

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM FEBRUARY 26, 2015
OPEN SESSION

MINUTES OF FEBRUARY 26, 2015 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN CLYDE HOLLOWAY, VICE CHAIR SCOTT ANGELLE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA and EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.

Open Session of February 26, 2015, convening at 2:15P.M., and adjourning at 4:00P.M., Natchez Room, 602 N. 5th Street, 1st Floor, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Eve Kahao Gonzalez.

Ex. 1	<p>Announcements</p> <p>Commissioner Holloway requested the June 2015 meeting be held in New Iberia, LA.</p> <p>A Technical Conference in docket R-32975 will be held on Tuesday March 10, 2015 at 10:30am in the Natchez Room.</p> <p>Commissioner Skrmetta introduced his new Executive Assistant, John Tobler.</p> <p>Commissioner Angelle was temporarily absent to begin the meeting.</p> <p>Commissioner Skrmetta announced that the FCC had just voted to approve net neutrality and declare internet providers to be utilities. He requested that staff research how this affects or could affect LPSC jurisdiction over those internet providers operating in Louisiana.</p>
Ex. 2	<p>R-33390 - Louisiana Public Service Commission, ex parte. In re: Rules Applicable to Common Carrier Petroleum Pipelines.</p> <p>In re: Discussion and possible vote on Staff Recommendation and Proposed General Order.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Skrmetta, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to approve Staff's recommendation and adopt the proposed general order.</p>
Ex. 3	<p>T-32906 - Louisiana Public Service Commission vs. Mr. Move, Inc. (Metairie, Louisiana). In re: Alleged violation of General Order dated March 09, 1965 and General Order dated April 03, 2008 while operating under Common Carrier Certificate Number 7327-A, allegedly having occurred on or about March 23, 2013 and April 04, 2013.</p> <p>T-32907 - LPSC v. Mr. Move, Inc. (Metairie, LA) - In re: Alleged violation of General Order dated March 9, 1965 and General Order dated April 3, 2008 while operating under Common Carrier Certificate Number 7327-A, allegedly having occurred on or about May 25, 2013.</p> <p>T-32908 - LPSC v. Mr. Move, Inc. (Metairie, LA) - In re: Alleged violation of General Order dated March 9, 1965 and General Order dated April 3, 2008 while operating under Common Carrier Certificate Number 7327-A, allegedly having occurred on or about May 13, 2013.</p> <p>In re: Discussion and possible vote on guilty plea pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to approve the Affidavit and Stipulation signed by the carrier.</p>

<p>Ex. 4</p>	<p>T-33422 - Louisiana Public Service Commission vs. 1st Class, Inc. (Lake Charles, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating intrastate without LPSC authority by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:164E(1) and for failure to comply with the requirements of General Order dated April 3, 2008.</p> <p>T-33423 - Louisiana Public Service Commission vs. Buy-A-Buddy, LLC (Lake Charles, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating intrastate without LPSC authority by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:164E(1).</p> <p>In re: Discussion and possible vote on guilty plea pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Holloway, with Commissioner Campbell and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to approve the Affidavit and Stipulation signed by Mr. Henri on behalf of both 1st Class, Inc. and Buy-A-Buddy, LLC.</p>
<p>Ex. 5</p>	<p>T-33424 - Louisiana Public Service Commission vs. Triple F Oilfield Service, LLC (Shelbyville, Texas). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority on ninety (90) counts; allegedly occurring on or about August 1, 2014 through September 22, 2014.</p> <p>In re: Discussion and possible vote on guilty plea pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Angelle temporarily absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the carrier.</p>
<p>Ex. 6</p>	<p>T-33442 - Louisiana Public Service Commission vs. Ewing Moving Service, Inc. dba Ewing Moving & Storage (Memphis, Tennessee). In re: Alleged violation of Louisiana Revised Statutes Title 45:161 through 180.1 as amended, by operating Intrastate without LPSC authority; allegedly occurring on or about October 24, 2014 through October 25, 2014.</p> <p>In re: Discussion and possible vote on guilty plea pursuant to Rule 57.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Angelle, 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 Commissioner Holloway, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the President of Ewing Moving Service, Inc.</p>
<p>Ex. 7</p>	<p>T-33443 - Louisiana Public Service Commission vs. Shelia Bryant dba VIP/Celebrity Limousine (Slidell, Louisiana). In re: Alleged violation of LPSC General Order dated April 21, 1999 by providing intrastate charter bus service without registering with the LPSC on one count, occurring on or about September 13, 2014.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve ALJ's recommendation.</p>

