

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM OCTOBER 14, 2020
OPEN SESSION

MINUTES OF OCTOBER 14, 2020 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WERE CHAIRMAN MIKE FRANCIS AND EXECUTIVE SECRETARY BRANDON FREY. VICE CHAIRMAN CRAIG GREENE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, AND COMMISSIONER ERIC SKRMETTA PARTICIPATED REMOTELY.

In accordance with La. R.S. 42:17.1, the Commission gave notice that the October 14, 2020 Business and Executive Session will be conducted remotely and involve matters permitted under La. R.S. 42.17.1(A), and provided an opportunity for public participation. Therefore, the Open Session on October 14, 2020, convened at 10:06 a.m., and adjourned at 12:09 p.m., via videoconferencing from the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with Chairman Francis and Executive Secretary Brandon Frey present and the remaining above-named members of the Commission participating remotely.

<p>Ex. 1</p>	<p>Executive Secretary Frey gave an update on Hurricane Delta response efforts.</p> <p>Vice Chairman Greene thanked utilities and Staff for response efforts during the three recent storms, and read an Acknowledgment Letter from Mark Buerger, Louisiana Nursing Home Association, recognizing Jessica Kayuha for her work during Hurricane Laura.</p>
<p>Ex. 2</p>	<p>T-35056 – Louisiana Public Service Commission vs. Justice Wrecker Service, Inc. (Monroe, Louisiana), In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 and General Order dated November 22, 2011 for failure to properly pay to the state a fee for the years 2000 through 2011, 2015, 2016, and 2017 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 6630.</p> <p>In re: Discussion and possible vote to amend Order No. T-35056 Approving Affidavit and Stipulation executed by the Carrier.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept Staff’s Recommendation to amend Order No. T-35056 Approving Affidavit and Stipulation executed by the Carrier.</p>
<p>Ex. 3</p>	<p>T-35636 – Louisiana Public Service Commission vs. David G. Trahan dba Moving Guys for Rent (Bossier City, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:161(E) and General order dated May 04, 2017 and for failure to comply with the requirements of general order dated April 3, 2008 as amended.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 to accept Affidavit and Stipulation executed by the Carrier.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted,</p>

	the Commission voted to adopt the Affidavit and Stipulation executed on September 24, 2020.
Ex. 4	<p>R-30479 – Louisiana Public Service Commission, ex parte. In re: Development of a funding mechanism for jurisdictional gas utilities for research and development programs.</p> <p>In re: Discussion and possible vote on Staff’s Report and Recommendation.</p> <p>On motion of Chairman Francis, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on September 29, 2020.</p>
Ex. 5	<p>S-35543 – Cleco Power LLC, ex parte. In re: Revised Electric Tariff Number 3 (Unmetered and Outdoor Lighting Service) pursuant to Section 501.B of LPSC General Order 7/1/2019 (R-34738), and Requesting Expedited Treatment.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on September 29, 2020.</p>
Ex. 6	<p>X-35708 – Louisiana Public Service Commission, ex parte. In re: Audit of Purchase Gas Adjustment Filings for Atmos Energy-Louisiana Division (a Regulatory Division of Atmos Energy Corporation) for the period of April 2018 through March 2020.</p> <p>In re: Discussion and possible vote to hire an Outside Consultant.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting, Inc. for a budget of up to \$38,700 in fees and \$800 in expenses for a total not to exceed budget of \$39,500.</p>
Ex. 7	<p>TBD – Louisiana Public Service Commission, ex parte. In re: Cybersecurity Monitoring for Commission-Jurisdictional Utilities.</p> <p>In re: Discussion and possible vote to hire an Outside Consultant.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, with Vice Chairman Greene and Commissioner Boissiere concurring, and Commissioner Campbell opposing, the Commission voted to retain McQ Group LLC for a budget of up to \$47,650 in fees and \$1,900 in expenses, for a total not to exceed budget of \$49,550.</p>
Ex. 8	<p>1) <u>Reports</u></p> <p>-Staff status report regarding robocalls. No report.</p> <p>-Report from Staff regarding interest rate directive and possible Federal legislation.</p> <p>At the request of Commissioner Skrmetta.</p>

