

TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS AND EXECUTIVE OPEN SESSION HELD ON DECEMBER 18, 2024 IN NATCHITOCHEES, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN DAVANTE LEWIS, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER ERIC SKRMETTA, AND COMMISSIONER CRAIG GREENE.

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1 **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**
2 **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON DECEMBER 18,**
3 **2024 IN NATCHITOCHEES, LOUISIANA. PRESENT WERE: CHAIRMAN**
4 **MIKE FRANCIS, VICE CHAIRMAN DAVANTE LEWIS,**
5 **COMMISSIONER FOSTER CAMPBELL, COMMISSIONER ERIC**
6 **SKRMETTA, AND COMMISSIONER CRAIG GREENE.**

7 **CHAIRMAIN MIKE FRANCIS:** [INAUDIBLE] order in downtown
8 Natchitoches, Louisiana. This is at the request of Commissioner Campbell. Thank
9 you, Commissioner Campbell, for inviting us here in your home area. We always
10 love to come up here during Christmastime. Let's all rise, we'll have a prayer and
11 our pledge.

12 **[CHAIRMAIN MIKE FRANCIS LEADS IN PRAYER]**

13 **CHAIRMAIN FRANCIS:** Call on Commissioner Lewis and I'll raise the flag. Is
14 this the right direction? Okay. Sorry. Okay. Go ahead, Commissioner Lewis.

15 **[VICE CHAIRMAIN DAVANTE LEWIS LEADS PLEDGE]**

16 **CHAIRMAIN FRANCIS:** You know I was a Boy Scout. I keep this in my
17 billfold. You know what the Boy Scout motto is, huh?

18 **COMMISSIONER ERIC SKRMETTA:** Be prepared.

19 **CHAIRMAIN FRANCIS:** Be prepared. Okay. Thank y'all for coming. Y'all
20 make yourselves at home. It's always good to come up to Natchitoches. Some of
21 you don't know this, but the five Commissioners, we meet once a year. Most of
22 the time it's in Baton Rouge, but all -- each one of us has a chance to have a meeting
23 in our home district. Coming up in April, I'll have mine back at Toledo Bend, so

1 many of you asked to go back there. Commissioner Campbell asked us to come up
2 here, so we're pleased to be here in Natchitoches. So, Kathryn, we have any
3 announcements? I know Commissioner Skrmetta has one announcement for us.

4 **MS. KATHRYN BOWMAN:** Yes, sir. Staff does not have any announcements.
5 No, sir.

6 **CHAIRMAN FRANCIS:** All right. Commissioner Skrmetta, go ahead.

7 **COMMISSIONER SKRMETTA:** Thank you. You know, I've been doing this
8 every year at Christmas, and I'd like to do it again. And it's about the -- how people
9 from my generation, a lot of us, besides catechism in church, we learned about
10 Christmas on television. And we learned [INAUDIBLE] it through the Peanuts
11 special and about Charlie Brown's search for the meaning of Christmas. And
12 Charlie Brown, on television, asked if there was anyone who knew what Christmas
13 was about, and Linus stepped up and told him that he knew what Christmas was all
14 about. And Linus stepped up and he said -- he asked them to turn the lights on
15 [INAUDIBLE] got a spotlight. And he said, and there was -- then there were in the
16 same country shepherds abiding in the field, keeping watch over their flock by
17 night. And, lo, the angel of the Lord came upon them, and the glory of the Lord
18 shone round about them, and they were sore afraid. And the angel said unto them,
19 fear not, for behold, I bring you good tidings of great joy, which shall be to all
20 people. For unto you is born this day in the city of David, a savior, which is Christ
21 the Lord, and this shall be a sign unto you. You shall find the babe wrapped in
22 swaddling clothes, lying in a manger. And suddenly, there with the angel, a
23 multitude of the heavenly host praising God and saying, glory to God in the highest,

1 and on peace -- and on earth, peace, good will towards men. And that, my friends,
2 is what Christmas is all about. Thank you.

3 **CHAIRMAIN FRANCIS:** Thank you, Commissioner Skrmetta. Commissioner
4 Lewis?

5 **VICE CHAIRMAIN DAVANTE LEWIS:** Thank you, Mr. Chairman. One
6 announcement that I would like to take a moment is to mourn the loss of Ms.
7 Delores Gabriel from Avondale. If you were not aware, there was an explosion --
8 a gas explosion in my district at the beginning of this month, and Ms. Gabriel was
9 an 87-year-old long time resident of Avondale who sadly lost her life in that
10 explosion. There were five others who were injured. So, I wanted to take a moment
11 at this meeting to offer a moment of silence for Ms. Gabriel and all of her family
12 and community in St. Gabriel -- excuse me, in Avondale, I mean.

13 **CHAIRMAIN FRANCIS:** Commissioner Campbell, you have something to say?

14 **COMMISSIONER FOSTER CAMPBELL:** Yeah, I do. Thank you. Appreciate
15 everybody coming. I come to Natchitoches every year when I have a chance to. I
16 love Natchitoches; y'all know this. Natchitoches is older than the city of New
17 Orleans. It's the oldest city in the Louisiana Purchase. People here are nice. I'm
18 especially proud of Natchitoches. I have a farm here in Natchitoches Parish, and
19 the people here are very gracious, nice, hospitable people. And nothing's prettier
20 than Natchitoches in the Christmastime. So, I hope y'all enjoy your visit. Nice
21 people, nice place, good food; nothing like it in Louisiana. Nothing like it in
22 Louisiana. Thank you for coming, and I'll see y'all here next year if I'm able to
23 come. See you here next year. Thank you.

1 **CHAIRMAN FRANCIS:** Commissioner Lewis?

2 **VICE CHAIRMAN LEWIS:** Thank you, Mr. Chairman. One note, recently

3 Louisiana’s Department of Energy and Natural Resources was granted and funded

4 \$156 million to deploy rooftop and community solar here across Louisiana. They

5 have named this plan Solar For Y’all. I’ve been in talks with the department, our

6 Staff, and the grantees, and it has come to our attention that part of getting these

7 projects moving will involve some kind of process here at the Commission in an

8 evaluation of how this program will work within our rules. The first tranche of this

9 dollars are being planned in my district for New Orleans, seemingly for policy

10 clarity reasons. And that being the case, I’d like to -- I’d like to us have a position

11 on our jurisdictional customers and the rest of the state, to find a solution to ensure

12 that we also receive deployment of these projects in the most efficient way possible

13 and fully capture the opportunities of the Solar For Y’all grant program that

14 presents to us. So, I’ve been asking, and I am asking Staff to work with Secretary

15 Gray and the Louisiana Department of Energy and Natural Resources to get a better

16 sense of where we fit into this process, sketch out a road map, and let us know if

17 any docket or procedures have to happen here at the Commission to ensure the

18 remaining areas in Louisiana can receive some of this funding. So, I just wanted to

19 make that announcement for Staff to see if we can continue working with the

20 Department of Energy and Natural Resources to ensure that the rest of our districts

21 can receive some of this grant funding that is going to be deployed next year.

22 **COMMISSIONER CAMPBELL:** I appreciate you doing that. I appreciate you

23 doing that. And you’re right, you’re right.

1 **CHAIRMAIN FRANCIS:** Kathryn, you have any questions or any comments
2 about that?

3 **MS. BOWMAN:** No, sir. I can get with Commissioner Lewis after, and we've
4 already been talking with Department of Energy and Natural Resources and
5 Secretary Gray. So, we could easily continue those conversations.

6 **CHAIRMAIN FRANCIS:** All right. Are there any other announcements?
7 [NONE HEARD] Had the privilege of having dinner last night with the President
8 of the university of Northwestern, Jimmy Genovese. And he was a former Supreme
9 Court Justice and I think they really got a good new man here to lead the university.
10 I know I attended Northwestern and so did Commissioner Campbell. I think he
11 finished. I come up a little bit short, but anyhow, we both attended here. And,
12 Commissioner Campbell, one of the things that the new president is going to be
13 doing is twisting some arms for the alumni to raise some more money to make this
14 a great -- a greater university. So, just wanted to give you a warning that he'll be
15 calling you. All right. Any other announcements? [NONE HEARD] Hearing
16 none, seeing none. Ms. Kathryn, would you get started?

