

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JUNE 22, 2022
OPEN SESSION

MINUTES OF JUNE 22, 2022 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN LAMBERT BOISSIERE, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND EXECUTIVE SECRETARY BRANDON FREY. COMMISSIONER FOSTER CAMPBELL WAS ABSENT.

Open Session of June 22, 2022, convening at 9:18 a.m., and adjourning at 10:30 a.m., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above – named members of the Commission and Executive Secretary Brandon Frey present. Commissioner Foster Campbell was absent.

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| Ex. 1 | <p>Chairman Boissiere called on Commissioner Greene to lead the prayer, and welcomed Trooper Chris Wright of the Louisiana State Police to lead the Pledge of Allegiance.</p> <p>Commissioner Skrmetta requested that everyone keep Commissioner Campbell in their prayers, as he is recovering from an injury.</p> <p>Executive Secretary Brandon Frey welcomed his daughter Theresa Frey to the meeting.</p> <p>Vice Chairman Francis welcomed Trooper Chris Wright and Trooper Rodney Owens of the Louisiana State Police. Vice Chairman Francis also complimented MISO, Janet Boles, Magnolia, and Entergy for their work to finalize the interconnection for the Magnolia generator.</p> <p>Commissioner Greene thanked Staff for their hard work at the Commission, while also requesting Staff to generate a dashboard of dockets, to check the status and provide regular updates on the dockets.</p> <p>Commissioner Skrmetta provided comments regarding the presentation and questioning of Entergy Louisiana representatives at the May B&E Session.</p> <p>Executive Counsel Kathryn Bowman read a letter on behalf of Commissioner Campbell addressed to Philip May, President and CEO of Entergy Louisiana regarding the Company’s recent notice to customers of increased rates for storm restoration and the notice being silent as to Commissioner Campbell’s opposition to increase.</p> <p>Chairman Boissiere reminded utility providers of the prohibition of disconnections when the National Weather Service issues an extreme heat advisory as outlined in the General Order dated October 5, 2007.</p> |
| Ex. 2 | <p>T-36219 – Louisiana Public Service Commission vs. Fast Affordable College Student Movers, Inc. In re: Alleged violation of 1) General Order dated July 12, 2013 for failure to provide a written estimate prior to conducting moving services and 2) General Order dated July 01, 2021 as amended by exceeding rates as outlined in the company’s tariff dated June 27, 2013, while operating under Common Carrier Certificate number 7823 allegedly having occurred on or about October 18, 2021 through October 20, 2021.</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 Vice Chairman Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> |

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| | <p>On motion of Vice Chairman Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to accept the Affidavit and Stipulation executed on May 27, 2022.</p> |
| Ex. 3 | <p>T-36270 – Louisiana Public Service Commission vs. Ian Nelson dba Ian’s Auto Body & Towing. In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the years 2015, 2016, 2017, 2018, 2019, and 2020 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 7783.</p> <p>In re: Discussion and possible vote on Recommendation of the Administrative Law Judge.</p> <p>After discussion, on motion of Commissioner Greene, seconded by Vice Chairman Francis, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to accept the Recommendation of the Administrative Law Judge.</p> |
| Ex. 4 | <p>T-36307 – Louisiana Public Service Commission vs. Trent Anthony Trucking LLC. In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority to transport waste intrastate on one (1) count occurring December 13, 2021.</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 Vice Chairman Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell 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 Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to accept the Affidavit and Stipulation executed on May 16, 2022.</p> |
| Ex. 5 | <p>S-36348 – Cleco Power LLC, ex parte. In re: Application for renewal of Cleco Power LLC’s Blanket Financing Authorization, approved by the Commission in Order No. S-34866.</p> <p>In re: Discussion and possible vote to retain J. Kennedy & Associates.</p> <p>On motion of Commissioner Greene, seconded by Chairman Boissiere, with Vice Chairman Francis and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to retain J. Kennedy & Associates for \$45,800 in fees and \$700 in expenses for a total budget not to exceed \$46,500.</p> |
| Ex. 6 | <p>U-36003 – 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 accept Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Boissiere and Vice Chairman Francis concurring, and Commissioner Campbell absent, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on May 23, 2022.</p> |
| Ex. 7 | <p>U-36129 – Southwest Louisiana Electric Membership Corporation, ex parte. In re: Supplemental and Restated Application for Recovery in Rates of Storm Damage Costs Incurred as a Result of Hurricanes Laura and Delta and for Recovery of Costs Incurred in Preparation for Hurricane Ida.</p> |

