

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM FEBRUARY 24, 2021
OPEN SESSION

MINUTES OF FEBRUARY 24, 2021 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WERE CHAIRMAN CRAIG GREENE AND EXECUTIVE SECRETARY BRANDON FREY. VICE CHAIRMAN ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, AND COMMISSIONER MIKE FRANCIS PARTICIPATED REMOTELY.

In accordance with La. R.S. 42:17.1, the Commission gave notice that the February 24, 2021 Business and Executive Session would be conducted remotely and involve matters permitted under La. R.S. 42.17.1(A), and provided an opportunity for public participation. Therefore, the Open Session on February 24, 2021, convened at 9:08 a.m., and adjourned at 1:47 p.m., via videoconferencing from the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with Chairman Craig Greene and Executive Secretary Brandon Frey present and the remaining above-named members of the Commission participating remotely.

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| Ex. 1 | Executive Secretary Brandon Frey asked for thoughts and prayers for the families of the LPSC community who recently passed away, including Mr. Eugene Owen, longtime CEO of Baton Rouge Water Company, Ms. Karen Wimpelberg, co-founder of the Alliance for Affordable Energy, and John Ivey, former Vice President of Regulatory Affairs for CenterPoint Energy. |
| Ex. 2 | <p>T-35776 – Louisiana Public Service Commission vs. Heckmann Water Resources (CVR), Inc. In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating under a company name different than that granted in Common Carrier numbers 7412-A and 7438-A on file with the Commission and; alleged violation of Louisiana Revised Statue 45:167 while operating under Common Carrier Certificate numbers 7412-A and 7438-A, for utilizing vehicles not clearly identified as being operated by the certificated carrier; allegedly occurring on or about May 01, 2019 through May 31, 2019.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Affidavit and Stipulation executed by the Carrier.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Campbell concurring 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 Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept the Affidavit and Stipulation executed on January 22, 2021</p> |
| Ex. 3 | <p>T-35782 – Louisiana Public Service Commission vs. Sean Gill dba Fireman Movers of Louisiana, In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in moving household goods prior to complying with the requirements of La. R.S. 45:164 (E) and General Order dated May 04, 2017 occurring on or about November 10, 2020.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>DEFERRED</p> |
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| <p>Ex. 4</p> | <p>T-35798 – Louisiana Public Service Commission vs. Metro Moving, LLC. Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household goods while Common Carrier Certificate number 7596 under voluntary suspension pursuant to General Order dated November 02, 1987, having occurred on or about July 23, 2020.</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 Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Campbell concurring 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 Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept the Affidavit and Stipulation executed on January 29, 2021.</p> |
| <p>Ex. 5</p> | <p>R-31106 – Louisiana Public Service Commission, 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 and possible vote to retain an engineer for District IV.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Francis concurring and Commissioner Boissiere temporarily absent, the Commission voted to retain D. Hicks Consulting for a total budget not to exceed of \$27,243.</p> |
| <p>Ex. 6</p> | <p>R-35348 – Louisiana Public Service Commission ex parte. In re: Possible modification to General Order dated June 19, 2012 to clarify the deadline for filing of Annual Reports by motor carriers.</p> <p>In re: Discussion and possible vote on Staff’s Proposed Recommendation.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Staff’s Proposed Recommendation filed into the record on February 1, 2021.</p> |
| <p>Ex. 7</p> | <p>S-35825 – American Broadband Comm., LLC and American Broadband Holding Co. and Cameron Comm., LLC and Cameron Telephone Co., LLC and Elizabeth Telephone Co., LLC and LBH, LLC and ABC Acquisition Inc., ex parte. In re: Request for Approval of the Indirect Change in Ownership and Control of Cameron Communications, LLC, Cameron Telephone Company, LLC, Elizabeth Telephone Company, LLC and LBH, LLC.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Staff’s Report and Recommendation filed on February 10, 2021.</p> |
| <p>Ex. 8</p> | <p>R-35827 – Louisiana Public Service Commission, ex parte. In re: Rulemaking on Regulated Utilities Offering Unregulated Repair Services to Customers.</p> <p>In re: Discussion and possible vote on Staff’s Report and Recommendation.</p> <p>DEFERRED</p> |

