

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM SEPTEMBER 22, 2021**  
**OPEN SESSION**

***MINUTES OF SEPTEMBER 22, 2021 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WERE CHAIRMAN CRAIG GREENE AND EXECUTIVE SECRETARY BRANDON FREY. VICE CHAIRMAN ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, AND COMMISSIONER MIKE FRANCIS PARTICIPATED REMOTELY.***

**Open Session of September 22, 2021, convening at 9:05 a.m., and adjourning at 1:11 p.m., the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with the above-name members of the Commission and Executive Secretary Brandon Frey present.**

<b>Ex. 1</b>	<p>Commissioner Campbell discussed the average residential rates of electric utilities in Louisiana and raised concern that the rates were increasing.</p> <p>Executive Counsel Kathryn Bowman announced that the October 20, 2021 B&amp;E will be moved back to Baton Rouge, Louisiana. The meeting was previously scheduled to be held in Many, Louisiana.</p> <p>Executive Counsel Kathryn Bowman wished Vice Chairman Skrmetta an early Happy Birthday.</p>
<b>Ex. 2</b>	<p><b>T-35975</b> – Louisiana Public Service Commission vs. BACCVAC, LLC. In re: Cancellation of Contract Carrier Permit Number 1695 for failure to maintain the required insurance coverage on file with the Commission pursuant to Commission’s General Order dated January 12, 1976.</p> <p><b>In re: Discussion and possible vote on Administrative Law Judge Recommendation.</b></p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, and unanimously adopted, the Commission voted to accept the ALJ Recommendation filed into the record on July 12, 2021.</p>
<b>Ex. 3</b>	<p><b>R-35136</b> – Louisiana Public Service Commission, ex parte. In re: Rulemaking to Determine Need for Rate Schedules and Programs Offering Demand Response Products, Development of Such Rate Schedules and Programs, Determination of Customer Participation in Such Programs, Allocation and Recovery of Program Costs, and Whether Such Programs Shall be Mandatory or Voluntary for Utilities as set Forth in Section 3 of the Rule Adopted in the General Order Dated March 7, 2019 in Docket No. R-34948.</p> <p><b>In re: Discussion and possible vote to retain Stone Pigman and United Professionals Company.</b></p> <p><b>DEFERRED</b></p>
<b>Ex. 4</b>	<p><b>R-35595</b> – Louisiana Public Service Commission, ex parte. In re: Review of the Schedule of Prescribed Rates and Requirements for Towing and Recovery services in General Order dated August 05, 2016.</p> <p><b>In re: Discussion and possible vote on Staff’s Proposed Recommendation for Interim Order.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Proposed Recommendation for Interim Order filed into the record on August 16, 2021.</p>

<p><b>Ex. 5</b></p>	<p><b>S-36109</b> – Beaugard Electric Cooperative, Inc., ex parte. In re: Request of a Letter of Non-Opposition to Establish Unsecured Emergency Lines of Credit Related to the 2020 Hurricane Season.</p> <p><b>In re: Discussion and possible vote on Staff Report and Recommendation.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on August 27, 2021.</p>
<p><b>Ex. 6</b></p>	<p><b>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>U-30981</b> – 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><b>U-32764</b> – 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><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 2021 dated August 25, 2021, including the annual Operating Budget for fiscal year 2022 and the interim and annual Compiled Financial Statements for fiscal year 2021, as attached thereto.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, 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, 2022 and the interim and compiled annual financial statements for the fiscal year ending June 30, 2021.</p>
<p><b>Ex. 7</b></p>	<p><b>U-35407</b> – Cleco Power LLC, ex parte. In re: Formula Rate Plan – June 2019 Monitoring Report.</p> <p><b>In re: Discussion and possible vote on Uncontested Joint Report of Proceedings and Draft Order.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Uncontested Joint Report of Proceedings and Draft Order filed into the record on June 30, 2021.</p>
<p><b>Ex. 8</b></p>	<p><b>U-35881</b> – Sanders Venture #2, L.L.C. d/b/a Brady’s Mobile Home Park, ex parte. In re: Application for Increase in Tariff Rates and Implementation of Service Charges.</p> <p><b>In re: Discussion and possible vote on Uncontested Proposed Stipulated Settlement.</b></p> <p>On motion of Commissioner Campbell, seconded by Vice Chairman Skrmetta, and unanimously adopted, the Commission voted to accept the Uncontested Proposed Stipulated Settlement filed into the record on August 20, 2021, with an amendment that one-half of the agreed-upon monthly residential customer charge for water and wastewater services be implemented on December 1, 2021, and the remaining one-half be implemented effective December 1, 2022.</p>

