

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM DECEMBER 21, 2016
OPEN SESSION

MINUTES OF DECEMBER 21, 2016 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN KENNER, LOUISIANA. PRESENT WERE COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, CHAIRMAN SCOTT ANGELLE, COMMISSIONER CHARLIE DEWITT AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.

Open Session of December 21, 2016, convening at 11:02A.M., and adjourning at 2:44P.M., The Pontchartrain Center 4545 Williams Blvd., Kenner, La, with the above-named members of the Commission and Executive Secretary Eve Kahao Gonzalez.

<p>Ex. 1</p>	<p>Commissioner Skrmetta acknowledged Kenner Mayor Michael Yenni and thanked him for the use of the facility.</p> <p>Commissioner Campbell thanked those in the audience for their financial support during his campaign run for United States Senate.</p> <p>Commissioner Boissiere thanked interim Commissioner Charlie DeWitt for his service.</p> <p>Executive Counsel Brandon Frey introduced the new Transportation Division Head Jenna Crousillac.</p>
<p>Ex. 2</p>	<p>2017 B & E Meeting Schedule</p> <p>In re: Discussion and possible vote to accept the proposed 2017 schedule.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to adopt the following Proposed 2017 Session Schedule with the February 16, 2017 meeting amended to February 17, 2017.</p> <p style="text-align:center"> January 18 February 17 (Friday) March 15 April 19 May 17 June 21 July 26 August 23 September 20 October 18 November 16 December 20 </p>
<p>Ex. 3</p>	<p>U-32812 - Entergy Louisiana, LLC, ex parte. In re: Prudence review, including project costs, of the Waterford 3 Steam Generator Replacement Project conducted in compliance with Orders No. U-30670 and U-31944-A.</p> <p>In re: Discussion and possible vote on uncontested stipulated settlement.</p> <p>(Ex. 10 on the November 17, 2016 B&E Agenda)</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, with Commissioner Boissiere concurring and Chairman Angelle and Commissioner Campbell opposed, the Commission accepted the unopposed revised Settlement Term Sheet executed by all the parties to this proceeding and filed into the record on December 15, 2016. The settlement includes refunds to legacy ELL customers in the amount of \$70.48 million, a rate reduction in the amount of \$9.44 million and a reduction to ELL's plant in service of \$67.38 million all effective for January 2017 bills.</p>

<p>Ex. 4</p>	<p>U-32812 - Entergy Louisiana, LLC, ex parte. In re: Prudence review, including project costs, of the Waterford 3 Steam Generator Replacement Project conducted in compliance with Orders No. U-30670 and U-31944-A.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>(Ex. 11 on the November 17, 2016 B&E Agenda)</p> <p>PULLED</p>
<p>Ex. 5</p>	<p>U-33434 - Cleco Power LLC, ex parte. In re: Joint Application of Cleco Power LLC and Cleco Partners L.P. for: (1) Authorization for the Change of Ownership and Control of Cleco Power LLC and (ii) Expedited Treatment.</p> <p>In re: Discussion and possible vote to authorize the Louisiana Department of Economic Development as recipient of \$7 million in economic development funds, pursuant to Cleco Power’s merger regulatory Commitment Number 13.</p> <p>At the Request of Commissioner DeWitt.</p> <p>Commissioner Campbell, with a unanimous second, made a motion to authorize the Louisiana Department of Economic Development to receive \$7 million in economic development funds, pursuant to Cleco Power’s merger regulatory Commitment Number 13.</p> <p>Commissioner DeWitt made an additional motion that the Commission authorize Cleco Power to disperse \$7 million to the Louisiana Department of Economic Development, satisfying regulatory commitment number 13, effective immediately, seconded by Commissioner Campbell and unanimously adopted.</p>
<p>Ex. 6</p>	<p>U-33740 - Saunders, Ltd. vs The Baton Rouge Water Works Company. In re: Formal complaint alleging overcharges for water service.</p> <p>In re: Rehearing, Oral Arguments and possible vote.</p> <p>(Ex. 12 on the November 17, 2016 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 7</p>	<p>U-33983 - Entergy Louisiana, LLC, ex parte. In re: Motion for Extension of Entergy Louisiana, LLC’s Gas Rate Stabilization Plan.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to adopt the uncontested settlement term sheet filed into the record on October 25, 2016 which authorizes a three-year extension of the Rate Stabilization Plan for ELL’s retail gas operations, with modifications.</p>
<p>Ex. 8</p>	<p>U-34032 - S.D.U., LLC, ex parte. In re: Request for an increase in rates for wastewater utility service and fees for the Iberville Trace residents in Iberville Parish.</p> <p>In re: Discussion and possible vote on Stipulated Settlement.</p> <p>(Ex. 16 on the November 17, 2016 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 9</p>	<p>U-34108 - Beauregard Electric Cooperative, Inc., ex parte. In re: 2015 Test Year Annual Report Filing.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>(Ex. 19 on the November 17, 2016 B&E Agenda)</p> <p>On motion of Commissioner DeWitt, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Joint Report and draft Order filed September 8, 2016.</p>