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| <p>Ex. 9</p> | <p>R-35848 – Rulemaking for Louisiana Public Service Commission, ex parte. In re: Possible amendments to the General Order dated May 4, 2017 regarding Commission approval for Household Goods Carriers operating as Transportation Service Providers for the United States Department of Defense to include affiliated companies on their Common Carrier Certificates while operating under Tender of Service Agreements with the United States Department of Defense’s Non-Temporary Storage Program.</p> <p>In re: Discussion and possible vote on Staff’s Proposed Recommendation.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Staff’s Proposed Recommendation filed into the record on January 15, 2021.</p> |
| <p>Ex. 10</p> | <p>R-35852 – Louisiana Public Service Commission, ex parte. In re: Rulemaking to Consider Revisions to the Commission’s Do Not Call General Order (General Order dated October 26, 2006, Docket No. R-29617) in Order to Make Louisiana Do Not Call Rules Consistent with Federal Law.</p> <p>In re: Discussion and possible vote on Staff’s Proposed Recommendation.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Staff’s Proposed Recommendation filed into the record on February 5, 2021.</p> |
| <p>Ex. 11</p> | <p>S-35801 – CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Louisiana Gas and CenterPoint Energy Arkla, ex parte. In re: Request for Approval of New Asset Management Agreement and Revenue Sharing Mechanism.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Staff’s Report and Recommendation filed into the record on February 5, 2021.</p> |
| <p>Ex. 12</p> | <p>U-35173 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Southwestern Electric Power Company for the period of January 2016 through December 2018.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>(Exhibit 9 on January 27, 2021 B&E).</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept the Joint Report and /Draft Order filed into the record on November 6, 2020, including a reservation indicating that nothing in the Order is intended to preclude, nor does it preclude, the right and authority of the Commission to review issues for October through December 2017 as well as 2018 related to the Dolet Hills Power Plant, including any issues related to the transition to seasonal operations, or otherwise concerning past, present and future investments, expenditures, cost recovery and prudence associated with the Dolet Hills Power Plant.</p> |

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| <p>Ex. 13</p> | <p>U-35430 – Louisiana Public Service Commission, ex parte. In re: Notice of Audit of Energy Efficiency Rate Rider of Southwestern Electric Power Company for the Energy Efficiency Quick Start Program for the Years Ending December 31, 2017 and December 31, 2018.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept the Joint Report and Draft Order filed into the record on January 21, 2021.</p> |
| <p>Ex. 14</p> | <p>U-35456 – Concordia Electric Cooperative, Inc., ex parte. In re: Application for Certification of a Replacement Advanced Metering System and Approval of Related Financing.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Proposed Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring 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 Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Proposed Uncontested Stipulated Settlement filed into the record on February 2, 2021.</p> |
| <p>Ex. 15</p> | <p>U-35707 – Southwest Louisiana Electric Membership Corporation, ex parte. In re: Application for Approval to Acquire and Install an Automated Metering System and Request for Cost Recovery and Related Relief.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Proposed Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, with Chairman Greene and Commissioner Francis concurring 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 Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Proposed Uncontested Stipulated Settlement filed into the record on November 20, 2020.</p> |
| <p>Ex. 16</p> | <p>U-35749 – Pierre Part Natural Gas Company, Inc., ex parte. In re: Rate Stabilization Plan Filing for Test Year Ended June 30, 2020.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Joint Report and Draft Order filed into the record on February 5, 2021.</p> |

