

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM MARCH 21, 2018
OPEN SESSION

MINUTES OF MARCH 21, 2018 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN ERIC SKRMETTA, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER CRAIG GREENE AND INTERIM EXECUTIVE SECRETARY BRANDON FREY.

Open Session of MARCH 21, 2018, convening at 9:26A.M., and adjourning at 11:00A.M., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Interim Executive Secretary Brandon Frey.

<p>Ex. 1</p>	<p>The Commission moved Ex. 15 to the beginning of the agenda.</p> <p>Commissioner Campbell acknowledged the heroic actions of District V Staff Member Hunter Coleman prior to presenting him with a Resolution, taking Exhibit 15 out of order.</p> <p>Commissioner Greene introduced his childhood friend and college football teammate, Todd Kinchen.</p>
<p>Ex. 2</p>	<p>T-34697 - Louisiana Public Service Commission vs. Wayne Thomas dba Cenla Movers and Delivery Service (Alexandria, 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. 45:164 (E) and General Order dated May 4, 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 Skrmetta, 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 Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation executed on March 8, 2018 for fines and fees totaling \$525.00.</p>
<p>Ex. 3</p>	<p>S-34607 - Community Utilities of Louisiana, Inc., ex parte. (CULI-WTSO). 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>(Ex. 3 on the February 21, 2018 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 4</p>	<p>S-34608 - Community Utilities of Louisiana, Inc., ex parte. (CULI-DENSITY). 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>(Ex. 4 on the February 21, 2018 B&E Agenda)</p> <p>PASSED</p>

<p>Ex. 5</p>	<p>U-33950 - Entergy Louisiana, LLC, ex parte. In re: Compliance Submission Regarding Deactivation of Little Gypsy 1, Ninemile 3, and Willow Glen 2 and 4, as required by Order No. U-33510.</p> <p>In re: Discussion and possible vote on ALJ recommendation; Request for oral argument.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to approve the ALJ recommendation with the additional requirement that the Staff complete the rulemaking that has been open on utility generation deactivations and retirements in Docket No. R-34407 and present the recommendations in the rulemaking for review and possible vote no later than September 2018 B&E.</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 Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Campbell, with Commissioner Boissiere and Commissioner Greene concurring and Chairman Skrmetta opposing, the Commission voted to accept the Uncontested Stipulated Settlement, with the addition of the following term, which both parties have agreed to:</p> <p>Nothing in this Stipulation, or the Commission's approval of this Stipulation, relieves TESI of its obligation to comply with the requirements of Docket No. X-34747 and Commission Special Order No. 13-2018. Further, the rates put into effect as a result of the Commission's approval of this Stipulation, and all calculations related thereto, are subject to the outcome of the rulemaking and the tax treatments adopted in Commission Docket No. R-34754 as of January 1, 2018. (In re: Consideration of appropriate manner to flow through to ratepayers the benefits of the reduction in corporate income taxes as a result of the Tax Cuts and Jobs Act, treatment of the regulatory liability ordered by the Commission to be recorded by utilities pursuant to the Commission's Special Order 13-2018, and related matters). Further, TESI will file its required report into Docket No. X-34747 no later than 60 days from the issuance of an Order accepting the Uncontested Stipulated Settlement in Docket No. U-34482.</p>
<p>Ex. 7</p>	<p>U-34662 - Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Request for Approval of Tariff Schedule BBP-1, Bayou Bridge Pipeline, LLC.</p> <p>In re: Discussion and Possible Vote to exercise original and primary jurisdiction under Rule 57 and Discussion and Possible Vote to Dismiss Docket</p> <p>At the Request of Commissioner Francis.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, 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 Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission dismissed the proceeding noting that the dismissal shall not indicate the Commission's agreement with any of the arguments of counsel in any pleadings or memoranda filed in the Docket and currently pending before the ALJ, nor does it indicate a Commission decision on the merits of Jefferson Davis Electric Cooperative's request.</p>
<p>Ex. 8</p>	<p>Special Order No. 13-2018 - Louisiana Public Service Commission, ex parte. In re: Notice to jurisdictional utilities to immediately track and record, as of January 1, 2018, the impacts of the Tax Cuts and Jobs Act as a regulatory liability and opening a rulemaking docket regarding same.</p> <p>In re: Discussion and possible vote on Entergy's request for clarification and rehearing.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to deny Entergy's request for clarification and rehearing.</p>