<p>Ex. 10</p>	<p>U-34206 - Community Utilities of Louisiana, Inc., ex parte. In re: Application for an Increase and Adjustment in Retail Rates and Reservation of Rights to Request Interim Rates.</p> <p>In re: Discussion and possible vote to hire engineer.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain the services of Robert J. Lambert, Jr. PLC for the proposed budget of \$42,550 in fees and \$1,500 in expenses for a total budget not to exceed \$44,050.</p>
<p>Ex. 11</p>	<p>U-34252 - South Coast Gas Company, Inc., ex parte. In re: Rate Stabilization Adjustment for the year ended June 30, 2016.</p> <p>In Re: Discussion and Possible Vote on Uncontested Joint Report of Proceedings and Proposed Order Accepting Report.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to approve the Proposed Order accepting the uncontested Joint Report of Proceedings.</p>
<p>Ex. 12</p>	<p>U-34287 - Community Utilities of Louisiana, Inc., ex parte. In re: Application for an Increase and Adjustment in Retail Rates and Reservation of Rights to Request Interim Rates.</p> <p>In re: Discussion and possible vote to hire engineer.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain the services of Robert J. Lambert, Jr. PLC for the proposed budget of \$42,550 in fees and \$1,500 in expenses for a total budget not to exceed \$44,050.</p>
<p>Ex. 13</p>	<p>U-34291 - Entergy Louisiana, LLC ex parte. In re: Application for Approval of a 20-Year Contract with Rain CII Carbon LLC for the Purchase of Capacity and Energy from the Sulphur, LA Heat Recovery Project and Request for Timely Treatment.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting for the proposed budget of \$23,890 in fees and \$1,500 in expenses for a total not to exceed budget of \$25,390.</p>
<p>Ex. 14</p>	<p>U-34303 - Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Amend a Contract for the Purchase of Capacity and Electric Power from Occidental Chemical Corporation's Taft Facility.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting for the proposed budget of \$23,890 in fees and \$1,500 in expenses for a total not to exceed budget of \$25,390.</p>
<p>Ex. 15</p>	<p>U-33892 - Entergy Louisiana, LLC, ex parte. In re: Notification Pursuant to Section 5.02 of the LPSC's Net Metering General Order R-31417, dated July 26, 2013.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to adopt Staff's recommendation filed into record on May 2, 2016 verifying Entergy's claim that it reached its net metering cap.</p>
<p>Ex. 16</p>	<p>S-34058 - Beauregard Electric Cooperative, Inc., ex parte. In re: Notification pursuant to Section 5.02 of the Commission's General Order dated July 26, 2013 regarding the net metering cap.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner DeWitt, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt Staff's recommendation verifying Beauregard's claim that it reach its net metering cap.</p>