17 **MS. BOWMAN:** Yes, sir. So, Exhibit Number 2 is undocketed and it is the 2025
18 proposed Business and Executive session schedule. It's a discussion and possible
19 vote to accept the 2025 proposed schedule. The proposed schedule is as follows:
20 January 15th, February 19th, March 26th, April 16th, May 21st, June 18th, there will
21 be no meeting in July, August 20th, September 17th, October 22nd, November 19th,
22 and December 17th. And Staff recommends that the Commission adopt the 2025
23 proposed schedule.

1 **COMMISSIONER SKRMETTA:** Move to adopt.

2 **VICE CHAIRMAN LEWIS:** Second.

3 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta, seconded by
4 Commissioner Lewis for this new schedule for next year. Is there any comments
5 or questions? I've got a comment. We have April 16th; we'll have it at Toledo
6 Bend at the Cypress Bend, so just tell all the folks, April 15th, get your fishing poles
7 and shorts and flip-flops on and come on up to Toledo Bend. We're going to have
8 another great meeting. I always enjoy that, and most of you do. So, thank you for
9 that.

10 **EXECUTIVE SECRETARY BRANDON FREY:** And, Commissioner -- I'm
11 sorry, Mr. Chairman, on that note, too, for the rest of you, I know Commissioner
12 Campbell said December he'd like to have here again. So, just kind of be aware.
13 And I've talk to Commissioner-Elect Coussan, and he's already looking at a
14 potential Lafayette meeting maybe in the late summer, so. And he's seen these
15 dates, too, and is good with them. Just make sure y'all know that as well. I've
16 shared them with him, so. But, yeah, let us know as soon as you can. You know,
17 we got to plan these things, but that gives us plenty lead on the April meeting.

18 **CHAIRMAN FRANCIS:** By the way, I forgot to mention Commissioner Greene
19 is on his way. He had -- is coming up in an airplane and they were kind of fogged
20 in in Baton Rouge, but I understand he's traveling, so hopefully he should be here
21 pretty soon. And this will be his last meeting, so we really congratulate him for his
22 service. Okay. Kathryn.

1 **MS. BOWMAN:** So, moving to Exhibit Number 3, it's Docket Number S-37227.
2 This is Pointe Coupee Electric Membership Corporation's request for a letter of
3 non-opposition to borrow funds for the cooperative's construction workplan,
4 discussion, and possible vote on a Staff report and recommendation. On June 4,
5 2024, Pointe Coupee filed its request for a letter of non-opposition and notice was
6 filed in the Commission's Bulletin with no interventions received. In its request,
7 Point Coupee seeks to enter into a loan agreement valued at approximately \$30
8 million for a 5-year period with the FFB at a favorable interest rate compared to
9 other lenders. The long-term loan allows the company to continue to make its
10 capital improvements and eventually secure funding from RUS. On November 26,
11 2024, Staff filed its report and recommendation into the record, where they
12 concurred with Pointe Coupee's assertion that the request is in the public interest
13 and will have no adverse effects on rates and terms of service conditions for Pointe
14 Coupee's members. Staff further recommended that the Commission express
15 its non-opposition to Pointe Coupee's request, subject to the Commission's standard
16 conditions regarding loans. On December 3, 2024, Pointe Coupee filed
17 correspondence into the record indicating their acceptance of Staff's report without
18 objection. As there are no unresolved issues, Staff recommends that the
19 Commission accept Staff's report and recommendation filed into the record on
20 November 26, 2024.

21 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

22 **VICE CHAIRMAN LEWIS:** I'll second.

1 **CHAIRMAIN FRANCIS:** Move by Commissioner Skrmetta, seconded by
2 Commissioner Lewis. Is there any discussion? [NONE HEARD] Hearing none.

3 **VICE CHAIRMAIN LEWIS:** Yes, Mr. Chairman. I just -- really quickly, I just
4 wanted to publicly thank PC Electric for pursuing these low interest sources of
5 funding. I know it is a hard thing. I know some utilities hesitate to go for this
6 federal funding because of the hoops that you have to go through, and there's a lot
7 of accountability and new eyes and work being done. And so, I just wanted to thank
8 Pointe Coupee Electric for not being -- for not scaring off on this process and I
9 celebrate your dedication to your members to keep the focus on the cheapest source
10 of capital to fund these projects and to keep their lights on. So, I did not want the
11 record to go unmentioned of the hard work I know you're having to put into this,
12 but I think it's the best decision, so I wanted to publicly thank you, Myron, for your
13 leadership in doing that.

14 **CHAIRMAIN FRANCIS:** I'd also like to thank Myron for his hard work moving
15 things forward. So, Number 3 is approved; it's in the book. Number 4.

16 **MS. BOWMAN:** Exhibit Number 4 is Docket Number S-37329. This is Northeast
17 Louisiana Power Cooperative's request for a letter of non-opposition to refinance
18 the current balance of the cooperative's line of credit. It's a discussion and possible
19 vote on a Staff report and recommendation. On July 15, 2024, Northeast filed its
20 request for a letter of non-opposition, which was published in the Commission's
21 Official Bulletin, and no interventions were received. In the request, NELPCO
22 sought to enter into a loan agreement valued at approximately \$4 million with
23 CoBank for a five-year fix, 30-year amortization. The loan would refinance the

1 balance of an existing line of credit with CoBank that NELPCO currently maintains
2 at a higher market interest rate of a variable 8.28 percent. On November 26, 2024,
3 Staff filed its report and recommendation into the record, where they concurred
4 with NELPCO's assertion that the request is in the public interest and will have no
5 adverse effects on rates and terms of service and conditions for NELPCO's
6 members. Staff further recommend that the Commission express its non-opposition
7 to the request, subject to the Commission's standard conditions regarding loans.
8 As there are no unresolved issues, Staff recommends that the Commission accepts
9 the Staff report and recommendation filed into the record on November 26, 2024.
10 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.
11 **VICE CHAIRMAIN LEWIS:** I'll second.
12 **CHAIRMAIN FRANCIS:** Move by Commissioner Skrmetta, seconded by
13 Commissioner Lewis. Any discussion? I want to thank Jeff Churchwell and all the
14 Northeast folks for their hard work. So, Number 4 is approved. Number 5.
15 **MS. BOWMAN:** Exhibit Number 5 is Docket Number S-37377. It's Baton Rouge
16 Water Works Company, doing business as Baton Rouge Water Company's request
17 for a letter of non-opposition to enter into a note purchase agreement. It's a
18 discussion and possible vote on a Staff report and recommendation. On September
19 10, 2024, Baton Rouge Water's request was filed pursuant to the Commission's
20 General Order dated November 13, 1996, wherein it sought to enter into this
21 purchase agreement, which will be used to finance capital improvement projects.
22 The request was published in the Commission's Official Bulletin, and no
23 interventions were received. The note issuance will have -- will be comprised of

1 senior notes totaling approximately \$30 million and will have a bullet maturity of
2 up to 30 years with semiannual interest payments. On December 4, 2024, Staff
3 filed its report and recommendation into the record, and based on the analysis
4 conducted therein, Staff concurred that the transaction is in the public interest and
5 have no immediate effect on rates or terms of service conditions for Baton Rouge
6 Water customers. Staff does understand that the transaction may have an impact
7 on future rates and will be subject to review in Baton Rouge Water's future FRP
8 reviews if a continuance is requested. Otherwise, it will be subject to review in
9 subsequent rate cases. Staff also recommended that the Commission expresses
10 non-opposition to the request, authorizing Baton Rouge Water Company with
11 regulated subsidiaries as guarantors to enter into the note purchase agreement,
12 subject to the Commission's standard conditions on loans. As there are no
13 unresolved issues, Staff recommends that the Commission accepts Staff's report
14 and recommendation filed into the record on December 4, 2024.

15 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

16 **VICE CHAIRMAIN LEWIS:** Second.

17 **CHAIRMAIN FRANCIS:** Commissioner Skrmetta moved to accept Staff
18 recommendation on Exhibit 5, seconded by Commissioner Lewis. There any
19 objection or further discussion? [NONE HEARD] Hearing none, Exhibit 5 is
20 approved.

