

TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS AND EXECUTIVE OPEN SESSION HELD ON MAY 22, 2024 IN BATON ROUGE, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN DAVANTE LEWIS, COMMISSIONER ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, AND COMMISSIONER CRAIG GREENE.

Exhibit	Docket	Description	Page
1		Announcements	2 - 21
2	T-37019	LPSC vs. Move Precision LLC	26 - 30
3	T-37085	LPSC vs. Benson Dupre Moving Services LLC	30 - 31
4	U-35806	Cleco Power LLC	22 - 23
5	U-36625	Entergy Louisiana, LLC	Deferred
6	U-36685	Entergy Louisiana, LLC	31 - 32
7	U-36697	Entergy Louisiana, LLC	32 - 40
8	U-36836	Peoples of Bastrop, LLC	40 - 41

9	U-36984	Cleco Power, LLC	23 - 25
10	U-37131	Entergy Louisiana, LLC	41 - 43
11	U-37155	Southwestern Electric Power Company	43 - 44
12		1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS business 5) Directives	44 - 45
13	U-36174	Southwestern Electric Power Company	Deferred
14	U-37062	Cleco Power, LLC	25 - 26

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2 **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON MAY 22, 2024**
3 **IN BATON ROUGE, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE**
4 **FRANCIS, VICE CHAIRMAN DAVANTE LEWIS, COMMISSIONER**
5 **ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, AND**
6 **COMMISSIONER CRAIG GREENE.**

7 **CHAIRMAN MIKE FRANCIS:** Call the meeting to order. Thank you all for
8 coming again today to do the Louisiana citizens' business. Commissioner
9 Campbell is not here, he's on the way. And I think we can go through the
10 announcements and all. Let's open with a word of prayer first. Ask our God to
11 bless this meeting. Commissioner Craig Greene, would you lead us in prayer?

12 **[COMMISSIONER CRAIG GREENE LEADS IN PRAYER]**

13 **CHAIRMAN FRANCIS:** I would ask Commissioner Lewis to lead us in the
14 Pledge of Allegiance.

15 **[VICE CHAIRMAN DAVANTE LEWIS LEADS IN THE PLEDGE]**

16 **CHAIRMAN FRANCIS:** Well, thank you all. Please be seated. We're going to
17 move into the announcements. And I want to, as Chairman, I want to just tell all
18 of you it's an honor to serve you as your Chairman of the Public Service
19 Commission and with the help of these other four folks, we're getting a lot done for
20 the people. I'm really proud of what we've done. We can always do a little better.
21 Okay. Kathryn Bowman, you want to start with announcements?

1 **MS. KATHRYN BOWMAN:** Yes, sir. So, we have 14 exhibit items this month,
2 but Exhibits Number 5 and 14 are deferred. Again, 5 and 14 are deferred. Also --
3 I'm sorry, not 14. I apologize, 13; 5 and 13.

4 **COMMISSIONER ERIC SKRMETTA:** Five and thirteen?

5 **MS. BOWMAN:** One-three. Apologies.

6 **VICE CHAIRMAN DAVANTE LEWIS:** Thirteen?

7 **SECRETARY BRANDON FREY:** Thirteen.

8 **MS. BOWMAN:** Yes. Also, just a reminder that next month's B&E is going to
9 be held on the same day, June 19th, but it'll be held in Metairie at Copeland Towers
10 to coincide with the nuclear technical conference that Ms. Evans and Commissioner
11 Skrmetta are leading.

12 **COMMISSIONER SKRMETTA:** And the hotel has -- just for those who are
13 interested, the hotel, if you call them, they have a attendee rate. So just call them
14 up, tell them you're coming in for the nuclear conference, and it's a rate that they'll
15 give you. It's a pretty good discount, so just let them know if you want to go and
16 spend the night you can do that.

