

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM APRIL 26, 2019
OPEN SESSION

MINUTES OF APRIL 26, 2019 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of April 26, 2019 convening at 9:04A.M., and adjourning at 10:38A.M., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.

Ex. 1	<p>Commissioner Campbell thanked Entergy and SWEPCO for being proactive and assisting with the outages in Ruston.</p> <p>Executive Secretary, Brandon Frey, acknowledged Deputy Undersecretary Johnny Snellgrove’s 50th birthday.</p> <p>Deputy General Counsel, Melissa Watson, introduced new Staff Attorneys Barlow Holley and Theron Levi.</p> <p>Audit Director, Robin Pendergrass, introduced new Auditor Matt Gillen.</p>
Ex. 2	<p>T-34396 - Equipment Transport, LLC dba Equipment Transport, LLC of Pennsylvania (Carlisle, Pennsylvania), ex parte. In re: Application for a Common Carrier Certificate of non-hazardous oilfield waste for disposal, statewide.</p> <p>In re: Discussion and possible vote on Staff’s Motion to Rescind.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to grant Staff’s Motion to Rescind, and rescinded Order No. T-34396, which had granted Equipment Transport, LLC dba Equipment Transport, LLC of Pennsylvania a contract carrier.</p>
Ex. 3	<p>T-34814 - Southern Solid Waste, LLC (Iowa, Louisiana) ex parte. In re: Application to amend Common Carrier Certificate number 7774 to allow for transportation of non-hazardous oilfield waste, non-hazardous industrial solid waste and hazardous waste for disposal, statewide.</p> <p>In re: Discussion and possible vote on Staff’s Motion to Rescind.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to grant Staff’s Motion to Rescind, and rescinded Order No. T-34814, which had granted Southern Solid Waste, LLC a common carrier certificate authorizing operations as a common carrier of non-hazardous oilfield waste, non-hazardous industrial solid waste, and hazardous waste, statewide.</p>
Ex. 4	<p>T-35060 - Louisiana Public Service Commission vs. Louisiana Moving Company, LLC (New Iberia, 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 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 Commissioner Skrmetta, seconded by Vice Chairman 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 Commissioner Skrmetta, seconded by Vice Chairman Campbell, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed by the Carrier on April 1, 2019 for fines and fees totaling \$525.00.</p>

<p>Ex. 5</p>	<p>T-35074 - Louisiana Public Service Commission vs. Keep It Moving Services, LLC (Slidell, 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 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 Commissioner Skrmetta, seconded by Vice Chairman 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 Commissioner Skrmetta, seconded by Vice Chairman Campbell, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed by the Carrier on April 1, 2019 for fines and fees totaling \$525.00.</p>
<p>Ex. 6</p>	<p>U-34765 - Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause filings for Cleco Power LLC for the period of January 2016 through December 2017.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the proposed Draft Order filed into the record on March 19, 2019, as an exhibit to the Joint Report of Staff and Cleco Power.</p>
<p>Ex. 7</p>	<p>U-34806 - Southwestern Electric Power Company, ex parte. In re: 2017 Test Year Formula Rate Plan Report.</p> <p>In re: Discussion and possible vote to expand scope of work and budget for ReSolved Energy Consulting, Inc.</p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to expand the scope of work and budget for Resolved Energy Consulting, to include the Tax Cut and Jobs Act for an additional \$10,000 in fees, for a not to exceed total budget of \$62,500 in fees and \$2,700 in expenses.</p>
<p>Ex. 8</p>	<p>U-34851 - Louisiana Public Service Commission, ex parte. In re: Audit of Purchased Gas Adjustment filings for Trans Louisiana Gas Company and Louisiana Gas Service Company (Regulatory Divisions of Atmos Energy Corporation) for the period of April 2016 through March 2018.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the proposed Draft Order filed into the record on April 8, 2019 as an exhibit to the Joint Report of Staff and Atmos Energy.</p>
<p>Ex. 9</p>	<p>DOCKET NO. TBD In re: Cleco Power, LLC's Upcoming Rate Proceeding to be Filed in June 2019 as Required by Commission Order No. U-33434-A.</p> <p>Re: Discussion and possible vote to hire outside counsel.</p> <p>Chairman Francis made the following motion to accept the proposal of Stone Pigman for \$269,000 in fees and \$9,000 in expenses for a total not to exceed budget of \$278,000: I move that we accept the proposal of Stone Pigman. They assisted the Commission Staff in the Cleco/Macquarie acquisition docket, and in the recent docket in which the Cleco Cajun application to acquire the assets of NRG was approved. The rate case is related to these prior representations and I believe it is in the public interest to avoid unnecessary duplication of effort and expense. The motion was seconded by Commissioner Greene.</p> <p>Commissioner Skrmetta made a substitute motion to retain Patrick Miller L.L.C.; the motion failed for lack of a second.</p> <p>Chairman Francis' original motion to retain Stone Pigman was unanimously adopted.</p>

