

TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS
AND EXECUTIVE OPEN SESSION HELD ON DECEMBER 17, 2025 IN
NATCHITOCHES, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE FRANCIS,
VICE CHAIRMAN ERIC SKRMETTA, COMMISSIONER DAVANTE LEWIS,
COMMISSIONER JEAN-PAUL COUSSAN, AND COMMISSIONER FOSTER
CAMPBELL.

Exhibit	Docket	Description	Page
1		Announcements	2-7
2	Undocketed	2026 Proposed Business and Executive Session Schedule	7-9
3	I-37764 I-37765 TBD	Entergy Louisiana, LLC Cleco Power LLC Southwestern Electric Power Company	9-10
4	R-31106	Louisiana Public Service Commission	10-11
5	R-31106	Louisiana Public Service Commission	12-18
6	R-31106	Louisiana Public Service Commission	18-20
7	R-31106	Louisiana Public Service Commission	18-20

8	R-31106	Louisiana Public Service Commission	18-20
9	R-31106	Louisiana Public Service Commission	18-20
10	R-36227	Louisiana Public Service Commission	Deferred
11	S-37736	CP-TEL Network Services, Inc.	21-22
12	S-37737	Brightspeed of Louisiana, LLC and Brightspeed of South Arkansas, LLC	22-23
13	S-37762	Magnolia Water Utility Operating Company, LLC	23-29
14	U-36644	Louisiana Public Service Commission	29-30
15	U-37483	Beauregard Electric Cooperative, Inc.	30-33
16	U-37565	Deepwoods Utilities, Inc.	33-35
17	U-37594	Entergy Louisiana, LLC.	35-39
18	U-37704	Utilities, Inc. of Louisiana	39-40
19	U-37799	Dixie Electric Membership Cooperation, Amite Solar, LLC and Amite Energy Storage, LLC	40-41
20	TBD	Entergy Louisiana, LLC	41-42
21	TBD	Atmos Energy Corporation	42-42

22		1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS business 5) Directives	43-57 57-58 59-94
23	T-37136	Cantium, LLC vs. Rosefield Fourchon Operating, LLC	115-119
24	U-37467	Entergy Louisiana, LLC	94-115

1 **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**
2 **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON DECEMBER 17,**
3 **2025 IN NATCHITOCHES, LOUISIANA. PRESENT WERE: CHAIRMAN**
4 **MIKE FRANCIS, VICE CHAIRMAN ERIC SKRMETTA,**
5 **COMMISSIONER DAVANTE LEWIS, COMMISSIONER JEAN-PAUL**
6 **COUSSAN, AND COMMISSIONER FOSTER CAMPBELL.**

7 **CHAIRMAN MIKE FRANCIS:** Call our meeting to order. Welcome to
8 Natchitoches again for our December B&E meeting at the pleasure of
9 Commissioner Foster Campbell. It's always good to come to Natchitoches for
10 Christmas. Thank you again, Commissioner Campbell. Let's all rise and we'll
11 start this thing off by recognizing our Creator. I'm going to lead the prayer today,
12 and with y'all's permission, I'm going to give a poem by lesson. Let's bow our
13 heads and pray. Okay. All right. So we can hear. Y'all got it? All right. Let's
14 pray.

15 **[CHAIRMAN MIKE FRANCIS LEADS IN PRAYER]**

16 **CHAIRMAN FRANCIS:** Okay. And let me hold up the flag and I'm going to
17 ask Commissioner Coussan to lead the Pledge of Allegiance.

18 **[COMMISSIONER JEAN-PAUL COUSSAN LEADS IN THE PLEDGE]**

19 **CHAIRMAN FRANCIS:** All right. Y'all give me another chance to give the Boy
20 Scouts a plug, be prepared. Okay. I keep that in my billfold just for this reason and
21 it's an honor to serve. All right. Let's see. We're going to start out with any
22 announcements. Foster Campbell, you got anything to say?

23 **COMMISSIONER FOSTER CAMPBELL:** Good morning.

1 **CHAIRMAN FRANCIS:** Good morning.

2 **COMMISSIONER CAMPBELL:** Glad to have you here in Natchitoches, the
3 oldest city in Louisiana Purchase, older than New Orleans, or people who lived in
4 New Orleans. Beautiful city. I hate to say this -- I mean, I really like to say it. I
5 think Natchitoches is the prettiest town in Louisiana and I represent a bunch of
6 towns. I might get in trouble, but I just have to tell you what I think is true.
7 Beautiful this time of year. Glad to have you in town. They go out of their way to
8 help people here and make everybody comfortable. We have some elected officials
9 here. Is the Sheriff Ronnie Williams here? If he's not here, Ronnie Williams is the
10 sheriff. Does a fine job. Evidently, he had something else to do today. We invited
11 him. But anyway, that's a good thing. Parish president. Maybe I better take what
12 I said about Natchitoches back. Parish president is John Salter. State
13 representative, I saw Larry Bagley. He's here. Larry, where are you? I did see
14 him. He's here. And the Mayor Ronnie Williams, is he here? Anyway, thank you
15 for making this facility available for everybody. I appreciate you coming to
16 Natchitoches. It couldn't be a better place to have a meeting in Natchitoches.
17 Beautiful town, oldest town in Louisiana, and very hospitable people. So that's all
18 I have to say.

19 **CHAIRMAN FRANCIS:** Okay. I see where we're going to have -- our January
20 meeting's moved up. The 21st to January 14, 2026. January 14, y'all change your
21 calendars. Be in Baton Rouge.

22 **SECRETARY BRANDON FREY:** Correct.

23 **CHAIRMAN FRANCIS:** Galvez Building.

1 **SECRETARY FREY:** Yes.

2 **CHAIRMAN FRANCIS:** Okay. We have some more?

3 **VICE CHAIRMAN ERIC SKRMETTA:** I have something.

4 **CHAIRMAN FRANCIS:** All right. Commissioner Skrmetta.

5 **VICE CHAIRMAN SKRMETTA:** Thank you, Mr. Chairman. You know, it's
6 this time of year that I always like to remind folks about the Christmas season and
7 how we learned about the Christmas season. A lot of us who were, I guess -- I
8 learned that I'm not a Boomer, I'm a Johnson, which some of y'all understand what
9 that means. I'm the tail-end of the Boomers and not quite the next generation letter.
10 And those of us who used to watch Charlie Brown Christmas learn about the spirit
11 of Christmas and the story of Christmas and I'd like to share that with you now as
12 Linus explained to Charlie Brown when he didn't understand. And Linus spoke,
13 and there were in the same country, shepherds abiding in the field, keeping watch
14 over their flock by night. And, lo, the angel of the Lord came upon them, and the
15 glory of the Lord shone round about them, and they were sore afraid. And the angel
16 said unto them, fear not; for behold, I bring you good tidings of great joy, which
17 shall be to all people. For unto you is born this day in the city of David, a savior,
18 which is Christ the Lord. And this shall be a sign unto you. Ye shall find the babe
19 wrapped in swaddling clothes, lying in a manger. And suddenly, there was with
20 the angel, a multitude of the heavenly host praising God and saying glory to God,
21 the highest, and on earth, peace, good will towards men. And that's the spirit of
22 Christmas, Charlie Brown. Thank you.

23 **CHAIRMAN FRANCIS:** Amen. Amen to that. Commissioner Lewis.

1 **COMMISSIONER DAVANTE LEWIS:** Thank you, Mr. Chairman. Just one
2 announcement for us all. As we know this season is a hard season for a lot of people
3 and we're seeing our weather be very cold. And so I'm asking all of our utilities
4 just in this moment to please very be cautious with your disconnections. We have
5 -- we've been watching other states take some action to ensure that we protect
6 people in the extreme cold and with their heat. And so while I know we all have a
7 job to do, I would just ask that we all make sure that we're protecting the people of
8 Louisiana, working with them, ensuring that they can afford their bills. But also
9 making sure they're not harmed in this season. And so I just wanted to raise that
10 to attention. I'll meet with all of you individually about ideas and ways that I think
11 we can protect [INAUDIBLE] accounts, but also protect people. But I just -- in
12 this season, I think it's important for us to put that at the front of our minds. So
13 thank you, Mr. Chairman.

14 **CHAIRMAN FRANCIS:** All right. Commissioner Coussan.

15 **COMMISSIONER JEAN-PAUL COUSSAN:** Thank you, Mr. Chairman. Two
16 things. Number one, also wanted to welcome State Representative Mark Wright.
17 I think he stepped out of the room. He represents the Covington area. He's the
18 chairman of transportation in the House. He was meeting and greeting several
19 people here. I just wanted to welcome him as another elected official. And number
20 two, this is our last meeting of the year, last meeting of my first year on the Public
21 Service Commission. And I just wanted to share some gratitude and thanks to all
22 of you for welcoming me, for educating me, and really lifting me up. And that goes
23 for my fellow Commissioners here, our Staff in Baton Rouge, all of you, my

1 personal Staff in Baton Rouge who do an outstanding job of communicating with
2 all of you. And then to all of the regulated utilities and stakeholders, I've learned a
3 tremendous amount from all of you. I think we have a whole lot of talent in
4 Louisiana, which is why all eyes are on Louisiana right now, and I don't want that
5 to go unnoticed. The amount of professionalism that each of you has and the way
6 you conduct business and the success and the effectiveness that all of you conduct
7 business, really shines a bright light on this state. So I appreciate all of you. Merry
8 Christmas.

9 **CHAIRMAN FRANCIS:** Thank you, Jean-Paul. And I'd like to announce that
10 she's back. She's back. Lauren Evans is back. Got another little bitty baby. I
11 want to take a little point of privilege. One of my old buddies from -- one of my
12 old Jena Giant buddies is here today, Paul Palmer there. Thank you for coming by,
13 Paul. We got any other announcements from the Commissioners?

14 **COMMISSIONER CAMPBELL:** Jay Dardenne's here.

15 **CHAIRMAN FRANCIS:** What's that?

16 **VICE CHAIRMAN SKRMETTA:** Jay is here?

17 **COMMISSIONER CAMPBELL:** I mean, excuse me, Blossman.

18 **VICE CHAIRMAN SKRMETTA:** Oh, Blossman's here.

19 **COMMISSIONER COUSSAN:** He wants to still be elected.

20 **VICE CHAIRMAN SKRMETTA:** It's Commissioner Blossman. There he is.

21 **CHAIRMAN FRANCIS:** Commissioner Blossman, where you at? Okay. Good
22 to see you again. Former Commissioner --

1 **COMMISSIONER COUSSAN:** And Mark Wright's in the back now. He can
2 wave. Mark Wright, why don't you wave your hand?

3 **CHAIRMAN FRANCIS:** Mark Wright. Just for the record, Mark's from the
4 Northshore. He's a good Republican. He's running for the open seat of Eric
5 Skrmetta I guess next year. That -- actually, they have the Republican primaries,
6 what, in May and June this year I believe. Okay. Wish you well on that.

7 **VICE CHAIRMAN SKRMETTA:** We'll see.

8 **CHAIRMAN FRANCIS:** Mr. Chairman.

9 **CHAIRMAN FRANCIS:** Commissioner Campbell.

10 **COMMISSIONER CAMPBELL:** I've heard so much about Republicans, I'm
11 just real close to switching.

12 **VICE CHAIRMAN SKRMETTA:** I'll sign the letter of recommendation.

13 **COMMISSIONER CAMPBELL:** I'm about two miles or three miles from
14 switching [CROSSTALK].

15 **VICE CHAIRMAN SKRMETTA:** I'll be glad to sign your letter of rec, no
16 problem.

17 **COMMISSIONER CAMPBELL:** You won't have to worry about that.

18 **CHAIRMAN FRANCIS:** Well, I appreciate that. Okay. Ms. Bowman, do we
19 have some announcements?

20 **MS. KATHRYN BOWMAN:** Yeah. So the only -- are we on? Okay. The only
21 announcement that I have is that Exhibit 10 is deferred.

22 **VICE CHAIRMAN SKRMETTA:** You need to speak up a little bit for
23 Commissioner Campbell.

1 **MS. BOWMAN:** Okay. Is it -- okay. Is that better? Okay. Exhibit 10 is deferred
2 and that's the only announcement from Staff.

3 **SECRETARY FREY:** And I was just going to add, too, when Commissioner
4 Lewis was talking about disconnects, just to remind, I was trying to pull up the
5 actual language, but we do have a disconnect prohibition order for extreme weather.
6 So, utilities, be mindful of that, that that's out there.

7 **CHAIRMAN FRANCIS:** All right. Are we ready?

8 **MS. BOWMAN:** Think so.

9 **CHAIRMAN FRANCIS:** We're going to go to Exhibit Number 2.

10 **MS. BOWMAN:** Exhibit Number 2 is undocketed. It's the 2026 proposed
11 Business and Executive Session schedule. It's a discussion and possible vote to
12 accept the 2026 proposed dates. These are the following proposed dates for 2026:
13 January 14, February 25, March 18, April 15, May 13, June 17, no meeting in July,
14 August 12, September 16, October 21, November 18, and December 16. And Staff
15 recommends that the Commission accept the proposed 2026 B&E schedule.

16 **VICE CHAIRMAN SKRMETTA:** Move to approve.

17 **COMMISSIONER LEWIS:** Second.

18 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moved to approve the
19 schedule and Commissioner Lewis seconds. Any discussion or --

20 **COMMISSIONER LEWIS:** Mr. Chairman, I've been talking with Staff and I
21 know when we're in Baton Rouge, we typically start at 9:00 and because -- and we
22 start at 10:00 when we travel. And I thought maybe it would make sense next year,
23 especially for you all who drive in, getting caught in the traffic in -- or back in

1 Baton Rouge, we start the meetings at 10:00 as well to give you a -- I know we've
2 been having a lot of traffic issues. And I live five minutes away so it doesn't bother
3 me,, but just a suggestion. We may have to talk to Staff about that.

4 **SECRETARY FREY:** Sure.

5 **COMMISSIONER LEWIS:** If y'all are interested in that.

6 **CHAIRMAN FRANCIS:** Well, I don't have a problem with 9:00, but any other
7 Commissioners -- or it might help Commissioner Campbell. I know he usually
8 spends the night before and I do quite often also.

9 **VICE CHAIRMAN SKRMETTA:** I'm a early driver, so [CROSSTALK].

10 **CHAIRMAN FRANCIS:** I'm okay with 9:00.

11 **VICE CHAIRMAN SKRMETTA:** I'm okay with 9:00.

12 **COMMISSIONER COUSSAN:** I'll leave earlier, Mr. Chairman.

13 **COMMISSIONER LEWIS:** I was helping you out, my friend. I was trying to
14 help you out.

15 **CHAIRMAN FRANCIS:** I appreciate the offer. It looks like we're all okay with
16 that. Thank you though.

17 **COMMISSIONER LEWIS:** I'm good.

18 **CHAIRMAN FRANCIS:** I want to add on April 15, Tax Day, that's the month
19 that I would like to choose for my meeting and like to have it in Alexandria this
20 time. April 15, so hope you folks will come. We'll try to boil some crawfish the
21 night before so that ought to draw a crowd. Enjoy our fellowship. Any other
22 discussions? [NONE HEARD] No objections, and the schedule has been
23 approved.

1 **SECRETARY FREY:** And as always, you know, we can move these if need be.
2 I think we try to avoid every major function. There might be some overlap with
3 some OMS issues, so we may have to tweak it down the road, but obviously that's
4 something we can do. And the Chairman mentioned Alexandria in April, so if any
5 of you are thinking out of town, just let us know, so we can get that on the calendar.
6 Usually a couple of months is all we need, but just be mindful of that.

7 **VICE CHAIRMAN SKRMETTA:** Well, you can still look at October for my
8 district, that's all.

9 **CHAIRMAN FRANCIS:** Okay. We'll wait to hear -- is that a for sure or we --
10 **VICE CHAIRMAN SKRMETTA:** It's just where, but somewhere in my district
11 in October.

12 **CHAIRMAN FRANCIS:** All right. Okay. And -- okay. What are we up to?
13 Exhibit Number 3?

14 **MS. BOWMAN:** Yes, sir. So Exhibit Number 3 is Docket Number I-37764, I-
15 37765, and a to-be-determined docket. These are Entergy Louisiana's, Cleco
16 Power, and Southwestern Electric Power Company's request to initiate their 2025
17 integrated resource planning process. It's a discussion and possible vote to hire an
18 outside consultant. Staff issued one RFP seeking consultant to handle all three
19 dockets and we received two qualifying bids. The first was from United
20 Professionals Company of 147,000 in fees and 3,000 in expenses for a total budget
21 not to exceed of \$150,000. And the second was from London Economics of
22 189,420 in fees and 11,646 in expenses for a total budget not to exceed of \$201,066.
23 Staff makes no recommendation as both bidders are qualified.

1 **VICE CHAIRMAN SKRMETTA:** Move to accept the low bid of United
2 Professionals.

3 **COMMISSIONER COUSSAN:** Second.

4 **CHAIRMAN FRANCIS:** Commissioner Skrmetta makes a motion to select UPC,
5 seconded by Commissioner Coussan. Is there any discussion or objection? [NONE
6 HEARD] Hearing none, UPC has the job. Number 4.

7 **MS. BOWMAN:** Exhibit Number 4 is Docket Number R-31106. This is the
8 Commission's rulemaking to study the possible development of financial
9 incentives for promotion of energy efficiency by jurisdictional electric and gas
10 utilities. It's a discussion and possible vote to rehear General Order dated August
11 28, 2025, pursuant to Commission Rule 43, so this will need two votes. At the
12 Commission's August B&E, the Louisiana Energy Efficiency Program Rules were
13 adopted and memorialized in the general order. Those rules included Commission-
14 led public entities programs, which required a budget of 0.25% of each participating
15 utility's 2023 revenues, as well as a requirement that all of those proposed projects
16 include a 10-year warranty on all parts, labors, and power units. During a technical
17 conference discussing the LEEP rules, stakeholders discussed and agreed that a
18 reduction in the public entities budget from 0.5 to 0.25% made sense in anticipation
19 of a substantial increase in overall budgets given the shift from 2012 to 2023
20 revenues. This reduction in budget seemed to make sense in order to lessen the
21 overall customer impact from that increase. After receiving the utilities' proposed
22 budgets on October 31, 2025, the overall budget for the public entities program
23 decreased from prior years, which was not the intended consequence, setting the

1 public entities budget to 2.25%. In addition, Commission Staff began working with
2 potential contractors for public entity programs and realized the blanketed 10-year
3 warranty included in the LEEP Rules was not amenable to every potential type of
4 project under the public entities program as industry standard warranties vary
5 depending on the type of project being completed. As this evidence was not known
6 and could have not been known at the time of the Commission's consideration of
7 the LEEP Rules, Staff recommends, pursuant to Rule 43 of the Commission's Rules
8 of Practice and Procedure, that the Commission vote to rehear the LEEP Rules
9 memorialized in General Order dated August 28, 2025 to amend said order. If the
10 rehearing is granted, Staff recommends that the Commission amend the order to
11 revise it to indicate that the public entities budget goes from 0.25% to 0.5% of the
12 participating utilities' 2023 revenues and that the warranty language contained in
13 Section II of Attachment B of that general order is to adhere to industry standards.

14 **VICE CHAIRMAN SKRMETTA:** Move to rehear the matter.

15 **CHAIRMAN FRANCIS:** And I'll second the -- Commissioner Skrmetta moved
16 to rehear the matter and Chairman seconds it. Any discussion? Any objections?
17 [NONE HEARD] Hearing none, it's moved.

18 **VICE CHAIRMAN SKRMETTA:** Move to adopt the motion as declared by the
19 Staff Counsel.

20 **CHAIRMAN FRANCIS:** Move to accept the Staff by Commissioner Skrmetta,
21 Chair will second. Is there any discussion? Any objection? [NONE HEARD]
22 Hearing none, it's done.

1 **MS. BOWMAN:** Exhibit Number 5 is also Docket Number R-31106, the
2 rulemaking for energy efficiency. This is a discussion and possible vote to retain
3 Tetra Tech at the Commission's -- as the Commission's EM&V contractor pursuant
4 to General Order dated August 28, 2025. The LEEP Rules contemplated Staff
5 soliciting Tetra Tech to assist the Commission in implementation and review of the
6 programs initiated thereunder by both the utilities and the Commission's public
7 entities program. After receiving the utilities' proposed budgets on October 31,
8 2025, Staff solicited Tetra Tech, seeking a proposed budget to assist the
9 Commission in evaluating and reporting on each participating utility's programs as
10 well as the Commission's public entities programs. The solicitation also sought
11 Tetra Tech's assistance in a Louisiana energy efficiency working group. Based on
12 Staff solicitation, Tetra Tech submitted a proposal, which included a budget of
13 \$6,881,350 in fees and \$114,234 in expenses for a total budget not to exceed of
14 \$6.9 million over a five-year period. Staff recommends that the Commission retain
15 Tetra Tech as its EM&V contractor for the budget of \$6,995,584.

16 **COMMISSIONER CAMPBELL:** I have a question.

17 **VICE CHAIRMAN SKRMETTA:** Mr. Chair -- oh, Commissioner Campbell's
18 got a question.

19 **CHAIRMAN FRANCIS:** Commissioner Campbell got a question.

20 **COMMISSIONER CAMPBELL:** Brandon, talk to me about the \$6 million.

21 **SECRETARY FREY:** And --

22 **VICE CHAIRMAN SKRMETTA:** Seven million.

23 **SECRETARY FREY:** I'll give a brief --

1 **COMMISSIONER CAMPBELL:** Whatever. It's more money than I've ever
2 seen down here.

3 **VICE CHAIRMAN SKRMETTA:** Me too.

4 **SECRETARY FREY:** Sure. No, I'll give a brief overview of my understanding.
5 I'll let Kathryn jump in. But as --

6 **COMMISSIONER CAMPBELL:** Speak --

7 **VICE CHAIRMAN SKRMETTA:** Little louder. His hearing aid is
8 [CROSSTALK] --

9 **SECRETARY FREY:** Okay. A little bit louder. So this is actually out of the
10 budget -- the cap that the utilities are collecting and it's actually considerably less
11 than the 5% cap.

12 **MS. BOWMAN:** Correct. It's --

13 **SECRETARY FREY:** So their budget comes out of part of the energy efficiency
14 fees that are collected from the ratepayers to run the program itself.

15 **MS. BOWMAN:** Correct.

16 **SECRETARY FREY:** Correct. So it's a little bit different than the way we
17 typically hire someone.

18 **COMMISSIONER CAMPBELL:** Anybody [INAUDIBLE] the money here?

