

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

MINUTES OF MAY 19, 2017 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, VICE CHAIRMAN ERIC SKRMETTA, CHAIRMAN SCOTT ANGELLE, COMMISSIONER MIKE FRANCIS AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.

Open Session of May 19, 2017, convening at 9:36A.M., and adjourning at 2:14P.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>Vice Chairman Skrmetta congratulated John Tobler on his new position with the City of Kenner. Cherie Thibodeaux will be his replacement.</p> <p>Chairman Angelle thanked John Tobler for his service and wished him well on behalf of the Commission.</p> <p>Commissioner Boissiere requested that Staff reissue the energy efficiency guidelines applicable to political subdivisions to correct clerical and substantive errors in the filing.</p>
Ex. 2	<p>X-34411 - Louisiana Public Service Commission, ex parte. In re: Audit of the billing, collection and customer-service practices of Country Place Utilities for its water services in Bossier Parish, Louisiana.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>(Ex. 10 on the April 19, 2017 B&E Agenda)</p> <p>On motion on Vice Chairman Skrmetta, seconded by Chairman Angelle, and unanimously adopted, the Commission voted to retain Sternberg, Naccari & White, LLC for a not to exceed budget of \$49,500, including \$43,500 in fees and \$6,000 in expenses.</p>
Ex. 3	<p>U-33454 - Cleco Power LLC versus Washington-St. Tammany Electric Cooperative, Inc. In re: Rule 67 complaint regarding possible 300 Foot Rule Violations (Highlands Subdivision).</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement.</p>
Ex. 4	<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 pursuant to Rule 57 on Louisiana Energy Users Group's Motion for Immediate Review.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Angelle, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>After hearing discussion, Chairman Angelle made a motion to overturn the ALJ ruling issued April 4, 2017, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta and Commissioner Francis opposing, the motion passed with a 3:2 vote.</p>
Ex. 5	<p>U-33969 - Louisiana Public Service Commission, ex parte. In re: Audit of Environmental Adjustment Clause Filings for Southwestern Electric Power Company for the period of November 2010 through December 2015.</p> <p>In re: Discussion and Possible Vote on Joint Report and Draft Order.</p> <p>On motion of Chairman Angelle, seconded by Commissioner Francis, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to accept the Joint Report and Draft Order filed April 21, 2017.</p>

<p>Ex. 6</p>	<p>U-34358 - St. Amant Gas Company, ex parte. In re: Application for Interim Emergency Storm Relief in Retail Rates and approval of a Storm Recovery Rider.</p> <p>In re: Discussion and possible vote on an Interim Rate Increase pursuant to Rule 57.</p> <p>(Ex. 15 on the April 19, 2017 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 7</p>	<p>U-33011 - Mo-Dad Utilities, LLC ("Mo-Dad"), ex parte. In re: Application for Rate Increase and Request for Letter of Non-Opposition to Borrowing Funds.</p> <p>In re: Rule 43 Motion for Rehearing.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>(Ex. 22 on the April 19, 2017 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 8</p>	<p>S-34082 - Entergy Louisiana, LLC, ex parte. In re: Request to Close the Large Manufacturing Power Service (LMPS) Rate Schedule for New Business.</p> <p>In re: Discussion and Possible Vote on Joint Report of Proceedings and Draft Order.</p> <p>On motion of Commissioner Campbell, seconded by Chairman Angelle, with Commissioner Boissiere and Commissioner Francis concurring, and Vice Chairman Skrmetta temporarily absent, the Commission voted to accept the Joint Report of Proceedings and Draft Order.</p>
<p>Ex. 9</p>	<p>S-34432 - Budget PrePay, Inc., D/B/A Budget Mobile, ex parte. In re: Request to Relinquish its Wireless, Lifeline-only ETC Designation and Cancel its CMRS Registration.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Campbell, with Commissioner Boissiere and Chairman Angelle concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to accept Staff's recommendation relinquishing Budget PrePay, Inc.'s designation as a wireless Lifeline-only ETC, cancelling the Company's registration as a CMRS provider and that the Commission's actions supersede ordering paragraph 4 in Order No. S-34357.</p>
<p>Ex. 10</p>	<p>R-34054 - Louisiana Public Service Commission, ex parte. In re: Rulemaking to examine the Commission's Rules of Practice and Procedure related to a motor carrier of waste proving public convenience and necessity when applying for a common carrier certificate or contract carrier permit, as well as possible adoption of rules and regulations specific to applications for common carrier certificates or contract carrier permits as it relates to hauling waste.</p> <p>In re: Discussion and possible vote on Staff's Final Recommendation and Draft Rules and Regulations</p> <p>Commissioner Skrmetta made a motion to adopt Staff's final Recommendation. The motion died for lack of a second.</p> <p>After discussion, on motion of Commissioner Campbell, seconded by Commissioner Boissiere, with Vice Chairman Skrmetta and Chairman Angelle concurring, and Commissioner Francis recusing himself due to a conflict of interest, the Commission voted to defer the item until the June B&E meeting.</p> <p>PASSED</p>