<p>Ex. 8</p>	<p>U-32285 - Cox Communications Louisiana, LLC vs Dixie Electric Membership Corporation, ex parte. In re: Complaint seeking declaratory and injunctive relief barring Dixie Electric Membership Corporation from continuing certain pole attachment practices.</p> <p>In re: Review of the Administrative Law Judge’s interlocutory ruling pertaining to discovery matters.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to defer conducting a review of the December 31, 2014 <i>Ruling Concerning Results of In Camera Inspection</i> at this time. The Commission further agreed to remand the December 31, 2014 <i>Ruling Concerning Results of In Camera Inspection</i> to the LPSC’s Administrative Hearings Division with instructions: (1) to provide written reasons as to the discoverability of each document at issue; and (2) to limit, to the fullest extent practicable, discussion of the substantive content of each document. The Commission’s remand of the December 31, 2014 <i>Ruling Concerning Results of In Camera Inspection</i> is without prejudice to the right(s) of any party to subsequently apply (in accordance with Rule 57 of the Rules of Practices and Procedures of the Louisiana Public Service Commission) for immediate review of any findings contained in the Tribunal’s written reasons.</p>
<p>Ex. 9</p>	<p>U-32740 - Louisiana Public Service Commission versus City Tel-Coin Company, Inc. In re: Alleged violations of Louisiana Public Service Commission General Order, dated September 19, 1998 and Order R-31891.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>(Ex. 7 on the January 21, 2015 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 10</p>	<p>U-32911 - Louisiana Public Service Commission, ex parte. In re: Commission Audit of Lafayette Utilities Systems's Covered Services for the 2011 and 2012 fiscal years (November 1, 2010 through October 31, 2012) pursuant to General Order dated October 4, 2005.</p> <p>In re: Discussion and Possible Vote on Staff Final Report and Recommendation.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to adopt the Staff’s Final Audit Report and Recommendation as filed into the record on February 11, 2015.</p>
<p>Ex. 11</p>	<p>S-33152 - Budget PrePay, Inc., D/B/A Budget Mobile, ex parte. In re: Application of Budget PrePay, Inc. d/b/a Budget Mobile for Expanded Designation as a Lifeline-Only Eligible Telecommunications Carrier in Louisiana.</p> <p>In re: Discussion and possible vote on Staff's recommendation.</p> <p>(Ex. 15 on January 21, 2015 B&E Agenda)</p> <p>Commissioner Campbell moved to adopt Staff’s recommendation and designate Budget as an ETC. The motion was seconded by Commissioner Boissiere. A roll call vote was taken, with Commissioner Holloway, Commissioner Skrmetta, and Commissioner Angelle opposing the motion. Therefore the Commission denied Budget Prepay, Inc. d/b/a Budget Mobile for an expanded designation as a Lifeline Only Eligible Telecommunications Carrier in Louisiana for the limited purpose of providing Lifeline services.</p>
<p>Ex. 12</p>	<p>S-33321 - Belmont Waterworks, Inc. (Belmont, Louisiana), ex parte. In re: Request for an increase in water rates (non-profit system)</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>(Ex. 17 on January 21, 2015 B&E agenda)</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Boissiere, with Commissioners Skrmetta and Commissioner Angelle concurring and Commissioner Holloway opposing, the Commission voted to approve and adopt the recommendation included in Staff’s October 17, 2014 Audit Memorandum:</p>