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| | <p>In re: Discussion and possible rehearing on acceptance of Uncontested Stipulated Settlement pursuant to Rule 43.</p> <p>At the request of Vice Chairman Francis.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Boissiere and Vice Chairman Francis concurring, and Commissioner Campbell absent, the Commission voted to rehear the matter pursuant to Rule 43 of the Commission’s Rules of Practices and Procedure.</p> <p>Vice Chairman Francis moved to accept the Uncontested Stipulated Settlement with the same modifications accepted at the May B&E, except that the amount authorized for recovery in unreimbursed expenses and carrying costs for SLEMCO’s preparation, response, and recovery efforts be amended to \$6,046,994.00.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Skrmetta concurring, and Commissioner Campbell absent, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on April 19, 2022, with amendments.</p> <p>Present for Questions/Comments: Katherine Domingue, CFO and Assistant General Manager for SLEMCO Chris Piasecki, General Counsel Glenn Tamporello, CEO and General Manager for SLEMCO</p> |
| Ex. 8 | <p>U-36338 – Entergy Louisiana, LLC, ex parte. In re: Application for extension of gas Rate Stabilization Plan and Infrastructure Rider.</p> <p>In re: Discussion and possible vote to retain outside consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Boissiere and Vice Chairman Francis concurring, and Commissioner Campbell absent, the Commission voted to retain United Professionals Company for \$108,000 in fees and \$2,000 in expenses for a total budget not to exceed \$110,000.</p> |
| Ex. 9 | <ol style="list-style-type: none"> 1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS/SSP 5) Directives |
| Ex. 10 | <p>R-35568 – Louisiana Public Service Commission, ex parte. In re: Analysis of Viability and Potential Development of Rate Schedules for Inclusion of 5G Cellular Telephone/Broadband Equipment onto Existing Infrastructure of all Electric Distribution Poles.</p> <p>In re: Directive to Staff to expand the scope of Docket No. R-35568.</p> <p>At the request of Commissioner Skrmetta.</p> <p>During its investigation in Docket No. R-35568, Staff has discovered several interrelated pole attachment issues. These issues involve: the related use of the NJUNS system; strand overlashing impacts; pole/wind loading concerns; issues related to unauthorized attachments; and the collective impact of these issues on ratepayers.</p> |

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| | <p>The upcoming significant investment in fiber deployment for broadband, and the attachment infrastructure related to this deployment, has the potential to further exacerbate these issues.</p> <p>Commissioner Skrmetta therefore directed Staff to expand the scope of Docket No. R-35568 to include investigating and proposing solutions to these issues, including potential modifications to the Commission’s General Order dated September 4, 2014 regarding Pole Attachments.</p> <p>With Commissioner Campbell absent, there was no opposition.</p> |
| <p>Ex. 11</p> | <p>Undocketed – Directive to Staff on scheduling future Business and Executive Sessions.</p> <p>At the request of Commissioner Skrmetta.</p> <p>When scheduling future B&E Sessions, starting with the 2023 schedule, Commissioner Skrmetta directed staff to propose no meeting in July instead of August.</p> <p>With Commissioner Campbell absent, there was no opposition.</p> |

On motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, with Chairman Boissiere and Commissioner Greene concurring, and Commissioner Campbell absent, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, July 27, 2022, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.