Charter of the Regional Energy Resource Council

1. **Committee's Official Designation.** Regional Energy Resource Council (the Council).

2. **Authority.** The Council is a discretionary advisory committee established under the authority of the Tennessee Valley Authority in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.

3. **Objective and Scope.** Under the TVA Act, the Tennessee Valley Authority (TVA) has been charged with the wise use and conservation of the natural resources of the Tennessee River drainage basin and adjoining territory for the general purpose of fostering the orderly and proper physical, economic, and social development of the Tennessee Valley region. To help achieve this mission, TVA has created and operates the Nation's largest public power system, providing reliable and affordable electricity to more than 9 million people in parts of seven southeastern States. It is in TVA's interest, and the interest of the public it serves, to establish a mechanism for routinely obtaining the views and advice of other public and private entities and individuals involved with and interested in the development and management of energy resources in the Tennessee Valley region. Accordingly, TVA establishes the Regional Energy Resource Council to provide TVA advice on its energy resource activities and the priorities among competing objectives and values. TVA's energy resource activities include the construction and operation of various supply-side resources, including fossil-fueled power plants, nuclear plants, hydroelectric dams, and renewable resources; the development and management of demand-side resources, including energy efficiency; the design, construction, and operation of power delivery systems; and the integration of all of these energy resources into plans for meeting future demands for electricity in the TVA region.

4. **Description of Duties.** In accordance with the Tennessee Valley Authority Act of 1933, as amended, and FACA, the purpose of the Council is to provide advice only, and TVA retains sole responsibility for the management and operation of its energy resource activities and for all decisions regarding matters under consideration by the Council.

5. **Agency or Official to Whom the Council Reports.** The Council reports its advice to the committee of the TVA Board of Directors having responsibility for external relations.

6. **Support.** TVA shall provide the Council with sufficient facilities in which to conduct its meetings and to provide a repository for its minutes and other records. TVA will also provide the Council with appropriate clerical support as needed. TVA shall provide such additional funding as reasonably necessary to achieve the purposes for which the Council was created and shall provide any further guidelines and management controls as may be necessary to further the objectives of the Council.

7. **Estimated Annual Operating Costs and Staff Years.** The estimated annual operating costs of the Council are $120,000 and TVA staff time equal to 1.0 full-time equivalent.

8. **Designated Federal Officer.** The TVA Board of Directors, or its designee, shall appoint the Designated Federal Officer (DFO) for the Council, which shall be a full-time or permanent part-time employee of TVA. As required by law, the DFO (or other employee

designated and trained as an alternate DFO) shall approve or call all of the Council's meetings and any meetings of subcommittees, approve the agenda for each meeting, attend all meetings of the Council and its subcommittees, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when the designated Chair of the Council is not in attendance and when directed otherwise to do so by the TVA Board of Directors or its designee.

9. **Estimated Number and Frequency of Meetings.** The Council shall meet approximately twice annually and may be called to meet more often by the DFO.

10. **Duration.** The Council is expected to be needed on a continuing basis.

11. **Termination.** In accordance with FACA, the Council will terminate no more than two years from the effective date of this charter unless it is renewed.

12. **Membership and Designation.** Members of the Council shall be considered representatives of the group, organization, or other entity identified by TVA in making the appointment. The Council shall consist of up to 20 members appointed by TVA. All members of the Council shall be persons possessing demonstrated professional or personal qualifications relevant to TVA's energy resource activities.

    The TVA Board of Directors, or its designee, shall ensure that the membership of the Council is balanced and that it represents and includes a broad range of diverse views and interests, including environmental, industrial, business, consumer, educational, and community leadership interests.

    The Governors of Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia will each be asked to nominate a member to the Council, taking into account the need for a balanced and diverse membership.

    TVA shall appoint seven members nominated by the Governors and shall appoint up to 13 additional members. The membership of the Council shall include at least one member representing the Tennessee Valley Public Power Association (TVPPA), one member representing distributors of TVA power, one member representing the Tennessee Valley Industrial Committee (TVIC), one member representing direct-served customers of TVA, and at least two members representing each of the following interests: non-governmental entity focused on environmental and/or energy issues, chamber of commerce or economic and community development, and academic or research center. TVA will appoint up to three additional members to ensure a balanced representation of a broad range of views.

    Each member shall be appointed for a term of two years. Whenever a vacancy occurs, TVA may appoint a replacement for the remainder of the applicable term. The DFO shall designate one Council member as Council Chair.

    Each member shall serve without compensation and shall not be considered an employee of TVA. However, members engaged in the performance of their Council duties away from their homes or regular places of business may be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. § 5703.

13. **Subcommittees.** TVA will create any subcommittees which may be necessary to fulfill the Council's mission. Any subcommittees created must report back to the Council, and shall not provide advice or work products directly to TVA.

14. **Recordkeeping.** The records of the Council, formally and informally established subcommittees, or other subgroups of the Council shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. **Filing Date.** August 1, 2015.