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| <p>Ex. 17</p> | <p>U-35750 – South Coast Gas Company, Inc., ex parte. In re: Rate Stabilization Filing for the Test Year Ended June 30, 2020.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept Joint Report and Draft Order filed on February 11, 2021.</p> |
| <p>Ex. 18</p> | <p>X-35283 – 1803 Electric Cooperative, Inc. (“1803”), ex parte. In re: Notice of Intent to Conduct 2019 Request for Proposals for Long-Term Power Purchase Contracts and/or Generating Capacity Pursuant to the LPSC’s Market Based Mechanism General Order.</p> <p>In re: Discussion and possible vote to retain J. Kennedy and Associates to assist Staff in ancillary dockets.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to retain J. Kennedy and Associates for \$157,000 in fees and \$5,000 in expenses for a total not to exceed budget of \$162,000.</p> |
| <p>Ex. 19</p> | <p>Undocketed – Solicitation of United Professionals Company and Stone Pigman Walther Wittmann L.L.C. for continuation of RTO monitoring services in both MISO and SPP.</p> <p>In re: Discussion and possible vote to retain UPC and Stone Pigman.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, with Chairman Greene and Commissioner Campbell concurring and Commissioner Boissiere temporarily absent, the Commission voted to retain UPC at a capped hourly rate of \$225 and Stone Pigman at a capped hourly rate of \$395 for RTO monitoring services, and to retain UPC at a capped hourly rate of \$245 and Stone Pigman at a capped hourly rate of \$460 for any ERSC-based FERC matters, subject to Commission approval or ratification of each proceeding where participation is recommended or required.</p> |
| <p>Ex. 20</p> | <p>TBD – Entergy Louisiana, LLC, ex parte. In re: 2020 Hurricanes Laura, Delta, and Zeta Storm Restoration Cost Recovery Filing.</p> <p>In re: Discussion and possible vote to hire an Outside Consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting, Inc. for a budget of \$173,600 in fees and \$3,600 in expenses for a total not to exceed budget of \$177,200.</p> |
| <p>Ex. 21</p> | <p>TBD – Entergy Louisiana, LLC, ex parte. In re: 2020 Hurricanes Laura, Delta, and Zeta Storm Restoration Cost Recovery Filing.</p> <p>In re: Discussion and possible vote to hire Outside Counsel.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Stone Pigman for a budget of \$288,000 in fees and \$8,000 in expenses for a total not to exceed budget of \$296,000.</p> |
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| <p>Ex. 22</p> | <p>TBD – Entergy Services, LLC, ex parte. In re: Request for Proposals for Renewable Resources.</p> <p>In re: Discussion and possible vote to hire an Outside Consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain J. Kennedy and Associates for a budget of \$68,500 in fees and \$500 in expenses for a total not to exceed budget of \$69,000.</p> |
| <p>Ex. 23</p> | <p>TBD – 1803 Electric Cooperative, Inc., ex parte. In re: Request for Certification of Long-Term Power Purchase Contracts and/or Generating Capacity resulting from Docket No. X-35283.</p> <p>In re: Discussion and possible vote to hire Outside Counsel.</p> <p>Vice Chairman Skrmetta made a motion to hire Patrick Miller, LLC, which was seconded by Commissioner Francis.</p> <p>Commissioner Campbell made a substitute motion to hire Stone Pigman, which was seconded by Commissioner Boissiere, with Chairman Greene, Vice Chairman Skrmetta and Commissioner Francis opposing, the substitute motion failed.</p> <p>On Vice Chairman Skrmetta’s original motion, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Patrick Miller, LLC for a budget of \$218,975 in fees and \$6,420 in expenses for total not to exceed budget of \$225,395.</p> |
| <p>Ex. 24</p> | <p>1) Reports</p> <p>-Report from TESI regarding update on compliance with LDH, LDEQ, and EPA orders for all portions of its system.</p> <p>-Kara Kantrow and Tim Poche, counsel for TESI, and Wayne Owens, President of TESI, presented the Commission with a report on the requested compliance issues.</p> <p>-Amber Litchfield, Celena Cage, and Scott Pierce, from the Louisiana Department of Environmental Quality, also presented the Commission with a report regarding TESI system improvements.</p> <p>2) Resolutions</p> <p>3) Discussions</p> <p>4) ERSC/OMS/SPP</p> <p>-In re: Discussion and possible vote to ratify votes taken by Commissioner Francis acting as the Commission’s representative on the Regional State Committee of the Southwest Power Pool.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring, and Commissioner Francis abstaining, the Commission voted to ratify Commissioner Francis’ votes taken on January 25, 2021 and February 12, 2021 as the Louisiana Public Service Commission’s representative to the Regional State Committee of the Southwest Power Pool.</p> |

-In re: Discussion and possible vote to ratify the votes taken by Vice Chairman Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.

