

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM SEPTEMBER 16, 2020**  
**OPEN SESSION**

*MINUTES OF SEPTEMBER 16, 2020 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WAS EXECUTIVE SECRETARY BRANDON FREY. CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN CRAIG GREENE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, AND COMMISSIONER ERIC SKRMETTA PARTICIPATED REMOTELY.*

In accordance with La. R.S. 42:17.1, the Commission gave notice that the September 16, 2020 Business and Executive Session will 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 September 16, 2020, convened at 9:18 a.m., and adjourned at 12:34 p.m., via videoconferencing from the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with Executive Secretary Brandon Frey present and the remaining above-named members of the Commission participating remotely.

Ex. 1	There were no announcements.
Ex. 2	<p><b>Undocketed</b>, Update from Jurisdictional Utilities Regarding Impacts from Hurricane Laura.</p> <p><b>At the request of Chairman Francis and Commissioner Campbell</b></p> <p>Executive Secretary Frey gave a brief report on damages sustained from Hurricane Laura.</p> <p>Jefferson Davis Electric Cooperative, Inc., Entergy Louisiana, LLC, Beaugard Electric Cooperative, Inc., Cleco Power, LLC, South Western Electric Power Company, and Suddenlink Communications LA each gave a report on damages sustained to their systems and on the status of restoration efforts.</p>
Ex. 3	<p><b>Undocketed</b>, Update from Jurisdictional Utilities on COVID-19 Efforts, Including Coordination with Customers.</p> <p><b>At the request of Commissioner Campbell</b></p> <p><b>After discussion and public comment from Bobby Gilliam, on behalf of SWEPCO, Commissioner Campbell made a motion to establish a favored nations clause for a disconnection moratorium for jurisdictional utilities providing services in multiple jurisdictions until October 13, 2020, which was seconded by Commissioner Boissiere. The motion was opposed by Vice Chairman Greene, Chairman Francis, and Commissioner Skrmetta. The motion failed 3:2.</b></p>
Ex. 4	<p><b>Docket No. U-29203</b> – Entergy Gulf States, Inc. and Entergy Louisiana, Inc., ex parte. In re: Joint Application of Entergy Gulf States, Inc. and Entergy Louisiana, Inc. for Interim and Permanent Recovery in Rates of Costs Related to Hurricanes Katrina and Rita.</p> <p><b>Docket No. U-30981</b> – Entergy Gulf States, Inc. and Entergy Louisiana, Inc., ex parte. In re: Joint Application of Entergy Gulf States, Inc. and Entergy Louisiana, Inc. for Interim and Permanent Recovery in Rates of Costs Related to Hurricanes Gustav and Ike.</p>

	<p><b>Docket No. U-32764</b> – Entergy Gulf States, Inc. and Entergy Louisiana, Inc., ex parte. In re: Joint Application for Recovery in Rates of Costs Related to Hurricane Isaac, Determination of Appropriate Storm Reserve Escrow Amounts and Related Relief.</p> <p><b>In re: Discussion and possible vote to accept and approve the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission for the fiscal year 2020 dated August 20, 2020, including the annual Operating Budget for Fiscal year 2021 and the interim and annual Compiled Financial Statements for fiscal year 2020, as attached thereto.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Commissioner Campbell temporarily absent, and Chairman Francis and Vice Chairman Greene concurring, the Commission voted to accept Staff’s Recommendation.</p>
<b>Ex. 5</b>	<p><b>Docket No. T-35574</b> – Louisiana Public Service Commission vs. ESS Transportation, Inc. (Damascus, Arkansas) In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating beyond the scope of authority in Common Carrier Certificate Number 8149 on three (3) counts allegedly occurring on or about May 16, 2019 through May 22, 2019.</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 Chairman Francis, with Commissioner Campbell temporarily absent, and Vice Chairman Greene and Commissioner Boissiere concurring, 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 Francis, seconded by Commissioner Skrmetta, with Commissioner Campbell temporarily absent, and Vice Chairman Greene and Commissioner Boissiere concurring, the Commission voted to approve the Affidavit and Stipulation executed by the Carrier.</p>
<b>Ex. 6</b>	<p><b>Docket No. S-35414</b> – Baton Rouge Water Company, ex parte. In re: Request for Approval of Bond Issuance and Guarantee by Subsidiaries.</p> <p><b>In re: Discussion and possible vote on Staff Recommendation on Amended Request.</b></p> <p>After discussion and public comments from Roger Simmons, on behalf of Baton Rouge Water Company, Commissioner Skrmetta made a motion to adopt the Staff Recommendation on Amended Report filed into the record on September 2, 2020, which was seconded by Vice Chairman Greene, and unanimously adopted.</p>
<b>Ex. 7</b>	<p><b>Docket No. S-35614</b> – American Broadband Holding Company, Cameron Communications, LLC, Cameron Telephone Company, LLC, Elizabeth Telephone Company, LLC, and LBH, LLC, ex parte. In re: Request for Letter of Non Opposition to Granting Security Interest and Guarantees by Regulated Entities Related to Parent Corporation Financing.</p> <p><b>In re: Discussion and possible vote on Staff’s Report and Recommendation.</b></p> <p>On motion of Vice Chairman Greene, seconded by Chairman Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on September 4, 2020.</p>
<b>Ex. 8</b>	<p><b>Docket No. U-34113</b> – Louisiana Public Service Commission, ex parte. In re: Audit of Purchased Gas Adjustment Filings of Entergy Louisiana, LLC from January 2012 Through December 2015.</p>