17 **MS. BOWMAN:** Okay. We are also going to move a couple of agenda items up
18 to the front, and those are Exhibit 4, Exhibit 9 and Exhibit 14; 4, 9, and 14 will be
19 taken up first. And then also there's one Staff announcement from Ms. Evans
20 related to a docket.

21 **MS. LAUREN EVANS:** Good morning, Commissioners. Lauren Evans on behalf
22 of Staff. I just wanted to let you know that the CCO Docket is moving. We filed
23 a last set of discovery into the docket and the responses were due on May 6th. So

1 we're reviewing those responses. It's some pretty technical issues, so we are trying
2 our best to -- our best efforts to get that for a June B&E.

3 **COMMISSIONER CRAIG GREENE:** Thank you. I know y'all have been
4 working hard and we are looking forward to a June meeting and let us know what
5 we can do to help with that. Thank you.

6 **CHAIRMAN FRANCIS:** And that's the -- what are you working on now? What
7 is that?

8 **MS. EVANS:** That's the Customer Centered Options Docket. It's a rulemaking
9 focusing on ways to benefit customers.

10 **CHAIRMAN FRANCIS:** Okay. Yeah. So, I'm like Greene, I'm in full support
11 of that. So we'll be able to take a good look at it on June -- in June, meeting in
12 Metairie? Okay.

13 **MS. EVANS:** We are doing everything we can to have that ready for a June vote.

14 **CHAIRMAN FRANCIS:** Great, great. I'm ready, we've been waiting on it.
15 Okay.

16 **MS. EVANS:** Honestly, me, too.

17 **CHAIRMAN FRANCIS:** Thank you. Okay. Commissioner Lewis.

18 **VICE CHAIRMAN LEWIS:** Thank you, Mr. Chair. I would like to welcome
19 back my Executive Assistant and Chief of Staff, Charlotte Cravins. As many of
20 you know, Charlotte went into delivery early with baby Landry, but I'm happy to
21 say that he is doing wonderful and healthy and has stopped by the District 3 office
22 a few times and that's probably why we're going to be very quiet in the meeting
23 today because we did get to prepare as much playing with him, but we wanted to

1 welcome Charlotte back. Glad to see that she's healthy and doing well and I just
2 wanted to welcome you back to the Commission.

3 **CHAIRMAN FRANCIS:** All right. Welcome back, Charlotte. Commissioner
4 Campbell.

5 **COMMISSIONER FOSTER CAMPBELL:** I don't know -- I apologize for
6 being a little bit late, but have we talked about Exhibit 5?

7 **MS. BOWMAN:** Yes, sir. That's deferred until next month.

8 **COMMISSIONER CAMPBELL:** I didn't hear about that much. Brandon finally
9 told me about it and somebody said it's been discussed with other people up here.
10 I'd like to know about it. We were just talking and Brandon told me about it. That's
11 alarming and I don't think I was up to date on it. I don't know who does that. Do
12 you do that?

13 **MS. BOWMAN:** I take the bids and solicitations. The company was -- we
14 discussed reaching out to all Commissioners. I'm not sure if they were able to do
15 that, but happy to have --

16 **COMMISSIONER CAMPBELL:** No, no. I can stop you right there. Reaching
17 out to all Commissioners, they didn't reach out to me and that seems to happen a
18 lot and that troubles me because I had a lot of questions to ask about it. So when I
19 heard, well, I reached out to other Commissioners, I don't know who heard. I didn't
20 hear anything, and I'm troubled by that. So next time when you reach out to the
21 Commissioners, reach out to old Foster. I live up in Shreveport. You've got my
22 number. This is a big, big deal here. I don't like the way it smells at all. It smells
23 terrible and I have some real questions about it. So I get suspicious when I don't

1 hear from anybody, and they say we reached out to everybody else, but old Foster
2 didn't get to hear about it. So I know I'm a little bit paranoid, but this makes me
3 real paranoid. So next time you have a big deal like this with huge numbers and
4 you decide not to take it up because you reached out to Commissioners, call old
5 Foster, 318-426-0296. Call me because this deal here really troubles me. And I've
6 had this happen a couple of times, please stop doing it. I know sometimes I disrupt
7 things, let me just say that. I might disrupt things. Well, this needs disrupting and
8 I wasn't privy to the disruption and I'd love to be in the middle of this one. Thank
9 you.