<p>Ex. 11</p>	<p>R-34407 - Louisiana Public Service Commission, ex parte. In re: Rulemaking docket to consider whether or not the Commission should exercise its authority over future utility generation deactivation and retirement decisions and the rules and procedures that could apply to any such exercise of authority.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain United Professionals Company, a division of Sisung Group, for a not to exceed budget of \$38,500, consisting of \$35,000 for consulting services and \$3,500 for expenses.</p>
<p>Ex. 12</p>	<p>R-34407 - Louisiana Public Service Commission, ex parte. In re: Rulemaking docket to consider whether or not the Commission should exercise its authority over future utility generation deactivation and retirement decisions and the rules and procedures that could apply to any such exercise of authority.</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>On motion of Commissioner Campbell, seconded by Vice Chairman Skrmetta, and unanimously adopted, the Commission voted to retain Stone Pigman for a not to exceed budget of \$73,000 including \$67,000 in fees and \$6,000 in expenses.</p>
<p>Ex. 13</p>	<p>1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS Business</p> <p>In re: Discussion and possible vote to ratify Commissioner Boissiere's vote as representative to OMS.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Angelle, with Commissioner Campbell and Commissioner Francis concurring, and Commissioner Boissiere abstaining, the Commission voted to ratify Commissioner Boissiere's vote taken on May 8, 2017 as the Commission's OMS representative.</p> <p>5) Directives</p> <p><u>Directive from Vice Chairman Skrmetta requiring water and wastewater utilities to notify, in writing, the Commission's Executive Secretary of any type of enforcement action being issued by any regulatory agency (including the informal actions like warning letter, notice of violation) within 10 days of receipt of such enforcement action.</u></p> <p>There was no objection to the directive. Chairman Angelle asked that the directive is passed along to the staff that is working in the memorandum of understanding with the various agencies so that they are aware of it.</p> <p><u>Directive from Commissioner Campbell regarding distribution of White-Pages Telephone Directories.</u></p> <p>On May 23, 2012, in Docket R-31825, the LPSC voted 4-1 (Campbell objecting) to amend its TELCOM Local Competition Regulations to eliminate a Commission requirement that Telecommunications Service Providers distribute at least one local white-pages directory per customer annually as part of universal service. As part of the order the Commission stated:</p> <ul style="list-style-type: none"> • The Commission shall retain all authority to investigate the directory distribution by a TSP and the TSP's implementation of an "opt-in" or "opt-out" program. <p>Commissioner Campbell directed Staff to exercise this authority and re-open this docket with a goal of understanding the impact of the order on Telephone Service Providers and their customers. In addition, the analysis should determine whether the economic concerns that were cited as reason for the change have been addressed, and also what has been the customer impact. There was no objection to the directive.</p>

<p>Ex. 14</p>	<p>U-34340 - Entergy Louisiana, LLC. In re: Formula Rate Plan Evaluation Report and Waterford 3 Compliance Filing.</p> <p>In re: Discussion and possible vote on Unopposed Joint Report of Proceedings and Draft Order.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted the Commission voted to accept the Unopposed Joint Report of Proceedings and Draft Order.</p> <p>Vice Chairman Skrmetta requested that Entergy look into options of relocating a 360 MW peaking plant for East New Orleans (which has not been approved by the New Orleans City Council) to provide for the necessary reliability of the entire state system, to jurisdiction within the LPSC if there are going to be any road blocks to the completion of that generator simply to guarantee the reliability of the overall generation system to the citizens of Louisiana.</p>
<p>Ex. 15</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 on a methodology for allocation and distribution of a portion of the Cleco Power charitable foundation funding for increased economic opportunities for minorities and impoverished residents of Cleco Power's service area in accordance with Regulatory Commitment No. 12.</p> <p>At the request of Chairman Angelle.</p> <p>Pursuant to Order No. U-33434-A, Regulatory Commitment 12, Cleco Power was required to pre-fund a charitable foundation and to propose to the Commission an appropriate allocation of a suitable portion of the foundation's funding for increased economic opportunities for minorities and impoverished residents of Cleco Power's service area. Cleco Power has proposed a total allocation of \$600,000.00 for this purpose. These funds would be allocated among each district in Cleco Power's service area, based on each district's percentage of Cleco Power's 2016 revenue.</p> <p>On motion of Chairman Angelle, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept Cleco Power's proposed allocation.</p>
<p>Ex. 16</p>	<p>R-34172 - Louisiana Public Service Commission, ex parte. In re: Study and possible implementation of rules related to the physical security of electric utility infrastructure, including electromagnetic pulse ("EMP").</p> <p>In re: Discussion and possible vote to increase consultant budget.</p> <p>At the request of Chairman Angelle.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to increase Dr. Peter Vincent Pry's budget in fees for an amount not to exceed \$60,000.</p> <p>Commissioner Campbell suggested Dr. Pry to reach out to Paul Chodak, from SWEPCO.</p> <p>Commissioner Skrmetta directed Entergy and MISO to have an initial report providing a dollar estimate on the requirements necessary to harden the grid at the June meeting if possible, and if not, the July meeting.</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Friday, June 23, 2017 at 9:00am in Baton Rouge, Louisiana.