	<p><b>In re: Discussion and possible vote on unopposed Joint Report and Draft Order.</b></p> <p>On motion of Chairman Francis, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept the unopposed Joint Report and Draft Order filed into the record on August 21, 2020.</p>
<b>Ex. 9</b>	<p><b>Docket No. U-34852</b> – Louisiana Public Service Commission, ex parte. In Re: Audit of Purchased Gas Adjustment Filings of Entergy Louisiana, LLC from January 2016 Through December 2018.</p> <p><b>In re: Discussion and possible vote on unopposed Joint Report and Draft Order.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the unopposed Joint Report and Draft Order filed into the record on August 21, 2020.</p>
<b>Ex. 10</b>	<p><b>Docket No. U-35118</b> – Entergy Louisiana, LLC, ex parte. In re: 2018 Test Year Gas Rate Stabilization Plan filing.</p> <p><b>In re: Discussion and possible vote on Unopposed Joint Report of Proceedings and Draft Order.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Unopposed Joint Report of Proceedings and Draft Order filed on September 7, 2020.</p>
<b>Ex. 11</b>	<p><b>Docket No. U-35443</b> – Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Change Rates by Filing Market Valued Demand Response Rider Schedule MVDR.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to adopt the Uncontested Stipulated Settlement filed into the record on August 21, 2020.</p>
<b>Ex. 12</b>	<p><b>Docket No. U-35531</b> – Concordia Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report for 2020.</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 Skrmetta, and unanimously adopted, the Commission voted to adopt Joint Report and Draft Order filed into the record on August 31, 2020.</p>
<b>Ex. 13</b>	<p><b>Docket No. U-35550</b> – Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report for Year Ending December 31, 2019.</p> <p><b>In re: Discussion and possible vote of Joint Report and Draft Order.</b></p> <p>Chairman Francis made the following motion:  Considering Staff’s Amended Report and Recommendation and Jeff Davis’ indication of a voluntary reset to the lower band during the current public health emergency, I move that we accept Staff’s August 31, 2020 recommendation with a modification that Jefferson Davis Electric Cooperative, Inc. is authorized to increase rates to the lower earnings band of a MDSC ratio of 1.35 for this annual report filing only. This departure from the midpoint reset mechanism is not</p>

