

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM OCTOBER 19, 2022
OPEN SESSION

MINUTES OF OCTOBER 19, 2022 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN LAMBERT BOISSIERE, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of October 19, 2022, convening at 9:47 a.m., and adjourning at 12:36 p.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.

Ex. 1	<p>Chairman Boissiere acknowledged and welcomed former Executive Secretary, Eve Gonzalez to the meeting. He also discussed the devastation in Florida due to Hurricane Ian and requested thoughts and prayers for those impacted.</p> <p>Commissioner Greene acknowledged and recognized the board members of JDEC and DEMCO that were present at the meeting, as well as SLECA’s General Manager/CEO Joe Ticheli.</p> <p>Commissioner Skrmetta announced that the November B&E Session will be on Thursday, November 17, 2022 at the Copeland Towers in Metairie. He also welcomed former Commissioner, Jay Blossman, to the meeting.</p> <p>Mark Kleehammer, Vice President of Regulatory and Public Affairs for Entergy, provided information on the current state of natural gas prices and their impacts on Entergy’s electric rates.</p> <p>Deputy General Counsel Lauren Evans announced the Public Utilities CLE will be held Friday, December 2, 2022 at City Club in Baton Rouge with registration details forthcoming. Mrs. Evans also announced the Louisiana Chapter of the Energy Bar Association will host a networking event in conjunction with NARUC on Sunday, November 13, 2022 from 5:00 p.m. – 7:00 p.m. at Phelps Dunbar located at 365 Canal Street, Suite 2000 in New Orleans.</p> <p>Executive Secretary Brandon Frey asked for prayers for the family of Pam Meades, a former LPSC employee who recently passed way.</p> <p>Secretary Frey also announced his new Administrative Assistant, Jaime Melancon, and welcomed her to the meeting.</p>
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<p>Ex. 2</p>	<p>S-35888 – WJMB Transport #1, LLC dba Two Men and A Truck New Orleans ex parte. In re: Application to increase tariff rates for Common Carrier Certificate No. 7718-A.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Boissiere, 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 Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on October 7, 2022.</p>
<p>Ex. 3</p>	<p>S-35993 – BJB Group, LLC dba Two Men and A Truck ex parte. In re: Application to increase tariff rates for Common Carrier Certificate No. 7915.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, 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 Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on October 6, 2022.</p>
<p>Ex. 4</p>	<p>S-36484 – Cable One VoIP LLC d/b/a Spark light, ex parte. In re: Request to partially relinquish its Eligible Telecommunications Carrier designation approved by the Commission in Order No. S-35938.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on September 20, 2022.</p>
<p>Ex. 5</p>	<p>U-36133 – Dixie Electric Membership Corporation, NextEra Energy Marketing, LLC, and Amite Solar, LLC, ex parte. In re: Joint Application for Approval of Power Supply Agreements.</p> <p>In re: Discussion and possible vote on ALJ Final Recommendation and Draft Order.</p> <p>Commissioner Greene made the following motion. I move that we adopt the final recommendation of the Administrative Law Judge with one condition. In order to ensure the joint applicants make a filing with the Commission for our consideration, after the conclusion of Docket No. R-36263, the Joint Applicants will make a filing with the Commission in this Docket so that the Commission may consider the impacts of its decision in Docket No. R-36263 on its decision in this Docket, on the PSA and the PPA (whether or not any changes to the language of the PPA or PSA are required), including but not limited to, changes to the PSA and the PPA, changes affecting the prices to be paid by ratepayers, changes affecting the pricing mechanisms for the sale of capacity and or energy and/or deliverability or reporting requirements, so that the Commission may take any action it deems appropriate.</p> <p>After discussion, on motion of Commissioner Greene, as stated above, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the Final Recommendation of the Administrative Law Judge and Draft Order issued on October 6, 2022, subject to certain conditions.</p> <p>Present for Questions/Comments: Larry Hand, Counsel for Entergy Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy Randy Pierce, CEO and General Manager of DEMCO</p>

