

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JULY 14, 2021
OPEN SESSION

MINUTES OF JULY 14, 2021 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN CRAIG GREENE, VICE CHAIRMAN ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER MIKE FRANCIS, AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of July 14, 2021, convening at 9:12 a.m., and adjourning at 11:05 a.m., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above-name members of the Commission and Executive Secretary Brandon Frey present.

Ex. 1	<p>Chairman Greene welcomed Sister Martha Ann Abshire, from the Franciscan Missionaries of Our Lady of the Lake to lead us in prayer, and Trooper Taylor Scrantz of Louisiana State Police to lead us in the Pledge of Allegiance.</p> <p>Chairman Greene mentioned and honored Former Governor Edwin Edwards and Former Lieutenant Governor Jimmy Fitzmorris who recently passed away. Vice Chairman Skrmetta, Commissioner Campbell, and Commissioner Boissiere all spoke words of remembrance of both men.</p> <p>Executive Secretary Brandon Frey announced that the October 20, 2021 B&E will be moved from Baton Rouge, Louisiana to Many, Louisiana at the request of Commissioner Francis.</p> <p>Deputy General Counsel Melissa Frey announced Theron Levi, Staff Attorney, would be leaving the Commission for another job in state government.</p> <p>Executive Counsel Kathryn Bowman congratulated Associate Counsel, Lauren Evans, on the birth of her son, Jameson Martin Evans, born June 17, 2021.</p>
Ex. 2	<p>S-35843 – Conexon Connect, LLC, ex parte. In re: Application for Designation as an Eligible Telecommunications Carrier.</p> <p>In re: Discussion and possible vote pursuant to Rule 43 to Rehear.</p> <p>At the request of Commissioner Campbell.</p> <p>PULLED</p>
Ex. 3	<p>U-35385 – Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Implement an Experimental Interruptible Option, Rider EIO, and Related Relief.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Chairman Greene, seconded by Vice Chairman Skrmetta, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on June 14, 2021.</p>

<p>Ex. 4</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 on Staff Report and Recommendation Regarding Concordia’s Request to Amend Order No. U-35456.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation Regarding Concordia’s Request to Amend Order No. U-35456 filed into the record on June 2, 2021.</p>
<p>Ex. 5</p>	<p>U-35508 – Louisiana Public Service Commission, ex parte. In re: Audit of Federal Environmental Adjustment Clause Filings of Southwestern Electric Power Company for the Period of January 2018 through December 2019.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Chairman Greene, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Joint Report and Draft Order filed into the record on June 3, 2021.</p>
<p>Ex. 6</p>	<p>U-35584 – Louisiana Public Service Commission, ex parte. In re: Prudence Review of the Management of the Construction of J. Wayne Leonard Power Station.</p> <p>In re: Discussion and possible vote on Proposed Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Proposed Uncontested Stipulated Settlement filed into the record on June 18, 2021.</p>
<p>Ex. 7</p>	<p>U-35736 – Southwestern Electric Power Company, ex parte. In re: Application for Authorization of the Renewable Energy Credit (REC) Rider Tariff in Accordance with Commission Order No. U-35324.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Proposed Stipulated Settlement.</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 Commissioner Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Uncontested Proposed Stipulated Settlement filed into the record on June 17, 2021.</p>
<p>Ex. 8</p>	<p>U-35807 – Cleco Power LLC, ex parte. In re: Application for Recovery in Rates of Certain Storm Damage Costs Incurred as a Result of Hurricanes Laura, Delta, and Zeta.</p> <p>In re: Discussion and possible vote to hire securitization consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, and unanimously adopted, the Commission voted to retain Sisung Securities Corporation for a budget of \$260,000 in fees and \$5,000 in expenses for a total budget not to exceed \$265,000.</p>

<p>Ex. 9</p>	<p>U-35951 – Atmos Energy Corporation, ex parte. In re: Test Year 2020 Rate Stabilization Clause Filing for Louisiana Rate Division.</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 Campbell, and unanimously adopted, the Commission voted to accept the Joint Report and Draft Order filed into the record on July 2, 2021.</p>
<p>Ex. 10</p>	<p>U-36603 – Utilities, Inc. of Louisiana, ex parte. In re: Request for Extension of Formula Rate Plan with Modifications Thereto.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain United Professionals Company for a budget of \$87,500 in fees and \$1,500 in expenses for a total budget not to exceed \$89,000.</p>
<p>Ex. 11</p>	<p>U-36082 – Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Request for Emergency Rate Relief Related to 2020 Hurricanes.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>DEFERRED</p>
<p>Ex. 12</p>	<p>U-36082 – Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Request for Emergency Rate Relief Related to 2020 Hurricanes.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Request for Interim Rate Relief.</p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>After comments from Michael Heinen, General Manager for Jeff Davis Electric Co-op, Inc., Chairman Greene made a motion, seconded by Commissioner Francis, and unanimously adopted for the Commission to approve the Request for Interim Rate Relief.</p>
<p>Ex. 13</p>	<p>X-35981 – Louisiana Public Service Commission, ex parte. In re: Investigatory Audit of Total Environmental Solutions, Inc.'s Compliance and Management of all Drinking Water and Wastewater Systems, Including Compliance with a Modified Consent Decree.</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>(Exhibit 8 on June 16, 2021 B&E).</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Patrick Miller, LLC for a budget of \$119,880 in fees and \$9,980 in expenses for a total budget not to exceed \$129,860.</p>