	<ul style="list-style-type: none"> • For residential customers, Belmont may: <ul style="list-style-type: none"> ○ Lower its residential minimum gallon usage threshold from 2,000 gallons to 1,000 gallons; ○ Increase rates for the minimum usage charge from the current \$21.00 for the first 2,000 gallons or less, to \$24.00 for the first 1,000 gallons or less; and ○ Increase rates for additional consumption from the current \$2.40 for each additional 1,000 gallons over the first 2,000 gallons, to \$3.50 for each additional 1,000 gallons over the first 1,000 gallons. • For commercial customers, Belmont may: <ul style="list-style-type: none"> ○ Lower its commercial minimum gallon usage threshold from 20,000 gallons to 10,000 gallons; ○ Increase rates for the minimum usage charge from the current \$35.00 for the first 20,000 gallons or less, to \$36.00 for the first 10,000 gallons or less; and ○ Increase rates for additional consumption from the current \$2.00 for each additional 1,000 gallons over the first 10,000 gallons, to \$2.20 for each additional 1,000 gallons over the first 10,000 gallons. • For the Company’s single bulk sale (master metered) customer, Belmont may charge \$3.00 for each 1,000 gallons used (no minimum gallon usage threshold).
<p>Ex. 13</p>	<p>S-33384 - False River Water Works Corporation, ex parte. In re: Request for an increase in water rates (non-profit systems).</p> <p>In re: Discussion and possible vote on Staff's recommendation.</p> <p>(Ex. 18 on the January 21, 2015 B&E Agenda)</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to approve and adopt Staff’s Recommendation dated December 22, 2014 and authorize False River Water Works to adjust its metered water rates, subject to the following modifications:</p> <ul style="list-style-type: none"> • For residential customers, False River may charge \$1.70 per 1,000 gallons used. • For commercial customers, False River may charge \$1.70 per 1,000 gallons for any additional consumption over 5,000 gallons.
<p>Ex. 14</p>	<p>S-33417 - CF Industries Nitrogen, LLC and Entergy Louisiana, LLC, ex parte. In re: Request for approval of an agreement for Purchased Power from Qualifying Cogeneration Facility.</p> <p>In re: Discussion and possible vote to approve QF PPA.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to approve the QF PPA subject to the conditions recommended by Commission Staff.</p>
<p>Ex. 15</p>	<p>S-33431 - Pointe Coupee Electric Membership Corporation, ex parte. In re: Request for a Letter of Non Opposition or Approval to Pointe Coupee Electric's financing \$2.5 million line of credit with CFC with a five (5) year term.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to approve a letter of non-opposition to be issued to PCEMC</p>