19 **VICE CHAIRMAN SKRMETTA:** Yeah. I join in Commissioner Campbell on
20 this. I think it's an extraordinary large amount of money. My understanding is this
21 particular company is currently working for Entergy and I think their budget is
22 about \$200,000 a year for the Entergy services. I don't see the need for it and I
23 think it's just a layer of bureaucratic maneuvering and buildout that was built into

1 the actual program that's largely unnecessary. First, I'd like to defer it and analyze
2 whether we need it in the first place and see if we can do that and if we have the
3 votes for it. But otherwise -- also, I don't see the need for it, certainly to be over
4 the public entity program since we have hired engineers that have it within their
5 budget to take care of doing this analysis. So I'm opposed to it in general. I don't
6 have a problem with us looking at it under a different light down the road for less
7 money. But I just think that it's an extraordinary amount of money. And where --
8 by the way, does anybody know where Tetra Tech is located? Where their home
9 office is?

10 **MS. BOWMAN:** I believe it's in Austin, Texas.

11 **VICE CHAIRMAN SKRMETTA:** Yeah. Okay. Well, I don't like the idea of
12 us sending ratepayer money out of state either. We did that once with Clear Tech
13 -- CLEARResult and that was \$14 million that left the state. So I prefer to find
14 pathways to, you know, lift up the people in this state versus people in Texas. So
15 in general, I'm opposed to this. I'd like to find another way to accomplish the task
16 with a lower potential --

17 **CHAIRMAN FRANCIS:** Would you propose to defer this to next month?

18 **VICE CHAIRMAN SKRMETTA:** I would like to defer this, and in the
19 meantime, try to get together with Staff and look at a better way to approach this.

20 **CHAIRMAN FRANCIS:** And the Chair would second that. And, Commissioner
21 Campbell, [CROSSTALK]?

22 **VICE CHAIRMAN SKRMETTA:** Would you join us on this to defer it?

1 **COMMISSIONER CAMPBELL:** Yeah. But let me ask a question. Cleco -- you
2 said Entergy or --

3 **VICE CHAIRMAN SKRMETTA:** Entergy.

4 **COMMISSIONER CAMPBELL:** Entergy has --

5 **VICE CHAIRMAN SKRMETTA:** They use these people.

6 **COMMISSIONER CAMPBELL:** Two hundred thousand dollars compared to
7 six million, what's the difference?

8 **VICE CHAIRMAN SKRMETTA:** So that's just -- that's what they do and their
9 contract, my understanding, with Entergy expires at the end of the year.

10 **CHAIRMAN FRANCIS:** I think the six million is over five years; is that right?

11 **MS. BOWMAN:** Yes, sir. So --

12 **CHAIRMAN FRANCIS:** Okay.

13 **MS. BOWMAN:** So I'm not sure what the contract amount is for Entergy
14 Louisiana, but the six million covers five years of services for all of the participating
15 utilities in energy efficiency, which is the three IOUs and then four LDCs. So it's
16 a broader scope of services.

17 **CHAIRMAN FRANCIS:** Okay. So we have a -- Commissioner Campbell has
18 asked for it to be deferred. The Chair would second that motion.

19 **COMMISSIONER LEWIS:** Mr. Chairman.

20 **CHAIRMAN FRANCIS:** Is there any other discussion?

21 **COMMISSIONER LEWIS:** Yes, sir.

22 **CHAIRMAN FRANCIS:** Commissioner Lewis.

1 **COMMISSIONER LEWIS:** Yes, sir. I think I want to contextualize what this
2 conversation is about, so we changed the energy efficiency rules, if we remember
3 correctly. Each utility hired their own EM&V contractor, evaluation, measurement,
4 and verification. And I think in the discussions we said, well, instead of having
5 each energy efficiency program evaluated separately, it would make sense for the
6 Commission to have one contractor that is looking at all programs. So the program
7 for Entergy, Cleco, SWEPCO, now our gas components who we added in the rule,
8 and then also the public entities program. And so while I hear the concerns of six
9 million, I think we have to put it in context of how big of these programs that this
10 contract is doing that is looking at three electric utilities' programs, four other
11 programs. And so we've been debating, I think, energy efficiency for a long time
12 here and it seems like we always come back. But I don't see what else we would
13 do and what else a month would do for us because we had long presentations from
14 multiple contractors. Kathryn, you can correct me if I'm wrong, how many when
15 we were going to the statewide administrator applied to be our EM&V contractor?
16 I want to say my memory was like eight or nine.

17 **MS. BOWMAN:** I wanted to say more like five, but --

18 **COMMISSIONER LEWIS:** I may be thinking of the administrators.

19 **MS. BOWMAN:** I think you're thinking of the administrator.

20 **COMMISSIONER LEWIS:** Yes, absolutely.

21 **MS. BOWMAN:** I think the EM&V contractor had a little bit less, but there was
22 still several competing companies, yes.

1 **COMMISSIONER LEWIS:** So I mean, in theory, if we kind of look at their
2 overall budget for a five-year work, we're talking about a million and some change
3 per year for those programs. And so I just wanted to make sure we kind of
4 contextualized the contract.

5 **MS. BOWMAN:** And I have the breakdown by year.

6 **COMMISSIONER LEWIS:** Okay. Can you please tell us the breakdown by
7 year?

8 **MS. BOWMAN:** Yes. Hold on. I'm sorry.

9 **SECRETARY FREY:** Simple math, it was 1.4 million. I don't know if they break
10 it down.

11 **MS. BOWMAN:** Roughly. So for 2026, the proposed budget would be
12 approximately 1.2 million, '27 would be 1.4, '28 is 1.6, '29 and '30 would be 1.7.
13 So that's where you get the total of 6.1. Now that's for the electric and then they
14 broke it down also for gas. Gas -- I'm just going to say the years '26 through '30,
15 gas is approximately 170,000 in the first year and then it goes to 194,000, 225,000,
16 and then 256,000 for a total on the gas component of 847,000. So that's where you
17 get the total of the roughly 6.8 million.

18 **COMMISSIONER LEWIS:** Okay. Thank you.

19 **CHAIRMAN FRANCIS:** So do we need to have a roll call vote on this?

20 **COMMISSIONER COUSSAN:** I think the Boomers have it this time.

21 **CHAIRMAN FRANCIS:** What's that?

22 **COMMISSIONER COUSSAN:** Y'all have it this time. I think we're not going
23 to object to you.

1 **CHAIRMAN FRANCIS:** Okay. Good. All right. Well, it's done. It's in the
2 books.

3 **VICE CHAIRMAN SKRMETTA:** And just to the people -- the IOUs, the gas
4 companies, and all players in this, I'd like to, you know, meet with y'all when you
5 have time between now and the next meeting in January. Just going over the
6 numbers that was stated by Counsel and just to put it in perspective, the gas analysis
7 by this contract was like \$190,000. That's the amount of money that -- near they're
8 charging an electric utility right now to do the analysis over an electric IOU versus
9 a gas company, which is decidedly smaller. So I'd like to sit down with the various
10 utilities and find out what real numbers need to be when we look at this. So I'm
11 available at your call. So thank you very much and we'll be looking forward to
12 meeting with you.

13 **CHAIRMAN FRANCIS:** Okay. So we're moving onto Exhibit 6.

14 **MS. BOWMAN:** Yes, sir. So Exhibits 6 through 9 are all energy efficiency and
15 they're all the retention of the respective districts' engineers. So we're going to
16 start, Exhibit 6 is Docket Number R-31106 for energy efficiency. It's a discussion
17 and possible vote to retain an engineer for District I pursuant to the General Order
18 dated August 28, 2025. And based on that Commission General Order,
19 Commissioner Skrmetta nominates Nathan Junius of Linfield, Hunter & Junius to
20 serve as the engineering firm for District I for 2026. And Staff recommends that
21 the Commission approve Vice Chairman Skrmetta's nomination of Linfield, Hunter
22 & Junius to assist District I with its 2026 political subdivision energy efficiency

1 program for a total budget not to exceed 1% of District I's total budget for its public
2 entities program.

3 **VICE CHAIRMAN SKRMETTA:** Move to accept Staff recommendation.

4 **CHAIRMAN FRANCIS:** Move to accept Staff recommendation by
5 Commissioner Skrmetta. Chair would second. Any discussion or objection? Here
6 discussion, Commissioner Campbell.

7 **COMMISSIONER CAMPBELL:** These are all the --

8 **VICE CHAIRMAN SKRMETTA:** Engineers.

9 **COMMISSIONER CAMPBELL:** The engineers.

10 **VICE CHAIRMAN SKRMETTA:** Yeah.

11 **COMMISSIONER CAMPBELL:** I'm the only district that doesn't have an
12 engineer. The reason I don't have an engineer, I took out bids. I think we've done
13 a better job saving money, but I just want to let them know. I mean, everybody has
14 an engineer. We don't have an engineer. I make sure that all the work is bid out.
15 We've been able to save a lot of money and I think we've done a good job. So if
16 anybody wonders why we're not doing it, we're not doing it because I think we've
17 saved money by simply calling up the credible engineers in town and asking to
18 come up with a bid. Sometimes we've saved hundreds of thousands of dollars by
19 doing this. But anyway, that's just my opinion, so I want to let you know that I'm
20 aware that we didn't submit a name, but that's why we didn't submit a name.

21 **CHAIRMAN FRANCIS:** Okay. This is covering 6, 7, 8, and 9; is that right?

22 **MS. BOWMAN:** Yes, sir. You want to just do them all together?

23 **CHAIRMAN FRANCIS:** What's that?

1 **VICE CHAIRMAN SKRMETTA:** Can we do them all together?

2 **MS. BOWMAN:** We could.

3 **VICE CHAIRMAN SKRMETTA:** In globo.

4 **MS. BOWMAN:** Yeah. So just let me clarify, in res would be Exhibit 7, 8, and 9
5 are Dockets R-31106. It's a discussion and possible vote to retain an engineer for
6 Districts II, III, and IV. District II and IV nominate D. Hicks Consulting and
7 District III nominates Bonton and Associates. All would be up to 1% of each
8 respective district's public entities budget.

9 **CHAIRMAN FRANCIS:** Okay. I'm not a lawyer. Did you call that globo? Is
10 that what you --

11 **VICE CHAIRMAN SKRMETTA:** In globo.

12 **CHAIRMAN FRANCIS:** Okay. In globo.

13 **VICE CHAIRMAN SKRMETTA:** That's okay. I went to law school twice.

14 **CHAIRMAN FRANCIS:** For all you lawyers, y'all would like that. So it's a --
15 we have a vote and a second and the discussion.

16 **VICE CHAIRMAN SKRMETTA:** I'll refresh my motion to make it for all four
17 -- all four engineers.

18 **COMMISSIONER COUSSAN:** And a second.

19 **CHAIRMAN FRANCIS:** Thank God, I'm sitting between two good lawyers, you
20 know. Okay. All right. So there's a motion and a second and there's no objection
21 and a few additions here, so 6, 7, 8, and 9 are approved.

22 **MS. BOWMAN:** And, Chair, just to clarify, your second on the first one goes to
23 all four?

1 **CHAIRMAN FRANCIS:** Yes, it is. I'm sorry.

2 **VICE CHAIRMAN SKRMETTA:** Across the board.

3 **MS. BOWMAN:** Got it.

4 **CHAIRMAN FRANCIS:** Second all four of them. All right.

5 **MS. BOWMAN:** Thank you. So moving -- Exhibit 10 is deferred, so now we're
6 going to move to Exhibit 11, which is Docket Number S-37736. This is CP-TEL
7 Network Services' petition for designation as an eligible telecommunication carrier
8 within Louisiana for the limited purpose of offering Lifeline Services. It's a
9 discussion and possible vote on a Staff report and recommendation. September 23
10 of this year, CP-TEL filed its petition with the Commission and it was published in
11 the Official Bulletin with no interventions. As set forth in that petition, the
12 company plans to offer all the supported services required by the act through its
13 owned and leased facilities. On November 24 of this year, Staff filed its report and
14 recommendation on the company's application, which found that CP-TEL had
15 demonstrated, consistent with the requirements of the Commission's --
16 Communications Act, excuse me, of 1934, applicable FCC regulations, and the
17 Commission's ETC General Order, and that it will make available to its customers
18 universal service offerings that provide all the services supported by the federal
19 universal service program, and that it appropriately advertise those availabilities.
20 Accordingly, Staff recommends that the Commission approve the company's
21 petition to be designated as an ETC in the designated service areas, so that the
22 company may provide supported voice and broadband services solely for the
23 purpose of receiving Lifeline support, subject to the Commission's standard

1 conditions in granting ETC designation. Staff recommends that the Commission
2 accept the Staff report and recommendation filed into the record on November 24,
3 2025.

4 **VICE CHAIRMAN SKRMETTA:** Move to accept Staff recommendation.

5 **COMMISSIONER COUSSAN:** Second.

6 **CHAIRMAN FRANCIS:** Staff recommendation by Commissioner Skrmetta,
7 seconded by Commissioner Coussan. Any questions or discussions or objections?
8 [NONE HEARD] Hearing none, it's in the books.

9 **MS. BOWMAN:** Exhibit Number 12 is S-37737. This is Brightspeed of Louisiana
10 and Brightspeed of South Arkansas's request for a letter of non-opposition for the
11 parties' issuance of guarantees and pledge of assets as security in connection with
12 the issuance of notes of parent, Connect Holding. It's a discussion and possible
13 vote on another Staff report and recommendation. On September 23 of this year,
14 Brightspeed filed its petition with the Commission seeking an order of approval or
15 non-opposition. It was published in the Commission's Official Bulletin with no
16 interventions filed. The company's request was submitted pursuant to the
17 Commission's General Order dated March 18, 1994. Upon review, Staff
18 determined that the proposed security interest presents no adverse impact on
19 customers, competition, or service quality. And the companies affirm that the
20 services, levels, rates, and Commission oversight will remain unchanged.
21 Additionally, the transaction is expected to strengthen Brightspeed's financial
22 position supporting broadband investments in Louisiana. Based on the foregoing,
23 Staff filed its recommendation on December 5 of this year, recommending that the

1 Commission express its non-opposition to the request subject to the standard
2 conditions for loan non-oppositions. Staff recommends that the Commission
3 express its non-opposition to the request to the conditions contained in Staff's
4 report and recommendation filed into the record on December 5, 2025.

5 **COMMISSIONER CAMPBELL:** I make a motion that we accept Staff
6 recommendation.

7 **VICE CHAIRMAN SKRMETTA:** Second.

8 **CHAIRMAN FRANCIS:** Commissioner Campbell moves that we accept Staff
9 recommendation on Number 12, seconded by Commissioner Skrmetta. Any
10 discussion or objection? [NONE HEARD] Hearing none, it's in the books.
11 Thirteen.

12 **MS. BOWMAN:** Exhibit Number 13 is Docket Number S-37762. It's Magnolia
13 Water Utility Operating Company request for a letter of non-opposition to enter
14 into a credit facility with CoBank. It's a discussion and possible vote on a Staff
15 report and recommendation. On October 21 of this year, Magnolia filed its request
16 with the Commission pursuant to General Order dated November 13, 1996 and
17 March 18, 1994, seeking the authorization for Magnolia to enter into multiple
18 advance, senior secured loans with CoBank. These loans will be used to -- for
19 purposes of capital contributions in support of Magnolia's expansion projects as
20 well as closing cost. The request was published in the Commission's Official
21 Bulletin and no interventions were received. Magnolia seeks to enter into this loan
22 agreement valued at \$40 million with CoBank for up to a 20-year term. The loan
23 will be in multiple advance, senior secured amortizing term loans and the assumed

1 interest rate for purpose of evaluating this has been set to 6.5%. This is -- the loan
2 is also to satisfy the formula rate plan requirements which makes Magnolia have a
3 balanced capital structure of 50% debt and 50% equity. On December 3 of this
4 year, Staff filed its report and recommendation into the record, concurring with
5 Magnolia's assertion that the request is in the public interest and will have no
6 immediate effect on rates and the terms of services and conditions. Staff also had
7 the standard loan non-opposition conditions in its recommendation. Staff
8 recommends that the Commission accept the Staff report and recommendation filed
9 into the record on December 3, 2025. And before you guys have a motion on the
10 floor, we do have one yellow card for Ms. Connie Norris that would like to speak.

11 **VICE CHAIRMAN SKRMETTA:** Before we get the yellow card to speak, I'll
12 just put a motion on the floor to accept Staff recommendation.

13 **CHAIRMAN FRANCIS:** A motion by Commissioner Skrmetta and a second by
14 Staff.

15 **VICE CHAIRMAN SKRMETTA:** No, he can't second the Staff. It has to be --
16 **MS. BOWMAN:** It has to be one of you.

17 **VICE CHAIRMAN SKRMETTA:** It has to be one of us.

18 **CHAIRMAN FRANCIS:** Oh, I'm sorry.

19 **COMMISSIONER CAMPBELL:** I'll second.

20 **CHAIRMAN FRANCIS:** All right.

21 **VICE CHAIRMAN SKRMETTA:** Second by Campbell.

22 **CHAIRMAN FRANCIS:** Second by Commissioner Campbell.

23 **VICE CHAIRMAN SKRMETTA:** Now we can do the yellow card.

1 **CHAIRMAN FRANCIS:** Okay. Who's the --

2 **MS. BOWMAN:** Okay. And, Ms. Norris, if you're in the audience, you can come
3 to the table.

4 **MS. CONNIE NORRIS:** Good morning.

5 **VICE CHAIRMAN SKRMETTA:** Good morning.

6 **CHAIRMAN FRANCIS:** Good morning.

7 **MS. NORRIS:** Hi. My name is Connie Norris.

8 **VICE CHAIRMAN SKRMETTA:** Could you speak a little closer to the
9 microphone, please?

10 **MS. NORRIS:** I'm sorry. Is that better?

11 **VICE CHAIRMAN SKRMETTA:** Yeah. Much better.

12 **MS. NORRIS:** Thank you. So good morning. My name is Connie Norris and I'm
13 a lifelong Louisiana resident, but I'm also a resident of St. Tammany Parish and the
14 reason that I'm here today is to talk about and ask that the intervenors be given an
15 opportunity to review this. This was presented and put under a separate docket
16 number than the current docket number which is U-37584 which is currently before
17 the Administrative Law Judge. And so we are asking -- the reason why you did not
18 have any intervention is because of the fact that it was under a separate docket
19 number. We would've intervened or asked for your assistance in possibly
20 reviewing this. And a couple of the other things and reasons that this has gone --
21 because we have some serious issues. We just -- with Magnolia Water in our area.
22 We just got from under a boil water advisory, which we get all the time. And then
23 just as recently as yesterday, Greenleaves turned the water on and pure mud was

1 coming out. So we have some issues about this as well as some financial questions.
2 We recently were -- the board approved the \$8 million to be passed onto your
3 ratepayers. They also had access to almost \$200-plus million in credit recently, as
4 well as now you want an additional 40 million. So we're asking that you either
5 defer or at least allow us an opportunity to review this and/or a -- put it under the
6 docket of U-37584. That's what I'm here today for.

7 **VICE CHAIRMAN SKRMETTA:** Okay. Well, thank you.

8 **CHAIRMAN FRANCIS:** Thank you, ma'am.

9 **MS. NORRIS:** You're welcome.

10 **MS. BOWMAN:** And, Commissioners, I've been asked if you guys could speak
11 either up or closer to the mics just so the audience -- both YouTube and here.

12 **VICE CHAIRMAN SKRMETTA:** All right. Thank you. There we go.

13 **MS. BOWMAN:** Good job.

14 **COMMISSIONER COUSSAN:** Kathryn, can you speak to the two separate
15 dockets, please?

16 **MS. BOWMAN:** I can or -- I don't -- Mr. Viswanathan, would you? Yeah.

17 **MR. ARVIND VISWANATHAN:** I can speak to that, Commissioner.
18 Commissioner, as of -- Arvind Viswanathan on behalf of LPSC Staff.

19 **VICE CHAIRMAN SKRMETTA:** You need to speak in the microphone.

20 **MR. VISWANATHAN:** I clearly do, Commissioner. I don't think my mic was
21 on. In this matter, Magnolia filed a request for a renewal of their FRP and that was
22 docketed as U-37584. This matter, which is unrelated to the FRP renewal, was a

1 request for non-opposition of Magnolia to enter into a loan with CoBank. As they
2 were unrelated, they were placed in two separate dockets.

3 **VICE CHAIRMAN SKRMETTA:** Okay.

4 **COMMISSIONER COUSSAN:** That makes sense.

5 **VICE CHAIRMAN SKRMETTA:** Yeah.

6 **COMMISSIONER COUSSAN:** Thank you.

7 **COMMISSIONER LEWIS:** Mr. Chairman, can I ask someone from Magnolia to
8 come for a quick question?

9 **MR. ANDY EZELL:** Andy Ezell with the Ezell Law Firm and I'm counsel to
10 Magnolia Water Utility Operating Company.

11 **COMMISSIONER LEWIS:** Thank you, Andy. My question is very simple
12 because I'm just making sure and hearing Ms. Norris' concerns. So when you come
13 back with your FRP as we kind of go through the process and now that we're giving
14 this \$40 million loan, can you describe at a high level the type of projects that are
15 expected to fund these system acquisitions, plan upgrades, and how customers will
16 see those investments reflected in their services of quality?

17 **MR. EZELL:** Oh, there's no doubt about it, every dollar that we invest, whether
18 it's equity capital or it's borrowed funds, goes into the acquisition, ultimate repair
19 and rehabilitation of the systems that we own and we operate. We are very careful,
20 okay, in making those acquisitions to ensure that we do not overpay and that we
21 have sufficient funds to do that restoration. By adding additional customers, we
22 increase the number of customers that are paying the rates and thereby increasing
23 that denominator reduces our ultimate rate as established and passed onto the

1 ratepayer. So these funds primarily will be used, as we said in the application, for
2 additional acquisitions as well as the restoration, rehabilitation of the systems being
3 acquired. I think that the Commission will see a lot of progress on the part of
4 Magnolia in the coming year in dealing with rate structure and improving the
5 current rates as they apply to all of our customers. And we're looking forward to
6 ultimately getting the Commission's approval of our FRP extension so that we can
7 make those efforts beginning in September.

8 **COMMISSIONER LEWIS:** Okay. Great. Thank you for that and I just wanted
9 to kind of contextualize the conversation. And the last question I have for you is
10 do you know if the current leverage ratios compare to the target under your FRP?
11 How will this -- taking on this debt affect your revenue requirements? Do you see
12 substantial changes to your revenue requirements in the FRP or do you think this
13 will --

14 **MR. EZELL:** I do not.

15 **COMMISSIONER LEWIS:** Okay.

16 **MR. EZELL:** In fact, very little. I think you'll be very pleased with our filing in
17 May.

