

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JULY 26, 2017
OPEN SESSION

MINUTES OF JULY 26, 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 July 26, 2017, convening at 9:28A.M., and adjourning at 11:57A.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.

<p>Ex. 1</p>	<p>Commissioner Campbell inquired as to the status of litigation regarding the constitutionality of recent legislative acts, and discussed his views on the public convenience and necessity rulemaking ("PC&N).</p> <p>Chairman Skrmetta acknowledged the passing of former Entergy employee Millie Adams' husband, Roger Adams.</p> <p>Chairman Skrmetta wished Francisca Comeaux with Phelps Dunbar luck in her future endeavors and thanked her for her service as today is her last day.</p> <p>Chairman Skrmetta congratulated Denny Williams on his retirement from Cleco.</p> <p>Chairman Skrmetta acknowledged Commission District II candidates Lenar Whitney and Dr. Craig Greene. He also acknowledged former PSC Commissioner Irma Dixon.</p>
<p>Ex. 2</p>	<p>Election of Chairman</p> <p>In re: Consideration and possible vote for Chairman.</p> <p>At the request of Commissioner Boissiere.</p> <p>Commissioner Campbell made a motion to nominate Commissioner Boissiere as Chairman, seconded by Commissioner Boissiere, with Chairman Skrmetta and Commissioners Francis and Baldone opposed. The motion failed due to a 2:3 vote.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Baldone, and unanimously adopted, the Commission voted Commissioner Boissiere as Vice Chairman.</p> <p>On motion of Commissioner Boissiere, seconded by Commissioner Baldone, and unanimously adopted, the Commission voted Commissioner Skrmetta as Chairman.</p>
<p>Ex. 3</p>	<p>T-34404 - Louisiana Public Service Commission vs. Southern Soil Environmental Inc. (Haughton, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority on twenty (20) counts occurring January 01, 2017 through January 31, 2017.</p> <p>In re: Discussion and possible vote to accept Affidavit and Stipulation pursuant to Rule 57.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, 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 discussion, Chairman Skrmetta made a motion to adopt the Staff Recommendation. The motion was seconded by Commissioner Francis. Vice Chairman Boissiere made a substitute motion to fine Southern Soil \$40,000 with \$35,000 suspended for a total to be paid by Southern Soil of \$5,000. The motion was seconded by Commissioner Campbell with Chairman Skrmetta, Commissioner Francis and Commissioner Baldone opposed. The motion failed due to a 2:3 vote.</p> <p>Chairman Skrmetta re-urged his original motion, seconded by Commissioner Francis, with Commissioner Baldone supporting and Commissioner Campbell and Vice Chairman Boissiere opposed. The motion passed due to a 3:2 vote.</p>

<p>Ex. 4</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 Chairman Skrmetta.</p> <p>(Ex. 3 on the June 28, 2017 B&E Agenda)</p> <p>PULLED</p>
<p>Ex. 5</p>	<p>U-34291 - Entergy Louisiana, LLC ex parte. In re: Application for Approval of a 20-Year Contract with Rain CII Carbon LLC for the Purchase of Capacity and Energy from the Sulphur, LA Heat Recovery Project and Request for Timely Treatment.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Stipulated Settlement filed into the record on June 23, 2017.</p>
<p>Ex. 6</p>	<p>U-34317 - Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Extend the Midcontinent Independent System Operator Cost Recovery Mechanism.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Baldone, with Vice Chairman Boissiere and Commissioner Francis concurring and Commissioner Campbell temporarily absent, the Commission voted to accept the Joint Stipulated Settlement Term Sheet filed into the record on June 9, 2017.</p>
<p>Ex. 7</p>	<p>U-34320 - Entergy Louisiana, LLC, ex parte. In re: Application of Entergy Louisiana, LLC for Approval to Implement a Permanent Advanced Metering System and Request for Cost Recovery and Related Relief.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Commissioner Baldone and Vice Chairman Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to adopt the Uncontested Stipulated Settlement as set forth in the Stipulated Settlement Term Sheet filed June 30, 2017.</p>
<p>Ex. 8</p>	<p>U-34354 - Southwestern Electric Power Company, ex parte. In re: Application for Approval of Long Term Natural Gas Procurement Proposal.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Proposed Stipulated Settlement.</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 accept the Proposed Stipulated Settlement executed on the July 14, 2017, approving SWEPCO's Request for Certification of Long-Term Natural Gas Contract with the lowest bidder, pursuant to General Order R-32975, and subject to the terms and conditions listed in the Stipulated Settlement.</p>
<p>Ex. 9</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. 7 on the June 28, 2017 B&E Agenda)</p> <p>PULLED</p>

