

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM JUNE 28, 2017**  
**OPEN SESSION**

**MINUTES OF JUNE 28, 2017 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, CHAIRMAN ERIC SKRMETTA, COMMISSIONER MIKE FRANCIS, COMMISSIONER DAMON J. BALDONE AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.**

**Open Session of June 28, 2017, convening at 9:22A.M., and adjourning at 10:57A.M., Natchez Room, 602 N. 5<sup>th</sup> Street, 1<sup>st</sup> Floor, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Eve Kahao Gonzalez.**

<p><b>Ex. 1</b></p>	<p>Commissioner Damon J. Baldone was sworn in by the Honorable Richard “Chip” Moore, Nineteenth Judicial District Court Judge, and Executive Secretary Eve Kahao Gonzalez.</p> <p>Executive Counsel, Brandon Frey, introduced Patrick Roque in his new role as Audit Supervisor and Joshua Noehl, a new Auditor.</p> <p>Chairman Skrmetta acknowledged former Commissioner Irma Dixon in the audience.</p> <p>Commissioner Boissiere made a motion to add an item to the agenda to reconsider the chairmanship in light of the resignation of sitting Chairman Scott A. Angelle and the resulting appointment of Commissioner Baldone. Commissioner Campbell and Commissioner Baldone concurred while Chairman Skrmetta and Commissioner Francis opposed. After some discussion regarding whether a unanimous vote was necessary to add an item to the agenda, Commissioner Campbell requested that the Commission reconsider the chairmanship at the July B&amp;E meeting and that the matter be placed on the July B&amp;E Agenda.</p> <p>Chairman Skrmetta announced that the October B&amp;E will be held in Venice, Louisiana and the December B&amp;E in Natchitoches, Louisiana</p>
<p><b>Ex. 2</b></p>	<p><b>T-34300</b> - Louisiana Public Service Commission vs. MRD Operating, LLC (now known as Range Louisiana Operating, LLC) (Fort Worth, Texas). In re: Alleged violation pursuant to La. R.S. 45:171, by knowingly assisting Warhorse Vacuum Services, LLC in violating La. R.S. 45:161 through 180.1 by operating Intrastate without LPSC authority occurring between April 1, 2016 through May 09, 2016 and by operating beyond the scope of authority granted in LPSC 8025 occurring between May 10, 2016 through July 31, 2016, as alleged in Docket T-34299.</p> <p><b>In re: Discussion and possible vote to accept Affidavit and Stipulation pursuant to Rule 57.</b></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 May 10, 2017.</p>
<p><b>Ex. 3</b></p>	<p><b>U-33011</b> - 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><b>In re: Rule 43 Motion for Rehearing.</b></p> <p><b>At the request of Chairman Skrmetta.</b></p> <p><b>(Ex. 7 on the May 19, 2017 B&amp;E Agenda)</b></p> <p><b>PASSED</b></p>

<p><b>Ex. 4</b></p>	<p><b>U-34283</b> - Entergy Louisiana, LLC, ex parte. In re: Application for Approval to Construct Lake Charles Power Station and for Cost Recovery.</p> <p><b>In re: Discussion and Possible vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Stipulated Settlement.</p>
<p><b>Ex. 5</b></p>	<p><b>U-34289</b> - Cleco Power LLC, ex parte. In re: Formula Rate Plan - June 2016 Monitoring Report.</p> <p><b>In re: Discussion and possible vote on Uncontested Joint Report and Draft Order on Cleco Power LLC's June 2016 Formula Rate Plan Annual Earnings Monitoring Report.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Uncontested Joint Report and Draft Order on Cleco Power LLC's June 2016 FRP Annual Earnings Monitoring Report filed on June 9, 2017 resolving all issues in the proceeding.</p>
<p><b>Ex. 6</b></p>	<p><b>U-34342</b> - Cleco Power, LLC. In re: Request for Establishment of a Regulatory Asset for Costs Associated with New Natural Gas Supply (Coughlin Pipeline).</p> <p><b>In re: Discussion and possible vote pursuant to Rule 57 on Proposed Uncontested Stipulated Settlement.</b></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 Francis, and unanimously adopted, the Commission voted to accept the Proposed Uncontested Stipulated Settlement executed on June 9, 2017, authorizing Cleco Power to establish a regulatory asset and defer the revenue requirement for the Coughlin Pipeline project.</p>
<p><b>Ex. 7</b></p>	<p><b>U-34358</b> - 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><b>In re: Discussion and possible vote on an Interim Rate Increase pursuant to Rule 57.</b></p> <p><b>(Ex. 6 on the May 19, 2017 B&amp;E Agenda)</b></p> <p><b>PASSED</b></p>
<p><b>Ex. 8</b></p>	<p><b>S-34443</b> - Star Telephone Company, Inc. and Direct Communications Rockland, Inc., ex parte. In re: Request for Approval of the Change in Ownership and Control of Star Telephone Company, Inc. and Associated Financing and Pledge of Security.</p> <p><b>In re: Discussion and possible vote on Staff's Recommendation.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff's recommendation to issue a letter of non-opposition to the transfer, subject to conditions.</p>
<p><b>Ex. 9</b></p>	<p><b>R-34054</b> - Rule Making for 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><b>In re: Discussion and possible vote on Staff's Amended Final Recommendation and Draft Rules and Regulations.</b></p> <p><b>(Ex. 10 on the May 19, 2017 B&amp;E Agenda)</b></p> <p>Chairman Skrmetta made a motion to accept the Amended Recommendation and Draft Rules and Regulations.</p>