21 **MS. BOWMAN:** Exhibit Number 6 is Docket Number S-37378. It's Louisiana
22 Water Company's request for a letter of non-opposition to enter into a note purchase
23 agreement. It's a discussion and possible vote on Staff's report and

1 recommendation. On September 10, 2024, LAWCO filed its instant request
2 pursuant to the Commission’s General Order dated November 13, 1996, which was
3 published in the Commission’s Official Bulletin with no interventions. LAWCO
4 seeks to enter into a note purchase agreement to finance capital improvement
5 projects and the note issuance will be compromised of senior notes totaling
6 approximately \$7 million and will have a bullet maturity of up to 30 years with
7 semiannual interest rates. On December 4, 2024, Staff filed its report and
8 recommendation into the record, and based on the analysis conducted therein,
9 concurred that the transaction is in the public interest and will have no immediate
10 effect on rates or terms of service conditions for LAWCO’s customers. However,
11 the transaction may have an impact on future rates and will be subject to review in
12 LAWCO’s future FRP reviews if a continuance is requested, or in a subsequent rate
13 review case. Staff also recommended that the Commission expresses non-
14 opposition to the request, subject to the Commission’s standard conditions
15 regarding loans. As there are no unresolved issues, Staff recommends that the
16 Commission accept the Staff report and recommendation filed into the record on
17 December 4, 2024.

18 **COMMISSIONER SKRMETTA:** Move to accept the Staff recommendation.

19 **VICE CHAIRMAIN LEWIS:** Second.

20 **CHAIRMAIN FRANCIS:** Commissioner Skrmetta moved to accept Staff
21 recommendation, seconded by Commissioner Lewis. Any discussion or objection?

22 [NONE HEARD] Hearing none, Exhibit 6 is approved. And I want to ask for the

1 opinion of the other Commissioners on -- Exhibit 7 is going to be a lengthy
2 discussion. Y'all have any problem with moving it to the last vote, so we --
3 **COMMISSIONER CAMPBELL:** I want to wait 'til Mr. Greene gets here.
4 **CHAIRMAIN FRANCIS:** All right. Good. So, that's perfect. Well, let's -- Ms.
5 Kathryn, we'll move 7 to the end, would you, please?
6 **MS. BOWMAN:** Yes, sir.
7 **CHAIRMAIN FRANCIS:** All right.
8 **MS. BOWMAN:** So, moving to Exhibit Number 8, we have Docket Number U-
9 37441. This is 1803 Electric Cooperative's petition for qualification of 1803
10 Electric Cooperative facilities as transmission facilities and approval of transfer of
11 functional control of transmission facilities to MISO. This is a discussion and
12 possible vote to retain Stone Pigman for an under 50,000 solicitation. 1803 filed
13 the instant request with the Commission on November 19th, and upon review, Staff
14 determined the assistance of outside counsel and consultant was necessary. Also,
15 based on Staff's review, Staff determined an initial review and recommendation on
16 1803's request could be completed for under \$50,000 assuming there's no
17 intervenor opposition or a contested hearing is necessary. Given 1803's request is
18 substantially related to MISO, and Staff's opinion is that the analysis can be
19 completed for under \$50,000, Staff solicited Stone Pigman pursuant to the
20 Commission's November 10, 2024 General Order. Staff solicitation -- in response
21 to Staff solicitation, Stone Pigman responded with a bid proposal of 48,000 in fees
22 and 1,500 in expenses with discounted hourly rates. Staff recommends that the

1 Commission retain Stone Pigman for 48,000 in fees and 1,500 in expenses for a
2 total budget not to exceed of 49,500.

3 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

4 **VICE CHAIRMAN LEWIS:** Second.

5 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moved to accept Staff
6 recommendation on Exhibit 8. Seconded by Commissioner Lewis; is that right?

7 **VICE CHAIRMAN LEWIS:** Yes, sir.

8 **CHAIRMAN FRANCIS:** Okay. Any discussion, objection? [NONE HEARD]
9 Hearing none, Exhibit 8 is in the history book.

10 **MS. BOWMAN:** Exhibit 9 is the same docket number, but it's a discussion and
11 possible vote to retain United Professionals Company also for an under 50,000
12 solicitation. And given the same analysis and same assumptions, Staff solicited
13 UPC pursuant to the Commission's November 10, 2024 General Order. In response
14 to that solicitation, UPC responded with a bid proposal of 47,500 in fees and 2,000
15 in expenses that were discounted hourly rates. Staff recommends that the
16 Commission retain UPC for 47,500 in fees and 2,000 in expenses for a total budget
17 not to exceed of 49,500.

18 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

19 **VICE CHAIRMAN LEWIS:** Second.

20 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to accept Staff
21 recommendation on Exhibit 9, seconded by Commissioner Lewis. Any
22 discussions? [NONE HEARD] Hearing none, it passed. Number 10.

1 **MS. BOWMAN:** Exhibit Number 10 is reports, resolutions, and ratifications. We
2 do have just two vote ratifications this -- excuse me, two ratifications this month.
3 The first is a discussion and possible vote to ratify interventions of the Commission
4 in RTO related or other FERC regulatory proceedings. And this is pursuant to the
5 scope of work and retention of Stone Pigman and United Professionals at the 2021
6 B&E in February for, MISO, SPP, and ERSC participation. And due to the short
7 deadlines allowed for these interventions if advanced Commission approval is not
8 possible, the Executive Secretary on the recommendation of either UPC or Stone
9 Pigman may authorize the initial interventions, comments, or protests subject to
10 ratification at a following B&E. Doc-less interventions were filed on the
11 Commission's behalf for the purpose of monitoring issues related to MISO in
12 FERC Docket Numbers ER25-507 and ER25-579. Staff recommends that the
13 Commission ratify these actions.

14 **COMMISSIONER SKRMETTA:** Move to ratify the actions of the Staff.

15 **CHAIRMAN FRANCIS:** Seconded by Commissioner -- Chairman. Motion by
16 Commissioner Skrmetta. Any objection? [NONE HEARD] Hearing none, it's
17 ratified.

18 **MS. BOWMAN:** We also -- I'm sorry.

19 **CHAIRMAN FRANCIS:** Commissioner Campbell?

20 **COMMISSIONER CAMPBELL:** I need to say something.

21 **CHAIRMAN FRANCIS:** Okay. Go ahead, Campbell.

22 **COMMISSIONER CAMPBELL:** I apologize for not recognizing a couple
23 people we're all familiar with. Bill Robertson's here today from Shreveport. Bill

1 worked for me 20 years at the Public Service Commission. He's always been
2 interested and has always been a real forward thinker on renewable energy. Bill
3 worked with me very hard, helped me a lot. And then Malcolm Smoak is here
4 today. Malcolm is a former president of SWEPCO and he drove down from Bossier
5 today to talk to us. He's going to testify a little bit later and Malcolm did a great
6 job up at SWEPCO. We all liked him. And so appreciate you coming, Malcolm,
7 and I appreciate you coming, Bill, to say hello to a lot of your old friends. Thank
8 you.

9 **CHAIRMAN FRANCIS:** Welcome back, Bill and Malcolm. I'd also like to
10 recognize a Northwestern graduate that's here, is on my Staff. He's just visiting
11 here, Clint Person. Clint, stand up and let everybody see you. He's been with us
12 several years. A good -- great guy and a Northwestern graduate. Also, Clint was
13 President of the Republican -- College Republicans at Northwestern, too. That's
14 another good one here. Okay. Got to keep a balance with the other party, you
15 know. Okay. Go ahead Kathryn.

16 **MS. BOWMAN:** Yes, sir. So, we are still on Exhibit Number 10. We have an
17 OMS vote ratification. It's a discussion and possible vote to ratify votes takes by
18 Commissioner Skrmetta acting as the Commission's representative on the Board of
19 Directors of the organization of MISO States. The Staff followed the protocols set
20 forth in Special Order 17-2019 to consult with the Executive Secretary and the
21 Chairman and to make a recommendation to Commissioner Skrmetta prior to the
22 votes. The protocols also require that the votes be ratified at a following B&E.
23 OMS prepared an answer in FERC Docket Number EL14-12 and EL15-45

1 opposing the request for late intervention and request for rehearing by WIRES and
2 the Edison Electric Institute in the FERC remand proceedings related to MISO's
3 transmission tariff ROE. Based on Staff's recommendation, the Commission voted
4 in support of the OMS answer. OMS prepared an answer in support of the
5 Commission rehearing request in FERC Docket Number EL14-12 and EL15-45
6 related to correction of the FERC's use of the CAPM model. The Commission
7 voted in support of that rehearing request. OMS prepared an answer opposing the
8 rehearing request of several MISO transmission owners in FERC Docket Number
9 EL14-12 and EL15-45 and the OMS answer supports extended customer refunds
10 which are being challenged by the transmission owners of the rehearing request.
11 The Commission voted in support of that as well. Staff recommends that the
12 Commission ratify the Commission's votes taken on December 3rd and December
13 9, 2024, which supported additional refunds to customers and corrections to the
14 CAPM model.

