

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM MARCH 17, 2021
OPEN SESSION

MINUTES OF MARCH 17, 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 March 17, 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 March 17, 2021, convened at 9:00 a.m., and adjourned at 10:41 a.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.

Ex. 1	<p>Executive Secretary Brandon Frey announced the April 21, 2021 B&E has been rescheduled to April 14, 2021. The Commission will provide an update at a later date as to whether the B&E will be held in person or remotely.</p> <p>Commissioner Campbell asked Staff to provide the Commission with an update on SWEPCO's rate case at the next B&E.</p> <p>Commissioner Campbell also asked Staff to report on average electric rates at future meetings.</p> <p>Vice Chairman Skrmetta wished the citizens of Louisiana who are descendants of the Ireland and Irish Culture a Happy St. Patrick's Day.</p>
Ex. 2	<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>(Exhibit No. 3 on February 24, 2021 B&E Agenda).</p> <p>After discussion by Commissioners and Commission Staff, Vice Chairman Skrmetta made the following motion: After reviewing the record, I disagree with the ALJ. This is not the first time Mr. Gill dba Firemen Movers of Louisiana has violated the Commission's rules regarding household goods. The record indicates that Mr. Gill had previously executed an affidavit with Staff stating that Firemen Movers of Louisiana was not operating as a common carrier of household goods, and agreed to obtain LPSC authority before operating as a common carrier of household goods.</p> <p>During the hearing on the instant citation, Staff testified to witnessing Firemen Movers conducting an illegal move, and obtained a number of documents evidencing the illegal move, including a copy of a U-Haul equipment rental contract. The rental contract was for a total of \$125.82. Staff also testified that a registered carrier had quoted the homeowner approximately \$5,400. The ALJ found Firemen Movers not guilty based on Staff failing to carry its evidentiary burden of proving the amount charged for the moving service was in excess of \$250.</p>

	<p>If approved, the ALJ’s Recommendation would establish precedent that would make it difficult for Staff to prove that any unregistered carrier has violated the Commission’s regulations for household goods movers because it severely limits what can be accepted as evidence to prove the \$250.00 minimum amount.</p> <p>Therefore, I move that the Commission reject the ALJ’s recommendation and cite Sean Gill dba Firemen Movers of Louisiana the maximum fine of \$10,000 for his repeated violations of LPSC rules and regulations. However, Staff has the ability to suspend \$5,000 of the fine should Mr. Gill file an application, and become, a common carrier of household goods.</p> <p>Vice Chairman Skrmetta’s motion was seconded by Commissioner Francis, and unanimously adopted.</p>
Ex. 3	<p>R-35804 – Louisiana Public Service Commission, ex parte. In re: Rulemaking to Establish Rules Regarding Emergency Service Plans for Cable and Video Service Providers and Related Matters Consistent with Act No. 42 of the 2020 Second Extraordinary Session of the Louisiana Legislature.</p> <p>In re: Discussion and possible vote on Staff’s Report and Recommendation of Final Proposed Rules.</p> <p>After discussion and comments from Senator Ronnie Johns, on motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on March 3, 2021.</p>
Ex. 4	<p>R-35827 – Louisiana Public Service Commission, ex parte. 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>(Exhibit No. 8 on the February 24, 2021 B&E Agenda).</p> <p>PULLED</p>
Ex. 5	<p>S-35630 – Dixie Electric Membership Corporation, ex parte. In re: Request for Letter of Non-Opposition to Loan with National Rural Utilities Cooperative Finance Corporation (“CFC”) for Advanced Metering System Upgrades.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation on Motion to Amend Order No. S-35630.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on March 5, 2021.</p>
Ex. 6	<p>U-34796 – South Alexander Development I, LLC, et al, ex parte. In re: Petition for Reservation of Capacity on an Expedited Basis.</p> <p>In re: Discussion and possible vote on Staff Recommendation on Fourth Request for Extension of Time and Capacity Reservations.</p> <p>After discussion and comments from Emory Belton of the Belton Law Firm, on motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Recommendation filed into the record on March 10, 2021.</p>

