

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM SEPTEMBER 21, 2022
OPEN SESSION

MINUTES OF SEPTEMBER 21, 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 September 21, 2022, convening at 9:32 a.m., and adjourning at 12:27 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>Deputy General Counsel Lauren Evans 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, New Orleans, Louisiana.</p> <p>Mrs. Evans also congratulated Legal’s Administrative Assistant, Kim O’Brian, on the birth of her daughter. Both parents and baby are healthy and doing well.</p> <p>Executive Secretary Brandon Frey announced La’Tonya Brown, his Administrative Assistant, would be leaving the Commission for another job in state government.</p> <p>Mr. Frey also announced that the November B&E Session will be held in New Orleans, Louisiana either on Thursday, November 17, 2022 or Friday, November 18, 2022.</p> <p>Commissioner Skrmetta asked for prayers for the Commissioners, friends, and residents of Puerto Rico who were recently affected by Hurricane Fiona.</p> <p>Commissioner Greene requested a presentation from Dr. Dismukes, Executive Director at LSU’s Center for Energy Studies, on hydrogen conservation at an upcoming B&E.</p> <p>Chairman Boissiere shared memories of Stanley Perkins, Sr. and recognized him for his service to the people of Louisiana. Resolution 01-2022 was signed for presentation to Mr. Perkins’ family at a later date.</p>
Ex. 2	<p>T-36354 – Louisiana Public Service Commission vs. Louisiana Oilfield Logistics, LLC. In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 and 1179 for failure to pay to the state proper fees for the years 2018, 2019, and 2020 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Numbers 8193 & 8194 pursuant to General Order dated November 22, 2011.</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 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 Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed on August 2, 2022.</p>

<p>Ex. 3</p>	<p>T-36356 – Louisiana Public Service Commission vs K & D Movers, LLC dba Skinny Wimp Moving Company Baton Rouge. In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 and 1179 for failure to pay to the state proper fees for the years 2019 and 2020 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 8236 pursuant to General Order dated November 22, 2011.</p> <p>In re: Discussion and possible vote on Recommendation of the Administrative Law Judge.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Recommendation of the Administrative Law Judge.</p>
<p>Ex. 4</p>	<p>T-36467 – Louisiana Public Service Commission vs. Uncle Sam’s Moving Corps, LLC. In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:164 (E) and General Order dated March 16, 2021 and for failure to comply with the requirements of General Order dated April 3, 2008 as amended.</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 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 Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed on August 25, 2022.</p>
<p>Ex. 5</p>	<p>I-36503 – 1803 Electric Cooperative, Inc., ex parte. In re: 2022 Request to Initiate Integrated Resource Planning process pursuant to the General Order (Corrected) dated April 18, 2012 (R-30021).</p> <p>In re: Discussion and possible vote to retain outside consultant.</p> <p>On motion of Commissioner Greene, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain Mitsubishi Electric Power Products, Inc. for \$48,800 in fees and \$2,500 in expenses for a total budget not to exceed \$51,300.</p>
<p>Ex. 6</p>	<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: Discussion and possible vote on budget increase for McQ Group due to an expansion of scope.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to approve the additional budget for the McQ Group in the amount of \$96,500 in fees and \$1,850 in expenses, for a total additional budget not to exceed \$98,350.</p>
<p>Ex. 7</p>	<p>S-36188 – Windham Well Service, LLC ex parte. Application to increase tariff rates for Common Carrier Certificate No. 7242.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner 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 Vice Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the Uncontested Settlement filed into the record on July 25, 2022.</p>

<p>Ex. 8</p>	<p>S-36342 – AmeriMex Communications Corp. d/b/a SafetyNet Wireless Lifeline-Only, ex parte. In re: Petition for designation as a Lifeline-Only Eligible Telecommunications Carrier within Louisiana.</p> <p>In re: Discussion and possible vote on 2nd Amended Staff Report and Recommendation.</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 2nd Amended Staff Report and Recommendation filed into the record on August 31, 2022.</p>
<p>Ex. 9</p>	<p>S-36343 – Northeast Telephone Service15s, Inc., ex parte. In re: Petition for designation as a Lifeline-Only Eligible Telecommunications Carrier within Louisiana.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, with Chairman Boissiere and Vice Chairman Francis concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to accept Staff’s Report and Recommendation filed into the record on August 24, 2022.</p>
<p>Ex. 10</p>	<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 on Staff Report and Recommendation.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on August 31, 2022.</p>
<p>Ex. 11</p>	<p>S-36398 – REV Broadband, et al. In re: Request for a Letter of Non-Opposition for approval of a senior revolving credit facility.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on September 1, 2022.</p>
<p>Ex. 12</p>	<p>U-29203 – 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>U-30981 – Entergy Gulf States, L.L.C. and Entergy Louisiana, LLC, ex parte. In re: Joint Application of Entergy Gulf States, L.L.C. and Entergy Louisiana, LLC for Interim and Permanent Recovery in Rates of Costs Related to Hurricanes Gustav and Ike.</p> <p>U-32764 – Entergy Gulf States, L.L.C. and Entergy Louisiana, LLC, ex parte. In re: Joint Application of Entergy Louisiana, LLC and Entergy Gulf States, L.L.C. for Recovery in Rates of Costs Related to Hurricane Isaac, Determination of Appropriate Storm Reserve Escrow Amounts and Related Relief.</p> <p>U-35991 – Entergy Louisiana, LLC, ex parte. In re: Application for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta, and Winter Storm Uri and Related Relief.</p> <p>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 2022 dated August 30, 2022, including the annual Operating Budget for fiscal year 2023 and the interim and annual Compiled Financial Statements for fiscal year 2022, as attached thereto.</p>