15 **COMMISSIONER SKRMETTA:** Skrmetta abstains.

16 **MS. BOWMAN:** Skrmetta abstains.

17 **VICE CHAIRMAN LEWIS:** Motion to ratify Commissioner Skrmetta's votes at
18 OMS.

19 **CHAIRMAN FRANCIS:** Chair second that. There any other discussion or
20 objection? [NONE HEARD] Hearing none, that vote is ratified. Okay.

21 **MS. BOWMAN:** Exhibit Number 11 is Docket Number U-37193. This is Entergy
22 Louisiana's application for approval of Magnolia Power, LLC's capacity credits
23 purchase agreement including cost recovery. It's a discussion and possible vote on

1 an uncontested stipulated settlement at the request of Commissioner Greene. On
2 May 3, 2024, Entergy filed the instant application seeking certification, in
3 accordance with the Commission’s General Order dated September 20, 1983, of a
4 10-year capacity credit purchase agreement for 290 megawatts of capacity related
5 benefits from Magnolia located in Iberville Parish. In response to the application,
6 timely interventions were received from LEUG, the Alliance, 1803 Electric
7 Cooperative, and Occidental Chemical. In its application, Entergy indicated a
8 projected need of additional long-term generating capacity over the course of the
9 planning horizon and that Magnolia CCPA hopes to ensure that company is able to
10 reasonably satisfy its needs for capacity to meet its MISO resource adequacy and
11 long-term resource planning requirements in the near term. The CCPA did not
12 originate from a traditional utility-issued RFP. In August of 2023, Kindle Energy
13 issued a RFP soliciting bids for capacity, energy, or bundled energy and capacity
14 for the Magnolia facility. Following an economic analysis conducted by Entergy,
15 it submitted an offer for the 290 megawatts of capacity credits with a 10-year term
16 commencing on June 1, 2025. After discovery and filing of testimony, the parties
17 began settlement negotiations, and on December 9, 2024, the parties executed and
18 filed an uncontested stipulated settlement term sheet pursuant to Commission’s
19 Rule 6. The major terms are as follows: The Magnolia CCPA serves the public
20 convenience and necessity; is in the public interest and is, therefore, prudent in
21 accordance with the Commission’s 1983 General Order; and either meets the
22 requirements for an alternative market-based mechanism or procedure required by
23 the MBM, or in the alternative, is exempt from any applicable unmet requirements

1 of the MBM Order; and meets the Commission's public interest standard. The costs
2 incurred by Entergy under the Magnolia CCPA are deemed eligible for recovery
3 for customers subject to provisions of the term sheet. And to the extent Entergy
4 acts prudently in its decision making and in exercising its rights and remedies under
5 the Magnolia CCPA, Entergy and its shareholders shall not be responsible beyond
6 the rights and remedies specified therein absent imprudence on Entergy's part.
7 Entergy also has an ongoing affirmative obligation to prudently manage and
8 administer the Magnolia CCPA for the benefit of its customers through the term of
9 the contract. As there are no unresolved issues, Staff recommends that the
10 Commission approve the uncontested stipulated settlement filed into the record on
11 December 9, 2024.

12 **CHAIRMAN FRANCIS:** In the absence of Commissioner Greene, I'd like to
13 make a motion we --

14 **COMMISSIONER SKRMETTA:** Second.

15 **CHAIRMAN FRANCIS:** -- accept Exhibit Number 11. Seconded by
16 Commissioner Skrmetta. Any other discussion, comments? [NONE HEARD]
17 Hearing none, 11 is in the books.

18 **MS. BOWMAN:** Exhibit Number 12 is Docket Number U-37212. This is 1803
19 Electric Cooperative's application for approval of revisions to wholesale formula
20 rate tariff, adjustment clauses, and formula rate plan. It's a discussion and possible
21 vote pursuant to Rule 57 of the Commission's rules for an uncontested stipulated
22 settlement, so this will need two votes and it's at the request of the Chair. On May
23 21, 2024, 18 filed the instant application which sought to revise its initial wholesale

1 rate tariff, adjustment clauses, and formula rate plan in order to maintain the
2 financial covenants and cash flow necessary for its operations and to ensure the
3 provisions of reliable service to its members at the lowest reasonable cost. Notice
4 of the application was published in the Commission's Official Bulletin and no
5 interventions were received. Following discovery, Staff filed its testimony, and on
6 October 15, 2024, 1803 filed rebuttal testimony. Thereafter, the parties entered into
7 settlement negotiations, and on December 10, 2024, 1803 and Staff entered into an
8 uncontested stipulated settlement, which was filed into the record seeking a
9 December vote. The major terms of the settlement are as follows: 1803 is
10 authorized to amend the wholesale rate tariff and its power cost adjustment and its
11 FRP to be consistent with the settlement; and 1803 is authorized to implement a
12 transmission and distribution cost adjustment clause which provides for the
13 recovery of MISO network transmission service costs, other applicable third-party
14 transmission service costs, and owned transmission and distribution functional
15 plant and operating costs incurred prior -- to provide service pursuant to the tariff.
16 As there are no unresolved issues, Staff recommends that the Commission: 1)
17 Exercise its original and primary jurisdiction pursuant to Rule 57 to consider this
18 matter; and 2) Accept the uncontested stipulated settlement filed into the record on
19 December 10, 2024.

20 **COMMISSIONER SKRMETTA:** Move to bring the matter up under Rule 57.

21 **VICE CHAIRMAN LEWIS:** Second.

1 **CHAIRMAN FRANCIS:** Request for 57 from Commissioner Skrmetta, seconded
2 by Commissioner Lewis. Any objections or discussion? [NONE HEARD]
3 Hearing none, move to 57.

4 **COMMISSIONER SKRMETTA:** Move to accept the uncontested stipulated
5 settlement.

6 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to accept Exhibit 12.

7 **COMMISSIONER CAMPBELL:** If I can ask a question.

8 **CHAIRMAN FRANCIS:** And there's a second? And we have a --

9 **VICE CHAIRMAN LEWIS:** I'll second the motion.

10 **CHAIRMAN FRANCIS:** Okay. The second by Commissioner Lewis and so we
11 have a discussion from Commissioner Campbell.

12 **COMMISSIONER CAMPBELL:** Somebody want to tell me about 1803, where
13 we are, and what's the progress, and what's the --

14 **CHAIRMAN FRANCIS:** Some representatives from 1803, come up. We'll do a
15 little Q&A here. We know who you are, but state your name for the record, please.

16 **MR. KYLE MARIONNEAUX:** Commissioners, Kyle Marionneaux with
17 Marionneaux Kantrow Law Firm on behalf of 1803 Electric Cooperative.

18 **COMMISSIONER CAMPBELL:** Kyle, you represent 1803?

19 **MR. MARIONNEAUX:** Yes, sir.

20 **MR. BRIAN HOBBS:** Brian Hobbs, Commissioners. Good morning. CEO at
21 1803 Electric Cooperative.

22 **COMMISSIONER CAMPBELL:** And how many co-ops are in this, five?

1 **MR. HOBBS:** So, we have five-member co-ops that are taking all requirement
2 service, power supply, and delivery. And we have one-member co-op that is taking
3 delivery services only.

4 **COMMISSIONER CAMPBELL:** You know, when we passed this, I voted for
5 it, and we voted for it understanding y'all were going to have cheaper rates. That
6 was what you were telling people. Is that still the truth?

7 **MR. HOBBS:** So, as I've said it several times, everybody's costs have gone up,
8 but when we look at our costs compared to the other options that we looked at at
9 the time, we are still lower.

10 **COMMISSIONER CAMPBELL:** You know, you were telling people, and I
11 voted for it, I was glad you -- it was going to be 20 percent cheaper than the
12 investor-owned companies. Are you still going to be there?

13 **MR. HOBBS:** We just, about three months ago, four months ago, did an analysis
14 where we went back and looked at all the proposals that we had at the time and did
15 a comparison where we're projecting our cost and those costs and it was about 17
16 percent difference.

17 **COMMISSIONER CAMPBELL:** About how much?

18 **MR. HOBBS:** Seventeen.

19 **COMMISSIONER CAMPBELL:** Cheaper?

20 **MR. HOBBS:** Yes.

21 **COMMISSIONER CAMPBELL:** Than Entergy, for example, down your way?

22 **MR. HOBBS:** Not Entergy, lower cost compared to the other options we had at
23 the time we were arranging our power supply.