10 **CHAIRMAN FRANCIS:** Okay.

11 **SECRETARY FREY:** And I've got a few announcements as well.

12 **MR. CHAIRMAN FRANCIS:** Mr. Secretary Frey.

13 **SECRETARY FREY:** If Colby and Tammy jet out, we actually have a bill in
14 committee today that we've been working on with Representative Farnum, so
15 they're going to represent us there. So I think Paul can handle transportation if
16 we're not to that yet. Also, as you'll recall at the April meeting, the Commission
17 directed us to open up an audit into Beauregard and I think there was some
18 confusion as to whether an agenda item was going to be on for an update. I let the
19 company know that they didn't need to be here because we're very early on in the
20 preliminary stages of that, but there's been some confusion. We've had employees
21 of the co-op reach out to us with that press inquiries as to well, wait, isn't there an
22 investigation going on? There is. I mean, we've got the docket open, discovery is
23 going to go out today, and it's rather extensive, to the companies. So I just wanted

1 to assure the public out there and any members of Beauregard who are concerned
2 that nothing is happening. We are digging into this very deeply and information
3 will be out shortly. The docket number, if anyone is interested, is X-37183. It is
4 an X docket so there's not going to be a lot of public data at the onset, but that
5 investigation is open. Thirdly, on a personal level, in case she's actually watching,
6 but she's not, I wanted to wish my wife happy anniversary. It's our anniversary
7 today. Somehow, she's put up with me for fourteen years. And then finally, we
8 have the pleasure of having Secretary Tyler Gray here from the Department of
9 Natural Resources and Energy who I think wants to briefly talk to you all. Tyler
10 and I had a very good meeting last week to talk how our two agencies can work
11 together. I know he's meeting with some of y'all individually, so Tyler, come to
12 the mic. Just hit the button to make it turn green.

13 **CHAIRMAN FRANCIS:** Okay. Tyler, welcome to a Public Service Commission
14 meeting. You're an energy guy?

15 **MR. TYLER GRAY:** Yeah, yeah. Placid alumni.

16 **CHAIRMAN FRANCIS:** Well, that's what I see. You know, I'm a Placid alumni,
17 also.

18 **SECRETARY FREY:** Tyler, hit your -- hit the little button on the mic. There
19 you go.

20 **MS. BOWMAN:** The mic itself.

21 **SECRETARY FREY:** There you go. All right.

22 **CHAIRMAN FRANCIS:** I'm a Placid alumni also.

23 **MR. GRAY:** That's what I hear.

1 **CHAIRMAN FRANCIS:** Great company.

2 **MR. GRAY:** Yeah.

3 **CHAIRMAN FRANCIS:** What molded my character to get me here in front of
4 you guys today, so welcome. Looking forward to working with you. We got a lot
5 on the plate for the next four years, huh?

6 **MR. GRAY:** Yes. Yes, sir. And I want to say thank you for having me today.
7 My name is Tyler Gray. I'm the secretary for the Department of Energy and Natural
8 Resources and I appreciate coordinating the meeting today to have a few moments
9 just to make connection and talk to you a little bit about what we've got going on
10 at DENR. There was an executive order that was issued in first couple of days of
11 February of this year by Governor Landry and as part of that, he's asked to do some
12 research into the potential reorganization, optimization, modernization, whatever
13 you'd like to call it, of the way that we manage natural resources. So we've been
14 doing a ton of research into how that works and the last time that DENR was
15 constituted and then recreated was in 1976, following a constitutional convention,
16 and so going through and doing a lot of due diligence on what makes sense into
17 how we function and manage those resources in the state. As part of that, we ended
18 up filing an initial -- two initial bills: House Bill 810, which is one step away from
19 the Governor's desk; and then we also have House Bill 806, which relates to the
20 board of CPRA and the Governor's direction in that area. And so what I wanted to
21 do today was basically just open a line of communication. I know there has been
22 informal relationship with the DENR in the past, but what I want to do is work to
23 have something similar to what the Department of Interior does in their Office of