<p>Ex. 17</p>	<p>S-34066 - Cleco Power LLC, ex parte. In re: Notification pursuant to Section 5.02 of the Commission's General Order dated July 26, 2013 regarding the net metering cap.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to adopt Staff's Report and Recommendation verifying Cleco's claim that it reach its net metering cap.</p>
<p>Ex. 18</p>	<p>S-34080 - WJMB Transport #1, LLC dba Two Men and A Truck New Orleans (Jefferson, Louisiana) and WJMB Transport #2, LLC dba Two Men And A Truck (New Orleans, Louisiana), ex parte. In re: Application to increase tariff rates for Common Carrier Certificate Nos. 7718-A & 7871.</p> <p>In re: Discussion and possible vote to accept Staff Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to accept Staff's Recommendation.</p>
<p>Ex. 19</p>	<p>S-34091 - Boomerang Wireless, LLC, ex parte. In re: Application for Expansion of Service Area as a Wireless ETC (Low Income Only).</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>(Ex. 30 on the November 17, 2016 B&E Agenda)</p> <p>On motion of Commissioner Boissiere, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff's Recommendation.</p>
<p>Ex. 20</p>	<p>S-34235 - Louisiana Water Company, ex parte. In re: Request for a Letter of Non Opposition to Borrow up to \$6,500,000 from the Louisiana Department of Health's "Drinking Water Revolving Loan Fund".</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner DeWitt, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff's Recommendation.</p>
<p>Ex. 21</p>	<p>S-34278 - Atmos Energy Corporation, ex parte. In re: Petition requesting the approval of the demand charge included in the Purchase Gas Costs of Atmos Energy Corporation -- Louisiana Division beginning October 1, 2017.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to accept Staff's Recommendation.</p>
<p>Ex. 22</p>	<p>X-34109 - Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Entergy Louisiana, LLC for the period of January 2014 through December 2015.</p> <p>In re: Discussion and possible vote to hire outside technical consultant.</p> <p>On motion of Commissioner Boissiere, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain United Professionals Company for the proposed budget of \$29,000 in fees, \$1,500 in expenses, for a total not to exceed budget of \$30,500.</p>
<p>Ex. 23</p>	<p>X-34110 - Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Southwestern Electric Power Company for the period of January 2014 through December 2015.</p> <p>In re: Discussion and possible vote to hire outside technical consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting for the proposed budget of \$30,420 in fees, \$1,500 in expenses, for a total not to exceed budget of \$31,920.</p>

<p>Ex. 24</p>	<p>X-34113 - Louisiana Public Service Commission, ex parte. In re: Audit of Purchased Gas Adjustment Filings for the gas distribution division of Entergy Louisiana, LLC for the period of January 2012 through December 2015.</p> <p>In re: Discussion and possible vote to hire outside technical consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to retain Exeter Associates for the proposed budget of \$23,800 in fees, \$1,500 in expenses, for a total not to exceed budget of \$25,300.</p>
<p>Ex. 25</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 maintain Phase I pending consideration of Phase 2 and for additional scope of work and budget for J. Kennedy and Associates for Phase 2.</p> <p>(Ex. 21 on the November 17, 2016 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 26</p>	<p>R-32786 - Louisiana Public Service Commission, ex parte. In re: Rulemaking to establish “Best Practices” protocols for disaster planning and response by all LPSC-jurisdictional utilities.</p> <p>In re: Discussion and possible vote on proposed rule.</p> <p>(Ex. 22 on the November 17, 2016 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 27</p>	<p>R-34246 - Louisiana Public Service Commission, ex parte. In re: Rulemaking to consider the appropriateness and potential scope of the Louisiana Public Service Commission’s review and pre-approval of utility contracts regarding the construction and/or acquisition of significant generation and transmission related assets.</p> <p>In re: Discussion and possible vote to hire outside regulatory counsel.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain Stone Pigman for the proposed budget of \$69,000 in fees, \$7,000 in expenses, for a total not to exceed budget of \$76,000.</p>
<p>Ex. 28</p>	<p>R-34247 - Louisiana Public Service Commission, ex parte. In re: Rulemaking to consider changes to Commission General Order dated October 29, 2008 (Docket No. R-26172 Subdocket C) (“Market Based Mechanisms Order”) to incorporate formal complaint procedures.</p> <p>In re: Discussion and possible vote to hire outside regulatory counsel.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain Stone Pigman for the proposed budget of \$69,000 in fees, \$7,000 in expenses, for a total not to exceed budget of \$76,000.</p>
<p>Ex. 29</p>	<p>U-29764 - Louisiana Public Service Commission, ex parte. In re: Entergy Louisiana, LLC and Entergy Gulf States, Inc., retail proceeding to estimate and implement in retail rates in 2007 the rough equalization impact of FERC Opinions No. 480 and 480-A, FERC Docket EL 01-88-000, LPSC vs. Entergy Corp.</p> <p>In Re: Docket Nos. U-29764 and X-33755, Staff Report Regarding Entergy System Agreement Termination and discussion and possible vote on Staff recommendations.</p> <p>On motion of Commissioner DeWitt, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff’s recommendations contained in the August 25, 2016 report regarding monitoring activities related to the System Agreement termination.</p>