	<p>based on the following terms and conditions:</p> <ol style="list-style-type: none"> 1. PCEMC shall file, under Docket No. S-33431, a copy of the finalized loan agreement signed by both PCEMC and CFC, referencing the aforementioned terms within thirty (30) days of closing. If the loan has not been signed and filed into the record within 120 days of the date of an Order in this matter, that the Commission reserves the right to rescind its non-opposition; 2. The Commission makes no determination regarding the reasonableness of the actual interest rates applied to this borrowing; 3. PCEMC will not apply in any current or future proceedings to the LPSC for an increase in its rates and charges as a result of the impact that this borrowing may have on the company's Debt Service Coverage Ratio, Return on Rate Base, or Operations; 4. PCEMC agrees to maintain its records regarding the financing agreement for a period of not less than 5 years after the credit line is repaid in full or otherwise closed; 5. If the Company uses the line of credit to make capital improvements a detailed work plan is to be submitted to the LPSC Audit division; and 6. The Commission reserves its right to review the ratemaking treatment of this loan proposal in any future rate proceeding.
<p>Ex. 16</p>	<ol style="list-style-type: none"> 1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS Business <p>On motion of Commissioner Holloway, seconded by Commissioner Angelle, with Commissioner Boissiere concurring, Commissioner Skrmetta abstaining and Commissioner Campbell temporarily absent, the Commission voted to ratify Commissioner Skrmetta's votes taken on February 20, 2015 at the meeting of the OMS Board of Directors.</p> <ol style="list-style-type: none"> 5) Directives
<p>Ex. 17</p>	<p>S-33411 - Beaugard Electric Cooperative, Inc., ex parte. In re: Application of Beaugard Electric Cooperative, Inc. for Certification of Public Convenience and Necessity for: (1) Authorization to Begin an Advanced Metering System Pilot Program to be followed by Complete Deployment of the Same; (2) Authorization to Install, Own, and Operate Advanced Metering Infrastructure; (3) Authorization to Recover in Jurisdictional Rates all costs Reasonably and Prudently Incurred to Install, Own, and Operate Advanced Metering Infrastructure; and (4) Expedited Treatment.</p> <p>In re: Discussion and possible vote on Staff's report and recommendation.</p> <p>At the request of Commissioner Holloway.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to adopt the recommendations contained in its February 16, 2015 report.</p>
<p>Ex. 18</p>	<p>U-33244 - Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC, ex parte. In re: Potential Business Combination of Entergy Louisiana, LLC and Entergy Gulf States, L.L.C.</p> <p>In re: Discussion and possible vote to approve unopposed Motion of ELL and EGSL to delay filing of their 2014 Test Year Formula Rate Plan ("FRP") Filings.</p> <p>At the request of Commissioner Holloway.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Skrmetta, 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 Commissioner Holloway, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Staff Recommendation that the Commission approve the Companies' January 30, 2015 motion, subject to the conditions contained in that motion, including but not limited to the following language from page 4 of the motion: "even though the rate effective period for the 2014 Test Year FRPs (or combined FRP) will be shorter than a typical 12-month FRP rate effective period, the full amount of any rate increase(s) or</p>

	<p>decrease(s) will be collected/flowed back during that shortened period.” That motion is not opposed by the Staff or Intervenors subject to those conditions. The Companies' ratepayers will not be harmed by the delay if granted.</p>
Ex. 19	<p>U-33550 - Entergy Gulf States Louisiana, LLC ex parte. In re: Annual Evaluation Report of Entergy Gulf States Louisiana, L.L.C. for the test year ended September 30, 2014.</p> <p>In re: Discussion and possible vote to expand the scope of work of Exeter Associates to include evaluation of EGSL-Gas' 2014 test year evaluation report.</p> <p>At the request of Commissioner Holloway.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to authorize the expansion of scope of work for Exeter to include the 2014 test year filing.</p>
Ex. 20	<p>S-33555 - East Central Vernon Water System, Inc. ex parte. In re: Request for a letter of non-opposition regarding loan approval.</p> <p>In re: Discussion and Possible Vote on Staff Recommendation.</p> <p>At the request of Commissioner Holloway.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to issue a letter of non opposition to ECV, granting approval for a loan in the amount of \$1,257,625 with possible principal forgiveness of \$377,288 from the DWRLF based on the following terms and conditions:</p> <ol style="list-style-type: none"> 1. East Central Vernon Water System, Inc. shall file, under Docket No. S-33555, a copy of the finalized loan agreement signed by both ECV and LDHH referencing all terms of the loan within 30 days of closing; and 2. East Central Vernon Water System, Inc. will not apply in any current or future proceedings to the LPSC for an increase in its rates and charges as a result of the impact that this borrowing may have on the company's Debt Service Coverage Ratio, Return on Rate Base, or Sustainability Ratio; and 3. The Commission reserves its right to review the ratemaking treatment of this loan proposal in any future rate proceeding.

Jeff Cantin, Gulf State Renewable Energy, was allowed to speak on the topic of solar energy in Louisiana and the jobs that may be affected by Commission action or inaction, followed by questions and remarks from Commissioners on the topic.

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

MEETING ADJOURNED

The next Business and Executive Session will be held March 26, 2015 at 10:00 a.m. in Baton Rouge, Louisiana.