18 **COMMISSIONER LEWIS:** All right. Well, thank you, Mr. Ezell.

19 **MR. EZELL:** Thank you.

20 **COMMISSIONER COUSSAN:** Andy, I just wanted to -- Andy, real quick. I just
21 want to, again, appreciate Magnolia and your commitment to working with our
22 Staff on all these issues that Commissioner just brought up and how critically
23 important it is on the due diligence side of these acquisitions to ensure what the

1 impact will be on the current ratepayer. So thank you for the work that you put into
2 it. Thank you for the work that your executive team has put into it. And we look
3 forward to working with y'all a tremendous amount in the first quarter of 2026.

4 **MR. EZELL:** Thank you, Commissioner.

5 **COMMISSIONER COUSSAN:** Yes, sir. Thank you.

6 **CHAIRMAN FRANCIS:** All right.

7 **VICE CHAIRMAN SKRMETTA:** A motion and a second.

8 **MS. BOWMAN:** Okay. So we have a motion by Commissioner Skrmetta and a
9 second by Commissioner Campbell.

10 **CHAIRMAN FRANCIS:** Is there any other discussion or objection? I'm sorry.
11 Go ahead.

12 **MS. BOWMAN:** No, I'm sorry. I was just saying we have a motion and a second
13 on the floor.

14 **CHAIRMAN FRANCIS:** Okay. And no other discussion or opposition? [NONE
15 HEARD] Okay. Well, it's passed.

16 **MS. BOWMAN:** Exhibit Number 14 is Docket Number U-36644. This is the
17 Commission's audit of the fuel adjustment clause filings of Cleco Power for the
18 period of January 2020 through December of 2022. It's a discussion and possible
19 vote on a joint report and draft order. The docket was initiated by Commission
20 Staff consistent with the Commission's General Order dated November 6, 1997.
21 The purpose of the FAC audit is to determine whether fuel costs were appropriate
22 and eligible for recovery through the FAC consistent with the Commission's
23 General Order, and whether they were properly included in the FAC, and whether

1 the costs were prudently incurred and produced just and reasonable rates. Staff
2 filed its audit report on July 31 of this year finding that Cleco complied with all the
3 Commission's orders with respect to the charges allowed in the FAC and that
4 Cleco's accounting processes were generally accurate. Further, Staff found that the
5 processes by which costs were incurred were reasonable and therefore the resulting
6 rates were just and reasonable. Staff's report recommended that Cleco should
7 implement more efficient record keeping and auditing processes and that certain
8 costs relative to Madison 3 should be reclassified as transportation cost in those
9 filings. On October 24, Cleco filed correspondence into the record, indicating it
10 did not oppose Staff's report. Therefore, as there are no unresolved issues, Staff
11 and Cleco filed a joint report and draft order into the record on December 5. Staff
12 recommends that the Commission accept that joint report and issue the draft order
13 filed into the record on December 5, 2025.

14 **COMMISSIONER COUSSAN:** Move to accept Staff recommendation.

15 **CHAIRMAN FRANCIS:** Move to accept Staff recommendation by
16 Commissioner Coussan.

17 **COMMISSIONER CAMPBELL:** Second.

18 **CHAIRMAN FRANCIS:** Seconded by Commissioner Campbell. Any discussion
19 or objection? [NONE HEARD] Hearing none, it's passed.

20 **MS. BOWMAN:** Exhibit Number 15 is Docket Number U-37483. This is
21 Beauregard's application for an increase in rates, approval of formula rate plan,
22 including modifications to the terms and conditions, and for interim rate relief. It's
23 a discussion and possible vote on an uncontested stipulated settlement. January 14,

1 2025, Beauregard filed its application and it was published in the Commission's
2 Official Bulletin and one intervenor, Mr. Brian Zelenak, intervened. However, his
3 intervention was later dismissed. The Commission authorized Beauregard an
4 interim rate of 40% of the overall requested base rate increase and implemented
5 tariff changes related to the high load factor and high load factor air separator plant.
6 After review and analysis of the filing and testimony, Staff and Beauregard reached
7 a stipulated settlement. And on November 3, 2025, Beauregard and Staff filed that
8 into the record. The major terms of the settlement are as follows: Beauregard shall
9 be authorized to implement an increase in base rates to achieve a revenue
10 requirement resulting in a modified debt service coverage ratio of 1.80, which
11 equates to approximately \$7.75 million; the incremental revenues in the
12 approximate amount of one million shall be allocated and dedicated to ordinary
13 replacement within Beauregard's capital work plan and, more particularly,
14 vegetation management; Beauregard is also authorized to reestablish a formula rate
15 plan as fully described in its FRP rider and it shall be for a three-year term with
16 filings in '27, '28, and '29. Staff recommends that the Commission accept the
17 uncontested stipulated settlement filed into the record on November 3, '25.

18 **VICE CHAIRMAN SKRMETTA:** Move to accept Staff recommendation.

19 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to accept Staff
20 recommendation.

21 **COMMISSIONER COUSSAN:** I'll second.

22 **CHAIRMAN FRANCIS:** Seconded by Commissioner Coussan.

23 **COMMISSIONER CAMPBELL:** Let me ask a question.

1 **CHAIRMAN FRANCIS:** And so we got a discussion question by Commissioner
2 Campbell.

3 **COMMISSIONER CAMPBELL:** This has nothing to do with this item and I
4 apologize, but --

5 **VICE CHAIRMAN SKRMETTA:** That's okay.

6 **MS. BOWMAN:** Commissioner, can you speak into your mic a little bit, please?
7 Thank you.

8 **COMMISSIONER CAMPBELL:** I apologize. I should've brought this up
9 earlier. But anyway, we're all aware that electricity rates are going up, up, up, up,
10 up. I remember -- Eve, you remember when people would pay 10 cents a kilowatt-
11 hour. I thought that was high. Now we're approaching 15 cents. So I hope
12 everybody realizes there's no such thing anymore as cheap utilities. What used to
13 be -- we said it was never cheap, but they were reasonable. At 15 cents per kilowatt-
14 hour, I don't know if that's reasonable or not. But if you look at the front page here
15 that we got them to do every time we have a session now, we can look in there and
16 see what your utilities that you regulate, all of them, what they're charging now.
17 So I just want to make that point that 10 cents a kilowatt-hour is over with and we
18 have to struggle to make sure that it doesn't even get higher. Fifteen cents is really,
19 really high and a lot of them are approaching 15 cents. My hometown, SWEPCO,
20 is right up there among them at 15 cents. So anyway, I just -- as Father Time is
21 speaking here, I've been here a long time. I remember when 10 cents was
22 something. Now it's 10 cents is a bargain, now it's approaching 15 cents. And we
23 got to work hard to make sure that it doesn't get even higher because that is really

1 hurting people, people especially on a fixed income paying their bills. And you
2 know how if you don't pay your bills and it's 20 degrees outside, you got a heap of
3 problems. That's all I got to say.

4 **CHAIRMAN FRANCIS:** Thank you, Commissioner Campbell. Is there any
5 other discussion or additions? [NONE HEARD] Hearing none, it's passed.

6 **MS. BOWMAN:** Exhibit 16 is Docket Number U-37565. This is Deepwoods
7 Utilities' application for an increase in water and wastewater rates. It's a discussion
8 and possible vote on an uncontested stipulated settlement. On April 22 of this year,
9 Deepwoods filed its request with the Commission and requested an increase in rates
10 as a result of increasing costs of operating expenses and cash reserve to not be able
11 to repair or replace its infrastructure. The request was published in the
12 Commission's Official Bulletin and no interventions were filed. In the application,
13 Deepwoods explained that its financial sustainability received from Louisiana
14 Rural Water Association was below the 1.5 sustainability factor used. The
15 company received a financial sustainability rating of 0.75. However, Deepwoods
16 expressed with their proposed rate increase, the company's financial stability would
17 increase to a 2 and a 1.5. Along with this factor, Deepwoods stated that the
18 company's current rates are insufficient and should be increased to meet the
19 increased cost of all permissible company operations. Staff verified the company's
20 2024 expenses through its financial statements, and based on Staff's review and
21 documentation provided by the company, Staff recommends that the Commission
22 authorize a r(O&M) of 19.33% and that's to allow Deepwoods an adequate margin
23 of revenues over its expenses. To achieve this desired r(O&M), Staff recommends

1 that the Commission approve rates that would generate an additional annual
2 revenues in the amount of \$34,164. Deepwoods indicated its agreement with
3 Staff's recommendation and an uncontested stipulated settlement was filed into the
4 record on November 17, 2025. Staff recommends that the Commission accept the
5 uncontested stipulated settlement filed into the record on November 17, 2025.

6 **CHAIRMAN FRANCIS:** I believe this is in Commissioner Campbell's area.

7 **COMMISSIONER CAMPBELL:** Right. This is where we used, I think, some
8 good judgement. They asked for \$22 and we gave them \$20. And we were --
9 everybody has money, that they want more money. I hadn't seen anybody say,
10 look, we'll take a cut in rates, yet. I've been here a long time and I hadn't ever seen
11 anybody says, hey, you, how about cutting us a little bit? That's not just utility
12 business, that's like everything else. Although I did hear what gasoline in Monroe
13 this week was something like 2.15 or something. That was --

14 **VICE CHAIRMAN SKRMETTA:** Yeah. We were at 2.12.

15 **COMMISSIONER CAMPBELL:** 2.12, something like that. And it's 2.30-
16 something or 2.28 or something in Shreveport. That's another subject for another
17 day, but oil companies seem to be doing very well.

18 **CHAIRMAN FRANCIS:** So they're all -- did they convert to Democrat, the oil
19 companies? The price is going down.

20 **COMMISSIONER CAMPBELL:** You keep that up, they'll be going over there.
21 You keep Mr. Trump, everybody is going to be going over that way. But anyway,
22 I praise the Staff that's looking in this. We're saving some money here and we

1 didn't give everybody exactly what they wanted, so I approve this Staff
2 recommendation.

3 **CHAIRMAN FRANCIS:** All right.

4 **COMMISSIONER CAMPBELL:** I make a motion to approve Staff
5 recommendation.

6 **VICE CHAIRMAN SKRMETTA:** Second.

7 **CHAIRMAN FRANCIS:** Commissioner Campbell made a motion to approve
8 and second by Commissioner Skrmetta. Any other discussion? [NONE HEARD]
9 Hearing none, it's passed.

10 **MS. BOWMAN:** Exhibit Number 17 is Docket Number U-37594. This Entergy's
11 formula rate plan annual evaluation report for test year '24. It's a discussion and
12 possible vote on a joint report. The proceeding was initiated on May 30 this year
13 when Entergy filed its evaluation for the test year ending December 31, 2024. The
14 filing was noticed in the Commission's Official Bulletin and LEUG intervened.
15 Pursuant to the global settlement in its most recent rate case, Entergy applied a
16 special earnings test to its test year 2024 filings. The terms of that test provide that
17 if Entergy's filing demonstrated an earned ROE greater than the allowed midpoint,
18 any revenue corresponding to such exceedance would be refunded to customers.
19 Entergy's filing demonstrated an EROE of 9.98% and as such, a customer credit of
20 approximately \$31 million was determined to be owed. Subject to the
21 Commission's review and refund, Entergy implemented the rates reflected in the
22 2020 -- excuse me, the test year '24 compliance update, including credit associated
23 with that special earnings test credit beginning with September of '25 billing cycles.

1 Entergy filed an interim update to its filing in order to reflect the expiration of that
2 credit, and on August 20 of this year, Staff submitted its errors and objections
3 report, finding that Entergy's test year evaluation complied with the provisions of
4 the terms of the settlement, but reserved its rights to review those credits. Entergy
5 reviewed the revenue data and determined that as a result of the higher than average
6 monthly usage, the actual amount credited to customers was slightly over the \$31
7 million. However, Entergy communicated those results to Staff and affirmation
8 that Entergy did not intend to seek a true-up of the excess credit. Staff agrees with
9 -- that the credit was overpaid and does not dispute any remaining issues with
10 Entergy on the filing. During the pendency of the review, Entergy also submitted
11 a second interim update to the test year '23 filing to reflect retail effects of its
12 divestiture of the Grand Gulf Nuclear Station and to implement an FRP revenue
13 increase associated with Hurricane Francine recovery costs. On December 9, Staff
14 and Entergy filed a joint report, confirming that they had no outstanding disputed
15 issues existing with regards to the '24 test year and requesting the Commission
16 accept the joint report. LEUG did not oppose that report. Staff recommends that
17 the Commission accept the joint report filed into the record on December 9 of this
18 year.

19 **VICE CHAIRMAN SKRMETTA:** Move to accept Staff recommendation.

20 **CHAIRMAN FRANCIS:** Motion by Commissioner Skrmetta.

21 **COMMISSIONER LEWIS:** I'll second, Mr. Chairman, but can I have a
22 representative from Entergy for one quick question?

1 **CHAIRMAN FRANCIS:** Seconded by Commissioner Lewis and you have a
2 representative from Entergy, Larry Hand.

3 **MR. LARRY HAND:** Good morning.

4 **COMMISSIONER LEWIS:** Good morning.

5 **CHAIRMAN FRANCIS:** Good morning.

6 **COMMISSIONER LEWIS:** Thank you. Thank you, Larry. In reviewing this, I
7 just kind of wanted to make sure we were clear on the record with the combined
8 effects of the special earnings credit that you've worked through and then the other
9 FRP adjustments, this would result in about a -- almost a \$5 monthly bill decrease
10 for residential users that are around 1,000 kWh; is that correct?

11 **MR. HAND:** So I don't have that number in front of me [INAUDIBLE] --

12 **MS. BOWMAN:** Hold on.

13 **MR. HAND:** How about now? Okay. I don't have that number in front of me,
14 but if you think about what happened is in September and October of this year,
15 that's when we began to flow back to customers their required credit. And for the
16 record, Larry Hand on behalf of Entergy Louisiana. So we did flow that back over
17 the two months, September and October, and then we stepped down the credit
18 beginning in November. So if this is accepted, there's no further rate changes. It's
19 already all happened in the past. All that we are doing is effectively, for
20 administrative convenience, saying even though we credited back more than
21 required under the settlement, about \$2.5 million more, due to administrative
22 convenience, the cost of effectuating a true-up a bill, we're willing to waive that to
23 close out the docket. So apologize if I don't have the math on that number, but --

1 **COMMISSIONER LEWIS:** No, no, no. That's totally acceptable. I just was
2 kind of walking through some of the changes that we looked at with the special
3 earnings credit and then some of the FRP adjustments and how all together the
4 maneuvers that you just spoke about and their tax rates. I did have a question about
5 the recent tax changes. How does that affect your revenue requirements?

6 **MR. HAND:** Can you refer -- be specific as to which tax changes? Because
7 they're changing all the time.

8 **COMMISSIONER LEWIS:** Right. Yes. I should be a little bit more specific. I
9 know the recent state law changes here in the state, the corporate rate.

10 **MR. HAND:** Yeah. And I'll speak generally. If you have more detailed questions,
11 I have my director of reg affairs can probably answer it. But, you know, generally
12 speaking, the state tax rate, you know, changed. It went down. It went lower and
13 generally that's a good thing, right? So it lowers the statutory tax that's included
14 on our rates, but also it had some effects in terms of the ADIT balances that Lane
15 Sisung can speak to. So on the net basis, I can't give you the number, but it had a
16 plus and a minus and I think -- someone can correct me, I think on average it had
17 the effect of we needed to I believe charge a little bit more to take care of the ADIT.
18 But, Ryan, do you want to come on up? And he's free to contradict everything I
19 just said because he knows it much better.

20 **MR. RYAN JONES:** Good morning, Commissioners. Ryan Jones on behalf of
21 Entergy Louisiana. And I think what Larry said is effectively correct. There were
22 gives and takes between the state taxes and federal taxes. They ended up getting
23 balanced in the formula rate plan based upon existing provisions that were in there

1 to handle previous tax rate changes, there was deferred tax rate impacts, there's
2 income tax effects. I think that Larry is correct. That on a net basis, it was a slight
3 incremental collection that we had.

4 **COMMISSIONER LEWIS:** Okay. Great. Thank you. Thank you, Mr.
5 Chairman.

6 **CHAIRMAN FRANCIS:** All right. Any other discussion or questions? [NONE
7 HEARD] Hearing none, it was passed.

8 **MS. BOWMAN:** Exhibit Number 18 is Docket Number U-37704. This is Utility,
9 Inc. of Louisiana's request for review and adjustment of base rates following the
10 merger with French Settlement Water Company, modification and extensions of its
11 formula rate plan, a depreciation study, modifications to its tariff, and interim rate
12 relief. This is a discussion and possible vote on interim rate increase pursuant to
13 Rule 57, so this will need two votes, and this is at the request of the Vice Chair. On
14 August 12 of this year, UIL filed an application requesting an adjustment to its base
15 rates as well as the implementation of interim rates. In the application, UIL
16 proposed an interim to achieve approximately one-third of its overall requested rate.
17 UIL further indicates it is prepared to post its financial security ensuring that any
18 amount deemed unrecoverable after final Commission review will be refunded to
19 ratepayers. Staff recommends that the Commission exercise its original and
20 primary jurisdiction under Rule 57 to consider this request. While Staff makes no
21 formal recommendation regarding the interim rate increase, Staff does note that
22 pursuant to applicable law, any interim increase should be subject to refund and
23 applicable bonding requirements. Therefore, if UIL's request is approved, Staff

1 would recommend that UIL be required to file proof of the applicable bond
2 requirements with the Commission, be required to file an updated tariff indicating
3 the interim rate and its terms with the Utilities Division within 30 days of an order
4 approving the interim rates, and that UIL cannot begin charging the interim rates
5 until proof of the applicable bond requirements and an updated tariff have been
6 provided to and approved by Staff.

7 **VICE CHAIRMAN SKRMETTA:** Move to bring the matter up under Rule 57.

8 **CHAIRMAN FRANCIS:** Move to bring the matter up under Rule 57 by
9 Commissioner Skrmetta. Is there a second over there?

10 **COMMISSIONER COUSSAN:** Oh, yeah. Second.

11 **CHAIRMAN FRANCIS:** Second by Commissioner Coussan. All right. Do you
12 move?

13 **VICE CHAIRMAN SKRMETTA:** Any opposition? And I move to approve the
14 Staff recommendation.

15 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to approve Staff
16 recommendation.

17 **COMMISSIONER COUSSAN:** And I'll second.

18 **CHAIRMAN FRANCIS:** And Commissioner Coussan seconds. So any
19 discussion or objection? [NONE HEARD] Hearing none, it's passed. Nineteen.

20 **MS. BOWMAN:** Exhibit Number 19 is Docket Number U-37799. This is Dixie
21 Electric Membership Corporation, Amite Solar, and Amite Energy Storages joint
22 application for certification of a battery energy storage agreement and approval of
23 the third amendment to the Amite Solar power purchase agreement between

1 DEMCO and Amite Solar. It's a discussion and possible vote to hire an outside
2 consultant. Staff issued an RFP and received one qualifying bid from United
3 Professionals Company for an amount of 68,000 in fees and 2,000 in expenses for
4 a total budget not to exceed of \$70,000. Staff makes no recommendation as the
5 sole bidder is qualified.

6 **VICE CHAIRMAN SKRMETTA:** Move to accept the bid of the sole bidder,
7 United Professionals.

8 **COMMISSIONER LEWIS:** Second.

9 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta, seconded by
10 Commissioner Lewis. Any discussion or objection? [NONE HEARD] Hearing
11 none, UPC has the job. Twenty.

12 **MS. BOWMAN:** Exhibit 20 is a docket to be determined. This will be Entergy
13 Louisiana's request for proposals for a standalone battery storage system resources.
14 It's a discussion and possible vote to hire an outside consultant. Staff issued an
15 RFP and received two qualifying bids. The first was United Professionals
16 Company of 58,000 in fees and 2,000 in expenses for a total budget not to exceed
17 of \$60,000. And then the second was from London Economics of 162,936 in fees
18 and 2,178 in expenses for a total budget not to exceed of \$165,114. Staff makes no
19 recommendation, as both bidders are qualified.

20 **VICE CHAIRMAN SKRMETTA:** Move to accept the low bid of United
21 Professionals.

22 **COMMISSIONER CAMPBELL:** I'll second.

1 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta to accept UPC,
2 seconded by Commissioner Campbell. Any discussion? [NONE HEARD]
3 Hearing none, UPC has the job.

4 **MS. BOWMAN:** Exhibit Number 21 is also a docket to be determined. This is
5 Atmos Energy Corporation's upcoming application for renewal of its rate
6 stabilization clause rider. It's a discussion and possible vote to hire an outside
7 consultant. Staff issued an RFP and received two qualifying bids. The first is from
8 Exeter and Associates of 95,765 in fees and 3,000 in expenses, for a total budget
9 not exceed of \$98,765. And the second is from J. Kennedy & Associates of 311,800
10 in fees and 8,100 in expenses, for a total budget not to exceed of \$319,900. Staff
11 makes no recommendation, as both bidders are qualified.

12 **CHAIRMAN FRANCIS:** Okay. We have --

13 **COMMISSIONER LEWIS:** I move to accept the bid of J. Kennedy.

14 **CHAIRMAN FRANCIS:** Move to accept the bid of J. Kennedy.

15 **COMMISSIONER COUSSAN:** Second.

16 **CHAIRMAN FRANCIS:** Seconded by Commissioners Coussan. Is there any
17 discussion or questions? [NONE HEARD] Hearing none, it's passed.

18 **MS. BOWMAN:** Exhibit Number 22 is our reports, resolutions, and discussions.
19 We have a couple of items under this exhibit this month. The first is under reports.
20 There's an update from Jefferson Davis Electric Cooperative on the construction of
21 its 230-kV transmission line. And you all should have copy of the presentation in
22 front of you. And, Kara, is anything in the presentation confidential? Could we
23 post it on the website? Okay.

1 **MS. KARA KANTROW:** All public.

2 **MS. BOWMAN:** Thank you.

3 **MS. KANTROW:** Good morning. Kara Kantrow on behalf of Jeff Davis, and I
4 have Mr. Mike Heinen, CEO and GM of Jeff Davis, who is here to give a little
5 update.

