project scope is to provide wireless telecommunication systems and to transfer 145 cellular telephones/radios from the Nextel Shared 200 Rate Plan to the National Power 400 Rate Plan at the monthly cost of \$32.79 per cell telephone as outlined in Attachment A. (See Minute File No. 1278.) This is the fourth and final renewal beginning September 30, 2005 to September 29, 2006. The new contract amount is \$436,841.92.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to ratification of the Council of the City of Memphis, Change No. 4 to Contract No. 10877 with Nextel Communications in an estimated funded amount of \$80,000.00, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

12. The Manager, Procurement and Contracts submitted for consideration of the Board offers opened at 2:00 p.m., Wednesday, December 28, 2005, for the annual sale of scrap iron material. Analysis shows that Metal Management Memphis submitted the best offer for this material.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, the offer of Metal Management Memphis be, and is hereby, accepted as follows:

approximately 281,000 lbs. (140.50 gross tons) mixed ductile/cast iron, at \$116.00 per gross ton,

approximately 652,000 lbs. (326 gross tons) mixed iron, at \$111.00 per gross ton,

totaling \$52,484 (approximately) with the understanding that the prices quoted are subject to adjustment based on market prices as reported in the American Metal Market and, further, that release of these scrap metals will be accordance with MLGW bidding requirements dated November

30, 2005, a copy of which will be placed on file in MLGW's General Accounting Department.

13. The Manager, Procurement and Contracts submitted for consideration of the Board offers opened at 2:00 p.m., Wednesday, December 28, 2005, for the annual sale of scrap copper material. Analysis shows that Metal Management Memphis submitted the best offer for this material.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, the offer of Metal Management Memphis be, and is hereby, accepted as follows:

approximately 84,000 lbs. of mixed brass, at \$104.00 per cwt.,

approximately 22,000 lbs. of bare copper, at \$191.00 per cwt.,

approximately 20,000 lbs. of bare tinned, at \$154.00 per cwt.,

approximately 58,000 lbs. of #1 W.R. copper, W.P. covered, at \$105.05 per cwt.,

approximately 141,000 lbs. of #2 W.R. copper, W.P. covered, at \$84.70 per cwt.,

approximately 31,000 lbs. of copper/lead communication cable paper/textile insulated, at \$40.00 per cwt.,

approximately 40,000 lbs. of copper/led ins. cable (sizes up to 350 MCM), at \$55.00 per cwt.,

approximately 169,000 lbs. of cable, copper conductor, paper insulated, lead covered and polyethylene jacketed, 350 MCM and above, at \$75.00 per cwt.,

approximately 1,000 lbs. of copperweld, at \$15.33 per cwt.,

approximately 1,000 lbs. of lead, at \$25.00 per cwt.,

approximately 1,000 lbs. mixed copper, brass molded fittings and current transformers at \$10.33 per cwt.,

totaling \$502,192.60 (approximately) with the understanding that the prices quoted are subject to adjustment based on market prices as reported in the American Metal Market and, further, that release of these scrap metals will be accordance with MLGW bidding requirements dated November 30, 2005, a copy of which will be placed on file in MLGW's General Accounting Department.

14. The Manager, Procurement and Contracts submitted for consideration of the Board offers opened at 2:00 p.m., Wednesday, December 28, 2005, for the annual sale of scrap aluminum material. Analysis shows that Metal Processors Inc. submitted the best offer for this material.



It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, the offer of Metal Processors Inc. be, and is hereby, accepted as follows:

approximately 55,000 lbs. of cast aluminum, at 49.00 per cwt.,

approximately 20,240 lbs. of bare aluminum wire (ACSR), at \$68.00 per cwt.,

approximately 39,000 lbs. of aluminum scrap wire neoprene-covered copper shield, at \$45.00 per cwt.,

approximately 68,000 lbs. of aluminum/steel (ACSR) wire bare (sizes up thru 350 MCM), at \$45.00 per cwt.,

approximately 1,000 lbs. of miscellaneous aluminum, copper, steel sleeves & fittings, including contaminated heads, at \$24.00 per cwt.,

approximately 69,000 lbs. of aluminum scrap wire, neoprene-covered, at \$45.00 per cwt.,

approximately 69,000 lbs. of aluminum/steel (ACSR) neoprene-covered wire, at \$45.00 per cwt.,

totaling \$151,203.20 (approximately) with the understanding that the prices quoted are subject to adjustment based on market prices as reported in the American Metal Market and, further, that release of these scrap metals will be in accordance with MLGW bidding requirements dated November 30, 2005, a copy of which will be placed on file in MLGW's General Accounting Department.

15. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners that it award the purchase of 1000' of 12 inch CWS pipe, four 12 inch 90 degree weld ells, two 12 inch weld caps, and six ½ inch ball valves. The pipe is used to replace a section of 12 inch transmission line (470 MAOP) which was washed out at the Loosahatchie River South of Dupont. The new pipe will be installed by directional boring under the river and the additional powercrete coating is needed to protect the pipe during the installation.