	<p>Commissioner Campbell made a substitute motion to accept the law as stated by the Legislature in Act 278. The motion was seconded by Commissioner Boissiere, with Chairman Skrmetta and Commissioner Baldone opposing and Commissioner Francis recusing himself due to a conflict of interest. The motion failed with a 2:2 vote.</p> <p>Chairman Skrmetta re-urged his original motion. The motion was seconded by Commissioner Baldone, with Commissioner Campbell and Commissioner Boissiere opposing and Commissioner Francis recusing himself due to a conflict of interest. The motion failed with a 2:2 vote.</p>
<b>Ex. 10</b>	<p>1) Reports 2) Resolutions 3) <b>Discussions</b></p> <p>Former Commissioner Dixon, along with Floyd Marshall, Momar Corporation, requested permission to make a presentation after the Business &amp; Executive Session adjourned to the Commission and any utilities present regarding critical infrastructure.</p> <p>4) ERSC/OMS Business 5) Directives</p>
<b>Ex. 11</b>	<p><b>X-34345</b> - Louisiana Public Service Commission, ex parte. In re: Investigation of 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.</p> <p><b>In re: Discussion and possible vote to expand scope of work and increase consultant budget.</b></p> <p><b>At the request of Commissioner Campbell.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to expand UPC/Sisung's scope of work and increase the correlating budget in the amount of \$60,000.00, \$0 in expenses, to address the billing issues and complete the audit.</p>
<b>Ex. 12</b>	<p><b>Docket TBD</b> - Cleco Power ex parte. In re: Cleco Power planned application for authorization for new mortgage indenture.</p> <p><b>In re: Discussion and possible vote to obtain J. Kennedy to assist Staff in the upcoming docket.</b></p> <p><b>At the request of Chairman Skrmetta.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain J. Kennedy and Associates, Inc. in the amount of \$37,900 for consulting services and \$1,000 for expenses for a total not to exceed budget of \$38,900.</p>
<b>Ex. 13</b>	<p><b>U-33782</b> - Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C., cx parte. In Re: Test Year 2014 Formula Rate Plan Filing.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p><b>At the request Commissioner Francis.</b></p> <p>On motion of Commissioner Francis, seconded by Chairman Skrmetta, and unanimously adopted, the Commission voted to approve the Unopposed Joint Report of Proceedings and Draft Order filed June 14, 2017.</p>

<p><b>Ex. 14</b></p>	<p><b>U-34081 - Entergy Louisiana, LLC, cx parte. In Re: Test Year 2015 Formula Rate Plan Filing.</b></p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p><b>At the request Commissioner Francis.</b></p> <p>On motion of Commissioner Francis, seconded by Chairman Skrmetta, and unanimously adopted, the Commission voted to approve the Unopposed Joint Report of Proceedings and Draft Order filed June 14, 2017.</p>
<p><b>Ex. 15</b></p>	<p>LPSC v. Louisiana State Legislature</p> <p><b>In re: Possible executive session to discuss litigation strategy.</b></p> <p><b>At the request to Chairman Skrmetta.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Baldone, and unanimously adopted, the Commission voted to take all necessary action against the State Legislature with regard to Act 278 of the 2017 Legislature to protect the Commission's jurisdiction over common carriers.</p>

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Friday, July 26, 2017 at 9:00am in Baton Rouge, Louisiana.