

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM OCTOBER 19, 2017
OPEN SESSION

MINUTES OF OCTOBER 19, 2017 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BURAS, LOUISIANA. PRESENT WERE CHAIRMAN ERIC SKRMETTA, VICE CHAIRMAN COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER MIKE FRANCIS, AND EXECUTIVE COUNSEL BRANDON FREY. COMMISSIONER DAMON BALDONE AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ WERE ABSENT.

Open Session of October 19, 2017, convening at 10:21A.M., and adjourning at 11:56A.M., 35619 Highway 11, Buras, Louisiana, with the above-named members of the Commission and Executive Counsel Brandon Frey.

<p>Ex. 1</p>	<p>Chairman Skrmetta thanked Plaquemines Parish Officials for use of the facility. Chairman Skrmetta also thanked his staff members John Tobler, Tori Vaughn, Donna Dardar and Amy Henry for making the meeting in Buras possible.</p> <p>Executive Counsel Brandon Frey announced that the Public Utility Section of the Louisiana State Bar Associations will be hosting its annual CLE on December 1, 2017 at the Baton Rouge Capital Hilton. Time and agenda to follow.</p> <p>Chairman Skrmetta thanked Commissioner Baldone for his service and welcomed newly elected Commissioner Greene who will be seated for the November meeting.</p> <p>Commissioner Boissiere asked that everyone keep recent disaster victims in their thoughts and prayers and to donate if possible.</p> <p>Commissioner Francis thanked Chairman Skrmetta for the casual dress environment.</p> <p>Commissioner Campbell gave an update on the setting of a January trial date in the legislative sweep suit, acknowledging that he and former Commissioner Field are seeking \$6 - 7 million dollars in refunds from the State of Louisiana on behalf of consumers.</p> <p>Commissioner Baldone was absent.</p>
<p>Ex. 2</p>	<p>T-34610 - Louisiana Public Service Commission vs. Bear's Towing & Recovery of Ouachita, Inc. (Monroe, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, and General Order dated August 05, 2016 while operating under LPSC authority 6395, on nineteen (19) counts for exceeding state prescribed rates, allegedly having occurred on or about May 01, 2017 through June 30, 2017.</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 Commissioner Campbell, seconded by Commissioner Francis, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Baldone absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Campbell, seconded by Chairman Skrmetta, with Commissioner Francis and Vice Chairman Boissiere concurring and Commissioner Baldone absent, the Commission voted to approve the Affidavit and Stipulation executed September 26, 2017 but reduce the fines by half for fines and fees totaling \$2,275.00 with the understanding that if there is another violation the fine will double.</p>
<p>Ex. 3</p>	<p>Docket Nos. TBD - (RFP 17-13 Amended) In re: Cleco Power, LLC's Monitoring Reports for the test years ending June 30, 2017, 2018 and 2019</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Vice Chairman Boissiere, seconded by Commissioner Campbell, with Chairman Skrmetta and Commissioner Francis concurring and Commissioner Baldone absent, the Commission voted to retain United Professionals Company for a not to exceed budget of \$44,000 in fees and \$1,000 in expenses for a total not to exceed budget of \$45,000.</p>

<p>Ex. 4</p>	<p>U-32159 - AccessCom, Inc. v. BellSouth Telecommunications, LLC d/b/a BellSouth Telecommunications a/k/a AT&T Louisiana ("AT&T Louisiana). In re: Petition for Arbitration Pursuant to Section 252 of the Telecommunications Act of 1996.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>(Ex. 5 on the September 20, 2017 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 5</p>	<p>U-34345 - Louisiana Public Service Commission, ex parte. In re: Investigation of the meter-reading, billing, collection and customer-service practices of Greater Ouachita Water Company and through its operating contractor, Severn Trent Environmental Services, for the year 2016. This matter was previously noticed for informational purposes only as X-34345.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order pursuant to Rule 57.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Campbell concurring and Commissioner Baldone absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Campbell, seconded by Chairman Skrmetta, with Vice Chairman Boissiere and Commissioner Francis concurring and Commissioner Baldone absent, the Commission voted to accept the Joint Report and require GOWC to comply with the (11) recommendations Staff stated in the Joint report, as well as included within the Draft proposed order.</p>
<p>Ex. 6</p>	<p>U-34482 - Total Environmental Solutions, Inc. (TESI), ex parte. In re: Request for Interim and Permanent Rates and Letter of Non-Opposition to Borrow Funds.</p> <p>In re: Discussion and possible vote on an Interim Rate Increase pursuant to Rule 57.</p> <p>At the request of Commissioner Francis.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Campbell, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Baldone absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>Commissioner Francis made a motion to allow TESI to charge the following interim rates, subject to refund and the applicable bonding requirements, until a final Order is issued in this docket regarding the Company's request for permanent rate relief:</p> <p>For commercial customers currently paying: \$38.00, an interim rate of \$47.12. For residential customers currently paying: \$28.00, an interim rate of \$37.00; \$27.00, an interim rate of \$36.60; \$26.00, an interim rate of \$36.20; \$25.00, an interim rate of \$35.80; \$24.00, an interim rate of \$35.40; \$23.00, an interim rate of \$35.00; \$22.00, an interim rate of \$34.60; \$21.00, an interim rate of \$34.20; \$20.00, an interim rate of \$33.80; and, \$8.00, an interim rate of \$29.00.</p> <p>Further, I move that TESI be allowed to charge these interim rates subject to the conditions below:</p> <ol style="list-style-type: none"> 1. TESI be required to file proof of the applicable bond requirements with the Commission; 2. TESI be required to file an updated tariff indicating the interim emergency rate, and its terms, with the Utilities Division within 30 days of the order approving such; 3. TESI cannot begin charging the interim rate until 1 and 2 are complete and approved by Staff; and 4. The monthly surcharge be a separate line item on each customer's bill. <p>After lengthy discussion, Commissioner Campbell seconded the motion, with Vice Chairman Boissiere concurring, Chairman Skrmetta opposing and Commissioner Baldone absent, the motion was approved 3-1.</p>