Bids were received on February 9, 2006. The lowest and best complying bidder of two bidders being the firm of Consolidated Pipe & Supply, in the amount of \$38,675.40.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of contract to Consolidated Pipe & Supply is approved for furnishing:

1000' of twelve inch CWS pipe, four 12 inch 90 degree weld ells, two 12 inch weld caps, six ½ inch ball valves;

totaling \$38,675.40; f.o.b. Memphis, Tennessee, transportation prepaid; said prices being firm; delivery in eight weeks.

16. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners that it award 36-month contracts for rental of 37 low volume, 39 medium volume and five high volume copy machines. These copy machines will be utilized in various departments throughout the Division and are being replaced because the current contracts are expiring. MLGW reserves the right to add additional copy machines at prices quoted if a need arises during the term of these contracts.

Bids were opened on November 30, 2005. The lowest and best complying bidders of eight bidders being the firms of Nova Copy, Inc., The Office Products Store, Inc. and Ikon Office Solutions. The approximate total for all items is \$488,684.16.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of blanket contract to Nova Copy, Inc. is approved for a 36-month period for furnishing:

rental of 37 Konica Minolta Bizhub 250 copy machines at the rate of \$0.0368 per copy for monthly expected usage of 2,500 copies per machine; also to include network capability at no charge and faxing capabilities at the rate of \$0.0076 per fax transmitted for monthly expected usage of 300 pages; totaling \$94.28 per month per copier,

the total award for 36 months amounts to approximately \$125,580.96; said prices being firm for the entire term of this contract; delivery as required; and further,

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of blanket contract to The Office Products Store is approved for a 36-month period for furnishing:

rental of 39 Konica Minolta Bizhub 350 copy machines at the rate of \$0.023 per copy for monthly expected usage of 8,000 copies per machine; also to include network capability at no charge and faxing capabilities at the rate of \$0.003 per fax transmitted for monthly expected usage of 600 pages; totaling \$185.80 per month per copier,

the total award for 36 months amounts to approximately \$260,863.20; said prices being firm for the entire term of this contract; delivery as required; and further,

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of blanket contract to Ikon Office Solutions is approved for a 36 month period for furnishing:

rental of five Canon IR 8070 copy machines at the rate of \$258.00 per month with a charge of \$0.0049 per copy for monthly expected usage of 50,000 copies per machine; also to include network and faxing capability at no additional charge; totaling \$568.00 per month per copier,

the total award for 36 months amounts to approximately \$102,240.00; said prices being firm for the entire term of this contract; delivery as required.

The total of all awards amounts to approximately \$488,684.16.

17. The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners that it award the purchase of 2496' of 12 inch polyethylene (PE) pipe. The pipe is used in the MLGW gas distribution system for delivery of natural gas to our customers.

Bids were received on February 6, 2006. The lowest and best complying bidder of two bidders being the firm of M.T. Deason, in the amount of \$49,795.20.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of contract to M.T. Deason is approved for furnishing:

2496' of 12 inch polyethylene pipe;

totaling \$49,795.20; f.o.b. Memphis, Tennessee, transportation prepaid; said prices being firm; delivery in four weeks.

18. The Secretary-Treasurer stated that members among the Board of Commissioners and Executive Staff have knowledge that an additional credit enhancement to Memphis Network as presently contemplated by the Memphis Network Board is in the best interest of the MLGW rate payers.

The Secretary-Treasurer also stated that in order to provide sufficient funding to Memphis Network to preserve MLGW's ownership and profits interest, it is recommended that the maximum amount of the inter-divisional loan between the electric division and the telecommunications sub-division be increased \$2.1 million, from \$32 million to \$34.1 million.

None of the additional \$2.1 million will be used to make capital contributions to Memphis Network without further approval by the Board of Commissioners and City Council, but will only be used to provide a credit enhancement to facilitate financing for Memphis Network or, if more advantageous to MLGW, to provide funding to Memphis Network entitled to a distribution having priority over

distributions on account of membership interests in Memphis Networx and secured by such security interest or security interests in the assets of Memphis Networx as management deems appropriate.

It is the preference of the Board of Commissioners that the Memphis Networx Board seek to cause Memphis Networx to refinance such credit enhancements without the necessity of requiring further capital contributions from the owners of Memphis Networx.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the inter-divisional loan between the electric division and the telecommunications sub-division is increased by \$2.1 million, from \$32 million to \$34.1 million, in order to provide for or facilitate funding to Memphis Networx as outlined in the foregoing preamble, is approved.

19. The Manager, Budget, Plant and Rates presented for approval of the Board of Light, Gas and Water Commissioners in-lieu-of tax payment for 2005 in the amount of \$25,561.35 to Bob Patterson, Trustee, for property located at 246 S. Front Street (Beale Street Landing Garage).

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, In-lieu-of tax payment for 2005 in the amount of \$25,561.35 to Bob Patterson, Trustee, for property located at 246 S. Front Street (Beale Street Landing Garage), is approved.