6 **MR. MIKE HEINEN:** Good morning, Commissioners. Mike Heinen, CEO of
7 Jefferson Davis Electric Cooperative. As you know in June -- or in 2020, we had
8 the Hurricanes Laura and Delta that were several weeks apart and completely
9 devasted our service area. Whereas each line section needed to be touched, which
10 is very heavy undertaking. Along with that, we had about 105 miles of transmission
11 that were completely down on the ground. And what made these storms different
12 than the others, this transmission line -- the towers that crossed the intercoastal
13 waterway, unlike in Rita '05, those towers went down. They were built in the 50s
14 and crashed to the ground. Along with the towers that went over the Mermentau
15 River crashed to the ground as well. Obviously, we spent a lot of time with FEMA
16 in deciding what to do. We had a 138 line that came from southeast of Lake
17 Charles, all the way down through the marsh, that went to a creole bulk station,
18 which fed the 69 line that was located on the coast. That 138 line went down. The
19 69-line loop went down as well. In talking with FEMA, with a lot of talks, they
20 were going to have a fast track of putting a underground line of the intercoastal
21 waterway. That fast track was going to be six months. And the infrastructure along
22 the coast is considered to be a critical infrastructure for the United States, being that
23 you serve petrochemicals, oil industry, pipelines, all those things that need to be

1 there for shipping and delivering of petrochemical products. Having a company or
2 a individual from FEMA -- an individual group from FEMA, they came down and
3 looked at our system, specifically saying that we should think about upgrading our
4 69-kV line loop that goes from southeast of Lake Charles all the way down to the
5 coast across the coastline to Holly Beach, and then north to Hackberry. And we
6 agreed with that assessment. During that assessment, we met with FEMA and
7 FEMA decided -- which is a first time, one of a kind that has been ever done, --
8 there's no way we could build a transmission line fast enough in order to serve the
9 coastline. So we decided to go with a upgraded 230 line because of the multiple
10 events that happened. We had Hurricane Rita, Hurricane Ike, Hurricane Laura,
11 Hurricane Delta that hit out service territory and devastated it all those years.
12 Hurricane Rita in '05, same year as Katrina. And from that point, on and on.
13 Getting with FEMA, we decided to -- are we going to do the same thing of
14 rebuilding it the same way, or are we going to upgrade and harden the system and
15 make it a bigger system, better system for the entire state of Louisiana to have a
16 transmission line that will withstand the forces of a hurricane -- Cat. 5 hurricane
17 being 165 mile plus winds that'll come through? So having said that, we made an
18 agreement with FEMA for the first time. They agreed to have generators along the
19 coast to serve the people while we get in line to build the new transmission system.
20 The generators along the coast were located in four different spots, of which were
21 going to be there for an estimation of five years and at a cost -- a considerable
22 amount, between 3.5 to \$4.5 million a month for the generators and the fuel to run
23 it. FEMA agreed. We had everything in place, and the last month the generators

1 are fully decommissioned and offline, which is excellent news for the community
2 of Cameron -- the parish of Cameron and for Jeff Davis Electric Co-op as well. So
3 we're very excited that happened. We rushed -- five years -- but we rushed to get
4 to where the generators were so we can take generators offline first. We will
5 complete the loop feed of the 230-system sometime Q1, Q2, Q3 of next year,
6 depending on who you speak with at the engineering company. So pretty fun to
7 know that the project will be complete. I will go off -- I wish everyone had a copy
8 of the report that I'm giving in front of them, but I will go off the report now. That's
9 the general basics. The basic is we're off of the generators, and we had a total of
10 all the structures that have been there. I saw the number of 1,280 structures that
11 were put in place over that -- the system that is there now. And all of this system
12 has been put in place. It has not been energized completely, but all this -- the
13 system, meaning the pole, have been put in place. Ongoing work crews installing
14 and remain -- the remaining conductor. I'm on the first page. Demolition of
15 remaining pre-storm distribution and transmission continues, of which -- and then
16 they have construction of substations. I will explain better as we go through the
17 pictures. Some of y'all are cheating and going in front -- ahead of the picture. I see
18 you. So since you oversee me, cheat all you want. As of November 19, 2025, all
19 generators have been decommissioned. JDEC is operating on permanent
20 transmission power -- grid power. All land rights and right-of-way have been
21 secured. And understand when you build a transmission line, it normally takes 10,
22 11, even more years to get everything you need. We've done it in five, or are on
23 the way of doing it to five. Five and a half. Remaining transmission and substation

1 construction, under 428 projects will be complete in Q1. 428 and 404 programs,
2 that is the remaining financing that we're getting from the state under CDBG funds
3 in different buckets. In different buckets. I will stop and ask for questions.

4 **CHAIRMAN FRANCIS:** Commissioner Campbell has a question for you.

5 **MR. HEINEN:** Certainly.

6 **COMMISSIONER CAMPBELL:** These pads that you put out to put cranes and
7 bulldozers on and everything, the pads lay in the marsh. How much do they cost?

8 **MR. HEINEN:** The total line cost around \$400 million.

9 **COMMISSIONER CAMPBELL:** No, I'm talking about per -- do you have any
10 idea --

11 **MR. HEINEN:** Per each one? Each one was different depending on the size of
12 where it was, but it wasn't cheap. It came for a total of 400, of which, for the first
13 time ever, FEMA prepaid for the construction of the line.

14 **COMMISSIONER CAMPBELL:** Where are they? Where do you buy them
15 from? Because we have a lot in that country up there now with Haynesville Shale
16 that use a lot of them. I see them stacked up. Where do y'all buy all these big
17 timber from?

18 **MR. HEINEN:** Timber we got -- it's a company called Diamond D was our
19 contractor. Where they got the timbers from, I could not tell you, Commissioner.
20 But Diamond D had the contract. Diamond D is a local company out of Sulphur
21 that did all of the --

22 **COMMISSIONER CAMPBELL:** They furnishing those?

23 **MR. HEINEN:** -- all of the mat working that is there.

1 **COMMISSIONER CAMPBELL:** They furnishing those? The mats.

2 **MR. HEINEN:** Yes. They furnished all the mats.

3 **COMMISSIONER CAMPBELL:** You rent them or you buy them?

4 **MR. HEINEN:** Anything you get from FEMA, you rent. You do not own them.

5 They will not let you buy anything and own anything. If they pay for it, you rent

6 it. You're not -- you're not able to gain anything from whatever --

7 **COMMISSIONER CAMPBELL:** They're not like the railroad tie. They're much

8 bigger than a railroad tie.

9 **MR. HEINEN:** Yes, sir. They're very --

10 **COMMISSIONER CAMPBELL:** Double the size.

11 **MR. HEINEN:** And matted together and stacked upon each other. I've never seen

12 so many mats in all my life. And knowing what I used to do on a farm and go

13 across a creek with barely a board, seeing the mats that they used out in the marsh

14 was impressive.

15 **COMMISSIONER CAMPBELL:** Yeah. We have a lot of them stored up our

16 way. I don't know how much they -- had to be astronomical, though.

17 **MR. HEINEN:** It was astronomical. And Diamond D did an excellent job of

18 putting the mats down and getting the work done, but it was all necessary because

19 of the area that we --

20 **COMMISSIONER CAMPBELL:** It's all oak lumber, too.

21 **MR. HEINEN:** I'm sorry?

22 **COMMISSIONER CAMPBELL:** It's oak. Hardwood lumber.

23 **MR. HEINEN:** Yes. I would imagine it would be. I'm not an expert on wood,

1 but it was --

2 **COMMISSIONER CAMPBELL:** Not treated.

3 **MR. HEINEN:** Was not treated.

4 **COMMISSIONER CAMPBELL:** It's raw.

5 **MR. HEINEN:** It's raw wood. Used wood. Some of it lost in the marsh and will
6 never be seen again. But, yeah.

7 **COMMISSIONER CAMPBELL:** Can't use them twice you don't think?

8 **MR. HEINEN:** Some of them you can't get out after you put them in.

9 **COMMISSIONER CAMPBELL:** Right.

10 **MR. HEINEN:** Sort of like stepping in the mud with your rubber boots.

11 **VICE CHAIRMAN SKRMETTA:** I imagine some of it's next to the boot that
12 got lost in some of that stuff.

13 **MR. HEINEN:** Absolutely. But I'm not telling where or what or -- because I don't
14 want anybody going to look. Okay. The first page you see of pictures. The first
15 picture you see is the structures that are going over the intercoastal waterway
16 located at the Gibbstown Bridge. The current -- the structure that was there was
17 built in '57. It was a skeleton type of structure, lots of iron, lots of bolts, and it had
18 been there for quite a while. Now these structures are steel, two steel poles that go
19 over the intercoastal waterway and totally different construction than what it was
20 before. All of the construction you see is rated for 162 mile an hour winds to
21 withstand any hurricanes that may come about. The other things that you see are
22 places where the substations are located. One of the substations you see there is
23 called the Fulton Substation. It is the closest to the Gulf that you can get with the

1 Fulton Substation. It serves Cameron. If you can look closely, it is at the bottom
2 right picture that you see. You will see the transformer is elevated on top of the
3 structure. That transformer is about -- I would say 10 to 12 feet off of the ground,
4 as is the entire structure that works as the substation on that site. Not only that site,
5 but I think 11 substations, through our discussions with FEMA, have been upgraded
6 to a 500-year flood plain plus one foot to get all of the substations off the ground to
7 where they're elevated and will not be inundated with water should a storm hit the
8 area again. Water damage was the biggest damage we had that came through.
9 Trying to get transformers after that was definitely a problem. But this should save
10 the transformers and save the substations from being rebuilt along with the
11 transmission system. If a hurricane should hit, we're looking at distribution system
12 only, and that would be a tremendous savings. I can't guarantee that, depending on
13 what the weather does, but that is the plans. We'll put it that way. Second picture,
14 the 230 electric kV stronger for Jeff Davis Electric Co-op -- JDEC. You can see
15 the helicopters, the -- I had the name of the helicopter in mind, but can't think of it
16 at this point in time. It's a definite sight to see a helicopter -- a pole flying through
17 the air and being connect to -- if you look at the next page, which is a caisson.
18 Caisson is something they drive in the ground. The caissons are between 15 and
19 20 foot in length that is vibrated into the ground and put in the areas to where it had
20 to be and engineered to where it would withstand the wind ratings that we had. And
21 the vibration system is just that. It's hollow in the middle, and it has a machine that
22 vibrates it very technically, and then the pole is placed on top of it, and then bolted
23 down. And most -- all of those poles at this point in time should be put in. Not all

1 of the conductor, not all of it clipped in, but all of the poles are in at this time. The
2 magnitude that you see of the construction of a 230 line is on the next page, where
3 you see it says Chennault material staging. The 230-kV line staging area is located
4 near Chennault Airport. It was not the only staging area. What you see is a small
5 part of a staging area -- one of the staging areas. It was a massive undertaking for
6 JDEC and the -- and FEMA. I must give them credit, obviously, and the contractors
7 and construction companies that put it together, which was QSSID, which is Quanta
8 -- Quanta and Irby Construction is the one that put the system together. The next
9 page, again, is a Fulton Substation that is complete. You can see the -- again, the
10 transformer is elevated along with all the structures that are elevated. In the far
11 background, where you see the stacks of what looks like trailer -- truck trailers that
12 you see, or 18-wheelers, those are the stacks of generators that we had sitting there
13 for five years, along with the mobile home where a person was onsite constantly
14 those five years with fuel plugged in constantly the whole time. So like I said, it
15 was a major undertaking with a lot of cost, but we do believe, along with the
16 engineers, that this particular system would not only see the transformer that is
17 above ground, you see the -- I call it a cabin, but it's the structure that holds all the
18 electronics above ground as well. I'll stop there if there are any additional questions
19 at this point. Yes, sir.

20 **CHAIRMAN FRANCIS:** Some of your substations are not complete. How can
21 you get off generators and your substations are not finished?

22 **MR. HEINEN:** We planned it in such a way that we raced to where the generators
23 were first. So it's a radio line going down to the coast at this point. Going to each

1 one of the points of where those generators were and directly engineering those
2 points first where we could put out distribution. And then the substations that are
3 not complete, or will be completed, that is for the loop system. When we finish
4 getting the -- from Chalkley, which is southwest or southeast of Lake Charles, going
5 all the way around to Hackberry to a substation called Crown, which is being built
6 now. Those are the ones that have not been finished or the ones that are being part
7 of the loop system.

8 **CHAIRMAN FRANCIS:** Okay. All the generators are off.

9 **MR. HEINEN:** All the generators are 100% off.

10 **CHAIRMAN FRANCIS:** What about another thing for maintenance, the long-
11 term and corrosion? I see all those poles in the marsh, you know, a lot of corrosive
12 area there. I know they're all galvanized poles, and I see they got coatings on the
13 poles, but is that going to be a responsibility of Jeff Davis to --

14 **MR. HEINEN:** At first, yes.

15 **CHAIRMAN FRANCIS:** -- monitor maintenance on the poles?

16 **MR. HEINEN:** We're depending -- we're depending on a company that we've
17 contracted with to do the O&M on the line. At this point, we pay a fee for that. But
18 long-term, we're -- we have applied and are trying to be a member of MISO and
19 get that line put into the MISO system and run just like every other transmission
20 line that benefits the state and the nation as a whole and put that as a item for MISO
21 to -- to do the O&M and the maintenance on the line just like they do all the other
22 transmission in the state of Louisiana.

23 **CHAIRMAN FRANCIS:** So MISO would be responsible for the --

1 **MR. HEINEN:** That's going to be --

2 **CHAIRMAN FRANCIS:** -- the corrosion on the poles?

3 **MR. HEINEN:** That's going to be up to you fine gentlemen sitting up there in the
4 front, as we have applied to get into MISO and have asked y'all to look at the
5 system. There is no other 230 line in the state that's not in MISO. But this line is
6 going to be a -- you can call it interstate highway for electricity that can serve the
7 state and the nation and better just all the other transmission system does in the state
8 of Louisiana. So that is coming up --

9 **MS. KANTROW:** Soon.

10 **MR. HEINEN:** Soon, hopefully. There you go.

11 **MS. KANTROW:** The application's been filed.

12 **MR. HEINEN:** The application has been filed.

13 **MS. KANTROW:** You want us to keep through the pictures, or?

14 **MS. BOWMAN:** Kara, mic, please. Speak into the mic.

15 **MS. KANTROW:** Would you like us to continue going through the pictures, or
16 just get it done?

17 **MR. HEINEN:** I'm -- if you say yes or no, I'm still going. I'm very proud. I mean,
18 you can tell me to --

19 **VICE CHAIRMAN SKRMETTA:** I went -- I already went through them all, so.

20 **MR. HEINEN:** Thank you. I'm still going.

21 **VICE CHAIRMAN SKRMETTA:** I actually went in -- I was in -- I was in
22 Cheniere and saw some of the work in person when I was driving down one of the
23 roads and actually saw the --

1 **MR. HEINEN:** It's impressive; isn't it?

2 **VICE CHAIRMAN SKRMETTA:** But it was about a year ago. A year and a
3 half ago.

4 **MR. HEINEN:** It was still impressive then, too.

5 **VICE CHAIRMAN SKRMETTA:** Yeah. I actually saw the work in process.

6 **MR. HEINEN:** Yeah. It is a dream come true. It's a hard way to get there, but it
7 is a dream come true.

8 **VICE CHAIRMAN SKRMETTA:** You know, because one of the things I was
9 thinking about when I saw it was how after this work is in place and how the
10 potential is for helping redevelop the coast for people to use the power.

11 **MR. HEINEN:** Absolutely.

12 **VICE CHAIRMAN SKRMETTA:** And, you know, because without the
13 resources there, you know, most of the coast is largely isolated and unused. But,
14 you know, with the resource of new power and secure power down there, that
15 communities and potentially vacation homes in that area may actually return to the
16 coast, and I think that's great.

17 **MR. HEINEN:** Couldn't say it better, Commissioner. Thank you. I appreciate it
18 and agree with you. Sir?

19 **CHAIRMAN FRANCIS:** How many meters in Cameron Parish?

20 **MR. HEINEN:** Down below intercoastal waterway, about 2,000, but we're
21 expecting --

22 **CHAIRMAN FRANCIS:** Two thousand meters?

23 **MR. HEINEN:** We're expecting a growth.

1 **CHAIRMAN FRANCIS:** Four hundred thousand dollar transmission line?

2 **MR. HEINEN:** Four hundred million dollar transmission line.

3 **COMMISSIONER CAMPBELL:** Let me say something.

4 **MR. HEINEN:** Of which Louisiana ratepayers have paid nothing for.

5 **CHAIRMAN FRANCIS:** Right.

6 **MR. HEINEN:** It's all FEMA reimbursed.

7 **CHAIRMAN FRANCIS:** All of our friends over in Vermillion Parish, Pecan
8 Island, are jealous of you. They wonder why they don't have a 230 line over there.

9 **MR. HEINEN:** As well they should be.

10 **CHAIRMAN FRANCIS:** Yeah.

11 **MR. HEINEN:** But I don't want them to get it the way we did because it -- it's a
12 storm that caused all this to happen. But I must give kudos to my engineering firm
13 and FEMA and all of my employees and everyone that came together to find a
14 solution to where we didn't have to do this again. We qualified for this line because
15 we've had multiple events. Once you go through a Rita, once you go through an
16 Ike, once you go through a Laura and a Delta. And what's the definition of insanity?
17 Keep doing the same thing, you'll get the same results. We decided to do something
18 different, and FEMA was on board, so.

19 **COMMISSIONER COUSSAN:** Is that Royal Engineering?

20 **MR. HEINEN:** Royal Engineering. Yes, sir. They were extremely helpful in
21 getting everything done. Yes, sir, Commissioner?

22 **CHAIRMAN FRANCIS:** Commissioner Campbell?

23 **MR. HEINEN:** Campbell.

1 **COMMISSIONER CAMPBELL:** That's remarkable what y'all do down there
2 trying to build. I know about building fences a good bit. A little bit, not like you
3 folks. It's remarkable how y'all can take nothing and build fences and put out poles
4 that will withstand all this high winds. I looked at some of the pictures. Like they
5 say, a picture is a thousand words. These are 10,000 words. Unbelievable how you
6 do -- you take these machines and put them on the path and operate them, work
7 wells, whatever you got to do in the middle of a marsh, and build a highline.

8 **MR. HEINEN:** Commissioner, to tell you the truth, amazing watching the -- not
9 only the helicopters, but they actually put some of the caissons down from the road.
10 Putting caissons down is a 5-minute event of shaking it and 20 minutes of
11 measuring to make sure it's in the right place. If you go to any place -- any spot on
12 our system and get to where you can see two or three miles of line, you cannot tell
13 a millimeter apart from one pole to the other. It is a remarkably straight line that -
14 - how they do it. The engineers are amazing, and I don't normally say that about
15 engineers, but kudos to them for that and developing the system to be able to do
16 that.

17 **COMMISSIONER CAMPBELL:** Let me know what I can do to help you
18 because it's unbelievable what the people went through down there.

19 **MR. HEINEN:** It is. It is.

20 **COMMISSIONER CAMPBELL:** Unbelievable. And it's almost like --

21 **MR. HEINEN:** We're thankful for a lot of things. The people are very cooperative
22 in that. We shut down roads and do the things you have to do to get the line built.
23 Had to get some land right-of-ways, and we worked with a lot of people doing a lot

1 of different things. So there's not enough time to give the people credit that I would
2 like to give credit to, but suffice it to say that the people are amazing that we work
3 with.

4 **COMMISSIONER CAMPBELL:** Okay.

5 **MR. HEINEN:** But I'm still going to continue just to show you the GIWW
6 crossing of building those structures are on the next line. The Mermenau
7 Crossing is amazing in that. Again, it's a two-pole structure. I'm on this page for
8 those who have went ahead -- went ahead of me. I'm still bragging whether you
9 like it or not. It was an underground line. We figured the overhead transmission
10 was bigger because it was -- it was actually cheaper than going underground, for
11 one, and it'll be easier to maintain for the long run. On the following page, a
12 Holly Beach coastal transmission line, you can see how that line differs from what
13 the line that was there before along the coast. We do anticipate the coastal line
14 being energized and helping with the entire -- entire coastal waterway.

15 **CHAIRMAN FRANCIS:** Okay. Time out. That's enough, Mike. We got the
16 message.

17 **MR. HEINEN:** I'm looking at all of them --

18 **CHAIRMAN FRANCIS:** Thank you for that fine report.

19 **MR. HEINEN:** Picture and --

20 **CHAIRMAN FRANCIS:** Anybody else?

21 **COMMISSIONER COUSSAN:** You should be proud of what y'all did. So thank
22 you so much for doing that.

23 **MR. HEINEN:** There's no picture of me in there, so we can go on. All right.

1 Thank you.

2 **MS. KANTROW:** Thank you for the time. Appreciate you.

3 **COMMISSIONER COUSSAN:** Thank you, guys.

4 **MS. BOWMAN:** Thank you, guys.

5 **MR. HEINEN:** Thank each one of you. I appreciate you. Thank you.

6 **CHAIRMAN FRANCIS:** Okay. The next one is Number 4. Kathryn --

7 **MS. BOWMAN:** So we -- yes, sir. So we are still under Exhibit Number 22. We
8 have two ratifications this month. The first is a discussion and possible vote to
9 ratify the votes cast by Vice Chairman Skrmetta, acting as the Commission's
10 representative on the board of director of the Organization of MISO States. This is
11 for ratification of votes taken on November 11, 2025, by Commission Skrmetta as
12 the Commission's representative. Staff --

13 **COMMISSIONER COUSSAN:** Move to ratify.

14 **MS. BOWMAN:** Thank you.

15 **CHAIRMAN FRANCIS:** Second.

16 **VICE CHAIRMAN SKRMETTA:** Abstain.

17 **CHAIRMAN FRANCIS:** Any objection?

18 **MS. BOWMAN:** So motion by Commissioner Coussan, seconded by
19 Commissioner Francis? Was it -- did I hear that right?

20 **COMMISSIONER COUSSAN:** Yes.

21 **CHAIRMAN FRANCIS:** Yes. Any objection? [NONE HEARD] Hearing none,
22 we accept that vote. Thank you.

23 **COMMISSIONER COUSSAN:** I also move to ratify the intervention of

1 Louisiana Public Service Commission RTO-related or other federal energy
2 regulatory proceedings.

3 **VICE CHAIRMAN SKRMETTA:** Second. Kathryn, do you have to read the in
4 re? Is that required?

5 **MS. BOWMAN:** Usually. So let's just -- discussion and possible vote to ratify
6 interventions of the Commission in RTO-related or other FERC proceedings.

7 **VICE CHAIRMAN SKRMETTA:** Okay. Second.

8 **COMMISSIONER COUSSAN:** Moved.

9 **MS. BOWMAN:** Thank you.

10 **CHAIRMAN FRANCIS:** We've got a motion by Commissioner Skrmetta.
11 Second by --

12 **VICE CHAIRMAN SKRMETTA:** Actually --

13 **CHAIRMAN FRANCIS:** Commissioner --

14 **VICE CHAIRMAN SKRMETTA:** We got it.

15 **CHAIRMAN FRANCIS:** I'm sorry.