<p>Ex. 7</p>	<p>S-34601 - Utilities Inc. of Louisiana, ex parte. In re: Request for a Letter of Non Opposition to Establish a Regulatory Asset, Subsequent Ratification by the Commission of Regulatory Asset, and for Approval of a Regulatory Asset Rate Rider Related to the Great Flood of 2016 pursuant to Special Order 09-2017.</p> <p>In re: Discussion and possible vote on Staff's recommendation.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Boissiere, with Chairman Skrmetta and Commissioner Campbell concurring and Commissioner Baldone absent, the Commission voted to accept Staff's recommendation.</p>
<p>Ex. 8</p>	<p>S-34602 - Water and Wastewater Utilities, Inc., ex parte. In re: Request for a Letter of Non Opposition to Establish a Regulatory Asset Subsequent Ratification by the Commission of Regulatory Asset, and for Approval of a Regulatory Asset Rate Rider Related to the Great Flood of 2016.</p> <p>In re: Discussion and possible vote on Staff's recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, with Vice Chairman Boissiere and Commissioner Francis concurring and Commissioner Baldone absent, the Commission voted to approve Staff's recommendation.</p>
<p>Ex. 9</p>	<p>S-34632 - BellSouth Telecommunications, LLC dba AT&T Louisiana, ex parte. In re: Petition of AT&T Louisiana for Order Confirming Relinquishment of Eligible Telecommunications Carrier Designation in Specified Areas.</p> <p>In re: Discussion and possible vote on Staff's recommendation.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Campbell, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Baldone absent, the Commission voted to accept Staff's recommendation permitting AT&T Louisiana to relinquish its ETC designation in all service areas except those encompassed within CAF II Census Blocks.</p>
<p>Ex. 10</p>	<p>R-30479 - LPSC, 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 recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Campbell concurring and Commissioner Baldone absent, the Commission voted to accept Staff's recommendation to extend the RDC for another three years with a \$.10 per meter/year increase in certain related funding.</p>
<p>Ex. 11</p>	<p>1) Reports</p> <p>Report from Staff on participation in Southwest Power Pool.</p> <p>Mr. Paul Zimmering of Stone Pigman Walther Wittmann, LLC, outside counsel to the Commission Staff, provided a report to the Commission regarding the steps necessary for the LPSC to participate in the Regional State Committee ("RSC") of the Southwest Power Pool.</p> <p>Chairman Skrmetta directed Staff to place an item on the November agenda for the Commission to vote on a representative to the RSC.</p> <p>2) Resolutions 3) Discussions 4) ERSC/OMS Business 5) Directives</p> <p><u>Chairman Skrmetta directs Staff to open a docket to review and/or facilitate the relocation of certain electric service lines, owned by Entergy and/or Cleco, located at the Slidell regional airport, to facilitate airport expansion.</u></p> <p>There was no objection to the directive.</p>

<p>Ex. 12</p>	<p>R-31106 - LPSC, ex parte. In re: Rulemaking to study the possible development of financial incentives for the promotion of energy efficiency by jurisdictional electric and gas utilities.</p> <p>In re: Discussion and possible vote to clarify the September 20, 2017 vote.</p> <p>At the request of Chairman Skrmetta.</p> <p>Chairman Skrmetta clarified that existing Energy Efficiency Phase I rules were not modified by the September vote, that the “Cap” language mentioned in the September vote referenced the cap on the amount of funds collected, given 2017 was a partially funded year and finally that Staff was authorized to draft rules consistent with the previous vote.</p>
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On motion of Commissioner Francis, seconded by Vice Chairman Boissiere, with Chairman Skrmetta and Commissioner Campbell concurring and Commissioner Baldone absent, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Friday, November 17, 2017 at 9:00am in Baton Rouge, Louisiana.