	<p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept and approve the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission, including the Annual Operating Budget for the fiscal year ending June 30, 2023 and the interim and annual Compiled Financial Statements for the fiscal year ending June 30, 2022.</p>
Ex. 13	<p>U-35986 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Atmos Energy-Louisiana Division (a Regulatory Division of Atmos Energy Corporation) Associated with the February 2021 Winter Storm.</p> <p>In re: Discussion and possible vote on Joint Report.</p> <p>(Ex. 10 on July 27, 2022 Business and Executive Session).</p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on September 7, 2022.</p>
Ex. 14	<p>U-35988 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Entergy Louisiana, LLC, for provision of Natural Gas, Associated with the February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote on Joint Report.</p> <p>(Ex. 11 on July 27, 2022 Business and Executive Session).</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on September 7, 2022.</p>
Ex. 15	<p>U-36017 – Louisiana Public Service Commission, ex parte. In re: Audit of Energy Efficiency Rate Rider of Southwestern Electric Power Company for the Energy Efficiency Quick Start Program Years Ending December 31, 2019 and December 31, 2020.</p> <p>In re: Discussion and possible vote of Joint Report.</p> <p>(Ex. 12 on July 27, 2022 Business and Executive Session).</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on September 2, 2022.</p>
Ex. 16	<p>U-36018 – Louisiana Public Service Commission, ex parte. In re: Audit of Energy Efficiency Rate Rider of Cleco Power LLC for the Energy Efficiency Quick Start Program Years Ending December 31, 2019 and December 31, 2020.</p> <p>In re: Discussion and possible vote of Joint Report.</p> <p>(Ex. 13 on July 27, 2022 Business and Executive Session).</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on September 7, 2022.</p>
Ex. 17	<p>U-36105 – Entergy Louisiana, LLC, ex parte. In re: Application for Certification to Deploy Natural Gas-Fired Distributed Generation and Authorization to Implement Rider UODG.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p>

	<p>(Ex. 14 on the July 27, 2022 Business and Executive Session).</p> <p>Chairman Boissiere made the following motion: I move to approve the uncontested settlement. This program supports several related objectives including providing needed long-term, dispatchable generation for all customers at a discounted price while providing for host customer and community resilience. In addition to long-term capacity and localized resilience benefits the program also provides environmental benefits by displacing potential diesel backup generation with natural gas, solar and battery solutions. Additionally, dispatchable distributed generation will complement the growing amount of renewable and intermittent generation that will be incorporated into Louisiana’s resource mix enhancing resource adequacy, reliability, and resilience.</p> <p>On motion of Chairman Boissiere, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on June 24, 2022.</p>
<p>Ex. 18</p>	<p>U-36337 – Concordia Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report for the test year ending December 31, 2021.</p> <p>In re: Discussion and possible vote on Joint Report.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on September 1, 2022.</p> <p>Present for Questions/Comments: Russell Purvis, Counsel for Concordia Electric Cooperative</p>
<p>Ex. 19</p>	<p>U-36383 – National Water Infrastructure, LLC, ex parte. In re: Application for adjustment in rates for current and acquired systems, including certification of regionalization project and construction work in progress recovery of capital expenditures and associated financing, and for Letter of Non-Opposition of acquisition of Ascension Parish Wastewater Assets.</p> <p>In re: Discussion and possible vote to retain outside consultant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to retain United Professionals Company for \$188,000 in fees and \$2,000 in expenses for a total budget not to exceed \$190,000.</p>
<p>Ex. 20</p>	<p>1) Reports</p> <p>- Report from Cleco Power regarding the August billing error.</p> <p>At the request of Vice Chairman Francis.</p> <p>John Shirley, Counsel for Cleco, and Andre Guillory, Vice President and Chief Customer Officer, provided an update to the Commission regarding the August billing error. Vice Chairman Francis and Commissioner Skrmetta provided additional comments regarding Cleco’s billing errors, including the need for better customer service.</p> <p>2) Resolutions</p> <p>Executive Counsel Kathryn Bowman presented the Commission with Resolution No. 1-2022. The Resolution is to express condolences upon the passing of Stanley B. Perkins, Sr. and to further express gratitude for his lifetime of service to the Louisiana Public Service Commission and the people of the State of Louisiana.</p>