1 Reclamation, which is a power office that is here to provide information, and work
2 with you all to help provide information, as appropriate, that helps make decisions
3 from the state's perspective. We are working through a public comment period,
4 public hearings, we're following the Administrative Procedure Act in spirit. We
5 have a public hearing on June 18th as part of a proposal that we're putting together
6 for several work groups. Secretary Frey has volunteered to participate from the
7 power perspective. I did just want to make you all aware of that with our final
8 report due August 1st. And I, basically, really just wanted to open that line of
9 communication, be present, be available. We have a -- we are talking about --
10 everything is on the table at this moment. And so it's a great opportunity to lead
11 the department into the future and whatever that looks like, and so wanted to make
12 sure that we had a role in communicating with the Commissioners and help making
13 those decisions as we go forward and happy to answer any questions.

14 **CHAIRMAN FRANCIS:** Tyler, we're doing a lot of work with energy
15 efficiencies and I know some of your responsibility may fall into that area and
16 we've got Chris Justin working with us on several projects. I know y'all are
17 familiar with each other, so appreciate what you're doing. We've got some great
18 value in the energy efficiency program. I've seen in our area, in my district, in
19 particular in the schools -- in the older schools, we've seen projects where we'd go
20 in and spend a \$100,000 to change out the lighting system in the school. The kids
21 could see the books again and within three or four years there's enough savings in
22 the electricity bill to pay for the lighting, and that's a good deal as far as I'm
23 concerned. I think there's a chance for us to do more of that. Working with you

1 guys in your department, I'm pretty excited about what we can do for the people in
2 the future.

3 **MR. GRAY:** I definitely appreciate that. I just would like to add, too, especially
4 Governor Landry's made lots of comments about being engaged in those rural areas
5 and so that's definitely someplace we want to be. I would also add exploring ways
6 to engage on the water side, too, that continues to be a pretty substantial issue and
7 so I wanted to flag that for you as well. Especially in those rural areas in providing
8 consistency in that regulation across multiple different platforms and mediums.

9 **CHAIRMAN FRANCIS:** Yeah. Commissioner Campbell and myself, we have
10 the majority of the rural area and I think, between us, we have over 40 parishes that
11 we deal with. And, Commissioner Campbell, you got something to add to this?

12 **COMMISSIONER CAMPBELL:** Yeah. First of all, thank you for coming.
13 Shows that you're willing to work with people and I appreciate that. I've asked
14 Brandon to call some folks, we don't ever hear from them. It's a big deal in the
15 state and it's a big deal all across America, about carbon capture. You're familiar
16 with that?

17 **MR. GRAY:** I am.

18 **COMMISSIONER CAMPBELL:** I want to know how we're coming on that
19 because I'm a big proponent of putting it on state property. I don't know if you
20 followed the discussion, this committee had their CEOs and everybody --
21 whoever's running the carbon capture project. I'm alarmed that we're not using
22 state property to put carbon capture on. It can be very beneficial, moneywise.
23 Millions and millions and millions of dollars, maybe even billions of dollars. We