1 **COMMISSIONER CAMPBELL:** I didn't understand it that way. I understood
2 that y'all were going to be 20 percent, which I understand it's 17, 20 percent
3 cheaper than the investor-owned companies. That's what I heard when y'all wanted
4 to form this 1803.

5 **MR. MARIONNEAUX:** Yeah. I mean the comparison that was made with the
6 20 percent was as opposed to the other orders -- I mean, the other offers that were
7 made. That's what it was about.

8 **COMMISSIONER CAMPBELL:** So, what are you going to be now? You're
9 going to be cheaper than the investor-owned companies?

10 **MR. HOBBS:** I haven't done that specific comparison because, again, 1803 is
11 wholesale cost only, and then at the retail level, each distribution co-op has their
12 costs on top of that.

13 **COMMISSIONER CAMPBELL:** Well, you ought to do that because let me --
14 you know, look I voted for it. But I voted for it with your word, being very specific,
15 that 1803 was going to be cheaper than the investor-owned companies by 20
16 percent. That's what you said.

17 **MR. HOBBS:** Well, sir, I went back, at the request of the Commission, and looked
18 at the testimony at the time, and the testimony was that we're about 20 percent
19 lower than the next best option that we had as part of that certification. And we
20 looked at it a few months ago and we're still about 17 percent below that option.

21 **COMMISSIONER CAMPBELL:** So, let me ask you a quick -- let me ask you a
22 question. Maybe you can't answer it, but I'm not trying to -- I'm just seeking
23 information. Okay. Entergy Louisiana at 1,000 kilowatts is 12.6 cents; for 1,250,

1 they're 15.1 cents; 1,500, they're 17 cents. You're going to be right -- you're going
2 to be able to go cheaper than that; do you know -- think?

3 **MR. HOBBS:** So, again, we're the wholesale cost component only. Each
4 distribution co-op adds their retail cost to operate their --

5 **COMMISSIONER CAMPBELL:** I got it.

6 **MR. HOBBS:** -- system on top of our wholesale cost and we have the delivery
7 cost at the transmission level as well. Our wholesale cost, when we looked at it at
8 the request of this Commission, is still projected below what our other option were
9 at that time and that's what we've represented.

10 **COMMISSIONER CAMPBELL:** Well.

11 **MR. MARIONNEAUX:** And, Commissioner, the -- I guess, the answer to the
12 question you're asking is they haven't done that analysis and, I guess, Brian, if you
13 can -- I mean, that would involve also doing a projection of what the IOU's rate
14 will be, you know. So, I mean, it's a different analysis than what was asked and
15 what was, you know -- what the comparison was in the first place.

16 **COMMISSIONER CAMPBELL:** It was specifically known, one of your main
17 selling points, you're going to be cheaper than the other people. The rates would
18 be cheaper. I'm talking about bottom line rates, I'm not talking about wholesale
19 rates, this rate, and add-ons and all that. That it was going to be cheaper. Why
20 don't you say something? This man from back here, he knows what he was talking
21 about. He asked me to vote for this.

22 **MR. JEFF CHURCHWELL:** Yes, sir, I did. Jeff Churchwell, Northeast
23 Louisiana Power Co-op, President of the 1803 board. Thank y'all for having us.

1 Commissioner, what I can tell you is when we look at our rates today and we present
2 it to our board, our rates range anywhere from 6.8 cents up to 8 cents, wholesale
3 cost, all in, transmission charges, every component of our bill that Northeast gets.
4 So, they put it in -- they break it out into per kilowatt hour charge and you can see
5 what our retail rate is compared to everybody else each month. We're -- I mean, I
6 guess, it's month over month. Every now and then somebody will knock us off the
7 lowest in the state perch, but what we see is a rate stability for Northeast and its
8 membership through 1803 relative to what we have to date and what that's going
9 to mean is that volatility in our wholesale rate that we're getting currently is going
10 to be mitigated through the -- through us being a member of 1803. It's going to
11 have a positive impact on the membership at Northeast.

12 **COMMISSIONER CAMPBELL:** Well, I remember you saying that and I'm
13 looking at your rates here. For 1,000 kilowatts, you're at 11, which is good
14 compared to the rest of them. And so you think this is going to help you?

15 **MR. CHURCHWELL:** Yes, sir. I believe that we'll see that come down some
16 for sure, just because of the rate stability that we're going to have.

17 **COMMISSIONER CAMPBELL:** Who are the other people in 1803? What other
18 [INAUDIBLE]?

19 **MR. CHURCHWELL:** So, we have Washington-St. Tammany.

20 **COMMISSIONER CAMPBELL:** Hold on. Okay.

21 **MR. CHURCHWELL:** SLECA is a member.

22 **COMMISSIONER CAMPBELL:** Okay.

23 **MR. CHURCHWELL:** Beauregard Electric.

1 **COMMISSIONER CAMPBELL:** Well, SLECA needs some help.

2 **MR. CHURCHWELL:** They're going to take advantage of this rate stability as

3 well. Yes, sir. Beauregard Electric.

4 **COMMISSIONER CAMPBELL:** They need help, too.

5 **MR. CHURCHWELL:** Yes, sir. They're going to get it.

6 **COMMISSIONER CAMPBELL:** They're ahead of -- way ahead.

7 **MR. CHURCHWELL:** Yes, sir.

8 **COMMISSIONER CAMPBELL:** At 14 cents.

9 **MR. CHURCHWELL:** And Claiborne Electric is our fifth in the all requirements

10 piece. And then we have Pointe Coupee Electric, or PC Electric, is our transmission

11 -- they're only taking the transmission services at this time.

12 **COMMISSIONER CAMPBELL:** Well, I'm just wanting an update because

13 you're still saying you're going to be cheaper, right?

14 **MR. CHURCHWELL:** Yes, sir.

15 **COMMISSIONER CAMPBELL:** Okay. That's what you said at first and I'm -

16 -

17 **MR. CHURCHWELL:** And you can hold me to it. I know you will.

18 **COMMISSIONER CAMPBELL:** I've been holding you to it.

19 **MR. CHURCHWELL:** I know, I know. And I don't mind it.

20 **COMMISSIONER CAMPBELL:** I voted for it because you told me what it was

21 going to do.

22 **MR. CHURCHWELL:** I believe it with all my heart. You know, we've had a --

23 we've added some services from the original --

1 **COMMISSIONER CAMPBELL:** Why don't you tell your fellow members, give
2 them the secret of your operation? They could use it.

3 **MR. CHURCHWELL:** I will. Just please don't make me do it right here, right
4 now.

5 **COMMISSIONER CAMPBELL:** They need some help.

6 **MR. CHURCHWELL:** I'll put it in a work paper; how about that?

7 **COMMISSIONER CAMPBELL:** Well, I'd appreciate if you -- I'm not kidding
8 you.

9 **MR. CHURCHWELL:** We're proud that we're able to be as effective as we are
10 for as low cost as we are on the residential side.

11 **COMMISSIONER CAMPBELL:** Yeah, it helps everybody. Y'all represent
12 rural people.

13 **MR. CHURCHWELL:** Yes, sir.

14 **COMMISSIONER CAMPBELL:** And the most --

15 **MR. CHURCHWELL:** Poor folks.

16 **COMMISSIONER CAMPBELL:** Well, the most poverty in Louisiana. That's
17 my speech, not yours.

18 **MR. CHURCHWELL:** Okay. I'm sorry.

19 **COMMISSIONER CAMPBELL:** Rural people need the help because that's
20 where they -- people that don't make as much money usually live. But anyway, I
21 appreciate -- I appreciate your testimony and thank you for keeping your word.
22 Thank you.

23 **VICE CHAIRMAN LEWIS:** Can I ask a question real quick [INAUDIBLE]?

1 **CHAIRMAN FRANCIS:** Yeah. Go ahead, Commissioner Lewis.

2 **VICE CHAIRMAN LEWIS:** Can you -- Brian, can you explain just what was
3 the expediated reason this needed to be in place by January 1st?

4 **MR. HOBBS:** So, when we filed the, for this docket, a rate approval in May, we
5 were working then to add Pointe Coupee as a transmission only member and our
6 rate at that time would not appropriately allocate cost for a transmission only
7 member. This rate does that.

8 **VICE CHAIRMAN LEWIS:** Okay.

9 **MR. HOBBS:** Really, the only other thing that this rate generally does is we're
10 moving into operation now, so it creates an operational margin.

11 **VICE CHAIRMAN LEWIS:** Okay. And on that 4 million in new marginal
12 revenue, how is that figure determined? What exactly will go towards funding the
13 co-ops' operations?