16 **VICE CHAIRMAN SKRMETTA:** We got it.

17 **COMMISSIONER COUSSAN:** [INAUDIBLE] First.

18 **CHAIRMAN FRANCIS:** Coussan first, second by Commissioner Skrmetta.
19 Sorry about that. All right.

20 **MS. BOWMAN:** Okay. And we also have two directives. I'm assuming,
21 Commissioner Coussan, would you like me to read your directive, or would you
22 like to read it?

23 **COMMISSIONER COUSSAN:** You have the final version --

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

2 **COMMISSIONER COUSSAN:** If you don't mind, I'd like you to read it, and
3 that will be my directive request.

4 **MS. BOWMAN:** Okay. Commissioner Coussan's directive is as follows:
5 Governor Landry's Louisiana Lightning Speed Initiative calls on state agencies to
6 work with the Louisiana Economic Development with the goal to accelerate the
7 timelines required for major employers to invest, build, and grow in Louisiana. In
8 many subject areas, Louisiana looks to competing states for best practices and
9 public policy; however, Louisiana is now ranked as a top-ten state by the Area
10 Development Magazine for doing business, including number one for energy cost
11 and number four for energy availability. Louisiana is indeed well-positioned to
12 maintain and expand our advantage, but we must continue to modernize our
13 regulatory tools and processes. As Louisiana Public Service Commissioners, we
14 now have a unique opportunity to create a regulatory pathway that enables
15 Louisiana to be a consistent leader in attracting major employers. To that end, I
16 would like to implement an initiative designed for speed to market and economic
17 development driven power needs while also ensuring protections for existing
18 ratepayers. The LPSC Lightning Initiative will set the standard for public policy
19 and be the model that other states need to emulate. The amendment -- this is the
20 actual directive: To support the governor's initiative and ensure utilities can meet
21 the power needs of new and expanding load, I request that the Louisiana Public
22 Service Commission adopt the following regulatory pathway. One, the
23 requirements of General Order dated October 14, 2024, for Docket R-34247 are

1 considered waived for a proposed capacity addition where the following factors are
2 demonstrated and proved in the certification proceeding: A signed electric service
3 agreement with a new or expanding load with a requested initial in-service date
4 within five years of the certification application; without the proposed capacity, the
5 utility is projected to be short of the energy or capacity needed to meet the
6 customer's electric requirements on the requested in-service dates; a letter from the
7 Secretary of Louisiana Economic Development confirming the customer's interest
8 and the importance of power availability within the five-year initial in-service date;
9 the ESA has a term of at least 15 years with an option to renew; the ESA ensures
10 that a level of fixed revenue over the term of the ESA that will cover at least half
11 of the fixed revenue requirement associated with the requested capacity during the
12 term of the customer ESA. Further, any certification proceeding that is filed
13 consistent with the requirements of this directive, I direct Staff to take reasonable
14 steps to ensure that those applications are received and processed on a timely basis,
15 including retention of counsel and consultants as necessary, and handling any
16 matters that arise with the interventions, with the objection of the Commission
17 being able to vote within eight months of an application. Any utility seeking to
18 take advantage of this regulatory pathway shall communicate with the Executive
19 Counsel at least 60 days prior to any filing made at the Commission. Nothing
20 herein shall be construed to relinquish the Commission's authority over the
21 proposed capacity additions, including but not limited to the determination of
22 whether the capacity addition serves the public interest and the prudence of the
23 utility's management of the procurement, construction, or contract administration

1 associated with such capacity additions. Further, nothing herein shall be construed
2 as restricting or limiting any party's participation in a certification proceeding that
3 is filed pursuant to this directive. We do have two yellow cards tied to the directives
4 as well that would like to speak.

5 **COMMISSIONER COUSSAN:** Okay, Kathryn. As a quick follow-up, number
6 one, for those who -- the stakeholders who play a role in getting to some of those
7 final terms and terminology, as you can hear from the reading, that we did make
8 some conciliatory changes for various stakeholders to really mirror the success that
9 we saw on the -- from the Staff's standpoint through the Meta deal. And although
10 no deal is necessarily going to look like the Meta deal, we feel like that was a great
11 baseline. So to the extent that we needed to modify my original draft, we did that
12 in this final draft, and we'll circulate this language obviously after this meeting.
13 Number two, I just want to thank the governor for really inspiring me on this matter.
14 As he called for an LED Lightning Speed Initiative and the -- you know, we were
15 laughing when I determined this was a lightning amendment and some people
16 thought it was lighting amendment for the efficiency program. But I said no, I want
17 to be done with the efficiency program. This is lightning. So we got through that.
18 But the governor is intent on moving this state forward. We have been last in so
19 many things for far too long, and we're seeing some material success in growth and
20 across sectors, including industrial load, commercial load, and all the utilities that
21 are impacted by that are subject to our regulatory process. And how do we get to
22 businesses moving here and growing their job creation? How do we get there in an
23 efficient manner without giving up so many of our protections for our ratepayers?

1 I believe that we've got the capability to do that. Our Staff, our stakeholders, our
2 regulated utilities, each have the capability to achieve what we all want to achieve
3 in a shorter amount of time. And, therefore, that's what drove me to create this
4 amendment, which if you satisfy a few of those hurdles, then you can be put into
5 this new regulatory process. It's not going to be for everyone, but it will be for
6 those that comply with those -- the directive. So with that, I just ask my fellow
7 Commissioners for their support, and, of course, I'm willing to listen to anybody
8 that wants to speak on the issue.

9 **VICE CHAIRMAN SKRMETTA:** Okay. Commissioner Francis has left the
10 room, so I'm taking over. Any opposition to the directive?

11 **MS. BOWMAN:** Wait, wait, wait, wait, wait. We have two yellow cards that
12 would like to speak.

13 **VICE CHAIRMAN SKRMETTA:** I'd like to -- I'm just asking for questions on
14 the directive, and then we'll go to the yellow cards.

15 **MS. BOWMAN:** Okay.

16 **COMMISSIONER LEWIS:** I'll be objecting.

17 **VICE CHAIRMAN SKRMETTA:** Okay. That's fine, just to know. Okay. Can
18 we have the yellow cards, please?

19 **MS. BOWMAN:** So we have a Mr. Andrew Carnegie-Baker and Ms. Logan
20 Burke. If y'all want to come up.

21 **VICE CHAIRMAN SKRMETTA:** Are they present?

22 **MS. LOGAN BURKE:** Yes.

23 **VICE CHAIRMAN SKRMETTA:** Come on up to the table and we'll hear your

1 comments. Well, other than your -- oh. And you're going to come up, right? Okay.

2 Great.

3 **MS. BOWMAN:** And I'm sorry --

4 **VICE CHAIRMAN SKRMETTA:** I know the microphone with the yellow tape
5 is functioning, so you could just take turns with it if you'd like.

6 **MS. BOWMAN:** Or you can try the red one on this table behind us as well.

7 **VICE CHAIRMAN SKRMETTA:** And please say your -- just your name and
8 who you're representing. And I believe you already filled out the yellow cards.

9 **MR. ANDREW CARNAKIE-BAKER:** I did. Andrew Carnegie-Baker. Check,
10 check. Andrew Carnegie-Baker with the Greater New Orleans Housing Alliance.

11 **MS. BOWMAN:** No, it's still not -- I'm sorry.

12 **VICE CHAIRMAN SKRMETTA:** Try again and see which -- that one's better.
13 Oh, they moved them around on you. There you go.

14 **MR. CARNAKIE-BAKER:** Andrew Carnegie-Baker with the Greater New
15 Orleans Housing Alliance. The public has watched with concern as proposals have
16 been put forward that could expedite approvals and eliminate important guardrails,
17 effectively allowing utilities and large customers to move forward with minimal
18 public scrutiny. Under one proposal, utilities could potentially bypass a
19 longstanding market-based mechanism that ensures we get the lowest cost energy
20 options and sidestep processes that give residents, small businesses, and
21 independent experts a chance to review and respond. We cannot accept any shift
22 that reduces transparency or weakens public participation in decisions that will
23 ultimately affect every ratepayer in the state. Louisianans already struggle with

1 high utility bills and are rightly concerned about how the cost of new infrastructure,
2 especially for power plants that may operate for decades, could be shifted onto
3 households with little public oversight. Louisianans deserve a process that values
4 our voices, safeguards our pockets, and ensures our grid remains reliable without
5 sacrificing accountability of utilities or other large corporate interests. Thank you.

6 **VICE CHAIRMAN SKRMETTA:** Thank you very much.

7 **MS. BURKE:** Thank you. Logan Burke for the Alliance for Affordable Energy.
8 Actually, before I move forward, I have a question because hearing the full directive
9 was a bit challenging, and I just want to clarify if there was any additional process
10 that is allowed after this directive? Meaning any rulemaking or any kind of a
11 process apart from the directive?

12 **MS. BOWMAN:** I mean, there will be the actual certification proceeding should
13 a utility want to -- to come in and seek Commission approval, but no additional
14 ruling.

15 **MS. BURKE:** No additional rule. Okay. Great. Thank you.

16 **MS. BOWMAN:** You're welcome.

17 **MS. BURKE:** So thank you. I want to actually start -- Commissioner Coussan,
18 thank you for making some adjustments, like recognizing that there is a need to
19 slow some things down here. But I still am really concerned that it moves us from
20 the Meta floor to a basement. I know there is a lot of pressure to move and respond
21 to a marketplace and to provide some kind of certainty. I understand that. But we
22 don't think that an end run around good, reasonable policy is a good way to move
23 forward. Competitive bids are not meant to slow a process, they are meant to ensure

1 we are all getting the most reasonable deal for every ratepayer dollar. If this
2 Commission chooses to remove some of those ratepayer protections, including the
3 requirement for competitive bids and an appropriate amount for deliberative
4 process, that will mean the legacy will be decades of sharply increasing bills. And
5 that would be this Commission's legacy. Some folks think -- might think of
6 regulation as a bad word, but it is intended to be a balanced policymaking process
7 that sets expectations for all of us, including markets and investors. If we throw
8 this policy that we've had in place since the 1980s, and only recently updated to
9 make it even better, into the garbage, it makes it look like this is more -- a more
10 unstable regulatory body rather than consistent. If this Commission wants to send
11 a signal of certainty to the market, this lack of process isn't it. You guys have a
12 real opportunity. Again, understanding the amount of pressure that you are
13 receiving from other elected bodies, but you are five elected -- duly-elected
14 decision-makers who get to make these decisions. You have an opportunity to get
15 it right. It's important to define the actual problem, define what a large load is, and
16 put policy in place that allows for the growth you want without the risk you don't.
17 As always, our ask is that this Commission put people first. Thank you.

18 **CHAIRMAN FRANCIS:** Thank you, ma'am.

19 **VICE CHAIRMAN SKRMETTA:** I think Randy --

20 **CHAIRMAN FRANCIS:** I think Randy Young will be next.

21 **MR. RANDY YOUNG:** Thank you, Commissioners. Randy Young, and I'm here
22 on behalf of Louisiana Energy Users Group, or LEUG. And as y'all know, that's
23 a group of industrial customers that buy a lot of power in the state, buy a lot of

1 power from Entergy in the state. So, Commissioners, I want to lead off with saying,
2 look, it is a fantastic, wonderful thing that we have all this opportunity before
3 Louisiana right now. Our group is about economic development, and we love
4 economic development, and having all of this potential for Louisiana for growth is
5 a fantastic thing. But what you'll also hear from us as a group is that we're
6 ratepayers. And so we think it's extremely important that as the Commission
7 consider -- as the Commission consider the opportunities, and the state considers
8 the opportunities, that we think about the existing ratepayers and bringing some
9 balance to the process in whatever we do so that the existing ratepayers are
10 protected. So when we think about the Market-Based Mechanisms Order that we're
11 talking about today, that's a rule that the Commission put in place about 20 years
12 ago, and we see it as a ratepayer protection rule. The objective of it is reliable
13 power at the lowest reasonable cost. Reliable power at the lowest reasonable cost.
14 And it's got some disciplines that are put in there to help control the cost of utility
15 new-build generation. It helps discipline that process in trying to keep the cost
16 down. So if you're going to talk about waiving that rule, having some balance to
17 protect the existing ratepayers is very important to us as being part of that
18 conversation. And so when we looked at the proposed lightning directive, we said,
19 okay, it's got a lot in here trying to advance economic development, but we believe
20 it needs to bring some more of the ratepayer protection piece of it. And so there's
21 three primary points that are raised in a letter to all of you just in the last few days,
22 trying to suggest let's bring some more balance to the process. So one of those
23 provisions was -- there's a provision in there that if you're going to waive the rule

1 that the electric service agreement, what we call the ESA -- electric service
2 agreement had to be at least 10 years. And I had pointed out in the letter that Meta
3 was 15 years, and it sounds like you're changing that 10 years to 15 years, so thank
4 you for that.

5 **COMMISSIONER COUSSAN:** We did.

6 **MR. YOUNG:** But one of the things I put in the letter to emphasize is that we
7 believe that instead of 10 years or 15 years, you should start out saying, look, we
8 want the electric service agreement to be the same length as whatever generation
9 you're building unless -- unless, like in Meta, you come in and demonstrate on a
10 case by case basis that there's some protections in there for the existing ratepayers.
11 And that's what we did on Meta. Meta, you had the full case before you, you said,
12 here's all these lists of protections, and we think that's good enough to waive the
13 rule. And you did waive the rule for Meta. But what we're saying is, if you're
14 going to let them have shorter than a full depreciation life of this new generation
15 we're going to build, look at those protections on a case by case basis. And so that
16 was item one. That was one suggested change even to the 15-year part. The second
17 suggested change is that the way it's worded right now is it says that you can waive
18 the rule if this new load is going to come in and pay at least half the cost of the new
19 generation. And when we look at the Meta deal, the Meta deal they came in and
20 said, whatever new generation we need, we're going to pay the full revenue
21 requirement -- the full annual installment for that generation as long as we have this
22 contract in place. This looks like it's changing that to at least half. And so we see
23 that as a pullback on that floor we thought we had with Meta. And so our point on

1 that is that, like, if you need new generation and you want to waive the requirement,
2 commit to paying the full cost of whatever generation you need. Not just half of it.
3 Commit to paying the full cost. And I believe Commission's consultant has
4 testified that, look, they need to carry their own cost. So make it the full cost, not
5 just half the cost. The third primary point that I want to emphasize, Commissioners,
6 is that this focus is on lightning things to move forward and move faster and try to
7 get this economic development. I get that. But I think it's also important to
8 consider, are there some lightning protections we can put in place for the existing
9 ratepayers? And I think there's more to this conversation that should be had. And
10 so one of our proposals was that just allow a 90-day process to say, stakeholders,
11 y'all come to the table and tell us what you think we need to do to protect the
12 existing ratepayers and come back on that in 90 days and call it lightning
13 protections. And so you're looking at lightning ways to move forward for the
14 economic development, look at lightning protections, too. And we think that's an
15 important addition that should be in here. And so I ask you to really consider those
16 three points. One about the length of the electric service agreement, unless they
17 bring you some ratepayer protections. Number two is about paying the full cost for
18 what they need, not just half. And number three, create some lightning -- a short
19 process, just 90 days, to look at lightning protections for the existing ratepayers.
20 And we believe that's very important, and we appreciate your consideration of
21 those points. Thank you.

22 **CHAIRMAN FRANCIS:** Thank you.

23 **MR. YOUNG:** Glad to answer any questions.

1 **CHAIRMAN FRANCIS:** Okay. Anybody has a question for --

2 **COMMISSIONER COUSSAN:** He has a question.

3 **COMMISSIONER LEWIS:** Yeah. Thank you. Thank you, Mr. Young. I'm
4 look over your letter and your proposed redlines and just some of your comments
5 that you just made. And so I want to go back to something you just said about
6 protecting the ratepayers. And so what you're saying and what you're proposing is
7 that we should have a dialogue process that includes looking at various components
8 of what it means when we suspend the MBM. And let me contextualize that for
9 you for a second. I mean, when I think about the Market-Based Mechanisms Order
10 as it's written, as we've amended it, it is meant to showcase that we are looking at
11 the most reliable cost option. That gives certainty to Louisiana people that we are
12 protecting them. The current existing rules allow any utility to file an application
13 and ask for suspension of the MBM Order, which is what we did in the Meta deal.
14 And there was a case that was presented of why the suspension should be granted,
15 and ultimately the Commission granted it. I guess my concern -- and maybe this is
16 where you're going with that is if we completely eliminate the requirement to make
17 the case because you just meet the five listed criteria points, how can we come on
18 the backend and then really understand whether or not that is in the best protection?
19 I know we're still going certification, so I don't want to jump and say that we
20 wouldn't still go through a litigated proceeding, fact finding analysis. But in my
21 eyes, I'm struggling to see that if I give you a blanket waiver from the start, how
22 then do I then protect ratepayers by making the case that I'm looking at the reliable,
23 least-cost option? And so is that what you believe a 90-day period could answer?

1 **MR. YOUNG:** That's the essence of it, Commissioner. So when we look back at
2 what happened in Meta, in Meta you had the whole case filed in front of you. So
3 you got to look at the whole picture. And so I'm willing to waive the rules seeing
4 this whole picture and everything before you at one time. This is stepping back
5 from that and saying, well, let's do a waiver under a more limited set of conditions
6 without having that case yet. I haven't seen it yet. And so if you're going to that -
7 - and I get the reasons of the desire to have that rule in place. But if you're going
8 to do that, let's also have a 90-day dialogue about what can we look at as protections
9 for the existing ratepayers and some lightning process to look at that -- that side of
10 the picture as well.

11 **COMMISSIONER LEWIS:** Yeah. No, I was watching the select Senate task
12 force on modernization, and I was listening to Secretary Bourgeois at LED, and it's
13 not often I quote Jeff Landry, but I'm going to quote him today where he said he
14 wants to protect Louisiana consumers is his number one priority while balancing
15 economic opportunity. And me and the governor don't share a lot of opinions, but
16 I share that opinion with him, that I think there is a balance that we have to it. I
17 think where I am concerned, and looking at your letter, share some of your concerns
18 is that we are off shifting that balance and that we are refining a level. And so I
19 appreciate some of your comments. I share those beliefs, but I just wanted to ask
20 you those questions. Thank you. Thank you, Mr. Chairman. I'm sorry.

21 **COMMISSIONER COUSSAN:** Mr. Young, how many members do you have in
22 LEUG?

23 **MR. YOUNG:** Twenty-six companies, Commissioners. And that's a range of

1 everything from chemical manufacturing to refining, to pulp and paper, steel,
2 pipelines. So it's quite -- pulp and paper, sawmills in there too, so it's quite the
3 mix.

4 **COMMISSIONER COUSSAN:** Is your group growing? Do you have new
5 members -- have you had a new member lately, or are you soliciting new members?

6 **MR. YOUNG:** We're always interested in new members, Commissioner. And the
7 group has been stable for a long time, but there are some relatively newer members.

8 **COMMISSIONER COUSSAN:** Is Hyundai a member?

9 **MR. YOUNG:** No, Commissioner, they are not.

10 **COMMISSIONER COUSSAN:** Any data centers? Do you have any data center
11 members from any level of the data center infrastructure, you know, from the
12 developer to the end user? Has anybody joined yet to LEUG?

13 **MR. YOUNG:** No, Commissioner. So all of the members have existing loads in
14 Louisiana, and so none of those are --

15 **COMMISSIONER COUSSAN:** So the existing loads, is there a chance that those
16 loads might increase with your existing members?

17 **MR. YOUNG:** Always, Commissioner. I mean, this group, like I said, is about
18 economic development, so they're always looking at ways to increase the
19 investment in Louisiana if they can.

20 **COMMISSIONER COUSSAN:** Is there a chance that your customers -- excuse
21 me, your members could benefit from this directive regardless of -- whether in the
22 current state or as amended by your -- like, your request? Would they ever fall into
23 a category where the new generation proposed would be assisting your

1 membership?

2 **MR. YOUNG:** It's always possible, Commissioner. So if one of the member
3 companies has some project that needs a lot of new generation in the expansion, so
4 certainly that could happen. But I think what -- as we've talked about, you know,
5 the group is a ratepayer group and their interest first and foremost as a group is
6 about having good, competitive rates in Louisiana that's good for overall operations
7 and that provides for reliable service at the lowest reasonable cost. That's always
8 the mantra. And so when we look at this, we think about, okay, how do we create
9 balance? So what you hear about us a lot is balance. Get the economic
10 development stuff that's really, really important, but how do we balance that and
11 make sure we're looking at ratepayer protection?

12 **COMMISSIONER COUSSAN:** So who handles the economic development
13 side? Is that the Louisiana Chemical Association or one of those other groups? As
14 far as, you know, really soliciting membership, having events that really highlight
15 the success of the industrial corridor, the employment numbers, the hundreds of
16 thousands of people that are employed around Louisiana from southwest to
17 southeast to the Mississippi River corridor, who is in charge, from your perspective,
18 in the industrial world? Is that more of like a chamber of commerce function, or is
19 that something for one of the associations?

20 **MR. YOUNG:** So I don't know that I think about that question, Commissioner, in
21 terms of who's in charge. I think in general, I can only really speak for Louisiana
22 Energy Users Group. But I know that, like, economic development is important for
23 us, too. I mean, we're always looking at what's our rates? What's the environment

1 for investment in Louisiana and expansion in Louisiana? So that's important for
2 us as well.

3 **COMMISSIONER COUSSAN:** Well, I mean, you made that clear. You're a
4 ratepayer group.

5 **MR. YOUNG:** Yeah.