<p>Ex. 30</p>	<p>LPSC, ex parte</p> <p>In re: Discussion and possible vote to modify the Executive Orders dated August 17, 2016 and August 19, 2016.</p> <p>(Ex. 27 on the November 17, 2016 B&E Agenda)</p> <p>Commissioner Skrmetta made a motion to modify the orders to affect only those customers directly impacted by the flooding. The motion failed for lack of a second.</p>
<p>Ex. 31</p>	<p>1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS Business</p> <p>Discussion and possible vote to ratify the votes taken by Commissioner Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</p> <p>On motion of Commissioner DeWitt, seconded by Commissioner Campbell, with Commissioner Boissiere and Chairman Angelle concurring, and Commissioner Skrmetta abstaining, the Commission voted to ratify Commissioner Skrmetta's vote taken on November 22, 2016.</p> <p>5) Directives</p> <p><u>Directive from Vice Chairman Angelle regarding rules related to combined heat and power (“CHP”). - PASSED</u></p> <p>(Ex. 31 on the November 17, 2016 B&E Agenda)</p>
<p>Ex. 32</p>	<p><u>Directive from Commissioner Skrmetta regarding investor owned utilities and Louisiana power cooperatives plans for industrial scale solar power facilities.</u></p> <p>At the request of Commissioner Skrmetta.</p> <p>Commissioner Skrmetta directed investor owned utilities and electric cooperatives to present their plans for industrial scale solar power facilities at the April 2017 B&E.</p>
<p>Ex. 33</p>	<p><u>Directive from Commissioner Campbell regarding Greater Ouachita Water Company meter-reading, billing, collection practices, and customer-service practices.</u></p> <p>At the request of Commissioner Campbell.</p> <p>Commissioner Campbell directs Staff to open a docket to examine 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. The audit should look at not only the meter-reading, billing, collection and customer-service practices of GOWC performed on its behalf by Severn Trent, but also any third-party meter-reading, billing, collection and customer-service services used by Severn Trent during that period. Commissioner Campbell further directed Staff to issue any RFPs or bid-solicitation requests necessary for outside consultant assistance to conduct this audit and that the audit be conducted on an expedited basis, with the audit report produced within 60 days of the date of the retention, if possible.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to have Staff expedite the procedure for an under \$50,000 bid solicitation and seek a proposal from Henderson Ridge Consulting (Principal, William J. Barta), or other qualified consultant, to examine the meter-reading, billing, collection and customer-service practices of Greater Ouachita Water Company and its operating contractor, Severn Trent Environmental Services, for the year 2016.</p>

<p>Ex. 34</p>	<p>T-34238 - Louisiana Public Service Commission vs. Lo-Vac, LLC (Lottie, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating beyond the scope of authority granted in LPSC 5536-E on three hundred thirty-three (333) counts; allegedly occurring on or about May 1, 2016 through June 10, 2016.</p> <p>In re: Discussion and possible vote to accept Affidavit and Stipulation signed by carrier pursuant to Rule 57.</p> <p>At the request of Chairman Angelle.</p> <p>On motion of Chairman Angelle, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Angelle, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to approve the affidavit and stipulation executed on December 15, 2016.</p>
<p>Ex. 35</p>	<p>U-33779 - Concordia Electric Cooperative, Inc., ex parte. In re: Application for Approval of Formula Rate Plan.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement Agreement.</p> <p>At the request of Commissioner DeWitt.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to approve the Uncontested Stipulated Settlement Agreement allowing Concordia to increase its revenue by \$1,418,270 and implement an FRP with a midpoint TIER of 1.50.</p>
<p>Ex. 36</p>	<p>U-34298 - Louisiana Public Service Commission, ex parte. In re: Proceeding to determine the method of recovery (fuel adjustment clause or base rates) for dry cask storage expense, an issue arising out of Docket Nos. U-32245 and U-32676.</p> <p>In re: Discussion and Possible Vote on Expansion of Scope of Work and Budget for Exeter Associates, Inc. and Patrick Miller LLC.</p> <p>At the request of Commissioner Skrmetta.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner DeWitt, and unanimously adopted, the Commission voted to approve the expansions of scope of work and budget for Exeter Associates, Inc. in the amount of \$28,000 and Patrick Miller LLC in the amount of \$98,000.</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, January 18, 2017 at 9:00am in the Natchez Room in Baton Rouge, LA.