1 never could get really a straight talk, but we have a place called White Lake. It is
2 100,000 acres, or something like that, over in Calcasieu Parish and it can be used
3 for carbon capture. There is a problem there because they have picked out another
4 site owned by an individual or a company and I'm just wondering, we're getting a
5 bunch of money from the federal government, \$600 million or something like that;
6 isn't it, Brandon? Six hundred million, why in the world wouldn't we wanting to
7 take the taxpayers' money and put it on state property and for the state to reap the
8 benefit of millions and millions -- this is not peanuts, this is big bucks coming to
9 the state of Louisiana for carbon capture. Now, I don't know about the process,
10 I'm sure you know about it. Some people think it's great, some people think it's
11 questionable. But if the federal government has doled out \$600 million, why in the
12 world aren't we looking at putting it on state property rather than an individual that
13 is more than wealthy, super, super, super duper wealthy, and putting it on his
14 property? Why in the world the state of Louisiana couldn't reap the benefits?
15 Matter of fact, that's taxpayers' dollars, why aren't we putting it on Louisiana
16 property? And we already have some on Louisiana property, carbon capture, but
17 I'd like an update. We made a speech here, they came, I hadn't heard from them.
18 I don't know where they went. I've been reading a lot about it, but there could be
19 millions of tons that they could capture, and they pay up to \$10 to \$15 a ton is what
20 I understand. So why wouldn't Louisiana benefit with our property? Why
21 wouldn't we benefit and make four or five hundred million, eight or nine hundred
22 million dollars a year? Looks like we'd all be trying to get that to happen on
23 Louisiana property.

1 **MR. GRAY:** So we have a total of 23 applications in, right now, for what are
2 called a Class VI permit, and so that's under the Safe Drinking Water Act. You
3 have promulgated rules through the underground injection control from that act.
4 Through that, we actually have two applicants that are involved with state property.
5 One of them is in Lake Maurepas. Right?

6 **COMMISSIONER CAMPBELL:** I understand.

7 **MR. GRAY:** And then you have another one in the Columbia area. You also have
8 several, sort of, interested parties that are looking into it. The challenge that you
9 have with carbon capture is there are a handful of things that make it more viable
10 than others. There are issues right now, if you're familiar with the way that the oil
11 and gas process works, there's a unitization of the property underneath and how
12 they pool that oil. We have the reverse for carbon capture where you're looking at
13 the way carbon dioxide moves between those different zones, and so we don't
14 actually have a process yet. There's a bill passing through the legislature to create
15 a unitization for that, but in lieu of that getting there, we have a situation where one
16 landowner is more attractive from a development standpoint. I'm not saying from
17 a state standpoint, I'm saying from a development standpoint. The other big part
18 is artificial penetrations, so if they drilled wells in that area, there is risk for creep
19 or leak paths. So that is another thing that comes up, and then you have to look at
20 where the CO2 is coming from. The CO2 has to be transported, basically, by pipe,
21 so there has to be some proximity to where it is going to be injected into the ground.
22 And so those are all the things that we look at when it comes into these things.
23 Now, you know, looking as it relates to this -- to the Public Service Commission,

1 they also need a lot of power. So when you're talking about megawatts per injected
2 ton, it's a high amount, and so there's a lot of different factors that go into that,
3 because it's not a true economic engine on its own. It's a process in which you are
4 removing a product during the process of making another product. So if you're
5 making hydrogen, then you would remove the CO2 through that process. If you're
6 liquefying natural gas, CO2 is purified through that process, and at that point, it is
7 injected into the ground. It's not an isolated process by itself.

8 **COMMISSIONER CAMPBELL:** So let me ask you something. You mentioned
9 Lake Maurepas, right?

10 **MR. GRAY:** Yes, sir.

11 **COMMISSIONER CAMPBELL:** You have a project going on there. I talked to
12 somebody, I'm not going to mention who I talked to, but I talked to somebody.
13 First thing he said oh, well, you have a lot of people complaining. That's asking
14 about White Lake. First thing he said, oh, a lot of people complaining. But the
15 guys who's not complaining has got a lot of land and he's friendly with a lot of
16 politicians, you know. So I don't believe in coincidences. I just don't believe in
17 that, I don't believe in it. And White Lake is seventy-five or a hundred thousand
18 acres. That's not just a little piece of land, that's a lot of land, hundred thousand
19 acres. It's bigger than Lake Maurepas and you did it in Lake Maurepas. So, I
20 would just like -- and I really appreciate you coming and that's some good
21 information I got, but I don't believe in coincidences. You know, I told this
22 committee -- you know where they're going to put that in Texas? You got any
23 idea?