6 **COMMISSIONER COUSSAN:** I'm looking at it also from a holistic point of
7 view. Even though we are utility regulators and therefore dealing with rates, we
8 also are on the side of making the state a better place to live, to grow businesses
9 like your membership, to entice more people to get to Louisiana and grow our
10 employment base. We recently -- we heard from the Alliance for Affordable
11 Energy and, you know, about -- part of affordability is the ability to have a job to
12 pay for the expenses in a household or at a business. And without those jobs, we're
13 basically -- we're starting from zero. So I want to look at it from the standpoint of
14 the ability to bring in business and create jobs, increase the denominator, ultimately
15 help the rates, but it also helps affording the utility bills that, like Commissioner
16 Campbell said, have -- over his tenured career, have increased, as a matter of fact.
17 So that's where I'm coming from with my initiative, is growing the economy from
18 the standpoint of our regulated utilities. I think this is a good step in that direction.
19 And I do believe that we're not suspending -- besides the MBMO Order, we're not
20 suspending the regular process of the ability to intervene and to have stakeholder
21 input, to have public input. And everybody has to just be ready, willing, and able
22 to get this done if the criteria are met, in a quicker timeframe, very similar to the
23 Meta timeframe. Which as one of the largest projects in the history of our state, we

1 got done in a 9-month timeframe from the time that I was elected to when we took
2 the vote in September. I don't think it's that far of a stretch to say we're going to
3 have many of the same people at the table dealing with our process, now in a
4 compressed timeframe, that where everyone's aware of, that we can get these
5 protections in place, that we can protect our ratepayers, and also bring these
6 businesses into the state in a manner that our government and our people can be
7 proud of so we don't have people moving out of the state to Texas, to Florida, to
8 Mississippi -- Mississippi to get jobs. They can stay here and work. So I appreciate
9 your work on this matter with me. I know we're not going to be -- I know we're
10 not done with this issue as we work through some of the proposals that may come
11 under this directive. But I did, in good faith, change some of the very basic terms,
12 you know, that you discussed, largely in part because of your input, so I appreciate
13 that. And I want to acknowledge the importance of your members and your
14 comments about your ratepayer group. But I also want them to understand that we
15 need them to be at the table on economic development as much as they are as
16 ratepayers. And we need them to talk about and think about the thousands of people
17 that they employ and the thousands more that we want them to employ. So we do
18 want them to grow. So when you're at this table asking for, you know, possible
19 new transmission, or new generation, or determination of non-jurisdiction, that
20 we're ready, willing, and act -- ready, willing, and able to act as efficiently as we
21 possibly can to assist your members just like I'm trying to assist all the other people
22 that are trying to move to our state to take advantage of this proposal. So with that,
23 again, thank you, and we'll continue talking both one-on-one and, you know, as we

1 need to through our meetings.

2 **MR. YOUNG:** Just a couple of more notes, if I can, Commissioner.

3 **COMMISSIONER COUSSAN:** Sure.

4 **MR. YOUNG:** And, look, I completely respect everything that you said, and I
5 agree that all the economic development aspects are extremely important. Couple
6 of notes though. One is that -- so it's important to understand that as we think about
7 economic development, is that those competitive rates in Louisiana, that's a big
8 part of economic development. And so if you're going to get those projects and
9 land them in Louisiana, you got to keep those rates reasonable. And so the
10 processes that we talk about in trying to keep those rates reasonable, I mean, what
11 we have today is fantastic, but it's about tomorrow, not just today. And so --

12 **COMMISSIONER COUSSAN:** I'm going to quote you on that. What we have
13 today is fantastic -- because I've been here a year now.

14 **MR. YOUNG:** What -- right now, with low gas prices, Commissioner, we -- I say
15 all the time, I mean, we see our rates and we compare them on a regular basis, and
16 we think when we do our 30 southeastern states utilities comparison, Entergy has
17 been around the middle of the pack. Sometimes they tick up when gas prices go
18 up, sometimes they drop down a little bit when gas prices go down. But we have
19 not been in here complaining about where we are with electricity rates today. Our
20 conversation has been continually about, look, rates have gone up a lot over the last
21 five years, about 35% or so, and we see more rate increases coming. And so we
22 see all those pressures, so it's about trying to say let's be reasonable and let's try to
23 hold onto a good place for tomorrow. That's important for economic development,

1 too. The second thing I want to just touch on real quick is that what we're talking
2 about is when we get to the certification case, you will have already waived the
3 rule, and so you're already past that step. In the Meta case, you decided to waive
4 the rule when you had the whole case in front of you. We're not going to have that
5 once this is in place. And so that's why we think -- and it's not just -- we get about
6 increasing the denominator and bringing more customers and trying to lower the
7 bills for everybody. But when you do these, part of this deal about this waiving the
8 Market-Based Mechanisms Order is you're building more generation. So you're
9 increasing the numerator, too. You're increasing the overall [INAUDIBLE] cost.
10 And so that's why we think just this ratepayer conversation -- I get the lightning's
11 part on the -- let's get to the projects and the economic development, but let's look
12 at lightning protections for ratepayers, too, and have an abbreviated process to open
13 that dialogue. We think that's important.

14 **COMMISSIONER COUSSAN:** And to your point about the gas prices,
15 Chairman, Commissioner Skrmetta, and I, you know, we're very cognizant of the
16 gas prices as well. And to the extent that those will fluctuate, you know, we need
17 to start a much more in-depth conversation about where we are in our nuclear
18 regulations and make sure that those are up to speed and modernized from the 2006,
19 2007 amendment to our general order that dealt with our -- the nuclear provisions.
20 So to your point, if -- you know, we want to make that if we have to turn to nuclear
21 options, particularly for your group, that we can get there, we can get there quickly,
22 and we can change the timeline from a 10-year rollout on new generation to a 5-
23 year rollout and whether or not our current rules account for that compressed

1 timeframe, which, again, the market and nuclear energy is moving to a tighter
2 timeline. So that's our next focus. Commissioner Skrmetta, you're in charge.

3 **MR. YOUNG:** And so we have a lot of views on that topic as well, Commissioner.

4 **VICE CHAIRMAN SKRMETTA:** I'm just waiting my turn.

5 **MR. YOUNG:** You'll hear the same thing from us. It's about how do we do things
6 and protect ratepayers and protect our rate structure in Louisiana so we have a good
7 place to do business for the future. And it's about tomorrow, not just today, so.

8 **CHAIRMAN FRANCIS:** Thank you, Randy. Thank you.

9 **COMMISSIONER COUSSAN:** Thank you.

10 **MS. BOWMAN:** Randy, sign the clipboard, please.

11 **MR. YOUNG:** Yes.

12 **MS. BOWMAN:** Thank you.

13 **VICE CHAIRMAN SKRMETTA:** Mr. Chairman?

14 **CHAIRMAN FRANCIS:** Yeah.

15 **VICE CHAIRMAN SKRMETTA:** Yeah. Yeah. Just a couple of things. First,
16 you know, just -- Randy, and I -- just one comment for you, which is, you know,
17 we look at how, you know, these companies -- these data companies or whoever
18 they are looking to sign energy service agreements for these 15-year cycles.
19 Nothing prevents the LEUG members from signing energy service agreements and
20 getting good value for a secondary 15-year cycle, and making value of the -- useful
21 life of these generation units. And it could be a great value to your members. And
22 I'm not looking for a dialogue, I'm just telling you. In fact, you can leave the table.
23 I'm just telling you. So, you know, this could be a real value to your members that

1 can coincide with the value to the economic development of the state and to the
2 general public. And so I think it's a really good thing for not just the state, it's a
3 good thing for your members and it coincides with their need for power and it
4 coincides with the need for the new businesses that want to come to the state and
5 do something. I will say that it should not be lost on the general public, that the
6 reason we're having this discussion is because of the fertile field that the Public
7 Service Commission working with -- in particular in this, with Entergy, have
8 worked out a great mechanism which caused the Meta Corporation to come to
9 Louisiana and build out this magnificent facility in north Louisiana, and create a
10 mechanism, which is quite literally the envy of many other states. And which, you
11 know -- that they're coming here, they're paying for their system, they're -- they've
12 basically a 15-year, and then an option 15-year. I think it's a great thing to have
13 the rest of the administration and the rest of the [INAUDIBLE] of government
14 going this is a great idea, now we're going to get on it for economic development.
15 We created at this Commission, in working with the people who participate in front
16 of this Commission, we created the mechanism to achieve this goal. Do not forget
17 that no matter what this Commission creates through this process, this Commission
18 retains plenary authority to engage on how we focus on this. So throughout this
19 process, we retain, you know, we got a -- we got a cotton glove and we got an iron
20 glove. So we have the ability to engage on this process and make sure that the
21 public is protected. And so we can make sure that we can accelerate the process,
22 we can get things going, but I am not concerned as much about what do we do with
23 the second half of the life of a union because two things: I don't see these

1 companies coming in and making an economic commitment for a 15-year cycle. I
2 think that's highly unlikely, number one. Number two is we have the ability -- not
3 so much over them, but we have the full plenary authority over the utility. So when
4 these utilities need to build power plants, and they need to replace power plants, we
5 have the ability to tell them to stop building other power plants that they have
6 contemplated in the queue and to utilize the second half of the other power plants
7 that they have gauged with these new economic development mechanisms. So we
8 have some really good control factors under the authority of this Commission.
9 Because this Commission is not going to be here for a four-year cycle. This
10 Commission's here upon rotating cycles of six years and the Commissioners are
11 going to be here to ensure the protection of the ratepayers. So I think we're in good
12 shape there. I do think that putting racing stripes on a policy, which was the whole
13 policy of the Commission before it started, by calling it lightning is great. But at
14 the same time, it's the same policy this Commission here had with Meta, with a
15 modification of how we're going to look at tweaking it a little bit. I'm glad we
16 went to the 15-year element. Personally, I think that's a great idea. I think it puts
17 it closer to the Meta model. But I do think that, you know, everybody rowing in
18 the same direction is a better option than parties pulling in different direction in the
19 boat. So I want your members to get the electricity they need and they should be
20 looking at this with the opportunity to get exactly that. With someone who's
21 effectively fronting a guarantee of the 50% of the cost of the facility and then them
22 splitting up the difference. You and I -- I've talked to you about the opportunities
23 of the future of nuclear in this state where we have companies that are looking at

1 fronting nuclear costs and taking advantage of economies of scale of your
2 companies taking sections in a new nuclear facility and the potential of having that
3 as an economy of scale value to non-emitting power for your members. So walk
4 away from this with the understanding that this is a -- it's a process to keep going
5 on this regulatory cycle of a nine-month process. It's probably going to be very
6 similar to that. It's going to move things quickly. We still have to have people
7 who want to do it. We still have the Commission authority over the utilities. Right?
8 We have this plenary authority, and I want to restate that over and over again
9 because they're the ones who are going to have to commit on this. But, you know,
10 when we have companies that have double digit applications for new power plants
11 that are not just for new, like, economic development, it's from replacement
12 devices, we're going to be in a position to utilize offset to where if we may cancel
13 certain power plants, to utilize second half power plants if that's necessary in the
14 future. Right? You and I are going to be cold in the ground before that becomes a
15 question, Randy. You don't have to worry about that. Maybe not so cold. I'm just
16 saying. But we're going to be in a good -- we need to leave a process that does not
17 impede our state from accelerating and being hyper-competitive against other states
18 that are dragging the anchor and that's the key to this. So I just want to let you
19 know we're in good shape with this. And I think the Commission, with its
20 authority, can protect the ratepayers. So that's all.

21 **CHAIRMAN FRANCIS:** Is there any objection to Commissioner Coussan's
22 directive?

1 **COMMISSIONER LEWIS:** Yes, Mr. Chairman, I have some additional
2 questions.

3 **CHAIRMAN FRANCIS:** One direct one? Let's hope.

4 **COMMISSIONER COUSSAN:** He has some additional questions.

5 **COMMISSIONER LEWIS:** I have some comments.

6 **CHAIRMAN FRANCIS:** You have a question?

7 **COMMISSIONER LEWIS:** And some questions for Staff, yes.

8 **CHAIRMAN FRANCIS:** For Staff. Okay.

9 **COMMISSIONER COUSSAN:** I think Randy can be seated, correct?

10 **COMMISSIONER LEWIS:** Oh, yes. Yes, I'm sorry. Mr. Young, I don't need
11 you, so you can --

12 **COMMISSIONER COUSSAN:** Thank you.

13 **VICE CHAIRMAN SKRMETTA:** I'm sorry. I thought I said -- I thought I
14 excused you. I'm sorry.

15 **COMMISSIONER LEWIS:** Kathryn, can you walk me through -- I know in the
16 directive, it says there will be a 60-day notice to the general counsel before filing
17 their application. I'm curious on the process level, how do we verify -- in that 60
18 days, how do we verify that the application has met the criteria when we handle
19 that in the certification process itself?

20 **MS. BOWMAN:** So the 60 days would just be for me to handle any RFPs that I
21 think is -- that I think would be necessary. I think the requirements -- or confirming
22 whether the requirements of the directive are met would be in the certification
23 docket.

1 **COMMISSIONER LEWIS:** Would be in the certification docket?

2 **MS. BOWMAN:** Yes.

3 **COMMISSIONER LEWIS:** Okay. Thank you. The last question I had for Staff
4 is this directive would be in perpetuity, right? There's no time provision on the
5 MBM Order suspension? Because I mean, I know we're talking about
6 hyperscalers, large loads, data centers but as I read this, this would be a just blanket
7 suspension or waiver process until the Commission takes other action. Would that
8 be the case?

9 **MS. BOWMAN:** Yes. I mean, I -- we talked about procedurally, actually on the
10 way up here, that, with this, we would memorialize it in a special order. So yes, it
11 would be in perpetuity unless the Commission wanted to vote to undo it at some
12 point.

13 **COMMISSIONER LEWIS:** Okay. Great. And the last question is I know we've
14 talked a lot about large loads, but in the directive, we don't define who it is. So I
15 mean, at this -- in theory, any application, whether it is kind of one of these large
16 hyperscalers of these economic development projects or traditional utility projects
17 would qualify for the Lightning Amendment. Is my reading correct on that?

18 **MS. BOWMAN:** Correct. I mean -- and the way the directive reads, it actually
19 doesn't -- I'm skimming. I don't think it really even discusses large load. It just
20 talks about new or expanding load coming to the state that would meet these set
21 criteria that I read out earlier.

22 **SECRETARY FREY:** And I was just going to -- mine died. I was just going to
23 add to that. I think while it doesn't define it, it's contemplating something large

1 enough that you would need additional generation to serve. So we're not talking
2 five -- well, maybe five megawatts, but I don't think that's realistic. I think we're
3 talking large, you know, 500 megawatt plus projects would be my guess, even
4 though it's not defined. Something that's going to require the utility to build
5 additional generation just to serve that.

6 **COMMISSIONER LEWIS:** Thank you. And I want to thank my colleague,
7 Commissioner Coussan, because I actually don't disagree with the intent of this
8 directive. I do think there are ways and abilities that we have as the Commission
9 to ensure that economic development is not hindered by regulation, but my concern
10 is just about the method of how we are doing this. I mean, I -- a few months ago
11 when we were talking about some other orders, it was if we change the system, we
12 would create regulatory uncertainty, was the main driver that I heard from a lot of
13 the utilities about looking at different models. And then I think it's a little
14 hypocritical sometimes when now it's like, well, let's change the model for us now
15 because of these large load customers. And so it seems like we're kind of going
16 back in the market. And so this was a protection for our consumers and I believe
17 that while we will still go through the certification process, we will continue to have
18 that, but I do think we should have done this in a more transparent, representative
19 way. I mean, I think there are ways and places where suspending the MBM Order
20 makes sense. If a large hyperscaler comes and says I'm going to pay for all my
21 generation, I'm going to bring it myself; absolutely, I think I would agree with it. I
22 would maybe even agree with 80, 90%. However, I would like to have that
23 discussion. I would like to see the evidence, the research, the knowledge that brings

1 us to this table. And so while I appreciate the thought of cutting red tape, I don't
2 think we should abandon some of our given protections for the consumers in terms
3 of economic development. I think the governor said it right. We should be
4 balancing it. And I'm concerned that this process, this way, under this directive,
5 does not create that balance that Governor Landry has asked for us to do in his push
6 to lightning speed Louisiana to these hyperscalers, or data centers, or large loads
7 and whatever we may say. And so while I share the sentiments of my colleague,
8 unfortunately I will have to object and oppose this directive at this time based off
9 of those reasons. Thank you, Mr. Chairman.

10 **CHAIRMAN FRANCIS:** Okay. We'll have a roll call vote to see where
11 everybody stands on this Lightning Initiative by Jean-Paul Coussan. So we'll start
12 with Commissioner Lewis.

13 **COMMISSIONER LEWIS:** No.

14 **CHAIRMAN FRANCIS:** Commissioner Campbell.

15 **COMMISSIONER CAMPBELL:** Yes.

16 **CHAIRMAN FRANCIS:** Commissioner Skrmetta.

17 **VICE CHAIRMAN SKRMETTA:** Yes.

18 **CHAIRMAN FRANCIS:** The Chair votes yes and how about the one who --

19 **COMMISSIONER COUSSAN:** Yes.

20 **CHAIRMAN FRANCIS:** -- offered the lightning? You vote yes?

21 **COMMISSIONER COUSSAN:** Yes, sir.

22 **CHAIRMAN FRANCIS:** It's four to one so -- so the directive is in the books.

23 Okay. Where are we at on the next one?

1 **MS. BOWMAN:** We are still on Exhibit Number 22. We have one more directive.
2 It's a directive to open a rulemaking to consider a framework for establishing new
3 large load. And this is a request at Commissioner Lewis, and I'm assuming you
4 would like me to read it. Okay. There is a growing opportunity and challenge in
5 Louisiana's electricity sector related to the demand of larger single loads, known
6 as hyperscalers, with their unique needs challenging the energy landscape for years
7 to come. Recognizing these developments, the people, businesses, and government
8 of our state have all taken a keen interest, often with some concern, in how we
9 responsibly accommodate these new projects. Through these conversations, it's
10 become clear that the Commission should establish policies that provide large new
11 loads with a clear and stable environment in which to pursue their projects in
12 Louisiana while also protecting existing ratepayers, preventing cost-shifts, and
13 supporting long-term reliability. Therefore, I direct Staff to open a rulemaking
14 docket to investigate and propose a regulatory model that addresses the key
15 elements of how large loads connect to the grid, procure energy capacity, and share
16 costs. The resulting framework should provide a strong baseline for the
17 expectations of new projects while preserving maximum adaptability to
18 accommodate the unique demands and prerogatives of new customers. The docket
19 should look at but not be limited to an examination of: Defining large load
20 customers; guaranteeing strong protections for existing customers through cost-
21 causation measures, minimum bills, cost caps, or other contract terms; requiring
22 large load customers to contribute towards programs and riders that benefit the
23 greater electricity system; enabling faster, more transparent grid access,

1 incentivizing new flexibility and demand management programs as it relates to
2 these large loads; incorporating novel energy procurement arrangements; and
3 enhanced stakeholder processes. One of the goals of establishing this framework
4 would be to ensure that the public interest is considered in a transparent and
5 deliberative process while balancing economic development, improving grid
6 reliability, and protecting affordable rates. Further, Staff is authorized to seek
7 outside assistance if determined necessary to assist in this rulemaking to be
8 conducted in thorough manner and concluded expeditiously.

9 **COMMISSIONER LEWIS:** Thank you.

10 **CHAIRMAN FRANCIS:** Is there any objection?

11 **VICE CHAIRMAN SKRMETTA:** I move to -- objection on the directive.

12 **CHAIRMAN FRANCIS:** Okay.

13 **COMMISSIONER LEWIS:** Thank you. Let me explain what I'm attempting
14 here. All states. Red, blue, purple, 33 states. Sixteen have passed some type of
15 large load tariff, large load framework, consideration. Seventeen additional states
16 are currently in their policy making process. States like Missouri, Ohio, Florida,
17 Georgia, Texas. So what I'm proposing here today is to say let's have a process to
18 define what a large load is. Is a large load 50 megawatts? Is a large load 300
19 megawatts? Is a large load 2,000 megawatts? What should those framework
20 protections be? This is not to create a one-size-fits-all proposal. This actually
21 doesn't even compete with Commissioner Coussan's directive. It's actually
22 complimentary because it says let's look at some of the other factors that the
23 Alliance for Affordable Energy brought up, that Mr. Young and LEUG brought up.

1 And it's to say let's create a process so that we all know when we are talking about
2 a large load or we get to that certification process, that we're looking at what that
3 means. What does it mean to be a flexible load? What does it mean for customer
4 protections? What are those considerations that the Commission will evaluate?
5 Because, as we know, each deal will be different but I believe if we're going to talk
6 about a regulatory framework that sends a message to the market, I think the best
7 message we send to the market is how will you be evaluated? Because while we
8 did Meta one way, if another data center comes, we may evaluate them completely
9 different. We may have a different measurement, a different marker. So this
10 directive isn't a rule, it is to create a frame and it's like a rubric, so that customers
11 know. And so that's what it intends to do, but I would -- Mr. Sisung, if you could
12 come to the table because I have some questions for you since we've been
13 discussing this for quite some time.

14 **CHAIRMAN FRANCIS:** Come on up, Santa Claus.

15 **MR. LANE SISUNG:** Lane Sisung, United Professionals Company, consultant to
16 the Louisiana Public Service Commission.

17 **COMMISSIONER LEWIS:** Thank you, Lane. And we've been talking about
18 this concept actually for months or even before the last B&E that this has been
19 something you and I have discussed. And since you are our point person on Meta,
20 and now your experience using it, do you think that giving new large load customers
21 clear sight lines for how our process works can help bring these projects in a smarter
22 way?

1 **MR. SISUNG:** Yeah. As within those discussion, yes. I would not be in favor of
2 a large load tariff that would be Commission-wide. I would not be in favor of
3 giving -- telling each utility even to draft its own tariff for approval because I think
4 there has to be flexibility in how the utilities are dealing with these unique
5 structures. And if there was a rulemaking that established the framework, as you
6 said framework, you know, identify the things that customers need to -- the
7 customers and utilities need to address, stranded assets, cost allocation, you know,
8 reliability, potential interruptible -- solutions to reliability issues. A rulemaking
9 that was just to touch on the frameworks of what needed to be addressed is what
10 you and I had discussed.

11 **COMMISSIONER LEWIS:** Thank you. And that's exactly what I'm proposing.
12 Let's create a process to have those discussions. It's not to stop any project. It's to
13 say, just as you said, if we are going to talk about grid stability, let's identify and
14 give the utility, give our consumers, and give any customer that wants to come to
15 Louisiana, this is what we're going to look at, this is what we're going to evaluate
16 you on. As you said, I'm not proposing a large load tariff. This directive doesn't
17 say to do that. I know other states have and that's -- I think the beauty of this
18 moment is we're seeing each state, each commission, handle it very differently.
19 Missouri recently just did a tariff. I don't think that's necessary, but in Louisiana,
20 based off of our ecosystem, but this would be a process to do so. So do you think
21 -- let me ask this question. What would you count as a large load?

22 **MR. SISUNG:** Well, that's actually under discussion in federal discussions right
23 now. They went as low as 20 gigawatt, I believe. There have been proposals to

1 make it 100. There's -- I don't think it is well-defined as we sit here today. I think
2 that in listening to the dialogue that Mr. Frey had just now, I do believe that the
3 point of the large load consideration is whether or not you're having to build new
4 generation to serve it. So large load could be anywhere within a framework. I
5 don't think it's the size as much as the impact.

6 **COMMISSIONER LEWIS:** Yeah. And I think you're right. I mean, I think
7 that's the questions that I think that commissions across this country are facing and
8 we are, especially as we see these hyperscalers, as they're being called, coming
9 towards the state. But you do see there would be value in creating some type of
10 framework or having a discussion of protections or giving clearer guidelines?