14 **MR. HOBBS:** I'm sorry. Ask your question again.

15 **VICE CHAIRMAN LEWIS:** I said on the 4 million in new marginal revenue, I
16 just want to know what's operationally going to the co-ops, so just what -- how did
17 you come up with that figure? I guess, is the better way of asking that question.

18 **MR. HOBBS:** Yeah. It's just based on trying to develop operating reserves at
19 1803, days of cash on hand. We'll be flowing between 25 and \$30-plus million a
20 month and so if you have hiccups in payment streams, etcetera, we need operating
21 margins just to be able to cover this.

22 **VICE CHAIRMAN LEWIS:** Okay. Thank you. That makes -- that makes sense.
23 I just wanted to clarify for the record on there, but thank you for your work.

1 **MR. CHURCHWELL:** I feel like that's the piece that adds the stability to it.

2 **VICE CHAIRMAN LEWIS:** Yeah.

3 **MR. CHURCHWELL:** Yeah, so.

4 **VICE CHAIRMAN LEWIS:** Wonderful. No further questions, Mr. Chairman.

5 **CHAIRMAN FRANCIS:** Okay. Jeff, thank y'all for coming up.

6 **MR. CHURCHWELL:** Thank you.

7 **VICE CHAIRMAN LEWIS:** And just for the public's knowledge, 1803, as

8 we've talked about it, it's five co-ops in Louisiana, and Jeff Churchwell has been

9 selected as the leader of the five. And you're the one who's going to have to go

10 back to your board of directors and explain these costs and hopefully you'll be able

11 to have a celebration party that the rates are lower. One of the co-ops that's in my

12 area is Beauregard. Is Beauregard the largest of the five? They have a 43,000

13 meters, I believe.

14 **MR. CHURCHWELL:** WST, Washington-St. Tammany, by meter, is the largest.

15 I would say Beauregard, because of the industrial load --

16 **CHAIRMAN FRANCIS:** Volume of sales.

17 **MR. CHURCHWELL:** Yeah. They're, I would say, bigger from that standpoint.

18 **CHAIRMAN FRANCIS:** And we have a new leader at Beauregard.

19 **MR. CHURCHWELL:** I know. He's sitting back there by the way.

20 **CHAIRMAN FRANCIS:** And he's Mike Viator. Where is Mike? Oh, no. He

21 just stepped [INAUDIBLE]. We were fixing to embarrass him. Get him up front

22 here for the first dang meeting. Where is Mike? Is he out in the hall? Is Mike

23 Viator out there?

1 **MR. CHURCHWELL:** Make him sing his favorite Christmas carol.

2 **CHAIRMAN FRANCIS:** Yeah. Okay. And Mike's from Moss Bluff. He came
3 out of the business community, which I'm really excited that we got some real
4 business people in this thing, not a bunch of politicians or electrical engineers, but
5 okay. I guess Mike's off the hook. If I see him come back in here, I'm going to get
6 him up here, so y'all can see his face. Thanks for what y'all do at 1803 and
7 Northeast and all the five co-ops. So, we're looking forward to some new rates.
8 So, thank y'all for coming.

9 **VICE CHAIRMAN LEWIS:** Mr. Chairman.

10 **CHAIRMAN FRANCIS:** Yes, sir. Commissioner Lewis.

11 **VICE CHAIRMAN LEWIS:** Since we introduced some people, I see a good old
12 friend in the audience, former State Senator Mike Walsworth, who I grew up
13 normally with him sitting up here and me looking at him, fussing at him. So, I hope
14 he doesn't come and get some revenge on me for years of torture at the legislature.
15 But just wanted to say hello to my dear friend, Senator Walsworth.

16 **CHAIRMAN FRANCIS:** Good to see you, Walsworth. From Monroe, I know
17 you're excited about the Meta deal, that's right there in your backyard. And, you
18 know, Mike and I met 30 years ago when we were trying to build a party that was
19 bottom of the rung and we kind of got up where we're fighting for [INAUDIBLE]
20 now. So, thank you, Mike. Okay.

21 **VICE CHAIRMAN LEWIS:** I grew up fighting him.

22 **CHAIRMAN FRANCIS:** Yeah. Okay. All right. Let's see where we go from
23 here.

1 **VICE CHAIRMAN LEWIS:** Back to 7, Exhibit 7.

2 **CHAIRMAN FRANCIS:** All right. Are we down to -- going back to 7?

3 **MS. BOWMAN:** We are back to Exhibit 7, yes, sir.

4 **CHAIRMAN FRANCIS:** All right. Okay. Roll up your sleeves. I guess, it's just
5 Lewis and I.

6 **MS. BOWMAN:** Well, no.

7 **CHAIRMAN FRANCIS:** So, I guess, I need to get a parliamentarian opinion
8 here. Where we go from here, y'all? Skrmetta's -- he's in the room, so.

9 **SECRETARY FREY:** No, he's in the room. He's in the threshold.

10 **CHAIRMAN FRANCIS:** Okay. Well, let's rock and roll. Go ahead.

11 **MS. BOWMAN:** Okay. Okay.

12 **CHAIRMAN FRANCIS:** Okay. Go ahead, Ms. Kathryn.

13 **MS. BOWMAN:** So, Exhibit Number 7 is Docket Number U-36669. This is
14 Southern Spirit Transmission's request for certification, or the alternative
15 exception, of the Southern Spirit Transmission project pursuant to the
16 Commission's General Order dated October 10, 2013. It's a discussion and
17 possible vote on a motion by the Marston family for rehearing. This was Exhibit 6
18 on the November Business and Executive Session agenda. So, this -- just to clarify
19 procedurally, this will have two votes. The first is a vote to grant or deny the
20 rehearing. If the rehearing is granted, then you may hear the substance and vote on
21 substance of the actual order of that will be issued. So, there are two potential votes
22 here, I just wanted to clarify for the record.

1 **VICE CHAIRMAN LEWIS:** Ms. Bowman, for the record, if we do grant, for
2 instance, the first vote, are we required to have the rehearing in this meeting or can
3 we set a different date for rehearing?

4 **MS. BOWMAN:** If a majority of the Commissioners would like to set a different
5 date for an actual rehearing, that can also happen. We're just not --

6 **VICE CHAIRMAN LEWIS:** Okay. So, we're not -- we're not required to take
7 up the rehearing in this meeting?

8 **MS. BOWMAN:** No, sir.

9 **VICE CHAIRMAN LEWIS:** Thank you.

10 **MS. BOWMAN:** We also have public comment from several cards, so I'm not
11 sure if you would like me just to read our synopsis first, if we'd like to hear from
12 the public first, however the Chair would like to handle this one.

13 **SECRETARY FREY:** And I know there's some discussion going on right now,
14 so I don't know if we want to wait for that or -- it's up to y'all.

15 **CHAIRMAN FRANCIS:** All right. Let's just take a five-minute break.

16 **MS. BOWMAN:** Five-minute break.

17 **SECRETARY FREY:** Five-minute recess. Okay.

18 **MS. BOWMAN:** Five-minute recess.

19 **CHAIRMAN FRANCIS:** Five-minute break.

20 **[OFF THE RECORD]**

21 **[BACK ON THE RECORD]**

22 **CHAIRMAN FRANCIS:** All right. Ms. Kathryn, where we at on the agenda
23 now?

1 **MS. BOWMAN:** We are on Exhibit Number 7.

2 **COMMISSIONER SKRMETTA:** You can ask Kyle and Gilliam to come up
3 because they said they might have a deal. Kyle and Gilliam say they might have a
4 deal.

5 **MS. BOWMAN:** Yeah. If -- yeah. Bobby or --

6 **CHAIRMAN FRANCIS:** Kyle, Bobby.

7 **MS. BOWMAN:** Or John.

8 **COMMISSIONER SKRMETTA:** Yeah, whatever.

9 **SECRETARY FREY:** Yeah. We got Bobby and John.

10 **COMMISSIONER SKRMETTA:** Tell us we're going to have a merry
11 Christmas.

12 **MS. BOWMAN:** And just for the record, it's Docket Number U-36669.

13 **MR. JOHN GRINTON:** Good morning. John Grinton on behalf of Southern
14 Spirit Transmission and also --

15 **COMMISSIONER SKRMETTA:** You might have to move that closer to you.
16 It's a little --

17 **CHAIRMAN FRANCIS:** John with Southern Spirit?

18 **MR. GRINTON:** Yes, Commissioner.

19 **MR. KYLE MARIONNEAUX:** Kyle Marionneaux on behalf of Southern Spirit.