20. The Manager, Gas and Water Engineering recommended to the Board of Light, Gas and Water Commissioners payment of annual subscription to ENERGY worldnet, Inc. in the funded amount of \$30,360.00.

The annual subscription allows MLGW to access and maintain operator qualifications as Federally mandated using the internet.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Payment of annual subscription to ENERGY worldnet, Inc. in the funded amount of \$30,360.00, as outlined in the foregoing preamble, is approved.

21. The Secretary-Treasurer stated that the Pension Board, through its Investment Committee, had approved and was recommending to the Board of

Commissioners selection of PIMCO All Asset Fund to manage approximately \$10,000,000 for benefit of the MLGW Retirement and Pension Fund.

The Secretary-Treasurer is authorized to negotiate and sign contract satisfactory to MLGW for services of said manager with the usual provision for termination by either party upon 30 days written notice.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, The Secretary-Treasurer is authorized to enter into contract with PIMCO All Asset Fund for benefit of the MLGW Retirement and Pension Fund as set forth in the foregoing preamble.

22. The President submitted for approval of the Board position numbers 01990, 01995, 02669, 03018, 06099 and 06100, as listed on the attached documents. (See Minute File No. 1278.)

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Position numbers 01990, 01995, 02669, 03018, 06099 and 06100, as listed on the attached documents, are approved.

23. The Manager, Electric Engineering presented for consideration of the Board approval to acquire easement rights for an electric transmission line of varying width from Turner Ashby Wingo, Successor Trustee of T. A. Cox Trust for a proposed Transmission Line Circuit tie between proposed Substation 86 and Substation 79, said property being shown on the attached sketch (see Minute File No. 1278) and more particularly described as follows:

This easement is a tract of land conveyed to T. A. Cox, deceased, by deed of record as described in Book 87, Page 557 in the Register's Office of Fayette County, Tennessee and being the same property as shown on the attached plat prepared by Ollar Surveying Company, dated October 18, 2002, attached and made a part hereof.

Said easement is described in metes and bounds as prepared by Ollar Surveying Company and shown on Page 3 of this easement contract and made a part hereof.

Property is located on the south side of Keough Road at the Shelby County and Fayette County dividing line.

The effective date for the granting, under threat of condemnation, of this easement is February 10, 2003.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, Purchase of the easement described in the above preamble for the sum of \$20,720.00 to be funded from the Electric Division approved in the 2005 Budget and carried forward to the 2006 Budget is approved; and further,

THAT, The President or his designated representatives be and are hereby authorized to purchase the easement described in the above preamble.

24. The Manager, Electric Engineering presented for consideration of the Board approval to acquire easement rights for an electric transmission line of varying width from Turner Ashby Wingo, Successor Trustee of T. A. Cox Trust for a proposed Transmission Line Circuit tie between proposed Substation 86 and Substation 79, said property being shown on the attached sketch (see Minute File No. 1278) and more particularly described as follows:

This easement is across the unsold portion of a tract of land conveyed to Turner Ashby Wingo, Successor Trustee of T. A. Cox Trust by Order of the Circuit Court of Shelby County, Tennessee in Case Number 10633-3, and by Will of Record of T. A. Cox in Will Book 69, Page 220 in the Probate Court Clerk's Office of Shelby County, Tennessee and being the same property conveyed to T. A. Cox, deceased, by deed of record as described in Book 1527, Page 612 in the Register's Office of Shelby County, Tennessee and being the unsold portion as shown on the attached plat prepared by Ollar Surveying Company, dated October 18, 2002, with a revision date of May 12, 2003 and attached and made a part hereof.

Said easement is described in metes and bounds as prepared by Ollar Surveying Company and shown on Page 3 of this easement contract and made a part hereof.

Property is located on the south side of Keough Road at the Shelby County and Fayette County dividing line.

The effective date for the granting, under threat of condemnation, of this easement is February 10, 2003.

It was moved by Commissioner Taylor, seconded by Commissioner Russell and unanimously carried:

THAT, The Board of Light, Gas and Water Commissioners recommends to the Council of the City of Memphis, approval of the purchase of the easement described in the above preamble from Turner Ashby Wingo, Successor Trustee, for and in consideration of \$62,040.00 to be funded from the Electric Division approved in the 2005 Budget and carried forward to the 2006 Budget; and further,

THAT, The President or his designated representatives be and are hereby authorized to purchase the easement described in the above preamble.

25. Mr. Joe Saino, 6560 Kirby Forest Cove, appeared before the Board to discuss various matters.

26. Mr. W. R. "Dick" Gardiner, 1734 Gosnold Bluff Road, appeared before the Board to discuss various matters.

27. Ms. Susan Carter, 5329 Laurie Lane, appeared before the Board to discuss various matters, along with Mr. Sammy Park.

28. Mr. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, appeared before the Board to discuss various matters.

29. Ms. Janis Shirley, 112 Annandale, appeared before the Board to discuss various matters.

There being no further business presented, the meeting was adjourned.

SEE MINUTE FILE NO. 1278.

Secretary-Treasurer