11 **MR. SISUNG:** Yeah.

12 **COMMISSIONER LEWIS:** There's no harm from your vantage point in us, as
13 a body, having discussions of what we should consider?

14 **MR. SISUNG:** As long as you're not prescribing any outcomes and you're just
15 identifying the issues, I don't see any harm. But I would be concerned if there was,
16 you know, if you were to try to prescribe specific outcomes, or specific barriers, or
17 hurdles because I think each deal is going to be unique and this Commission needs
18 to retain its ability to look at each deal as it's presented.

19 **COMMISSIONER LEWIS:** I 100% agree with you. I believe flexibility is our
20 ultimate need. But giving a framework is also a need so we -- so everyone knows
21 exactly how we are evaluating these. And in this directive language, as I stated, I
22 have zero outcomes. I have questions of what you could consider even more ideas
23 of things that we consider around load flexibility, around reliability, around how do

1 we actually protect our consumers. And so I think this is a conversation that we're
2 seeing across the nation. As I said, almost a third of the commissions have either
3 done this or are finished -- they all have very different ones. There's not a one-
4 size-fits-all model. But I'm struggling to see the harm for us to tell the Louisiana
5 people we're actually going to talk about how we do this. And so I want to thank
6 you for working with me and talking through this with me over the months and I
7 will continue working with you regardless of what happens up here today. But I
8 think it's important that we, as a body, look the Louisiana people in the eye and say
9 we're going to protect them. And we're going to look at those questions. And I
10 don't think it harms, I know there was some concerns from some of the utilities that
11 somehow opening this proceeding, or having these questions would bring market
12 instability. I completely reject that theory because if we can change our orders in
13 a lightning speed, how does that not bring instability? And so I'm struggling here
14 --

15 **CHAIRMAN FRANCIS:** All right. Thank you. Thank you.

16 **COMMISSIONER LEWIS:** No, no, Mr. Chairman. No, that's unfair.

17 **CHAIRMAN FRANCIS:** Thank you.

18 **COMMISSIONER LEWIS:** When Skrmetta wants to talk, he gets to talk all he
19 wants. I'm making my comments now.

20 **VICE CHAIRMAN SKRMETTA:** I didn't say shit.

21 **CHAIRMAN FRANCIS:** Okay.

1 **COMMISSIONER LEWIS:** Let's just be respectful up here. I understand y'all
2 have a difference of opinion. I understand that you're going to kill everything I
3 want to do. But let me talk.

4 **CHAIRMAN FRANCIS:** Okay. We got -- we got your message. We got your
5 message.

6 **COMMISSIONER LEWIS:** Thank you. I'm over the disrespect up here.

7 **CHAIRMAN FRANCIS:** I'd like to ask Commissioner Skrmetta --
8 Commissioner Sisung --

9 **MR. SISUNG:** No, sir.

10 **VICE CHAIRMAN SKRMETTA:** No, sir.

11 **CHAIRMAN FRANCIS:** Do you think some industries would look at a directive
12 like this and say it's just more red tape that we have to go through to work in
13 Louisiana? Do you think that an industry could possibly say something like that?

14 **MR. SISUNG:** I mean, as I explained it, it depends on what is in -- if the
15 rulemaking was simply to identify the issues that would need to be addressed, but
16 not have any prescription whatsoever on how it would be addressed, I don't see that
17 causing a big concern. I just -- but if there was any -- I do believe there would be
18 a concern if they felt that coming -- that the product of this would establish criteria,
19 they would want to know what that criteria is before they continue working through
20 the process with the utilities, so.

21 **CHAIRMAN FRANCIS:** Okay. Well, thank you, Santa Claus. And let's --

22 **COMMISSIONER COUSSAN:** Can I say something real quick?

23 **CHAIRMAN FRANCIS:** Yes.

1 **COMMISSIONER COUSSAN:** All right. When I initially read this directive
2 and -- you know, I don't necessarily think it conflicts with my directive because my
3 directive deals with new generation and yours deals with the loads. And -- but
4 when I read it, and I'd like Mr. Sisung to read it again when we're all back home
5 in our offices, I really think that we already cover most of what we have written in
6 this directive. It literally is the process that we go through when analyzing every
7 single opportunity that we have. The only thing different is that you're trying to
8 apply it to large loads, which is undefined. So by its very nature, as being
9 undefined, maybe that's the gap. But otherwise, every single line in here is
10 something that I believe our Staff and our experts that we hire, our consultants, are
11 actually doing in our process. So in some ways I think it's a solution in search of
12 a problem and -- but you have identified where there that gap is, which is just not
13 identifying what the large load number is. But that, again, could be a national
14 question rather than just a state question. It's an industry question rather than a
15 Commission question. And looking at it, I think there might be a better approach
16 to kind of the uncertainty that you're identifying here which is, you know, through
17 our IRP program. The IRP comes -- how many years is our IRPs in place?

18 **MR. SISUNG:** Those are on three-year cycles.

19 **COMMISSIONER COUSSAN:** So on three-year cycles, the plans have to be
20 presented to us and, you know, perhaps there's a thought process where in the case
21 of a large load, we get some more information on an interim basis rather than
22 waiting that full term, rather than necessarily needing a whole new rulemaking to
23 understand what our capacity limitations are. So that's kind of where I want to look

1 at it from here because I think his idea did spark some more curiosity on my part,
2 and of course, on the rest of the Commissioners' parts. So I'd just like to leave it
3 with that and, you know, if you don't mind, I'd like to, you know, defer this for
4 another day so without a vote. But I think it could lead to some more conversation
5 with some positive thoughts.

6 **COMMISSIONER LEWIS:** No, no. Thank you, Commissioner. And I take your
7 comments especially on the IRPs. This has actually been a conversation Staff and
8 I had with that very theory. So there -- we are having those conversations and I
9 respect everyone up here, but I believe this is important. This is my district. People
10 of Louisiana have been asking these questions and I think it's imperative that we
11 show them that we will ask them. So I would object to the deferral.

12 **CHAIRMAN FRANCIS:** Okay. So we need to -- the Chair will call for a vote
13 since we have a -- looks like we're unclear on how the Commissioners --

14 **COMMISSIONER COUSSAN:** So it's a motion to defer by me and then we're
15 taking a vote on -- he objected.

16 **CHAIRMAN FRANCIS:** Oh, okay.

17 **COMMISSIONER COUSSAN:** I made a motion to defer, he objected, and so
18 now we're voting on that.

19 **CHAIRMAN FRANCIS:** Okay. Well, I would second your motion to defer and
20 is there objection to --

21 **COMMISSIONER COUSSAN:** He already objected.

22 **CHAIRMAN FRANCIS:** Objected. So let's -- we'll call a vote on it. So,
23 Commissioner Lewis, how do you vote on it?

1 **COMMISSIONER LEWIS:** No.

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

3 **COMMISSIONER CAMPBELL:** What was the motion?

4 **VICE CHAIRMAN SKRMETTA:** Move to defer.

5 **CHAIRMAN FRANCIS:** To defer.

6 **COMMISSIONER CAMPBELL:** Yes.

7 **CHAIRMAN FRANCIS:** Yes. Commissioner Skrmetta?

8 **VICE CHAIRMAN SKRMETTA:** Yes.

9 **CHAIRMAN FRANCIS:** Chair --

10 **COMMISSIONER COUSSAN:** Yes.

11 **CHAIRMAN FRANCIS:** -- votes yes and JP votes yes. So it's four to one. So

12 we'll defer to be on next month's agenda, right? Okay. All right. Thank you.

13 Thank you.

14 **VICE CHAIRMAN SKRMETTA:** Kathryn's going to --

15 **CHAIRMAN FRANCIS:** All right. Kathryn.

16 **MS. BOWMAN:** Yes, sir. I should've announced at the beginning of the meeting,

17 we were going to take items 23 and 24 out of order because 23 is an Executive

18 Session. So we'll handle 24 first and then go to 23.

19 **VICE CHAIRMAN SKRMETTA:** One more thing. Just one little thing.

20 **MS. BOWMAN:** So Exhibit Number 24 is Docket Number U-37467. This is

21 Entergy Louisiana's application for certification of the West Bank 500 kV

22 Transmission Project pursuant to General Order dated September 10, 2024, which

23 is our Transmission Siting Order. It's a discussion and possible vote on a final

1 recommendation of the ALJ and it's at the request of Vice Chairman Skrmetta.
2 Entergy sought certification by the Commission that the public convenience and
3 necessity would be served by the completion and the siting of the portfolio of the
4 transmission projects of the West Bank of the Mississippi River and Entergy's
5 Amite South Planning Region, including construction of an 84-mile Commodore
6 to Churchill transmission line; expansion of the Waterford Substation; construction
7 of the new Churchill Substation and improvements to the Churchill Substation; and
8 conversions to the existing Waterford to Churchill transmission line, forming a 500
9 kV loop in the Downstream of Gypsy. These projects are collectively called the
10 West Bank 500 kV project. Entergy's application is the third of five filings
11 presenting the Amite South Transmission Project, which is a three-phase project.
12 Entergy contends that the project is necessary to serve projected load growth in
13 Amite South, including unprecedented industrial expansion along the West Bank.
14 Entergy explained that this project would increase its load serving capabilities by
15 250 megawatts. Staff concluded that the project met the qualifications for
16 certification and can be approved, subject to two conditions, which would be
17 Entergy filing requisite construction reports and that all pending and future
18 transmission certification applications are required to conduct and present analysis
19 of additional generation and transmission needed and interrelation of those
20 additions. LEUG asserts that, considering the cost of the project and the uncertainty
21 of the projected new loads, the Commission should defer a decision on certifying
22 the project. The ALJ determined that the probability assessments conducted by
23 Entergy, using its own criteria, was helpful and impactful in assessing the totality

1 of the evidence presented by Entergy. LEUG's suggestion to add a load probability
2 threshold in determining public interest was unconvincing to the Judge. In 2024
3 Siting Order, the Commission provided what should be considered in determining
4 whether a project is in the public interest. LEUG also sought a requirement for
5 reporting of status updates on Entergy's probability assessments for the underlying
6 projected load additions cited by Entergy. And the ALJ determined that the
7 Commission clearly stated what reporting was -- it thought it was necessary.
8 Therefore, Entergy would not be required to provide status updates on the
9 probability of those assessments. Based on the testimony and evidence presented
10 at the hearing, the ALJ filed its recommendation into the -- final recommendation
11 into the record on December 8, 2025, recommending that the West Bank Project
12 serve the public convenience and necessity, is in the public interest, and in
13 accordance with the Commission's General Order; that the retail revenue
14 requirement associated with this is deemed eligible for recovery through Entergy's
15 formula rate plan; certification is not a determination of the prudence of the final
16 cost and Entergy will submit final costs of the project in normal ratemaking
17 proceedings; Entergy will file semi-annual reports with the Commission regarding
18 construction and shall file a report with the Commission after -- within 120 days
19 after completion of construction; the application and all future transmission
20 certification applications will provide additional information; and Entergy's
21 pending dockets concerning the Amite South Transmission Project, while such
22 dockets are pending, if new information arises about additional planned or needed
23 projects to serve the projected load, Entergy will provide such information as it

1 becomes known. Staff recommends that the Commission accept the final ALJ
2 recommendation filed into the record on December 8, 2025.

3 **VICE CHAIRMAN SKRMETTA:** Move to accept Staff recommendation.

4 **CHAIRMAN FRANCIS:** Move to accept Staff recommendation by
5 Commissioner Skrmetta. Second?

6 **COMMISSIONER COUSSAN:** I have a question.

7 **CHAIRMAN FRANCIS:** Oh, I'm sorry. Do we have a second? Do we have a
8 second? I'll second it. Okay. So with that, now we have discussion.

9 **COMMISSIONER COUSSAN:** Kathryn, could you please go back over the
10 Administrative Law Judge's finding on the additional communication?

11 **VICE CHAIRMAN SKRMETTA:** JP, they're recommendations.

12 **COMMISSIONER COUSSAN:** Well, I mean, let me -- I'll hear it from her and
13 then I also would like to hear from you because I didn't have a chance to ask you
14 about it.

15 **MS. BOWMAN:** Sure. So are you talking about the additional information? So

16 --

17 **COMMISSIONER COUSSAN:** Yeah. On the probability of the projects.

18 **MS. BOWMAN:** So for future transmission certification applications, Entergy is
19 now going to be required to provide additional information on additional generation
20 and transmission needed to serve projected load additions, as well as the
21 interrelation of those additions to the West Bank Project.

1 **COMMISSIONER COUSSAN:** Now, the other portion about the probability of
2 the actual load coming online, it's a probability assessment that you mentioned the
3 Administrative Law Judge talked about.

4 **MS. BOWMAN:** So LEUG, which I'm sure Randy can provide additional
5 information on, sought a requirement for reporting a status update for Entergy's
6 probability assessments related to those projected load additions. But the ALJ
7 determined that the Commission stated what it thought its reporting was necessary
8 in our Transmission Siting Order. And so because the Commission did not include
9 additional probability of additions in the Siting Order, the Judge thought it was not
10 necessary.

11 **COMMISSIONER COUSSAN:** So there's zero requirement?

12 **MS. BOWMAN:** For additional load in the Transmission Siting Order? That
13 might be a Noel question.

14 **COMMISSIONER COUSSAN:** There's no monthly reporting requirement?

15 **MS. BOWMAN:** Correct.

16 **COMMISSIONER COUSSAN:** And she found that that was sufficient?

17 **MS. BOWMAN:** Correct. Because there are other reporting requirements along
18 the way. So there are construction requirements, and I'm not sure if it's quarterly,
19 but Entergy is required to provide updates already. It's just the Judge didn't think
20 there also needed to be a monthly reporting requirement.

21 **COMMISSIONER COUSSAN:** I got you. Mr. Hand, could you comment on
22 that for me, please? About the reporting requirements because I know we still have
23 some questions about some of these larger loads coming online.

1 **MR. HAND:** Good morning. Larry Hand on behalf of Entergy Louisiana. Again,
2 a comment on a few things. I think what is being referred to as -- that's a
3 Transmission Siting Order does not require this type of reporting on load
4 probability assessments. It does require, I believe, semi-annual reporting on
5 construction cost and progress of the lines. A little bit like what you heard from
6 Mr. Heinen earlier on their progress. We do that, semi-annually file it, and I think
7 they may have done the same. In terms of the load forecast, the probability which
8 is the issue that LEUG is currently focused on, I will say a few things. First off,
9 there's no Commission rule that requires it. And to adopt that here would say, all
10 right, this is an ad hoc rule just for Entergy, no one else, just for this case. But I
11 don't think it's necessary for a few reasons. One is we already file, at the directive
12 of the Commission, quarterly load forecasts. So we've been filing those for years.
13 We continue to file those. So those will be one indicia. Now, that is kind of
14 systemwide. That is not on -- just limited to the West Bank order we're talking
15 about here. The other thing that I think is critically important and demonstrates
16 further why it's not needed, there's a companion project that was approved by the
17 Commission. We were able to reach a settlement. That was the 230-kV project
18 recently approved. Part of the settlement in that case said by agreement, by
19 settlement, that we would provide periodic updates starting in February of 2026.
20 We'll do it twice a year. February and August, we'll provide these updates to
21 certain discovery responses in that 230-kV case. Load probability assessments that
22 are at issue now, that will be part of that update. And it -- importantly, it is exactly
23 the same loads on the West Bank of the river from Baton Rouge to New Orleans

1 that would be served from the 230 kV as would be served by this 500-kV system.
2 They are right next to one another, so the information will be provided through that
3 course and I do not believe additional monthly reporting requirements are required.
4 And I would add that this level of monthly reporting of individual customer, these
5 are individual perspective customer load probabilities. If we file that monthly,
6 there's a competitive, you know, environment here. We are providing that
7 information. It's fine to provide it to the Commission Staff, but when you start
8 providing that to LEUG, which seems to be now focused as an economic
9 development group, as I heard earlier, we're giving competitors' information to
10 them. To do what? I don't know. And that should be a concern for any business
11 looking to locate in Louisiana. So I'd recommend we stay with what we have in
12 terms of the quarterly load forecast we file, supplemented by the updates to the
13 discovery in the 230-kV case on the same probability assertions. It's a long way of
14 answering your question, I hope.

15 **COMMISSIONER COUSSAN:** You did answer my question and I appreciate
16 that. Does anybody else --

17 **COMMISSIONER LEWIS:** Mr. Hand, just really quickly. So I can make sure
18 I'm following and understanding you correctly, you're saying that the probability
19 assessments would already kind of be included in your quarterly transmission
20 reporting that you could see that information or you're saying that that would be
21 totally -- this is totally different information that doesn't -- and you see no necessity
22 for them to be reported monthly, quarterly, or annually?

1 **MR. HAND:** I think there are three levels. To be clear, the quarterly load
2 forecasting that is -- was ordered by directive of the Commission five -- many years
3 ago. Maybe back in the mid '13 -- 2013, '14. That is a systemwide quarterly load
4 forecast because the Commission at that time, this was back when we had a lot of
5 LNG activity. The Commission wanted to make sure it had visibility on these large
6 loads. Back then, what we called large loads. That's systemwide. That is not the
7 same type of probability assessments that are being asked for here. I just wanted
8 to mention that, that we already provide a quarterly load forecast systemwide, that
9 view. And now we've supplemented that with the settlement provision in the 230
10 -- West Bank 230-kV case where we have agreed through settlement with all the
11 parties, including LEUG, to provide these West Bank corridor load forecast
12 probability assertions or assessments, provide those bi-annually. One starting in
13 February of 2026, and every six months, until the later of the in-service date of the
14 West Bank 230-kV project or 2027. The later of those two.

15 **COMMISSIONER LEWIS:** Okay. How often do you -- how frequent are these
16 probability assessments updated?

17 **MR. HAND:** You know, it's not a scheduled activity. Like, okay, it's the 5th of
18 the month, let's do it.

19 **COMMISSIONER LEWIS:** Right.

20 **MR. HAND:** It's constant monitoring engagement with these and when our
21 economic development group tells me, hey, we were talking to -- I'll make up a
22 name since it's public. We were talking to Hyundai Steel and they did something
23 on their approvals or didn't do something that causes us to be more or less, you

1 know, certain that they will be here. When those events happen, whenever they
2 happen and whatever they are, they come back and say all right, we need to reassess.
3 Something changed, positive or negative. And that's -- that's our process. And so
4 whenever those things happen, if it happens every week, we reassess every week.

5 **COMMISSIONER LEWIS:** So it's just flex?

6 **MR. HAND:** Yes.

7 **COMMISSIONER LEWIS:** And the Commission, we can get this information
8 from you whenever, correct?

9 **MR. HAND:** Whenever you ask.

10 **COMMISSIONER LEWIS:** Okay.

11 **MR. HAND:** And the difference is you, as a regulator, you know, we give you
12 guys confidential information.

13 **COMMISSIONER COUSSAN:** Yeah. It is confidential information.

14 **MR. HAND:** Highly confidential, competitive, and it could jeopardize the
15 competitive positions of these industries who want to come here. And, look, we
16 did, you know, with great care and we worked with the parties in that 230-kV case
17 and in this 500-kV case to provide these exact probability assessments. So we
18 provided in the case that -- the challenge we have is providing these monthly,
19 ongoing. It's a level of granularity that creates risk for new businesses looking to
20 locate in Louisiana that we don't think is needed or prudent to do.

21 **COMMISSIONER LEWIS:** Okay. Thank you.

22 **CHAIRMAN FRANCIS:** So you're looking for 100% guarantee that they need
23 it?

1 **COMMISSIONER COUSSAN:** You're asking Randy?

2 **MR. HAND:** He might be.

3 **CHAIRMAN FRANCIS:** No. I -- all right.

4 **COMMISSIONER LEWIS:** Mr. Young, I know you sent a letter about this issue,
5 so your response or thoughts?

6 **MR. YOUNG:** Thank you, Commissioners. Again, Randy Young, and I'm here
7 on behalf of Louisiana Energy Users Group. It's a group of industrial customers,
8 buy a lot of power in Louisiana and they are ratepayers. And yes, there's a lot of
9 folks in there that are interested in economic development. And I had a request for
10 oral argument on this. And so let me start out by saying I want to be clear, we're
11 not -- this is about a very large transmission project. It's about a billion-dollar
12 project. It's very large. It's very expensive. Nine hundred fifty-five million
13 dollars. We are not opposed to the project. I want to be clear on that. We're not
14 saying don't approve the project. What we are saying is that we think it's important,
15 from the standpoint of existing ratepayers, to have a reporting requirement. And
16 let me talk through that. So the key drivers or the key reason that Entergy is saying
17 we need to build this billion-dollar transmission project is to serve some new
18 potential loads that would be coming to Louisiana. And we all hope those loads
19 come, and it'd be a wonderful thing if they come. But the reality is that if they
20 don't come, then the cost for that billion-dollar project are going to fall to the
21 existing ratepayers. And we discovered through the process of going through these
22 cases with Entergy, that Entergy does this probability assessment on these
23 underlying load projects. And they look at everyone and say what's the chance that

1 they're going to come? And Entergy puts a percentage on each of those. And I've
2 got those on a one-pager that lists those percentages. And the percentages are
3 confidential, and because they're labeled confidential in the case, they're highly
4 protected. You can only see them under a confidentiality agreement. Individual
5 members of LEUG do not see it. You have to do it -- the rules of the Commission
6 is you can only do it through counsel and consultants. But we see these numbers,
7 and when you look at these numbers, and I've shown them to some of you that I
8 had time to meet with, there's still big question marks about whether or not some
9 of these loads are going to come. There're still big question marks on whether or
10 not they'll actually happen. We hope they'll happen, but we don't know. And
11 again, it matters whether they come or not because if they don't come, then the
12 existing ratepayers have to pay for this. So what we're saying, Commissioners, and
13 my whole point of being up here today is that we think it's very important that the
14 Commission have a reporting requirement so you see what these percentages are
15 changing if they change month by month. And I don't care if it's every two months,
16 every three months, but the idea is to keep -- allow the Commission to keeps its eye
17 on the ball, look at these underlying load projects, and if something changes and
18 they're not going to come, then you'll know that right away, and then you can take
19 whatever action you think you need to see fit -- you see fit if the facts change. And
20 so it's about keeping this information in front of you. Now, Mr. Hand talked
21 through several reasons why he doesn't think they should have to report this
22 information and let me talk through that. Number one, he talked about some
23 quarterly reports that the -- that they filed with the Commission on load growth.