	<p>precedential.</p> <p>Chairman Francis’ motion was seconded by Commissioner Skrmetta, with Vice Chairman Greene and Commissioner Boissiere concurring and Commissioner Campbell opposing.</p>
<b>Ex. 14</b>	<p><b>Docket No. U-35557</b> – Pointe Coupee Electric Membership Corporation, ex parte. In re: Formula Rate Plan Annual Report Filing for the Test Year Ending March 31, 2020.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Joint Report and Draft Order filed into the record on August 31, 2020.</p>
<b>Ex. 15</b>	<p><b>Docket No. U-35707</b> – Southwest Louisiana Electric Membership Corporation, ex parte. In re: Application for Approval to Acquire and Install an Automated Metering System and Request for Costs Recovery and Related Relief.</p> <p><b>In re: Discussion and possible vote to hire an Outside Consultant.</b></p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain Exeter Associates, Inc. for a budget up to \$19,000 in fees and \$1,800 in expenses for a total not to exceed budget of \$20,800.</p>
<b>Ex. 16</b>	<p><b>Docket No. X-35643</b> – Entergy Louisiana, LLC, ex parte. In re: Report on Assessment of the Economic Viability of Entergy Louisiana, LLC’s Legacy Gas Generation.</p> <p><b>In re: Discussion and possible vote to hire Outside Consultant.</b></p> <p><b>PULLED</b></p>
<b>Ex. 17</b>	<p><b>Undocketed</b> – Southwest Louisiana Electric Membership Corporation, Concordia Electric Cooperative Inc., and Pointe Coupee Electric Membership Corporation, In re: Notice of Intent to Conduct Request for Proposals for Power Purchase Contracts and/or Generating Capacity Pursuant to the Commission’s Market Based Mechanism (“MBM”) Order.</p> <p><b>In re: Discussion and possible vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to retain United Professionals Company for a budget up to \$71,000 in fees and \$500 in expenses for a total not to exceed budget of \$71,500.</p>
<b>Ex. 18</b>	<p><b><u>Reports</u></b>  <b>-Staff status report regarding robocalls</b></p> <p>Executive Secretary Frey reported the federal government announced further implementation of the TRACED Act promoting caller ID authentication to combat illegal robocalls.</p> <p><b><u>Discussions</u></b></p> <p><b><u>ERSC/OMS/SPP</u></b>  <b>-SPP</b></p> <p><b>In re: Discussion and possible vote to ratify votes taken by Chairman Francis acting as the Commission’s representative on the Regional State Committee of the Southwest Power Pool.</b></p>

	<p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Francis abstaining, the Commission voted to ratify Chairman Francis' votes taken on July 27, 2020, as the Commission's representative to the Regional State Committee of the Southwest Power Pool.</p> <p><b><u>Directives</u></b>  <b>-Directive regarding recipients of Paycheck Protection Program funding associated with COVID-19.</b></p> <p><b>At the Request of Vice Chairman Greene</b></p> <p>Vice Chairman Greene directed Staff to query utilities that may have received funding through the Paycheck Protection Program, to receive confirmation of receipt of funding, request additional information associated with that funding, and to report those findings to the Commissioners no later than the November B&amp;E.</p> <p>There was no opposition.</p>
<p><b>Ex. 19</b></p>	<p><b>Docket No. S-35713</b> – Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Petition for Approval of Letter of Non-Opposition Authorizing Establishment of an Emergency Revolving Line of Credit due to Hurricane Laura.</p> <p><b>In re: Discussion and possible vote on Staff Recommendation</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 adopt Staff's Report and Recommendation filed into the record on September 15, 2020.</p>
<p><b>Ex. 20</b></p>	<p><b>Directive clarifying scope of Docket No. X-35643.</b></p> <p><b>At the request of Commissioner Skrmetta</b></p> <p>Commissioner Skrmetta's directive clarifies that Staff's role is to actively review Entergy Louisiana's report, filed in Docket No. X-35643, to determine compliance with the February 2018 directive, and review whether the addition of Washington Parish Energy Center would allow for deactivation of any legacy gas unit without creating liability issues, and further to compile a general review and report for the Commission on Entergy's report. Staff is not to issue a recommendation on what action should be taken regarding legacy unit retirements or deactivations. Staff may request the Commission to order outside consultants be contracted for the purpose of any necessary further analysis for the Commission. Further, there shall not be any determinations regarding legacy unit retirements or deactivations in Docket No. X-35643 until a final vote of the Commission. At such time any legacy unit is ready to be deactivated or retired, Entergy shall adhere to all applicable Commission Orders regarding such decision. The completion of Staff's review and report shall be published in the Commission bulletin and stakeholders shall be allowed to review the Staff report at such time.</p> <p>There was no opposition.</p>
<p><b>Ex. 21</b></p>	<p><b>Undocketed,</b> Discussion and Possible Vote to authorize jurisdictional utilities to establish, as needed, a regulatory asset, for accounting purposes only, for costs associated with Hurricane Laura.</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 authorize jurisdictional utilities to establish, on as needed basis, a regulatory asset to track and defer such expenses associated with Hurricane Laura. This regulatory asset may be used for accounting purposes only and does not guarantee future recovery. Any future recovery will be subject to Commission review, whether through a securitization docket or any other docket the Commission deems necessary. Further, any future recovery would be subject to any credits for dollars collected or paid/received by other entities.</p>
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On motion of Vice Chairman Greene, seconded by Commissioner Boissiere and unanimously adopted, the Commission voted to adjourn.

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, October 14, 2020, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.