<p>Ex. 7</p>	<p>U-34830 – Louisiana Public Service Commission, ex parte. In re: Audit of Lafayette Utilities System’s Covered Services under General Order of the Louisiana Public Service Commission dated October 4, 2005 for the years 2016 – 2017.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Staff’s Report and Recommendation.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, 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 Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on March 2, 2021.</p>
<p>Ex. 8</p>	<p>U-35535 – Atmos Energy Corporation, ex parte. In re: Application for Review of the Rate Stabilization Clause Tariff of the Consolidated Division of Atmos Energy Corporation.</p> <p>In re: Discussion and possible vote on Proposed Stipulated Settlement.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on January 14, 2021.</p>
<p>Ex. 9</p>	<p>U-35544 – Louisiana Public Service Commission, ex parte. In re: Prudence Review of the Cleco Power LLC St. Mary Clean Energy Center.</p> <p>In re: Discussion and possible vote to hire independent engineering consultant or project management consultant.</p> <p>Commissioner Francis made a motion to hire CSRS, which was seconded by Chairman Greene. Commissioner Campbell made a substitute motion to hire PF Engineers, which was seconded by Commissioner Boissiere, and with Chairman Greene, Vice Chairman Skrmetta and Commissioner Francis opposing, the substitute motion failed.</p> <p>On Commissioner Francis’ original motion, seconded by Chairman Greene, and unanimously adopted, the Commission voted to retain CSRS for a budget of \$183,205 in fees and \$0 in expenses for a total not to exceed budget of \$183,205.</p>
<p>Ex. 10</p>	<p>Undocketed – Establishment of a regulatory asset for jurisdictional utilities for costs associated with the Winter Storm Event of February 2021, as needed, and for accounting purposes only.</p> <p>In re: Discussion and possible vote to authorize a regulatory asset.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to authorize a regulatory asset for costs associated with the Winter Storm Event of February 2021, as needed, and for accounting purposed only.</p>
<p>Ex. 11</p>	<p>1) Reports</p> <p>-Update from Staff on Commissioner Francis’ February 24th directive associated with the Winter Storm Event.</p> <p>Lane Sisung, of United Professionals Company, provided an update to the Commission indicating that</p>

	<p>the emergency load sheds associated with the Winter Storm Event were largely caused by inadequate capacity across the three Regional Transmission Organizations (“RTOs”); however, Louisiana did not experience as significant of load sheds as in Texas (ERCOT). Mr. Sisung also cautioned that the investigations are still early in the process and that all RTOs are still gathering information and determining root causes. Staff will continue to monitor all three RTOs (MISO, SPP, and ERCOT) in order to garner any insight as to how Louisiana can improve on its current practices associated with emergency load shed events.</p> <p>2) Resolutions</p> <p>3) Discussions</p> <p>4) ERSC/OMS/SPP</p> <p>5) Directives</p>
<p>Ex. 12</p>	<p>Undocketed - Louisiana Public Service Commission, ex parte. In re: Temporary modifications to the FAC and PGA General Orders for electric and gas utilities for fuel costs associated with the Winter Storm Event of February 2021.</p> <p>In re: Discussion and possible vote to authorize temporary modifications.</p> <p>At the request of Chairman Greene.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to: (1) authorize temporary modifications to the Commission’s Fuel Adjustment Clause Order; (2) authorize temporary modifications to the Commission’s Purchase Gas Adjustment Order; and (3) delegate to the Executive Secretary the authority to approve utility-specific modifications to the appropriate Commission Order on fuel recovery.</p>
<p>Ex. 13</p>	<p>Undocketed - Directive to Staff to open a Rulemaking to look at possible modifications to the Commission's General Order dated May 4, 2017 pertaining to Household Goods Carriers.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>Vice Chairman Skrmetta directed Staff to open a rulemaking to explore the elimination of the \$250 threshold, and any other perceived loopholes in the current Order that rogue movers may be taking advantage of.</p> <p>There was no opposition.</p>
<p>Ex. 14</p>	<p>Undocketed – Directive to Staff to open a docket to conduct a prudence review of Atmos Energy Corporation’s SIIP program.</p> <p>At the request of Chairman Greene.</p> <p>Chairman Greene directed Staff to open a docket to conduct a prudence review of Atmos’ System Integrity Investment Program from 2013 through 2020.</p> <p>Chairman Greene also directed Staff to solicit Henderson Ridge Consulting, an engineering consulting firm, and counsel as necessary to assist Staff in this review. to the review should (1) examine the SIIP-related investments to determine reasonableness and prudence, (2) evaluate whether the program should proceed as planned by Atmos, and (3) determine what parameters, if any, are necessary to implement, to ensure the SIIP benefits the customers of Atmos, including fair and reasonable cost recovery</p>

	<p>mechanisms.</p> <p>There was no opposition.</p>
Ex. 15	<p>U-35753 - Cleco Power LLC and Southwestern Electric Power Company, ex parte. In re: Joint Application for (I) Authorization to close the Oxbow Mine; and (II) Authorization to include and defer certain accelerated mine closing costs in fuel and related ratemaking treatments.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 to adopt Proposed Draft Order.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>On motion of Chairman Greene, seconded by Vice Chairman 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 Campbell, seconded by Chairman Greene, and unanimously adopted, the Commission voted to accept the Proposed Draft Order filed into the record on March 15, 2021.</p>

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, April 14, 2021, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.