20 **MR. BOBBY GILLIAM:** And Bobby Gilliam and Jonathan McCartney on behalf
21 of Mr. Marston.

22 **COMMISSIONER SKRMETTA:** To quote John McClane, welcome to the
23 party, pal.

1 **MR. GILLIAM:** We can make this fairly short. I think we've all made some
2 progress, broader progress. The parties, what they're requesting and asking is to
3 pass, but announcing an agreement in principle and the agreement is generally as
4 follows: Number 1, there's the Marston property and there's the --

5 **MR. JONATHAN MCCARTNEY:** Star B. Ranch.

6 **MR. GILLIAM:** -- Star B. Ranch and that's another party who intervened. And
7 they're in communication with both of those parties. They're not going to condemn
8 any of those properties. They've agreed not to condemn properties, and also there's
9 a broader -- but that's not their plan to condemn other properties.

10 **CHAIRMAN FRANCIS:** Hold up. Well, let him get through.

11 **MR. GILLIAM:** And then Number 2, they're going to look at -- you know, they're
12 looking at alternate routes as we speak. I won't get into what all they are, but they're
13 looking at alternate routes and talking to other folks on a voluntary basis, I think, is
14 the state of it. And in the interim, you know, we'll -- we're going to be papering
15 that agreement with our folks and that would make the pending motion moot and
16 hopefully resolve other issues, so they can proceed with their discussions and
17 negotiations and whatever route they choose.

18 **CHAIRMAN FRANCIS:** Well, so simply put, we'll take this up in January after
19 y'all --

20 **MR. GILLIAM:** Well --

21 **MS. BOWMAN:** Bobby, can you put the mic a little closer to you, please?

22 **MR. GILLIAM:** I'm sorry.

23 **MS. BOWMAN:** Thank you.

1 **MR. GILLIAM:** You know, it may be by January if we get all of that resolved, I
2 guess we could leave it on the docket, but it may very likely be resolved by then if
3 the parties, you know, get this papered up. And that's the idea to announce this as
4 an agreement in principle as to how we proceed.

5 **MR. MARIONNEAUX:** Yeah. And my appreciation is if we're able to resolve
6 it, it doesn't necessarily put it back up. If they really resolve it, they will withdraw
7 the rehearing and the order stands and that's the end of it.

8 **COMMISSIONER CAMPBELL:** I got a question.

9 **CHAIRMAN FRANCIS:** So, Commissioner Campbell, go ahead.

10 **COMMISSIONER CAMPBELL:** Mr. Gilliam, do you represent the people, Star
11 B. Ranch?

12 **MR. GILLIAM:** No, we do not.

13 **COMMISSIONER CAMPBELL:** Who does?

14 **MR. GILLIAM:** But they're -- one of the parties is here.

15 **COMMISSIONER CAMPBELL:** So, y'all have agreed -- your people -- the
16 lawyers have agreed for their clients, this is good deal, right? Yes, that's what
17 you're telling me.

18 **MR. GILLIAM:** They have agreed in principle to this.

19 **COMMISSIONER CAMPBELL:** Okay.

20 **MR. GILLIAM:** Yes.

21 **COMMISSIONER CAMPBELL:** So, what about the whole people that ain't got
22 a lawyer? What do they think about this? You hadn't asked them, have you? No,
23 we ain't asked the folks. We've asked people who got lawyers here. You want to

1 put it off. Okay. Yeah. I just want the record to show that y'all are representing
2 your client.

3 **MR. GILLIAM:** Correct.

4 **COMMISSIONER CAMPBELL:** I don't represent your client. I'm representing
5 one million people in north Louisiana, not just two. So, I hear what you're saying
6 and you want to put this off.

7 **MR. GILLIAM:** And I would just say, what we -- and, y'all, correct me if I'm
8 saying anything wrong, but we are representing the client and there's another party
9 who's here and intervened and he is here, hearing what we're doing. And also, part
10 of that agreement in principle is to be negotiating with others, not to condemn
11 others.

12 **COMMISSIONER CAMPBELL:** You know, Mr. Gilliam, if you were -- if you
13 were the Public Service Commissioner and I was the lawyer, you'd be for this?

14 **MR. GILLIAM:** Well, I think one key point is this -- one key point is this, you
15 know, and we understand what the legislation is, but a lot of fighting can go on
16 through the courts and through the legislature on either side. So, I think as long as
17 the parties are negotiating to reach an agreement, and they would have to agree by
18 their own free will, that is something I can support because that is not requiring, it's
19 not condemning, and so that's a big issue and getting that resolved is important.

20 **COMMISSIONER CAMPBELL:** I've worked with you when you represent
21 SWEPCO.

22 **MR. GILLIAM:** Yes, sir.

1 **COMMISSIONER CAMPBELL:** And I understand you're a skilled lawyer and
2 you represent big companies, you know, which is fine. They got to have somebody
3 represents them. And our job is to ask the tough questions. You're putting me in
4 a hell of a spot here and I don't know. And just -- I'm not going to do this because
5 I hadn't talked to those other people and I can't make a deal to put it on somebody
6 else that I don't know where it's going and I hadn't talked to those folks. That's
7 all I'm saying, but, look, you got good people and they're trying to negotiate. And
8 I understand that, but, Mr. Chairman, I can't vote for this.

9 **CHAIRMAN FRANCIS:** Okay. Mr. Bob -- Mr. Gilliam, I would be on the other
10 side of that. I got a different opinion than that. Isn't this between the people who
11 are building the line and the landowner working together to lease their property?
12 Isn't it really that simple?

13 **MR. GILLIAM:** Yeah. That's what it comes down to.

14 **CHAIRMAN FRANCIS:** Okay. And so --

15 **MR. GILLIAM:** Can the parties -- I mean, there's --

16 **CHAIRMAN FRANCIS:** So, each landowner -- you know, I'm from north
17 Louisiana. We had property in north Louisiana and so I'm really confused. If
18 someone comes to my house and wants to rent some of my land, you know, it's
19 between me and the folks that got to write the check. And the Public Service
20 Commission doesn't have any business telling these landowners that they can or
21 can't approve a right-of-way through their land; isn't that true?

22 **MR. GILLIAM:** Well, that's what -- and I think that's what the parties have all -
23 -

1 **CHAIRMAN FRANCIS:** Okay. So --

2 **MR. GILLIAM:** That's what we've been to the legislature for and got -- had

3 discussions with each other and that's where we're at now. That's where we are.

4 **CHAIRMAN FRANCIS:** Well, this Commissioner doesn't have any problem

5 with your representation and what you've said so far. Thank you. All right. Here,

6 Commissioner Lewis.

7 **VICE CHAIRMAN LEWIS:** Thank you. So, Mr. Gilliam, I'm trying to make

8 sure I understand the process because I don't want to be here all day. I didn't bring

9 a cot, so I don't want to sleep here tonight, but -- so you represent Mr. Marston,

10 who filed the motion to rehear, and so what you're requesting for us today is to not

11 take up the motion to rehear while you work out the agreement in principle. So, we

12 would, in technicality, pass --

13 **SECRETARY FREY:** Defer.

14 **VICE CHAIRMAN LEWIS:** -- or defer. And then, while you work out that

15 agreement, potentially, if the terms are settled, then your client would withdraw his

16 filed motion of rehearing. Is that -- I just want to make sure from the process that

17 I'm understanding what you're asking us right now.

18 **MR. GILLIAM:** That's correct.

19 **VICE CHAIRMAN LEWIS:** Okay.

20 **MR. GILLIAM:** Based on the agreement in principle, which covers all the points

21 I just discussed, yes.

1 **VICE CHAIRMAN LEWIS:** Okay. So, we would defer this matter, potentially
2 have it on January, but if the agreement is worked out in between now and January
3 15th, then you would file within the Commission a withdrawal of a motion to rehear.
4 **MR. GILLIAM:** That is correct and the reason we put it on the record, all of us,
5 because, you know, once you put it on the record, in our agreement in principle, it
6 means something for both sides. So, yes, that's what we're trying to do is advance
7 that process.
8 **VICE CHAIRMAN LEWIS:** So, Mr. Chairman, I think -- hearing that, I think
9 the appropriate motion now is to defer Item 7 until January.
10 **COMMISSIONER SKRMETTA:** Second.
11 **CHAIRMAN FRANCIS:** I think I could second that, but Skrmetta got out ahead
12 of it. Got a motion and a second. Is there any objection to moving this to January
13 and letting these folks work out their deal? [NONE HEARD] Hearing none, we'll
14 take this up in January.
15 **COMMISSIONER CAMPBELL:** Hold up.
16 **CHAIRMAN FRANCIS:** Oh, wait. I'm sorry. You do have objection?
17 **COMMISSIONER CAMPBELL:** I do have one.
18 **CHAIRMAN FRANCIS:** All right.
19 **COMMISSIONER SKRMETTA:** Roll call vote.
20 **CHAIRMAN FRANCIS:** So, we have a roll call vote. Commissioner Skrmetta,
21 how do you vote?
22 **COMMISSIONER SKRMETTA:** Yes.
23 **CHAIRMAN FRANCIS:** Commissioner Lewis, how do you vote?

