



HOLLAND BOARD OF PUBLIC WORKS

NEWS RELEASE

For immediate release

HBPW Board of Directors recommends pursuing legal action re: State's denial for permit

Holland, MI, August 27, 2010 —The Holland Board of Public Works Board of Directors at a special meeting today, approved filing a claim of appeal and amended complaint against the Michigan's Department of Natural Resources & Environment's (MDNRE) August 20th decision to deny the request for an air permit. The air permit being requested is for a proposed installation of a new clean coal and biomass 78MW electric generating unit at the existing James DeYoung Plant replacing a 1950's vintage 11.5 MW generating unit.

The Board's action is in response to the MDNRE's reliance upon a staff report from the Michigan Public Service Commission's (MPSC) conclusion that the air permit be denied based on a needs analysis. The HBPW's recommendation will go to Holland City Council for their approval on Wednesday, September 1, 2010

Following three and a half years of waiting, the HBPW recently moved to take court action if the Michigan Department of Natural Resources & Environment (MDNRE) didn't issue a decision on the proposal.

Barnes & Thornburg, LLP, a national full-service law firm with offices in Grand Rapids is representing the HBPW's appeal.

"The Public Service Commission has no authority over the HBPW, which is under the Home Rule City Act 279. The HBPW stands behind our Electric Resource Plan which demonstrates that we need additional base load generation," reported HBPW General Manager Loren Howard. "We believe the MPSC's report is wrong in its findings, and intend to seek action."

The Holland Board of Public Works is a community-owned enterprise providing essential, economical, and innovative utility services for the Holland community, including energy, water, wastewater, and infrastructure for communications. We operate socially and environmentally responsible utility enterprises that are able to expand and sustain a highly functional, reliable, and efficient local infrastructure.

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