<p>Ex. 14</p>	<p>X-35981 – Louisiana Public Service Commission, ex parte. In re: Investigatory Audit of Total Environmental Solutions, Inc.’s Compliance and Management of all Drinking Water and Wastewater Systems, Including Compliance with a Modified Consent Decree.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>(Exhibit 9 on June 16, 2021 B&E)</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain United Professionals Company for a budget of \$84,000 in fees and \$1,000 in expenses for a total budget not to exceed \$85,000.</p>
<p>Ex. 15</p>	<p>1) Reports</p> <p>Mike Fontham and Dana Shelton with the Stone Pigman Law Firm provided an update on a recent ruling from the United States Court of Appeals, D.C. Circuit in <i>Entergy Services, Inc. v. Federal Energy Regulatory Commission</i>, USCA Case #17-1251, consolidated with 18-1009, 18-1010, and 20-1023.</p> <p>2) Resolutions 3) Discussions</p> <p>4) ERSC/OMS/SPP</p> <p>- 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.</p> <p>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 June 24, 2021 as the Louisiana Public Service Commission’s representative to the OMS Board of Directors.</p> <p>- Discussion and possible vote to ratify the votes taken by Commissioner Francis acting as the Commission’s representative on the Southwest Power Pool Regional State Committee.</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 June 14, 2021 as the Louisiana Public Service Commission’s representative to the SPP Board of Directors.</p> <p>5) Directives</p> <p>- Directive to Staff to open a rulemaking to determine the Commission’s jurisdiction over electric vehicle charging stations, or any other method of providing electricity to electric vehicles, and whether a non-jurisdictional entity that owns and/or operates a charging station is subject to the Commission’s jurisdiction.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>There was no opposition.</p> <p>Vice Chairman Skrmetta also directed Staff to provide information to the Southwest Power Pool regarding the recently created Midcontinent Independent System Operator app that provides real-time</p>

	information to the public in order for Southwest Power Pool to consider developing a similar app.
Ex. 16	<p>Undocketed – FERC Docket No. ER21-915, <i>Entergy Arkansas, LLC</i>, 174 F.E.R.C. P61222 (2021).</p> <p>In re: Possible executive session to discuss litigation strategy pursuant to La. R.S. 45:16, et seq.</p> <p>On motion of Chairman Greene, seconded by Vice Chairman Skrmetta, the Commission voted to enter executive session.</p> <p>On motion of Chairman Greene, seconded by Vice Chairman Skrmetta, the Commission voted to exit executive session.</p>
Ex. 17	<p>U-35807 – Cleco Power LLC, ex parte. In re: Application for Recovery in Rates of Certain Storm Damage Costs Incurred as a Result of Hurricanes Laura, Delta, and Zeta.</p> <p>In re: Discussion and possible vote to retain United Professionals Company and Stone Pigman Walther Wittman L.L.C.</p> <p>At the request of Commissioner Francis.</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 United Professionals Company for an additional budget of \$25,000 in fees and no additional expenses and Stone Pigman Walther Wittman LLC for an additional budget of \$134,000 in fees and no additional expenses for Cleco Power’s Phase II filing.</p>
Ex. 18	<p>U-35877 – Pointe Coupee Electric Membership Corporation, ex parte. In re: Application to Acquire and Install an Automated Meter System and Request for Cost Recovery and Related Relief.</p> <p>In re: Discussion and possible vote on Unopposed Joint Motion Pursuant to Rule 57 to Accept Proposed Uncontested Stipulated Settlement.</p> <p>At the request of Chairman Greene.</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>After testimony from Myron Lambert, General Manager from Point Coupee Electric, and Jennifer Vosburg, counsel for Pointe Coupee, Vice Chairman Skrmetta made a motion, seconded by Chairman Greene, and unanimously adopted, for the Commission to accept the Proposed Uncontested Stipulated Settlement filed into the record on June 30, 2021.</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, September 15, 2021, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.