1 **VICE CHAIRMAN LEWIS:** Yes.

2 **CHAIRMAN FRANCIS:** Commissioner Campbell, how do you vote?

3 **COMMISSIONER CAMPBELL:** No.

4 **CHAIRMAN FRANCIS:** Chair votes yes, so it passed.

5 **MS. BOWMAN:** Chair, will you hold on one second because Mr. Cook is trying

6 to say something in my ear? Mr. Cook is telling me that we have yellow cards from

7 folks that before we take a formal vote, even if it's a vote to defer, we have to give

8 them an opportunity to speak. You do not have to speak today, you may waive.

9 **COMMISSIONER SKRMETTA:** Can you roll call them and see who's --

10 **SECRETARY FREY:** Yes.

11 **MS. BOWMAN:** I'm assuming the Marston family and Southern Spirit folks do

12 not want to speak.

13 **SECRETARY FREY:** Well, they're already here, so.

14 **MR. GILLIAM:** This is Southern Spirit.

15 **MS. BOWMAN:** And then there's a Mr. Robinson, I'm not sure if you're

16 representing in one of these capacities or if you're individual. He waives? Thank

17 you. Ms. Alexander, I don't know if you're here on your behalf, yourself, or one of

18 the parties. Ms. Alexander waives. And then, Malcolm, do you want -- would you

19 like to speak or do you waive your right to speak? It means it's deferred until

20 January. At the moment, that's where -- Commission would like to vote on is

21 whether or not this is deferred until January, but before they could do that vote, we

22 have to give all of the public an opportunity to speak. Yes. You defer? Okay.

23 Thank you, Malcolm. Okay. Now, Commissioners, I'm sorry, you may take back

1 up the roll call vote. I had a Commissioner Skrmetta as a yes, I had Commissioner
2 Lewis as a yes, and then Chair --

3 **CHAIRMAN FRANCIS:** Chair is yes.

4 **MS. BOWMAN:** Chair is yes.

5 **CHAIRMAN FRANCIS:** Campbell is no.

6 **MS. BOWMAN:** Commissioner Campbell is no.

7 **CHAIRMAN FRANCIS:** And then we have our last Commissioner, who's back.
8 Welcome back, brother.

9 **COMMISSIONER CRAIG GREENE:** Thank y'all.

10 **CHAIRMAN FRANCIS:** We got a vote. You know what we're voting on? Did
11 you hear that?

12 **COMMISSIONER GREENE:** I need a little refresher. I heard --

13 **COMMISSIONER SKRMETTA:** It's a vote to defer until January. They've
14 made a deal and they're going to come back and confirm it in January.

15 **MS. BOWMAN:** For the Southern Spirit rehearing.

16 **COMMISSIONER SKRMETTA:** For the Southern Spirit.

17 **COMMISSIONER GREENE:** So, it'll be reheard in January?

18 **COMMISSIONER SKRMETTA:** No, they made a contract to settle it.

19 **COMMISSIONER GREENE:** Okay.

20 **COMMISSIONER SKRMETTA:** And they're going to confirm it in January.

21 **CHAIRMAN FRANCIS:** Three yes, one no. Campbell says no.

22 **COMMISSIONER GREENE:** There's already three yeses?

23 **COMMISSIONER SKRMETTA:** Yes.

1 **CHAIRMAN FRANCIS:** Three yes, one no.

2 **COMMISSIONER GREENE:** Okay. I'm going to stick with no. If there's

3 already three yeses, it doesn't matter.

4 **CHAIRMAN FRANCIS:** Okay. So, we'll pick it up in January, if we don't -- if

5 it don't cancel it before time or make a deal. Okay. Thank y'all for coming.

6 **MR. GRINTON:** Thank you.

7 **MR. GILLIAM:** I want to say, we're putting the agreement in principle on the

8 record for a reason, so that we have some -- both sides have some commitment as

9 to what we're agreeing to. So, all those terms are important and we'll be including

10 a deal.

11 **COMMISSIONER SKRMETTA:** We got it. We got it.

12 **CHAIRMAN FRANCIS:** Good. All right. That's good.

13 **COMMISSIONER SKRMETTA:** Now, get it formalized.

14 **CHAIRMAN FRANCIS:** Thank y'all. All right. Bye-bye.

15 **MR. MARIONNEAUX:** I guess the only other thing on that is I heard them and

16 they sounded good, I'm not saying word for word what you said is the agreement.

17 I mean, it's just something you stated. So, I just want to [INAUDIBLE] --

18 **CHAIRMAN FRANCIS:** Kyle, we've already --

19 **COMMISSIONER SKRMETTA:** Kyle, we got it.

20 **VICE CHAIRMAN LEWIS:** We deferred it.

21 **CHAIRMAN FRANCIS:** It's over, man.

22 **VICE CHAIRMAN LEWIS:** Let's go. Let's go.

23 **CHAIRMAN FRANCIS:** Go out there and talk about it.

1 **MR. GILLIAM:** [INAUDIBLE] agreement in principle is [INAUDIBLE] --

2 **COMMISSIONER SKRMETTA:** Get to a conference table and work it out.

3 **CHAIRMAN FRANCIS:** Merry Christmas.

4 **MS. BOWMAN:** We need a motion to --

5 **COMMISSIONER SKRMETTA:** Wait, I think --

6 **MS. BOWMAN:** Yes, sir.

7 **COMMISSIONER SKRMETTA:** -- Commissioner Greene had some comments

8 and then we're going to motion to dismiss. We'll let him do that.

9 **COMMISSIONER GREENE:** Yeah.

10 **CHAIRMAN FRANCIS:** Commissioner Greene, you got the floor.

11 **COMMISSIONER GREENE:** Yeah. Thank you. I want to apologize for being

12 late. I'm a doctor, so that happens, but we got fogged in in Baton Rouge and so I'm

13 glad we could come. I didn't want to miss the last meeting, and I just want to say

14 thank you to everyone. The Staff, I'm just super impressed with how hard y'all

15 work and the work that y'all get done. It's thankless sometimes, but thank you very

16 much. I think we very much move the state forward. To my Commissioners, I

17 know we disagreed at times, but I'm proud of the work that we did, from customer-

18 centered options, to the Pole Viability Docket, to energy efficiency and beyond. I

19 think there's going to be all kinds of new faces on the Commission the next five or

20 ten years and I just think the best is yet to come for Louisiana. But it couldn't

21 happen without everyone in this room and beyond. So, I very much hope that the

22 work continues and it'll be obvious that it won't be dependent upon me because I

23 know it'll continue in a very strong fashion. And I'm very proud to have been

1 associated and worked here and I'm proud the work that y'all are doing. And press
2 on, God bless, Merry Christmas, and thank you.

3 **COMMISSIONER SKRMETTA:** Make the motion to adjourn.

4 **COMMISSIONER GREENE:** Motion to adjourn.

5 **COMMISSIONER SKRMETTA:** Second. We had a motion and a second.

6 **CHAIRMAN FRANCIS:** Okay.

7 **MS. BOWMAN:** We did.

8 **CHAIRMAN FRANCIS:** We're adjourned.

9

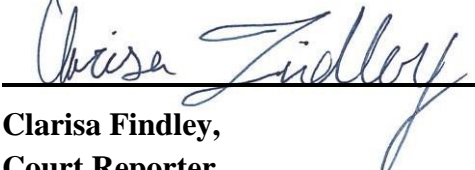
10 **(WHEREUPON THE MEETING WAS ADJOURNED)**


11


1 I certify that the foregoing pages 1 through 43 are true and correct to the best
2 of my knowledge of the Open Session of the Business and Executive Meeting
3 held on December 18, 2024 in Natchitoches, Louisiana.

4 *****

5 **Rough Draft prepared by:**


6  January 3, 2025
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9  January 3, 2025
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