

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM JULY 10, 2019**  
**OPEN SESSION**

**MINUTES OF JULY 10, 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 July 10, 2019, convening at 9:21A.M., and adjourning at 11:32A.M., the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.**

<b>Ex. 1</b>	<p>Executive Secretary Brandon Frey announced the potential for a tropical storm by the end of the week.</p> <p>Jessica Kayuha, the Commission’s GOSHEP representative, gave the latest storm report and expectations.</p> <p>Phillip May, with Entergy Louisiana, indicated that Entergy has begun storm preparation and will continue to monitor.</p>
<b>Ex. 2</b>	<p><b>T-35152</b> - Louisiana Public Service Commission vs. Stafford Transport of Louisiana, Inc. dba CEI (Walker, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 and General Order dated November 22, 2011 for failure to properly pay to the state fees for the years 2013, 2014, 2015, 2016, and 2017 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 5653-M.</p> <p><b>In re: Discussion and possible vote pursuant to Rule 57 to accept Affidavit and Stipulation executed by the Carrier.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Francis concurring and Vice Chairman Campbell and Commissioner Boissiere temporarily absent, 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 Commissioner Greene, with Chairman Francis concurring and Vice Chairman Campbell and Commissioner Boissiere temporarily absent, the Commission voted to approve the Affidavit and Stipulation executed on June 12, 2019, by the Carrier.</p>
<b>Ex. 3</b>	<p><b>U-34854</b> - Louisiana Public Service Commission, ex parte. In re: Audit of Louisiana Retail Federal Environmental Adjustment Clause Filings, Operating Months January 2016-December 2017 for Entergy Louisiana, LLC.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt the Draft Order resolving all issues in this matter and which accepts the Joint Report filed on June 28, 2019, by ELL and Staff with LEUG’s concurrence; further, it accepts the Staff Audit Report filed in this matter.</p>
<b>Ex. 4</b>	<p><b>U-35038</b> - Pierre Part Natural Gas Company, Inc., ex parte. In re: Application for Adjustment in Gas Service Rates and Request for Approval of a Rate Stabilization Plan.</p> <p><b>In re: Discussion and Possible Vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Commissioner Greene, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adopt the Uncontested Stipulated Settlement filed into the record on May 20, 2019.</p>

<p><b>Ex. 5</b></p>	<p><b>U-35052</b> - South Coast Gas Company, Inc., ex parte. In re: Application for Extension of Rate Stabilization Plan.</p> <p><b>In re: Discussion and Possible Vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Uncontested Stipulated Settlement filed into the record on May 20, 2019.</p>
<p><b>Ex. 6</b></p>	<p><b>U-35087</b> - Country Place Utilities, LLC, ex parte. In re: Request for a Rate Increase.</p> <p><b>In re: Discussion and Possible Vote on Uncontested Stipulated Settlement.</b></p> <p>Chairman Francis made a motion to adopt the Uncontested Stipulated Settlement.</p> <p>Vice Chairman Campbell made a substitute motion, seconded by Commissioner Skrmetta, to adopt the Uncontested Stipulated Settlement with two modifications: the residential minimum rate shall be set at \$18.75 and the rate for each additional thousand gallons for residential customers shall be set at \$2.75. Chairman Francis withdrew his original motion, and Vice Chairman Campbell's motion was unanimously adopted.</p>
<p><b>Ex. 7</b></p>	<p><b>U-35117</b> - Claiborne Electric Cooperative, Inc., ex parte. In re: 2018 Formula Rate Plan Annual Report filing.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to issue the Draft Order accepting the Joint Report filed on June 28, 2019, requiring Claiborne to refund \$244,530 to its members within 30 days of the issuance of this Order.</p>
<p><b>Ex. 8</b></p>	<p>Undocketed</p> <p><b>In re: Discussion and possible vote to hire a consultant to evaluate the proposed Louisiana National Guard solar and battery "resiliency project".</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Campbell, and unanimously adopted, the Commission voted to authorize the Executive Secretary to solicit bids for an under \$50,000 contract, as well as to select the winning bid with ratification of the selection at the September Business and Executive Session. The final contract is to be paid by Power Strategies.</p>
<p><b>Ex. 9</b></p>	<p><b>S-35027</b> - Viasat Carrier Services, Inc., ex parte. In re: Petition for Designation as an Eligible Telecommunications Carrier.</p> <p><b>In re: Discussion and Possible Vote on Staff Recommendation.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Staff Recommendation filed into the record on June 26, 2019, designating Viasat as an Eligible Telecommunications Carrier within the eligible Census Block areas related to Viasat, Inc.'s winning bid in the Connect America Fund II Auction subject to conditions.</p>
<p><b>Ex. 10</b></p>	<p><b>R-33929</b> - Louisiana Public Service Commission, ex parte. In re: Review of policies related to customer-owned solar generation and possible modification of the Commission's current net metering rules.</p> <p><b>In re: Discussion and Possible Vote on Final Proposed Rule.</b></p> <p><b>DEFERRED</b></p>