<p><b>Ex. 9</b></p>	<p><b>U-35991</b> – 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 for Related Relief.</p> <p><b>In re: Discussion and possible vote to retain a Conduit Issuer.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, with Chairman Greene and Commissioner Boissiere concurring Commissioner Francis temporarily absent, the Commission voted to retain Louisiana Community Development Authority for a budget of \$250,000 in fees and \$0 in expenses for a total budget not to exceed \$250,000.</p>
<p><b>Ex. 10</b></p>	<p><b>U-35996</b> – Concordia Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report for the Test Year Ending December 31, 2020.</p> <p><b>In re: Discussion and possible vote on Unopposed Joint Report of Proceedings and Draft Order.</b></p> <p>On motion of Commissioner Campbell, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Unopposed Joint Report of Proceedings and Draft Order filed into the record on August 8, 2021.</p>
<p><b>Ex. 11</b></p>	<p><b>U-35998</b> – Pointe Coupee Electric Membership Corporation, ex parte. In re: Formula Rate Plan Annual Report for the Test Year Ending March 31, 2021.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, with Vice Chairman Skrmetta and Commissioner Campbell concurring, and Commissioner Boissiere temporarily absent, the Commission voted to accept the Joint Report and Draft Order filed into the record on August 26, 2021.</p>
<p><b>Ex. 12</b></p>	<p><b>U-36082</b> – Jefferson Davis Electric Cooperative, Inc., ex parte. In re: Request for Emergency Rate Relief Related to 2020 Hurricanes.</p> <p><b>In re: Discussion and possible vote to retain Henderson Ridge Consulting, Inc.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting, Inc. for a budget of \$46,200 in fees and \$0 in expenses for a total budget not to exceed \$46,200.</p>
<p><b>Ex. 13</b></p>	<p><b>U-36103</b> – Entergy Louisiana, LLC, ex parte. In re: Application for Approval of a Change in Funding for Decommissioning Trusts for River Bend and Waterford 3 Nuclear Facilities.</p> <p><b>In re: Discussion and possible vote to retain United Professionals Company.</b></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 \$96,000 in fees and \$3,000 in expenses for a total budget not to exceed \$99,000.</p>

<p><b>Ex. 14</b></p>	<p><b>U-36103</b> – Entergy Louisiana, LLC, ex parte. In re: Application for Approval of a Change in Funding for Decommissioning Trusts for River Bend and Waterford 3 Nuclear Facilities.</p> <p><b>In re: Discussion and possible vote to retain Stone Pigman Walther Wittmann, LLC.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Stone Pigman Walther Wittmann, LLC for a budget of \$138,000 in fees and \$5,000 in expenses for a total budget not to exceed \$143,000.</p>
<p><b>Ex. 15</b></p>	<p><b>Undocketed</b> – Cleco Power LLC, ex parte. In re: Motion for Extension of Time to comply with paragraphs 3, 4, and 6 of the Demand Response Rule adopted in General Order dated May 26, 2021, Docket No. R-35136.</p> <p><b>In re: Discussion and possible vote on Cleco Power’s Motion.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Cleco Power’s Motion for Extension of Time filed into the record on August 20, 2021, with the amendment that the extension apply to all utilities and that if a utility already filed in accordance with the August 24, 2021 deadline, it may replace or supplement its filing on or before the extended deadline.</p>
<p><b>Ex. 16</b></p>	<p><b>1) Reports</b></p> <p>- <b>Report from all impacted jurisdictional utilities on response and restoration efforts to Hurricane Ida.</b></p> <p>Reports, discussion and comments were given from the following utilities:</p> <p>AT&amp;T – Stephanie Doiron  Charter – Brent Golleher  CLECO Power – Andre Guillory  Cox – Erin Wesley and Anthony Pope  DEMCO – Randy Pierce  Eatel – Janet Britton  Entergy Louisiana – Philip May  SLECA – Joe Ticheli  WST – Charles Hill</p> <p>- <b>Report from Staff regarding the continued investigation in Docket No. R-34758 into transmission and generation issues occurring during the February 2021 Winter Storm.</b></p> <p>Lane Sisung, of United Professionals Company, provided an update to the Commission regarding the investigation in Docket No. R-34758 into transmission and generation issues occurring during the February 2021 Winter Storm.</p> <p><b>2) Resolutions</b></p> <p>- <b>Resolution directed to Louisiana’s Congressional Delegation to take any necessary action to ensure federal disaster relief be made available to all Louisiana electric utilities affected by 2020 and 2021 storms, and ultimately the ratepayers and citizens of Louisiana.</b></p>