	<p>Tommy Gildersleeve, Counsel for DEMCO Brian Murphy, Counsel for NextEra Energy Resources, LLC Freya Rivers, District 3 Constituent</p>
Ex. 6	<p>U-36135 – Jefferson Davis Electric Cooperative, Inc. and NextEra Energy Marketing, LLC, ex parte. In re: Joint Application for Approval of Power Supply Agreement.</p> <p>In re: Discussion and possible vote on ALJ Recommendation and Draft Order.</p> <p>Commissioner Francis made the following motion: I move that we adopt the final recommendation of the Administrative Law Judge with one additional condition. In order to ensure the joint applicants make a filing with the Commission for our consideration, after the conclusion of Docket No. R-36263, I move that the Commission adopt this additional condition. At the conclusion of Docket No. R-36263, the Joint Applicants will make a filing with the Commission in this Docket so that the Commission may consider the impacts of its decisions in Docket No. R-36263 on its decision in this Docket, on the PSA (whether or not any changes to the language of the PSA are required), including but not limited to, changes to the PSA changes affecting the prices to be paid by ratepayers, changes affecting the pricing mechanisms for the sale of capacity and or energy and/or deliverability or reporting requirements, so that the Commission may take any action it deems appropriate.</p> <p>After discussion, on motion of Vice Chairman Francis, as stated above, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Final Recommendation of the Administrative Law Judge and Draft Order issued on October 7, 2022, subject to certain conditions.</p> <p>Present for Questions/Comments: Larry Hand, Counsel for Entergy Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy Mike Heinen, General Manager of JDEC Kara Kantrow, Counsel for JDEC Brian Murphy, Counsel for NextEra Energy Resources, LLC</p>
Ex. 7	<p>U-36276 – South Coast Gas Company, Inc., ex parte. In re: Application for Extension of Rate Stabilization Plan.</p> <p>In re: Discussion and Possible Vote on the Uncontested Stipulated Settlement</p> <p>On motion of Commissioner Greene, seconded by Commissioner Campbell, with Chairman Boissiere and Vice Chairman Francis concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to accept the Uncontested Proposed Stipulated Settlement filed into the record on September 15, 2022.</p>
Ex. 8	<p>1) Reports 2) Resolutions 3) Discussions</p> <p>- Discussion with Cleco Power LLC’s CEO, Bill Fontenot.</p> <p>Present for Questions/Comments: Bill Fontenot, CEO of Cleco Corporate Holdings, LLC John Shirley, Counsel for Cleco Power LLC</p> <p>- SWEPCO Rate Case Update</p> <p>At the request of Commissioner Campbell, Secretary Frey provided the Commission with an update on the progress of SWEPCO’s pending rate case with the Commission.</p>

- Discussion with AT&T

At the request of Chairman Boissiere, Emory Belton, representative of AT&T, provided information on AT&T's fiber network in New Orleans and surrounding areas. Secretary Frey provided additional information on various programs related to funding of broadband networks.

4) ERSC/OMS/SPP

- Discussion and possible vote to ratify interventions of the Commission in RTO or ERSC related FERC proceedings.

On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to ratify the Louisiana Public Service Commission's intervention filed in FERC proceedings ER22-2763, ER22-2814, ER22-2891 and RM21-11.

5) Directives

- Directive to jurisdictional electric utilities regarding utility poles.

At the request of Commissioner Skrmetta.

In reviewing the initial reports regarding the damage and restoration efforts in Florida following the impacts of Hurricane Ian, there appears to be preliminary evidence that the use of certain pole types in the respective utility's high-risk service areas may have resulted in less damage and destruction, and thus quicker restoration/outage times. Specifically, those distribution and transmission poles, that were concrete in composition, appear to have fared positively. Given the potential impact storms have on Louisiana utilities, I believe the potential benefits of such construction should be properly analyzed in Louisiana, and therefore direct Staff to open a docket, or make a recommendation in any applicable existing docket, requiring all jurisdictional electric utilities to each implement a pilot program wherein a certain number of distribution and/or transmission poles, determined by the Staff, are replaced within the next twelve months of this date with those using concrete construction. After placement and analysis, each electric utility shall annually report back to the Commission with a comprehensive review on performance and resilience.

After discussion, with opposition by Commissioner Greene, Commissioner Campbell, Vice Chairman Francis, and with Chairman Boissiere abstaining, the Directive failed.

Chairman Boissiere directed Staff to open a docket to review the Commission's current Consumer's Bill of Rights found in General Order dated November 6, 1997 (the Fuel Adjustment Clause General Order) to broaden the Consumer's Bill of Rights outside of fuel costs and adjustments. Further, the Chairman requested Staff to open a dialogue with the State of Florida and the Florida Public Service Commission regarding recovery efforts and lessons learned from addressing storms and disasters, including the recent Hurricane Ian.

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 Thursday, November 17, 2022 at 9:00 a.m. at the Copeland Towers in Metairie, Louisiana.