<p><b>Ex. 11</b></p>	<p><b>R-34860</b> - Louisiana Public Service Commission, ex parte. In re: Rules applicable to electric service providers' provision of service to load outside its historical footprint and rates that may be offered for industrial load.</p> <p><b>In re: Discussion and Possible Vote on Staff's Report and Recommendation of Final Rule.</b></p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt Staff's Recommendation with a modification to Rule 1 and Rule 3 as follows:</p> <p>The following language will be added to the end of the first paragraph of Rule 1:</p> <p style="padding-left: 40px;">Notwithstanding the foregoing, any party can petition the Commission for relief from the above limitation upon a showing of good cause and that such relief is in the public interest, which petition shall be decided upon no later than 45 days from the filing of the petition.</p> <p>The following language would be an amendment to the first paragraph of Rule 3:</p> <p style="padding-left: 40px;">For utilities that participate in an IRP, prior to entering an electric service agreement with a customer which represents a projected increase in the peak load of that utility of an amount greater than 5% of the prior peak load, the utility must submit one of the following filings to the Commission, as warranted by the circumstances: (1) a filing which illustrates how the most recent IRP accommodates such load growth (e.g. the utility was long on generation and able to absorb the growth and still maintain an adequate margin), (2) a filing to update its IRP to illustrate how it plans to accommodate the new load growth, or (3) a filing pursuant to the MBM Order and/or the 1983 Order requiring Commission certifications for the acquisition of power supply. Entering into an electric service agreement subject to a condition precedent regarding compliance with this Rule shall not constitute a violation of this Rule.</p> <p>Commissioner Greene also directed Staff to open a docket to allow Staff to investigate and make a recommendation to the Commission regarding the validity of the rate schedules identified in Staff's Report filed June 19, 2019.</p>
<p><b>Ex. 12</b></p>	<p>FERC Docket No. ER18-1247; Entergy Arkansas, Inc., Entergy Louisiana, LLC; Entergy Mississippi, Inc.; Entergy New Orleans, LLC and Entergy Texas, Inc.</p> <p><b>In re: Discussion and possible vote on Offer of Settlement.</b></p> <p><b>In re: Possible Executive Session to discuss litigation strategy pursuant to La. R.S. 45:16, et seq.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to approve the proposed settlement, as a fair resolution of a contested matter that fairly balances the interests of the various participants and appropriately minimizes the litigation risk to Louisiana ratepayers.</p>
<p><b>Ex. 13</b></p>	<p>FERC Docket No. ER10-1350-007; Entergy Services, Inc.</p> <p><b>In re: Possible Executive Session to discuss litigation strategy pursuant to La. R.S. 45:16, et seq.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to enter executive session.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to exit executive session.</p>
<p><b>Ex. 14</b></p>	<p><b>1) Reports</b>  <b>-Staff status report regarding robocalls.</b>  Executive Secretary Brandon Frey reported no new developments.</p> <p>2) Resolutions  3) Discussions</p>