	<p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, and unanimously adopted, the Commission voted to accept the Resolution directed to Louisiana’s Congressional Delegation to ensure federal disaster relief be made available to all Louisiana electric utilities affected by 2020 and 2021 storms, and ultimately the ratepayers and citizens of Louisiana.</p> <p>3) Discussions</p> <p><b>4) ERSC/OMS/SPP</b></p> <p><b>- Discussion and possible vote to ratify a vote taken by Commissioner Francis acting as the Commission’s representative on the Regional State Committee of the Southwest Power Pool.</b></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 July 26, 2021 as the Louisiana Public Service Commission’s representative to the Regional State Committee of the Southwest Power Pool.</p> <p><b>- 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.</b></p> <p>On motion of Chairman Greene, seconded by Commissioner Francis, with Commissioner Campbell and Commissioner Boissiere concurring, and Vice Chairman Skrmetta abstaining, the Commission voted to ratify Vice Chairman Skrmetta’s votes taken on July 21, 2021 as the Louisiana Public Service Commission’s representative to the OMS Board of Directors.</p> <p><b>- Ratification of LPSC interventions in RTO-related FERC proceedings.</b></p> <p>On motion of Chairman Greene, seconded by Vice Chairman Skrmetta, and unanimously adopted, the Commission voted to ratify Louisiana Public Service Commission interventions without comment in FERC proceedings: ER21-1564, QM21-14, ER21-1720, ER21-1676, ER18-194, ER18-195, ER21-1191, and EL21-90; intervention with comment in ER21-1191; and authorization to file comments in FERC Docket RM21-17.</p> <p>5) Directives</p>
<p><b>Ex. 17</b></p>	<p><b>U-36092</b> – Entergy Louisiana, LLC, ex parte. In re: Test Year 2020 Formula Rate Plan Filing.</p> <p><b>In re: Discussion and possible vote on budget increase for UPC due to an expansion of scope.</b></p> <p><b>At the request of Chairman Greene.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the additional budget for United Professional Company in the amount of \$49,900 in fees and \$0 in expenses for an additional budget not to exceed \$49,900.</p>

<p><b>Ex. 18</b></p>	<p><b>Undocketed</b> – Cleco Power LLC, ex parte. In re: Request for Regulatory Asset for Hurricane Ida Storm Costs.</p> <p><b>In re: Discussion and possible vote on Cleco Power’s Motion.</b></p> <p><b>At the request of Vice Chairman Skrmetta.</b></p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Cleco Power’s motion to establish a regulatory asset for Hurricane Ida storm costs, for accounting purposes only and under the following conditions:</p> <ol style="list-style-type: none"> <li>1) Authorization of the regulatory asset does not guarantee future recovery;</li> <li>2) Any future recovery will be subject to the Commission’s review; and</li> <li>3) Any future recovery is subject to any credits for dollars collected or paid to/received by Cleco Power from other entities for Hurricane Ida storm damages.</li> </ol>
<p><b>Ex. 19</b></p>	<p><b>Undocketed</b> – Directive to Staff regarding Docket No. U-36105.</p> <p><b>At the request of Vice Chairman Skrmetta.</b></p> <p>Vice Chairman Skrmetta directed Staff to retain United Professionals Company (“UPC”) to serve as Staff Consultant on this matter. Additionally, Vice Chairman Skrmetta directed Staff to explore ways to expedite the review of this application, including the potential for approval of a one-year pilot program with the goal of a recommendation by the Commission’s November 2021 B&amp;E meeting. Timely review and consideration are necessary in order to provide the program’s resiliency benefits to ELL customers prior to the 2022 Hurricane Season.</p> <p>Chairman Greene requested that along with this review, UPC also review whether there are alternatives to Entergy’s proposal.</p> <p>There was no opposition.</p>
<p><b>Ex. 20</b></p>	<p><b>Undocketed</b> – FERC Docket Nos. ER21-309 and ER21-2839, Entergy Arkansas, LLC et al.</p> <p><b>In re: Discussion and possible vote on non-objection to Entergy Settlement and intervention of LPSC in Docket No. ER21-2839.</b></p> <p><b>At the request of Vice Chairman Skrmetta.</b></p> <p>On motion of Chairman Greene, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the non-opposition to the settlement and Louisiana Public Service Commission’s intervention in Docket No. ER21-2839 to continue monitoring the settlement agreement as it is considered by FERC.</p>

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, October 20, 2021, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.