	<p>Staff Attorney Jaclyn Penzo provided the following report: In response to Commissioner Skrmetta’s directive at the May 27, 2020 B & E, Staff issued a request for information regarding interest rates to all electric, gas, and Class A water and wastewater utilities. Generally, the utilities indicated that make whole provisions and prepayment penalties made refinancing to take advantage of present low interest rates cost prohibitive. Some private loans do offer refinancing at 10, 15, 20, or 25 years into the amortization period. Staff noted that the Cooperatives do not benefit from these types of provisions; however, the Flexible Financing for Rural America Act of 2020 is presently before Congress. The Act contemplates allowing modification of the terms, including interest, of certain RUS backed loans. The Act has bipartisan support in both the Senate and the House. Staff will continue monitoring the Act’s progress, and inform the Commission as needed.</p> <p>2) <u>Resolutions</u></p> <p>3) <u>Discussions</u></p> <p>4) <u>ERSC/OMS/SPP</u></p> <p>5) <u>Directives</u></p> <p>-Directive to conduct a comparison study on hydrogen and natural gas fuel.</p> <p>At the request of Commissioner Skrmetta.</p> <p>Commissioner Skrmetta directed Staff to conduct a comparison study on hydrogen and natural gas for a fuel stock for electric generation facilities. The study should compare costs and availability in Louisiana of both fuels. The study should also include a detailed cost analysis comparing the two.</p> <p>There was no opposition.</p>
<p>Ex. 9</p>	<p>S-35489 – Washington –St. Tammany Electric Cooperative, Inc., ex parte. In re: Petition for Letter of Non-Opposition to Borrow Funds from Rural Utilities Service.</p> <p>In re: Report Pursuant to Order No. S-35489</p> <p>At the request of Commissioner Skrmetta.</p> <p>Pursuant to Order No. S-35489, dated July 17, 2020, Mr. Kyle Marionneaux, on behalf of Washington-St. Tammany Electric Cooperative, Inc. presented the Commission with a report of the terms of the loan agreement, including the interest rate of the first withdrawal, which was 1.037% on approximately \$11 million.</p>
<p>Ex. 10</p>	<p>S-35744 – Claiborne Electric Cooperative, Inc., ex parte. In re: Petition for Approval of Letter of Non-Opposition for Approval of Financing to Facilitate Subsidiary’s Installation of a Broadband Project.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>At the request of Commissioner Campbell.</p> <p>Discussion and comments were received from Kyle Marionneaux, on behalf of the Company, Kevin Fitzgibbons, of the National Rural Telecommunications Cooperative, and sole intervenor, Louisiana State Representative Edmund Jordan, who verbally withdrew his intervention during his comments.</p>

	<p>On motion of Commissioner Campbell, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept Staff's Report and Recommendation filed into record on October 13, 2020.</p> <p>Executive Secretary Frey acknowledged the hard work of Staff Attorney Barlow Holley and auditor Thomas Broady on Exhibits 10 and 11 of the agenda.</p>
Ex. 11	<p>S-35745 – Northeast Louisiana Power Cooperative Inc., ex parte. In re: Petition for Approval of a Letter of Non-Opposition to Borrow Funds to Construct Broadband System.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation. At the request of Commissioner Campbell.</p> <p>Discussion and comments were received from Luke Piontek, representative of Northeast Louisiana Power Cooperative, LLC, Matt Timmons and Kevin Fitzgibbons, of the National Rural Telecommunications Cooperative and sole intervenor, Louisiana State Representative Edmond Jordan, who verbally withdrew his intervention during his comments.</p> <p>On motion of Commissioner Campbell, seconded by Vice Chairman Greene and unanimously adopted, the Commission voted to accept Staff's Report and Recommendation filed into the record on October 13, 2020.</p>
Ex. 12	<p>Undocketed - Directive regarding estimated costs of module nuclear power plants.</p> <p>At the request of Commissioner Skrmetta.</p> <p>With regard to recent actions at the Nuclear Regulatory Commission regarding modular nuclear power plant design, Commissioner Skrmetta directed staff to study and report back to the Commission on the estimated costs of implementation of such designs into the resource planning for the State of Louisiana.</p> <p>There was no opposition.</p>
Ex. 13	<p>Undocketed - Louisiana Public Service Commission, ex parte. In re: Special Orders 43-2020 and 44-2020 regarding the Commission's termination of suspension of disconnections related to the COVID-19 pandemic and additional protocols.</p> <p>In re: Discussion and possible vote to Reconsider Special Orders 43-2020 and 44-2020.</p> <p>At the request of Commissioner Campbell.</p> <p>After discussion, Commissioner Campbell requested additional research by Staff regarding an eviction moratorium, related to the COVID-19 pandemic, issued by President Trump.</p>

On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene and unanimously adopted, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Friday, November 13, 2020, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.