	<p><b>4) ERSC/OMS/SPP</b></p> <p><b>Discussion and possible vote to ratify the vote taken by Commissioner Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</b></p> <p>On motion of Commissioner Greene, seconded by Vice Chairman Campbell with Commissioner Boissiere concurring, Chairman Francis temporarily absent, and Commissioner Skrmetta abstaining, the Commission voted to ratify the vote of Commissioner Skrmetta taken on June 13, 2019, as the LPSC representative to the OMS Board of Directors.</p> <p>5) Directives</p>
<p><b>Ex. 15</b></p>	<p><b>U-34794</b> - In re: Application of Cleco Corporate Holdings LLC and Cleco Power LLC for: (I) Authorizations, Waivers, and Regulatory Interpretations of Certain Provisions of LPSC Order No. U-33434-A; (II) Authorization for Cleco Corporate Holdings LLC to Pledge Its Ownership Interest in Cleco Power LLC; and (III) Expedited Treatment.</p> <p><b>In re: Discussion and possible vote pursuant to Rule 57 to consider the Application of Cleco Corporate Holdings LLC and Cleco Power LLC for Amendment and Clarification of Regulatory Commitments contained in Order No. U-34794.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, 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 Commissioner Greene, and unanimously adopted, the Commission voted to adopt the stipulated language and issue an order amending Order No. U-34794, Commitment Nos. 15 and 31.</p> <p>Commissioner Skrmetta moved to reconsider this item, seconded by Commissioner Greene, and unanimously adopted, the matter was reconsidered.</p> <p>After the stipulated language was read into the record, on motion of Commissioner Skrmetta, seconded by Commissioner Greene and unanimously adopted, the Commission voted to adopt the stipulated language and issue an order amending Order No. U-34794, Commitment Nos. 15 and 31.</p>
<p><b>Ex. 16</b></p>	<p><b>U-35049</b> - Cleco Power LLC, ex parte. In re: Formula Rate Plan - June 2018 Monitoring Report and Application for Authorization to Implement Rate Reductions Resulting from the Tax Cuts and Jobs Act of 2017 and Related Rate Changes and Refunds.</p> <p><b>In re: Discussion and possible vote on Joint Motion for Consideration Pursuant to Rule 57 of Stipulated Settlement Term Sheet on Certain Refunds Related to the Tax Cuts and Jobs Act of 2017 and Draft Order Adopting Same.</b></p> <p><b>At the request of Chairman Francis.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, 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 Commissioner Greene, and unanimously adopted, the Commission voted to approve the Joint Motion filed July 3, 2019, and to approve the Term Sheet and Draft Order ordering Cleco Power to begin implementing refunds through a special TCJA Refund rider on customers' bills beginning with the first billing cycle for August 2019 as set forth in the Term Sheet and defer the remaining issues from its January 2019 TCJA Filing and Motion on Scope to the rate proceeding in Docket No. U-35299.</p>

<p><b>Ex. 17</b></p>	<p><b>U-34806</b> - Southwestern Electric Power Company, ex parte. In re: 2017 Test Year Formula Rate Plan Report.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p><b>At the request of Vice Chairman Campbell.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Campbell, and unanimously adopted, the Commission voted to accept the unopposed Joint Report resolving 1) the refund of the excess tax revenue collected during the period January 2018 through July 2018, as set forth in Table 1 of the Joint Report, and 2) the refund of unprotected excess ADIT, and approve the Draft Order ordering SWEPCO to begin implementing these refunds through a special TCJA Refund rider on customers' bills beginning with the first billing cycle for August 2019.</p>
<p><b>Ex. 18</b></p>	<p><b>X-34696</b> - Louisiana Public Service Commission, ex parte. In re: Review and/or facilitation of relocation of certain electric service lines located at the Slidell Municipal Airport in order to facilitate airport expansion.</p> <p><b>In re: Discussion and possible vote on Staff Findings and Recommendation.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt Staff Findings and Recommendations filed into the record on July 3, 2019.</p>

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, September 18, 2019, at 9:00A.M. at the Galvez Building in Baton Rouge, Louisiana.