<p>Ex. 10</p>	<p>U-34472 - Entergy Louisiana, LLC, ex parte. In re: Application for Approval to Acquire Washington Parish Energy Center, and for Cost Recovery.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Baldone, and unanimously adopted, the Commission voted to retain J. Kennedy and Associates, Inc. to assist Staff for a budget of \$33,300 for consulting services and \$1,000 for expenses for a total not to exceed budget of \$34,300.</p>
<p>Ex. 11</p>	<p>U-34483 - South Louisiana Electric Cooperative Association (SLECA), ex parte. In re: Application for Approval of an Increase in Retail Rates.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>Commissioner Francis made a motion to retain Henderson Ridge Consulting, Inc to assist Staff for a budget of \$26,250 in fees and \$1,500 in expenses for a total not to exceed budget of \$27,750, seconded by Chairman Skrmetta with Commissioner Campbell and Vice Chairman Boissiere supporting and Commissioner Baldone opposed. The motion passed due to a 4:1 vote.</p>
<p>Ex. 12</p>	<p>S-34594 - Southwestern Electric Power Company, ex parte. In re: Application for Exemption from the Request for Proposals (“RFP”) Requirement in the Commission’s Market Based Mechanisms General Order (R-26172) in Advance of Upcoming Request for Certification of Certain Renewable Resources.</p> <p>In re: Discussion and possible vote to grant exemption.</p> <p>At the request of Commissioner Campbell.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to grant SWEPCO an exception to the Commission’s Market Based Mechanisms General Order (R-26172) under the following terms and conditions:</p> <ol style="list-style-type: none"> 1. The Commission reserves all of its rights to review the prudence of SWEPCO’s decision in the certification proceeding; 2. The Commission reserves all of its rights to review the sufficiency of SWEPCO’s selection process in the certification proceeding; 3. This exception does not limit in any way the Commission’s ability to make a finding in the certification proceeding regarding whether SWEPCO showed sufficient justification of public convenience and necessity, as required by applicable Commission Orders, including whether SWEPCO sufficiently performed a test of the market for the lowest reasonable cost resource; 4. This exception is limited to the specific circumstances of this application and is not precedential; and 5. This exception cannot be relied on by SWEPCO in the certification proceeding as justification for its decision to select any resource or for the selection process employed by SWEPCO.
<p>Ex. 13</p>	<p>LPSC ex parte. Investigation into Cox Communication’s widespread telecommunications outages occurring on June 30, 2017.</p> <p>In re: 1. Report from Cox regarding outage; 2. Directive to open an investigation regarding outage, and issues related to the Commission’s “Best Practices” Rules and Regulations.</p> <p>At the request of Chairman Skrmetta.</p> <p>Leslie McGlaughlin and Lee King of Cox, along with counsel, Jamie Watts, gave a report regarding the outage back on June 30, 2017.</p> <p>Chairman Skrmetta directed Cox to file an addendum to its emergency service plan filed in the Best Practices docket.</p>

<p>Ex. 14</p>	<p>LPSC, ex parte. In re: Discussion regarding possible consumer protections and strategies to reduce unwanted to calls to cellular telephone users.</p> <p>In re: Update from staff regarding current efforts and possible opening of docket to further address the matter.</p> <p>At the request of Commissioner Campbell.</p> <p>Brenda Headlee, Do Not Call Manager, and Executive Counsel Brandon Frey, provided an update regarding current federal and state efforts regarding robocalls and efforts to combat the problem.</p>
<p>Ex. 15</p>	<p>1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS Business</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Baldone, with Commissioner Campbell and Commissioner Francis concurring, and Vice Chairman Boissiere abstaining, the Commission voted to ratify Commissioner Boissiere's vote taken on July 17, 2017 as the Commission's OMS representative.</p> <p>5) Directives</p> <p><u>Directive from Chairman Skrmetta to Staff to open a docket reviewing CenturyLink's service quality, particularly focusing on service quality issues in St. Helena parish.</u></p> <p><u>Information was provided relative to the service quality concerns by Chester Pritchett of the St. Helena Parish Sheriff's Office and Melissa Mann of CenturyLink. Following the discussion, Chairman Skrmetta directed the company to provide an October report outlining its final findings to the Commission.</u></p> <p>There was no opposition.</p>
<p>Ex. 16</p>	<p><u>Directive from Commissioner Campbell directing Staff to expand the scope of work of the MISO monitoring docket in a new docket such that the Staff and the outside attorneys and consultants retained for the MISO monitoring docket will engage in the same level of participation in the planning and market operations of SPP in the new docket as are currently being performed with regards to MISO.</u></p> <p>At the request of Commissioner Campbell.</p> <p>There was no opposition.</p>
<p>Ex. 17</p>	<p>R-31106 - LPSC, ex parte. In re: Rulemaking to study the possible development of financial incentives for the promotion of energy efficiency by jurisdictional electric and gas utilities.</p> <p>In re: Discussion regarding the Energy Efficiency Program.</p> <p>At the request of Commissioner Boissiere.</p> <p>PASSED</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, September 20, 2017 at 9:00am in Baton Rouge, Louisiana.