<p>Ex. 9</p>	<p>R-32702 - Louisiana Public Service Commission, ex parte. In re: Study of and possible implementation of rules regarding the security of jurisdictional utility generation, transmission and distribution assets and the cyber security of utility computer systems.</p> <p>In re: Discussion and possible vote to expand scope and budget of outside counsel.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to approve the additional not to exceed budget of \$45,000 in fees for McQuaig & Associates to assist the Commission with the rulemaking, which shall be completed within the next 24 months and include movement toward the development of a permanent mechanism for coordination with the state fusion center.</p>
<p>Ex. 10</p>	<p>System Energy Resources, Inc., FERC Docket No. ER17-2219, consolidated with FERC Docket Nos. EL17-93, and EL17-41.</p> <p>In re: Possible executive session to discuss litigation strategy pursuant to La. R.S. 42:16 et. seq.</p> <p>In re: Discussion and possible vote to direct Staff action.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to enter in to executive session.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to exit executive session.</p>
<p>Ex. 11</p>	<p>Entergy Louisiana, LLC, FERC Docket No. ER17-2030, consolidated with FERC Docket Nos. ER17-2029, ER17-2031, ER17-2033 and ER17-2034.</p> <p>In re: Possible executive session to discuss litigation strategy pursuant to La. R.S. 42:16 et. seq.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to enter in to executive session.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to exit executive session.</p>
<p>Ex. 12</p>	<p>Louisiana Public Service Commission</p> <p>In re: Possible vote and/or executive session regarding the Executive Secretary position pursuant to La. R.S. 42:16 et. seq.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to appoint Brandon Frey Executive Secretary at his current compensation level.</p>
<p>Ex. 13</p>	<p>1) Reports</p> <p>Status report from Staff on Docket No. X-34747. - Report was given by Paul Zimmering of Stone Pigman Law Firm.</p> <p>2) Resolutions 3) Discussions 4) ERSC/OMS Business 5) Directives</p> <p><u>Directive to Staff to open a rulemaking to consider possible modifications to the Commission’s “Electric Transmission Facility Certification and Siting Rules” adopted in the Commission’s General Order dated October 10, 2013 and to solicit a proposal from Stone Pigman to assist the Staff since they worked on the prior rulemaking docket.</u></p> <p>(Ex. 10 February 21, 2018 B&E Agenda)</p> <p>At the request of Commissioner Campbell. - PASSED</p>

	<p><u>Directive from Chairman Skrmetta requiring Entergy, Cleco and SWEPCO to file publically with the LPSC on January 31 and June 30 of each year a report indicating the original proposed and current projected in-service date for each transmission upgrade project which is located in whole or part within the State of Louisiana and which has been approved by MISO or SPP as part of all Transmission Expansion Plans.</u></p> <p>At the request of Chairman Skrmetta.</p> <p>There was no opposition.</p>
Ex. 14	<p>U-34631 - Entergy Louisiana, LLC, ex parte. In re: Application for Extension and Modification of Formula Rate Plan.</p> <p>In re: Discussion and possible vote to expand the scope of services and budget of United Professionals.</p> <p>At the request of Chairman Skrmetta.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to approve the additional not to exceed budget of \$70,000 in fees for UPC for the period beginning January 1, 2018 forward.</p>
Ex. 15	<p>Undocketed</p> <p>In re: Discussion and Possible Vote to adopt a Resolution commending the heroic actions of LPSC employee Hunter Coleman.</p> <p>At the request of Commissioner Campbell.</p> <p>Commissioner Campbell made a motion to adopt a Resolution commending District V employee Hunter Coleman for his heroic and selfless actions. After the Commission unanimously adopted the Resolution, Mr. Coleman was given a standing ovation.</p>
Ex. 16	<p>Undocketed - LPSC, ex parte: In re: Audit of Lafayette Utilities Systems' Covered Services under General Order of the Louisiana Public Service Commission dated October 4, 2005 for the years 2016-2017.</p> <p>In re: Directive to open audit.</p> <p>In re: Discussion and possible vote to retain Henderson Ridge Consulting to assist Staff with the Audit.</p> <p>At the request of Chairman Skrmetta.</p> <p>PASSED</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, April 18, 2018 at 9:00am in Baton Rouge, Louisiana.