On motion of Commissioner Francis, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring, and Vice Chairman Skrmetta abstaining, the Commission voted to ratify Vice Chairman Skrmetta's votes taken on January 25 and 29, 2021 as the Louisiana Public Service Commission's representative to the OMS Board of Directors.

5) Directives

-Directive for Staff to provide a report to the Commission experienced during the Winter Storms.

At the request of Commissioner Francis.

Commissioner Francis discussed with the Commission reports associated with the Winter Storms that inadvertently, or not, compared Louisiana customers in MISO and SPP to those customers in Texas/ERCOT. Some of the reports have discussed the reliability and costs associated with the Winter Storms and some have discussed the long-term sustained blackouts and exorbitantly high costs Texas customers are already seeing on their bills. It is important that the Commission monitor these various reports and make sure the Commission has accurate, up to-date information associated with this unprecedented event. Commissioner Francis requested Staff to monitor and provide a report back to the Commission, on the actual differences in costs and reliability experienced during the Winter Storms, and to the extent practicable, identify decisions made by this Commission, and LPSC regulated utilities, that enhanced reliability and alleviated some costs impacts to Louisiana customers. Further, the Staff should identify any future decisions that the Commission and/or utilities may need to consider to maintain this success and better prepare for such an event.

There was no opposition.

-Directive for Staff to issue a request for proposal to solicit outside technical consultants to assist with a one - time statewide review.

At the request of Vice Chairman Skrmetta.

Vice Chairman Skrmetta directed Staff to issue a request for proposal to solicit outside technical consultants to assist with a one-time statewide review, by statistical sample testing and certification, of a random selection of AMI electric meters, and to test and certify meter compliance in accordance with each respective approved electric utility rate. A report from the findings shall be prepared for the commission within a timeframe established by the Staff.

There was no opposition.

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| <p>Ex. 25</p> | <p>Undocketed – February 2021 Winter Storm Event Directives.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>Vice Chairman Skrmetta directed Staff to take whatever action necessary, including possible contracting of outside assistance of any kind, to open a docket on resiliency that will include all regulated utilities. Staff will report to the Commission as necessary in this matter.</p> <p>There was no opposition.</p> <p>Vice Chairman Skrmetta directed Staff to take whatever action necessary, including possible contracting of outside assistance of any kind, to open a docket to investigate all fuel contracts between contractors and all regulated electric utilities. Staff will report to the Commission as necessary in this matter.</p> <p>There was no opposition.</p> <p>Vice Chairman Skrmetta directed Staff to take whatever action necessary, including possible contracting of outside assistance of any kind, to either act under an existing docket, or the creation of a new one, to investigate the actions of all regional transmission organizations during the winter storm event of February 2021. Staff will prepare a detailed report and present it to the Commission at the earliest opportunity.</p> <p>There was no opposition.</p> |
| <p>Ex. 26</p> | <p>Undocketed - Report from IOUs, Electric Co-ops, and RTOs on response efforts to the 2021 Winter Storm Event.</p> <p>Executive Secretary Frey provided a brief overview of the Winter Storm event and showed a map from the National Weather Service, which illustrated the number of hours the United States was below freezing during February 12 – 19.</p> <p>Reports, discussion and comments were given from the following IOU’s and Electric Co-ops:</p> <p>CLECO – James Lass and Shane Hilton Entergy – Phillip May SWEPCO – Bobby Gilliam and Malcolm Smoak SLEMCO – Glenn Edwards and Glenn Tamporello Beauregard – Kevin Turner Claiborne and Jeff Davis – Kara Kantrow Concordia – Russell Purvis and Dwayne Bailey ALEC – Jeff Arnold DEMCO – Randy Pierce Northeast – Jeff Churchwell Panola-Harrison – Kathy Wood Point Coupee – Myron Lambert SLECA – Joseph Ticheli Washington St. Tammany – Charles Hill</p> <p>A MISO presentation was given by Todd Hillman, Senior Vice President and Chief Customer Officer, and the SPP presentation was given by Sam Loudenslager, Director – Regulatory Policy.</p> |

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| | Jessica Hendricks with the Alliance for Affordable Energy also provided comments about the winter storm event. |
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On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, and unanimously adopted, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, March 17, 2021, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.