<p>Ex. 10</p>	<p>DOCKET NO. TBD In re: Cleco Power, LLC's Upcoming Rate Proceeding to be Filed in June 2019 as Required by Commission Order No. U-33434-A.</p> <p>Re: Discussion and possible vote to hire outside consultant.</p> <p>Chairman Francis made the following motion to accept the proposal of United Professionals Company for \$180,000 in fees and \$15,000 in expenses for a total not to exceed budget of \$195,000:</p> <p>I move that we accept the proposal of United Professionals Company. They assisted the Commission Staff in the Cleco/Macquarie acquisition docket, and in the recent docket in which the Cleco Cajun application to acquire the assets of NRG was approved. The rate case is related to these prior representations and I believe it is in the public interest to avoid unnecessary duplication of effort and expense. The motion was seconded by Commissioner Skrmetta, and unanimously adopted by the Commission.</p>
<p>Ex. 11</p>	<p>S-35139 - CP-Tel Holdings, Inc., Campti-Pleasant Hill Telephone Company, Inc., CP-Tel Network Services, Inc. and EPIC TOUCH, CO., ex parte. In re: Request for Approval of the Change in Ownership and Control and Associated Financing and Pledge of Security.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Campbell, and unanimously adopted, the Commission voted to adopt the Staff Report and Recommendation filed into the record on April 9, 2019, expressing the Commission's non-opposition to the Proposed Transaction, subject to conditions.</p>
<p>Ex. 12</p>	<p>R-35142 - Louisiana Public Service Commission, ex parte. In re: Rulemaking Regarding Alternative Methods of Financing and the Approvals Necessary Under the Commission's March 18, 1994 and November 13, 1996 General Orders.</p> <p>Re: Discussion and possible vote to hire outside counsel.</p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to retain Alexander Law Firm for \$46,250 in fees and \$3,000 in expenses for a total not to exceed budget of \$49,250.</p>
<p>Ex. 13</p>	<p>1) Reports</p> <p>Report from Staff regarding Robocalls and efforts to curb them.</p> <p>At the request of Vice Chairman Campbell.</p> <p>Executive Secretary Brandon Frey gave a presentation on the sophisticated tactics used by scammers, and Do Not Call Program Manager Brenda Headlee discussed the role of the Do Not Call Program, the recent rise in spoofing calls, and what the federal government is doing to address the problem. Jamie Hurst Watts, representing Cox Louisiana Telcom; Melissa Mann, representing CenturyLink; and Rick Demint, representing AT&T Louisiana, all provided reports regarding how their respective entities are working to address these issues.</p> <p>Staff will update the Commission on the status of Robocalls as part of a recurring item on the agenda.</p> <p>2) Resolutions 3) Discussions 4) ERSC/OMS/SPP</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 Chairman Francis, seconded by Vice Chairman Campbell, with Commissioner Boissiere and Commissioner Greene concurring, and Commissioner Skrmetta abstaining, the Commission voted to ratify the votes of Commissioner Skrmetta taken on March 22, 2019, as the LPSC representative to the OMS Board of Directors.</p> <p>5) Directives</p>

Ex. 14	<p>U-34717 - Dixie Electric Membership Corporation (DEMCO), ex parte. In re: 2017 Formula Rate Plan Annual Report.</p> <p>U-34344 - Dixie Electric Membership Corporation (DEMCO), ex parte. In re: 2016 Formula Rate Plan Annual Report for test year ending September 30, 2016.</p> <p>In re: Discussion and possible vote on DEMCO’s Motions to Amend Orders No. U-34717-A and Order No. U-34344-A.</p> <p>At the request of Commissioner Boissiere.</p> <p>Commissioner Boissiere made the following motion:</p> <p>Commission Order Nos. U-34717-A and U-34344-A issued on October 19, 2018 require that DEMCO make a rate filing and/or request for extension of an FRP no later than May 15, 2019, as DEMCO’s FRP expired with the 2018 Test Year. The Orders emphasize that the Commission will undertake a full rate review as part of that proceeding. On April 10 and 11, 2019, DEMCO filed Petitions to Amend Commission Order Nos. U-34717-A and U-34344-A, requesting to move the deadline for filing its rate proceeding from May 15, 2019, to August 19, 2019. DEMCO asserts in its motions that the additional time is needed to fully address the Advanced Metering Program. Further, DEMCO asserts that the delay will not result in any harm to customers or DEMCO’s TIER.</p> <p>Upon consideration of DEMCO’s motions, I move that the Commission authorize an extension of the deadline for DEMCO’s rate filing, as required by Order Nos. U-34717-A and U-34344-A, from May 15, 2019 to August 15, 2019.</p> <p>The motion was seconded by Commissioner Greene, with Chairman Francis and Vice Chairman Campbell concurring, and Commissioner Skrmetta opposing; therefore, the motion was adopted 4-1.</p>
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On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, May 15, 2019, at 9:00A.M. at the Galvez Building in Baton Rouge, Louisiana.