1 **MR. GRAY:** I have not been following the way Texas -- they do not actually have
2 primacy yet. It would be permitted through the EPA, not Texas. So it's actually
3 through the state of Louisiana is only one of three states that has the right to permit
4 those wells.

5 **COMMISSIONER CAMPBELL:** Well, anyway, I can tell you where it's going
6 in Texas and I'll tell you why I don't believe in coincidences. It just happens to be
7 going on King Ranch; how do you like that? The King Ranch, and the one we got
8 in Louisiana, are multi, multi, multi-millionaires. And you got a place right across
9 the street and you can't do it. So I would appreciate communicating with Mr. Frey,
10 keeping me up on it because we heard them all, we heard all the speeches, but we
11 haven't heard anything since then; have we, Mr. Frey?

12 **SECRETARY FREY:** I know we had reached back out, and just to be clear for
13 everyone, and, Tyler, I think you know what he's talking about, it's Project
14 Cypress. We had members of, I guess, the applicants to the Department of Energy
15 for the funding came and spoke November; does that sound about right? It was last
16 fall and Commissioner Campbell did ask for a follow up and I don't think we have
17 heard anything on that, so [INAUDIBLE].

18 **COMMISSIONER CAMPBELL:** I never heard anything, but that's okay. But I
19 want to hear from you and I appreciate -- seems like you know what you're doing
20 and I appreciate it very much. And talking about -- because I've been reading about
21 it and they've talked about -- that fella, we asked him, said how much are you going
22 to pay per ton? Well, I don't know \$2 or \$3, \$4 a ton. So okay. Well, I've been
23 reading and it says that can pay up to \$10 to \$15 a ton, so that's a much difference.

1 And if you've got all these millions of tons that they're going to capture, why in
2 the world wouldn't we do it on property that the state owns, the taxpayers own?
3 And you're using taxpayer money from Washington and why are we making -- I'm
4 not buying this situation. I don't like the way I hear it. Like I told you, I don't
5 believe in coincidences. I don't believe that the King Ranch just popped up because
6 it's in south Texas and I don't believe that this over here just popped up. They
7 might have a place for it, but get me out of the wondering mood, would you, please,
8 and show me that. And I trust you because you seem to know what you're talking
9 about and you're very forthright and I appreciate that. But I want to know about it,
10 that's all.

11 **MR. GRAY:** And one last comment I'll make from the southwest Louisiana
12 perspective, you actually have one contentious landowner that's close to the -- in
13 Cameron Parish, which is very seriously exploring it, so potentially there's a space
14 there to happen as well. And one of the reasons that I did want to come to the
15 Public Service Commission to communicate is because our analysis only relates to
16 how the well is built, the mechanics of that well, and so we don't have the
17 opportunity to really get into the financials or any of the business decisions. I look
18 more to the PSC for that analysis, and so that is why I wanted to make sure to
19 formalize an agreement, that way we can provide information to you as to what's
20 going on with that process, so you're more aware of what's going on when you're
21 asking your questions.

22 **COMMISSIONER CAMPBELL:** Well, let me say this: You provided more in
23 20 minutes than I heard from anybody. Okay. You made me feel better in 20

1 minutes than I've heard from the rest of these guys, because you call them and you
2 have them here. They come and tell you this, that, and the other, and they say well,
3 we don't know what the price is. They know what the price is, they know how
4 much it's going to cost -- how much it's going to -- per ton basis. They know. They
5 have an idea, but I just hadn't had all the information flattened out. I'm not accusing
6 anybody of anything, but just please tell me what's going on; where are you going
7 to put some of these; how come it's not put on state land if there's any available;
8 about how much does it amount to; in Cameron Parish, I don't represent that, Mr.
9 Francis does, how much carbon are they going to capture there. Now, I do represent
10 Columbia. What's the price tag going to be, that's what I'm sort of looking at it,
11 and can the taxpayers of Louisiana get in on the funding? That's all, that's all I
12 want to know.