1 Well, those quarterly reports don't have this level of detail about these individual
2 projects that I identified. So that doesn't answer it. Plus, those quarterly reports
3 are based on these annual assessments they do and they're only updated on an
4 annual basis. But separate from that annual update process, Entergy's told us that
5 they look at these probability assessments and update them almost daily. So these
6 numbers can change and I'm trying to get the most current information in front of
7 the Commission because it's a billion-dollar project. Second thing, he's saying,
8 well, we're creating some ad hoc rule just for Entergy. No, we're not. This is a
9 certification case for a billion-dollar project. The Commission has the authority to
10 impose and require conditions on this individual approval. And it's not creating a
11 rule that applies to everything. It's requiring a condition on this approval in this
12 case because it's a billion-dollar project with still a lot of question marks on the
13 individual loads. And so we think it's important. It's not trying to create a new
14 broad-based rule. And then he talked about competitiveness, and confidentiality,
15 and all that kind of stuff. The Commission has rules that protect all that
16 information. It does not get seen by anyone with LEUG except the attorneys and
17 the consultants. That's the only way we get to participate and see this data at the
18 Commission. And last point, what he's suggesting to you is that even this
19 probability stuff is already filed with the Commission, and we have some agreement
20 to already do that. I don't believe that's the case. We did do an agreement in the
21 230-kV case that allowed for access to this data while certain cases are ongoing at
22 the Commission that allows you to ask discovery questions and get updates. And
23 so that's in place, but what we're talking about is not just getting that information

1 while those cases are alive, but rather through the construction of this line which
2 could take several years. And so we think it's important we have a distinct reporting
3 requirement on this topic. I don't see that we have a path that requires this
4 reporting. If you're telling me that you are going to report this data, this specific
5 load probability data, every six months you're going to file that report, I'd like to
6 know that. But I don't think that's in that current requirement as I recall it. It's
7 been a while since I looked at it. And then the Staff has suggested, well, there's
8 some new reporting in this case that requires if anything changes, or if you need
9 new generation, transmission. Again, I think that's broader. I don't think it covers
10 this. I'm trying to cover the specific updates. We're talking about a page of
11 information. It's information they already have. It's not something new that they
12 have to do and I think it's important from an existing ratepayer standpoint. Because
13 if these projects don't happen, existing ratepayers have to pay the bills. And if
14 something does happen that they're not going to go forward, I think this
15 Commission should know that information as soon as possible, and have it at their
16 fingertips in monthly reporting. And so I'm asking for required monthly reporting
17 of the status updates, the information Entergy already has. Just require them to
18 report it, and file it in the case as confidential data. Thank you.

19 **CHAIRMAN FRANCIS:** Larry.

20 **COMMISSIONER LEWIS:** Mr. Young.

21 **CHAIRMAN FRANCIS:** Larry Hand, go ahead.

1 **COMMISSIONER LEWIS:** No, I'll let you, Larry, rebut. I just want to make
2 sure I understand Mr. Young correctly. So your ask is that the Commission put in
3 a probability assessment requirement of some sort?

4 **MR. YOUNG:** No, no. No, I am not. We're past that, Judge. We had some
5 proposals in the case.

6 **COMMISSIONER LEWIS:** Or we should consider [CROSSTALK] --

7 **MR. YOUNG:** The ALJ -- the ALJ said we're not going to set a standard. If you
8 want to do that, go do a rulemaking. We're not -- so we're not asking for a standard,
9 a percentage, or anything. We're just saying Entergy's own probability
10 assessments, what they already do, just give us what you already do and see. Just
11 tell us. Just report it to us. We're not asking for a standard, we just want to see
12 where we are.

13 **COMMISSIONER LEWIS:** Okay.

14 **MR. YOUNG:** Just give us status updates.

15 **COMMISSIONER LEWIS:** I just want to make sure I was following your
16 arguments. Mr. Hand.

17 **MR. HAND:** So I learned earlier when Mr. Heinen gave his presentation that a lot
18 of pictures are helpful. So I gave you guys a picture of the map to provide some
19 context for these projects, what we refer to as the West Bank 230 and the West
20 Bank 500-kV line. The cities aren't marked here, but you guys know the
21 geography. You can see these lines generally run between Baton Rouge and New
22 Orleans along the river. You can see the kind of the north -- north facing which we
23 call the East Bank of course to make it challenging. It has a lot of 230-kV and 500-

1 kV lines. That's our traditional industrial corridor between Baton Rouge and New
2 Orleans. The area we're talking now is on the southside of this map, the West Bank
3 of the river. The red dots located there, and this was Exhibit Number 3 to Mr.
4 May's testimony in the docket. Those red dots equal 14 project locations that we
5 are tracking -- have been tracking. And you can see in the dashed blue line, that's
6 the 500-kV line that's at issue here. That's an 84-mile, 500-kV line. There should
7 be a new high voltage pathway cutting through, you know, really in south
8 Louisiana, southeast Louisiana. This is where things will develop. You've heard
9 a lot about the Ascension Parish RiverPlex MegaPark. This kind of cuts through
10 that area. I think that's a 17,000-acre mega site. So this would enable development
11 there and other development. So I'm just providing this for context to see where it
12 is. But as important as this project is to enable economic development, and we
13 think the load -- the potential load of these 14 dots is more than enough to justify
14 this line, the other benefit that hasn't been talked about today about this line is the
15 reliability and resilience benefits associated with creating a new 500-kV pathway
16 into the greater New Orleans area. We all remember from Hurricane Ida, and if
17 you remember far back -- further back, Hurricane Gustav, we lost some major
18 transmission tie lines that caused outages, prolonged outages in the greater New
19 Orleans area. This 500-kV line will be another strong tie all the way into
20 Downstream of Gypsy area, creating enormous reliability resilience benefits, not
21 just for southeast Louisiana, but for the metro New Orleans area. And in fact, part
22 of it -- part of this project, we're going to convert from Waterford to Churchill,
23 there's an existing 230 line, we're going to convert that to 500-kV service. So for

1 the first time ever, we're going to have a 500-kV loop into DSG kind of touching
2 into Jefferson Parish. So I don't want to undersell the tremendous reliability and
3 resilience benefits that customers will see from this project. But in addition to that,
4 we also have the economic development aspect to enable load serving. So if there
5 are concerns about the economic aspects of it, think about the reliability and the
6 resilience of it. And if I could, Commissioner, I want to respond to a few things.
7 I'll be very brief. We've had a, you know, longer day than maybe expected, but,
8 you know, we talked about the Commission's decision today to certify this or not,
9 and we are asking you to certify it, to accept the ALJ's recommendation and the
10 Staff's recommendation. When you decide that, if you approve it, we walk out of
11 here, it's not like my hands in the air like I just don't care, and I'm going to build
12 it no matter what, we monitor this. We have a prudence obligation for any capital
13 project we undertake that you approve. From the day after you approve it, we have
14 a prudence obligation. And if we see something that changes, that causes the need
15 for the project or the -- you know, the benefits of the project to change dramatically,
16 we need to come back to y'all and inform you. If we don't, you know what happens.
17 We've heard a lot about plenary authority. One of the key things the Commission
18 has done, and can do, is make sure that we act prudently. And so if we don't come
19 back to you, there's a change in circumstance that this line is no longer needed, then
20 we can be found imprudent, which means our shareholders will pay for the damage
21 from that imprudence, not customers. So we have a lot of incentive to be very
22 careful with this project. As Mr. Young said, it is a significant investment. And so
23 we will -- we will take that seriously. The certification of anything you do is based

1 on what you know today -- what we have presented to you today. I can't expect
2 you to say I'm approving what happens in the future and even though I don't know
3 what happens. So we're just asking you to approve that this is needed and in the
4 public interest today knowing that we will monitor it, we will assess it, and behave
5 prudently going forward. The -- you know, the prudence thing cannot be
6 understated. It is not -- it is different from whether we provide these monthly
7 probability assessments as requested or not. The prudence obligation is the same.
8 It will be there and we take it seriously. And just as proof that we do take it
9 seriously, and this is something Mr. Young cited in his materials, I believe in his
10 letter, and I believe it is very true. He refers to a project that was known as the
11 Little Gypsy 3 Repower. As I look up at this -- at the dais, I think there were only
12 two of you who were involved in that project. It was in the mid, you know, 2006
13 timeframe. And so what happened there high gas prices were prevailing. This was
14 before the Shale Revolution. We were seeing -- Commissioner Campbell, you can
15 remember it. We were seeing 8, 10, \$12 gas. Rates were extremely high because
16 of that and so the Commission wanted us to take action to look for solid fuel
17 alternatives so we're not as hedged or exposed to natural gas prices. Two projects
18 we looked at. One was a new nuclear unit. I'm not going talk about that today.
19 The other one was a repowering of Little Gypsy 3, about a 500-megawatt project
20 in St. Charles Parish. Repowering that from natural gas to a blend of coal and
21 petcoke, I believe. At the time we looked at it, depending on what you believed
22 about future gas prices, it was very protective and beneficial for customers. But we
23 knew there was uncertainty because of gas prices. And lo and behold, and I think

1 thankfully, the Shale Revolution happened, which turned the economics of that
2 project upside down. We came back to the Commission very quickly and other
3 stakeholders were engaged. We came back and suspended it initially. Matt Brown,
4 my counsel, was involved. So if you have questions about the details, he can. But
5 the bottom line is we came back and ultimately stacked hands with the Commission
6 and suspended, cancelled that project. And yes, there was a cost to prudently
7 suspend and cancel the project based on what we then knew. And we worked with
8 this Commission to securitize that and finance it in the lowest way possible. So
9 that's one example. And more recently, we have a -- an East Bank 230-kV
10 transmission project that is pending at the Commission. There has been some
11 changes in some of the loads that were supporting that. And we filed and the ALJ
12 this week -- we filed to suspend the proceeding and she granted it based -- because
13 we cited uncertainties, wanted more time to evaluate. So we take very seriously
14 our obligation to monitor and take prudent action.

15 **COMMISSIONER COUSSAN:** Staff, would you mind just corroborating his
16 assessment of the prudency review? Is he accurate?

17 **SECRETARY FREY:** Yes. I mean --

18 **COMMISSIONER COUSSAN:** That's all I needed to know. Thank you. Okay.
19 **COMMISSIONER LEWIS:** Mr. Chairman, really quickly. Just thank you for
20 everything you just said. You don't have to -- just you do this -- does Entergy -- I
21 can't talk today. Are there any other territories where you do this type of probability
22 assessment from Entergy's standpoint? Does the commission in Texas, or

1 Mississippi, or Arkansas make some of this -- for your counter -- your other OpCos
2 operate under this or would this be unique in the -- in the broader picture?

3 **MR. HAND:** So I will answer it two ways. I believe every operating company
4 peer of Entergy's, all of my affiliates, does these probability assessments because
5 if you're a utility, one of our primary jobs is to grow the communities we serve in,
6 grow the economies, support the economies. And so these probability assessments
7 I believe, are happening with each of the operating companies as they look at any
8 loads coming. And it's not just a thousand-megawatt load. It's, you know, it's a
9 five-megawatt load. Those are important for [INAUDIBLE]. So yes, they do it. I
10 do not believe -- and this is subject to check, Commissioner, I do not believe any
11 of those probability assessments in those jurisdictions are filed with the regulators,
12 much less given to intervenors in those cases on an ongoing monthly or quarterly
13 basis.

14 **COMMISSIONER LEWIS:** Okay. Thank you.

15 **MR. YOUNG:** Just a couple of notes, Commissioners.

16 **CHAIRMAN FRANCIS:** I think it's Commissioner Campbell.

17 **COMMISSIONER CAMPBELL:** In all due respect to everybody in the room,
18 you think y'all could about five minutes and wrap this up? But we've been here
19 about an hour and a half and talking, talking, talking. And I respect what you had
20 to say, but how about giving him five minutes and giving him about three minutes
21 because he's used two extra minutes? I'm just kidding really. But let's get this
22 over with. We'll be here at 5:30 this afternoon. Same old seven and six.

23 **CHAIRMAN FRANCIS:** Thank you, Commissioner Campbell.

1 **MR. YOUNG:** I can do it in about two minutes, Commissioner.

2 **COMMISSIONER CAMPBELL:** Two minutes.

3 **MR. YOUNG:** Two minutes. All right. Clock started. So, Commissioners,

4 Entergy definitely does have an ongoing prudence obligation to continue to manage

5 this project through the whole life of it. And it's also correct that in Little Gypsy,

6 we had a situation where they had the economics change, the circumstances change,

7 and so they cancelled the project, and that cost the ratepayers \$200 million. All of

8 that supports why I'm asking for the monthly reporting. Because if something

9 changes, you want to know about it right away. In Little Gypsy, we have a different

10 view about how that tide turned. In that case, we had transparency on the gas prices.

11 We saw the gas prices coming down. We're raising our hand very high and very

12 loudly saying we need to revisit that decision. And it eventually came back to the

13 Commission and then it got cancelled. On this one, we don't have the visibility on

14 these probability analysis. We can't see it unless they report it and they come tell

15 it to you every month and give us the updates. So that's why we want the data so

16 that we can, as stakeholders, as a Commission, see right away if something changes,

17 so you keep your eye on the ball and know if you need to call them in and say let's

18 do something on this.

19 **CHAIRMAN FRANCIS:** Right.

20 **MR. HAND:** And closing remarks in way less than three minutes. You know, as

21 Mr. Young said earlier, what we have today is fantastic. Our objective is to keep it

22 that way going forward for the state and we will honor that prudence obligation

23 very carefully. If there are instances where you have any information needs, we

1 will certainly provide those to you, but we don't believe these monthly reporting
2 obligations are reasonable, appropriate, or prudent.

3 **MR. YOUNG:** As I also said, it's not about tomorrow -- it's not about today. It's
4 about tomorrow and where rates are going tomorrow. And it's important that we
5 keep our eye on the ball to try to keep Louisiana a good place to do business.

6 **CHAIRMAN FRANCIS:** All right. Thank you.

7 **COMMISSIONER COUSSAN:** Thank you, guys.

8 **CHAIRMAN FRANCIS:** All right. So --

9 **COMMISSIONER COUSSAN:** And for whatever you were up here for, thank
10 you, too.

11 **CHAIRMAN FRANCIS:** So we've got --

12 **VICE CHAIRMAN SKRMETTA:** That's Matt Walsh.

13 **CHAIRMAN FRANCIS:** You've got a --

14 **VICE CHAIRMAN SKRMETTA:** I made a motion to approve.

15 **CHAIRMAN FRANCIS:** Okay.

16 **COMMISSIONER COUSSAN:** And you -- and you seconded it.

17 **CHAIRMAN FRANCIS:** And I seconded it. Okay. So is there any objection?

18 [NONE HEARD]

19 **COMMISSIONER CAMPBELL:** Jesus Christ.

20 **CHAIRMAN FRANCIS:** Hearing no objection. Hearing no objection --

21 **COMMISSIONER CAMPBELL:** All day and nobody objected?

22 **CHAIRMAN FRANCIS:** -- twenty-four has passed.

23 **VICE CHAIRMAN SKRMETTA:** Do you have to read the in re?

1 **MS. BOWMAN:** Yes.

2 **VICE CHAIRMAN SKRMETTA:** Go ahead.

3 **MS. BOWMAN:** Okay. The last agenda item is Exhibit 23. It's Cantium versus
4 Rosefield Fourchon Operating and a complaint against Rosefield for transportation
5 and terminalling of crude oil as a common carrier without a tariff on file with the
6 Commission at rates that are excessive and request that Rosefield pay reparations,
7 refunds, and damages for charges above just and reasonable rates. It's a possible
8 Executive Session to discuss litigation strategy, pursuant to Revised Statute 42:17
9 regarding Civil Suit Number 765932. We need a motion and a second to enter and
10 then there is a side room that we can go into. So we don't have to turn off the mics
11 and all of that kind of stuff.

12 **VICE CHAIRMAN SKRMETTA:** Okay.

13 **MS. BOWMAN:** So I'll take a motion and a second.

14 **VICE CHAIRMAN SKRMETTA:** Move to go into Executive Session.

15 **CHAIRMAN FRANCIS:** Second.

16 **VICE CHAIRMAN SKRMETTA:** And also take a recess in between there and
17 then.

18 **CHAIRMAN FRANCIS:** An extra five minutes.

19 **[OFF THE RECORD]**

20 **[BACK ON THE RECORD]**

21 **VICE CHAIRMAN SKRMETTA:** Move to come out of Executive Session. We
22 got a motion and a second to come out of Executive Session.

23 **CHAIRMAN FRANCIS:** All right. Let's come out --

1 **SECRETARY FREY:** And we're good with the court reporters? Y'all got us?

2 **VICE CHAIRMAN SKRMETTA:** She says she's got us.

3 **SECRETARY FREY:** Okay, okay.

4 **VICE CHAIRMAN SKRMETTA:** And you need to do the in re. We already

5 did it?

6 **SECRETARY FREY:** We did the in re so I have --

7 **VICE CHAIRMAN SKRMETTA:** Do you have a motion for me, Kathryn?

8 **SECRETARY FREY:** I think -- let me make sure I articulate this properly.

9 **VICE CHAIRMAN SKRMETTA:** Yeah. You get --

10 **SECRETARY FREY:** This is Commissioner Skrmetta's motion.

11 **VICE CHAIRMAN SKRMETTA:** Go ahead and do that.

12 **SECRETARY FREY:** He directs --

13 **COMMISSIONER COUSSAN:** Your microphones are too close to one another.

14 **SECRETARY FREY:** Oh, sorry. That one's off earlier.

15 **VICE CHAIRMAN SKRMETTA:** You need a real one.

16 **SECRETARY FREY:** All right.

17 **VICE CHAIRMAN SKRMETTA:** Give him yours. There you go.

18 **SECRETARY FREY:** No one wants me to talk. Now, there we go. All right. So

19 the Commission directs the parties in the pending matter to file briefs on the issue

20 raised by the Judge, which is the applicability of the law to the current facts within

21 30 days, with reply briefs to be filed 15 days thereafter. I think I said that right. Is

22 that correct?

1 **VICE CHAIRMAN SKRMETTA:** I think 30 days might be tight because you
2 don't have the transcript --

3 **SECRETARY FREY:** True. So do we want to make it 30 days from availability
4 of the transcript?

5 **VICE CHAIRMAN SKRMETTA:** I think you need to make it when they get the
6 transcript.

7 **SECRETARY FREY:** Okay. So I know -- and, Jamie, I'm going to look at you,
8 I'm sure y'all requested the transcript as well. Yeah. So maybe the parties will --
9 how about --

10 **VICE CHAIRMAN SKRMETTA:** Make it 30 days.

11 **SECRETARY FREY:** Thirty days from the transcript?

12 **COMMISSIONER COUSSAN:** All right. Thirty days from today. That's what
13 we just talked about.

14 **VICE CHAIRMAN SKRMETTA:** Thirty days.

15 **COMMISSIONER COUSSAN:** We literally just talked about it.

16 **SECRETARY FREY:** Thirty days from today. Okay. Thirty days from today.
17 Okay.

18 **VICE CHAIRMAN SKRMETTA:** That's fine. Thirty days from today.

19 **MS. BOWMAN:** They may not have the transcript within 30 days.

20 **COMMISSIONER COUSSAN:** Who was there from all the parties? We had
21 parties there?

22 **VICE CHAIRMAN SKRMETTA:** It was in open court, right?

23 **SECRETARY FREY:** Yes.

1 **MS. BOWMAN:** Yes. Jamie, you need to come to the mic.

2 **SECRETARY FREY:** Oh, sorry.

3 **VICE CHAIRMAN SKRMETTA:** Open court. There you go.

4 **MS. JAMIE WATTS:** Jamie Watts on behalf of Rosefield Fourchon Operating.

5 For the hearing that occurred at the 19th JDC on December 9, I have requested a
6 transcript from the court reporter. In prior experience in this case at the 19th, it took
7 several weeks to get the transcript. So I do not think 30 days from today would be
8 sufficient time. Thirty days from availability of the transcript would be more
9 reasonable.

10 **VICE CHAIRMAN SKRMETTA:** Can you -- how are we going to know when
11 that is?

12 **MS. WATTS:** We can notify --

13 **COMMISSIONER COUSSAN:** We're a party.

14 **MS. BOWMAN:** So I also requested a copy of the transcript.

15 **VICE CHAIRMAN SKRMETTA:** Okay.

16 **MS. BOWMAN:** So I assume we could get it simultaneously.

17 **VICE CHAIRMAN SKRMETTA:** Can you post it on the -- into the record that
18 when the notification -- when we get a copy of the transcript, you can notify all
19 parties --

20 **SECRETARY FREY:** Yes.

21 **VICE CHAIRMAN SKRMETTA:** -- 30 days from that day?

1 **SECRETARY FREY:** Yes. We'll do that. We'll provide notice, yes, when we
2 receive it, to all the parties, the 30-day clock starts. And then we'll do the 30 days
3 from that date, and then 15 days thereafter for reply.

7 **CHAIRMAN FRANCIS:** Motion and I'll second. Okay.

8 COMMISSIONER COUSSAN: Opposition?

9 **CHAIRMAN FRANCIS:** Any opposition? [NONE HEARD] Hearing none, it's
10 done.

11 VICE CHAIRMAN SKRMETTA: Move to adjourn.

12 **CHAIRMAN FRANCIS:** Move to adjourn. We're adjourned.

13

(WHEREUPON THE MEETING WAS ADJOURNED)

15

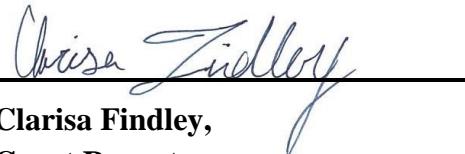
1 I certify that the foregoing pages 1 through 119 are true and correct to the
2 best of my knowledge of the Open Session of the Business and Executive
3 Meeting held on December 17, 2025 in Natchitoches, Louisiana.

4 *****

5 **Rough Draft prepared by:**

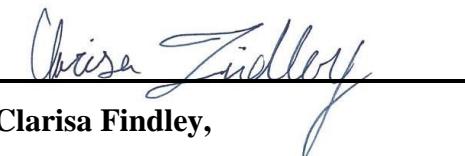
6  **January 06, 2026**
7 **Alicia Carter-Thomas,**
8 **Court Reporter**

9  **January 06, 2026**
10 **Key-Anna Freeman,**
11 **Court Reporter**

12  **January 06, 2026**
13 **Clarisa Findley,**
14 **Court Reporter**

15 *****

16 **Proofed by:**

17  **January 08, 2026**
18 **Clarisa Findley,**
19 **Court Reporter**

20 **Finalized by:**

21  **January 09, 2026**
22 **Alicia Carter-Thomas,**
23 **Court Reporter**