	<p>3) Discussions</p> <p>- Discussion with Louisiana Solicitor General regarding FERC Docket No. PL21-3-000. Consideration of Greenhouse Gas Emissions in Natural Gas Infrastructure Project Reviews.</p> <p>Present for Questions/Comments: Elizabeth Murrill, Louisiana Solicitor General</p> <p>4) ERSC/OMS/SPP</p> <p>- Discussion and possible vote to ratify LPSC interventions in RTO or ERSC related FERC proceedings.</p> <p>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 RM22-10, RM22-14, RM22-16 & AD21-13, and EL22-78.</p> <p>- Discussion and possible vote to ratify votes taken by Vice Chairman Francis acting as the Commission’s representative on the Regional State Committee of the Southwest Power Pool.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Campbell concurring, and Vice Chairman Francis abstaining, the Commission voted to ratify Vice Chairman Francis’ votes taken on July 25, 2022 as the Louisiana Public Service Commission representative.</p> <p>5) Directives</p>
Ex. 21	<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 pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>At the request of Vice Chairman Francis.</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 September 8, 2022.</p>
Ex. 22	<p>U-36190 – Entergy Louisiana, LLC, ex parte. In re: Application for Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>At the request of Chairman Boissiere.</p> <p>Chairman Boissiere made the following motion: I move to approve the uncontested settlement. I am pleased to finally see Entergy move forward with these renewable resources. I have been calling for years for our Utilities to focus on renewable options and today is a great example of a win-win for both the environment and customers as we approve resources that will be reliably integrated into ELL’s portfolio that provide both environmental and financial benefits. We are at a point where the costs of utility-sale renewables are competitive supply resources, and we need to expedite our transition. This has been a long time in the making.</p>

	<p>Too long. These resources are from a 2020 RFO. I appreciated that Entergy is in the process of seeking renewable resources from 2021 and 2022 RFPs and ask Entergy and Staff to explore opportunities to expedite those requests as quickly as possible.</p> <p>After discussion, on motion of Chairman Boissiere, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on August 29, 2022.</p> <p>Present for Questions/Comments: Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy Elizabeth Ingram, Manager, Louisiana Regulatory Affairs for Entergy</p>
<p>Ex. 23</p>	<p>U-36259 - Southwestern Electric Power Company, ex parte. Application for Certification of a Solar Power Purchase Agreement with Rocking R Solar, LLC.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Joint Settlement Term Sheet.</p> <p>At the request of Commissioner Campbell.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Stipulation Term Sheet filed into the record on September 13, 2022.</p>
<p>Ex. 24</p>	<p>FERC Docket No. EL20-72 – Louisiana Public Service Commission, Arkansas Public Service Commission, Council of the City of New Orleans, Louisiana v. System Energy Resources, Inc., Entergy Services, LLC, Entergy Operations, Inc., and Entergy Corporation.</p> <p>In re: Possible executive session to discuss litigation strategy pursuant to La. R.S. 42:16, et seq.</p> <p>At the request of Chairman Boissiere.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to enter Executive Session.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to exit Executive Session.</p>
<p>Ex. 25</p>	<p>Undocketed – Directive to jurisdictional electric utilities regarding their current or upcoming Integrated Resource Planning processes.</p> <p>At the request of Commissioner Greene.</p> <p>Recently, the conversations regarding offshore wind resources have intensified. Our own Governor has touted its alleged benefits and Louisiana’s legislature has resolved to explore offshore winds usefulness to the state. With so much discussion surrounding and electricity resource in Louisiana, it is imperative we begin to understand the true pros and cons, costs and benefits, and overall feasibility, if any, of offshore wind for Louisiana’s coast.</p> <p>Commissioner Greene therefore directed each electric utility, within their Integrated Resource Plans, to provide an evidentiary record of all costs and benefits associated with power generation and resource supply from offshore wind for Louisiana utilities, including the utilities’ data assumptions and any customer impacts of offshore wind being utilized now or in the future for the utility resource portfolio. This analysis should</p>

	<p>include the indicative cost of transmission needed to connect any offshore wind resources to the power grid. Commissioner Greene’s expectation is that this analysis will be incorporated into future filings in each IRP docket, allowing all intervenors to review and to allow our consultant to review and report back to the Commission on said analysis.</p> <p>There was no opposition.</p>
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On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, October 19, 2022 at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.