13 **CHAIRMAN FRANCIS:** Mr. Gray, like to get you to answer some questions for
14 Mr. Eric Skrmetta.

15 **COMMISSIONER SKRMETTA:** Yeah. Thank you, Mr. Chairman. Secretary,
16 thank you. I just had a quick question for you. Something for you to consider on
17 the energy efficiency component that I know you're working with on the federal --
18 I guess, federal grant system that's there, and I know that there's been discussion
19 about how the state is going to look at moving whatever federal funding is acquired
20 into the energy efficiency system. And I'd like you just to, for the purposes of
21 streamlining this, instead of trying to create a methodology at the state level, we
22 realized that we actually already have a methodology at the Public Service
23 Commission level through the various investor-owned utilities and cooperatives

1 who are actively engaging in energy efficiency. And it's really, just, probably a
2 simpler system for your energy office to work with our Commission and make a
3 determination of whatever funding you acquire on how to spread it out through the
4 various companies because they're best built to put that out to the prospective
5 recipients, than creating another layer of, you know, government to determine that
6 since we already do it. So it might be just food for thought on, you know,
7 understanding what we do and if you want to have somebody from your office come
8 and talk to our folks, we'll be glad to, you know, explain to them what we do and
9 maybe be able to introduce them to the various utilities and show them that the
10 system already exists. And if it's just a question of how they do the allocation of
11 the federal funds to, you know, if it's per meter or however they want to do it
12 through the various companies, I think it might be a simplification of it and save a
13 lot of trouble on how to create more when you don't have to. That's it.

14 **MR. GRAY:** And I welcome that because my goal in this service is to incorporate
15 as much as we can into existing processes. I don't need to reinvent any wheel and
16 so the more that we can do to provide information, I think it's going to make a
17 better service to all of the state of Louisiana, so I welcome that. Thank you.

18 **COMMISSIONER CAMPBELL:** Commissioner Greene.

19 **COMMISSIONER GREENE:** Thank you for being here, Secretary Gray, and
20 I'm very encouraged to see what I would call the iOS 15 update for two bureaucratic
21 services. And, traditionally, has that been Secretary to Secretary? It seems like the
22 Venn diagram overlap of what we do is significant. So do you think there will be

1 a designated person from each office that routinely communicate or will it just be
2 you and Brandon whenever we need to?

3 **MR. GRAY:** Well, and that's the best part about the time that we're in, is not only
4 can Brandon and I communicate on a regular basis, but we can design it so that
5 there will be direct communication on a regular basis by creating a designee to show
6 up every meeting and be available.

7 **COMMISSIONER GREENE:** I think that's tremendous because we've seen, in
8 the time I've been here, like, well, that's not us, that's y'all's department and then
9 we don't know. People get frustrated that there's not more communication so
10 there's so much overlap, this seems like an efficiency upgrade.

11 **MR. GRAY:** And also understanding boundaries. Right. Being able to provide
12 information in a space where you're comfortable and recognizing that there are
13 limitations, but you work together, the state benefits.

14 **COMMISSIONER GREENE:** Well, thank you for your work.

15 **MR. GRAY:** Thank you.

16 **SECRETARY FREY:** And to your point, Commissioner Greene, you know,
17 when Secretary Gray and I met last week, I said I think he and I have probably
18 talked more in that hour and a half than I did with his predecessor. Nothing against
19 him, but, you know, our communications were at GOHSEP.

20 **COMMISSIONER GREENE:** And what's crazy is there's never been more ways
21 to communicate.

22 **SECRETARY FREY:** Exactly, exactly.

23 **CHAIRMAN FRANCIS:** Commissioner Lewis.

1 **VICE CHAIRMAN LEWIS:** Thank you, Mr. Chairman. Thank you, Mr.
2 Secretary. It's been a pleasure actually over the past few months to conversate with
3 you and I know we'll have our meeting this afternoon, so I wanted to, first, thank
4 you for your collaboration. I mean, I think when we first started talking with each
5 other when you were on the climate taskforce for the previous governor, we opened
6 those line of communications before you became Secretary and we've continued
7 them in your tenure, so I, first, just wanted to just thank you for collaborating with
8 me on that. I mean, I think -- and this is a very important time, as the Chair and
9 Commissioner Skrmetta talked about, with everything from our Solar For All
10 application to the Home and Energy Rebates and I think it's vitally important for
11 the end user that we find the best ways to really reduce the consumption rate here
12 in Louisiana. I mean, I know we often hear at the Commission talks about rates
13 quite often, but as I've said here and I continue to say, the challenge in Louisiana is
14 about the consumption and the energy burden that our residents face, and see that
15 it's one of the highest in the nation when we talk about affordability, and so I think
16 this moment gives us an opportunity to be creative. There are a multitude of
17 programs. I know we've talked here about our energy efficiency program, about
18 the Home Energy Rebates, Solar For All, tying that in with Louisiana Housing
19 Corporation's weatherization and LIHEAP dollars. I think this is the moment for
20 us to say how can we stack and rate this funding. Right. I think oftentimes in
21 government, we look at a set of funding here, a set of funding there, and we can't
22 do complete projects or really make an impactful difference in energy policy across
23 this state because they're so spread out. So I'm really looking forward to using this

1 application process well. I have been -- and I think we'll talk about this this
2 afternoon, I serve on the Energy and Environmental Resources Committee at our
3 national association. We've been talking significantly with the National
4 Association of State Energy Offices, so I've been listening to what the other states
5 are doing, how they are collaborating in a way, so I think that's extremely
6 important. And the last thing that I wanted to talk with you about or at least put
7 notices about how we develop our offshore wind framework. I think this is going
8 to be important for Louisiana as we've seen. Majority Leader Scalise mentioned
9 the federal funding that's coming down from offshore wind yesterday at the
10 legislature. I think it's important that our agencies stay in touch. I think if we are
11 talking about offshore wind, we cannot leave out transmission and interconnection
12 and I feel like those conversations haven't been part of the process yet and I think
13 it's important for the economic development and the viability of our grid and
14 diversification of our load to have offshore wind, but we have to do it in a very
15 smart way. So I really look forward to -- I know your agency is working towards
16 a framework to be engaged and to be a portion of that as we think about alternative
17 energy sources that are coming down the horizon, so I really look forward to our
18 meeting today. I'll stop so we can -- we'll have a good conversation, but wanted to
19 thank you for your openness, your collaboration, and the coordination that we've
20 seen thus far.

21 **MR. GRAY:** And thank you for all those comments and I agree. Right. There's
22 a lot of great opportunity. Louisiana has a great chance and opportunity to change
23 and grow the way that we are and just want to be able to do it in a way that's smart,

1 not reinventing the wheel. You know, we've identified already in my short time,
2 you know, there are gaps between some of the gathering transmission definitions,
3 whether it's with Public Service Commission or the FERC. I mean, we have ways
4 that we could build a better system by just talking to each other and I look forward
5 to that.

6 **CHAIRMAN FRANCIS:** Thanks to Placid Oil Company for all these training
7 programs amongst other things. Thank you for coming, Mr. Secretary. Look
8 forward to -- you're going to hire somebody to help us to work with you? Okay.
9 Good.

10 **MR. GRAY:** Yes.

11 **CHAIRMAN FRANCIS:** Thank you.

12 **MR. GRAY:** Thank you. Appreciate the opportunity.

13 **COMMISSIONER GREENE:** Thank you, sir.

14 **COMMISSIONER SKRMETTA:** Thank you.

15 **CHAIRMAN FRANCIS:** Commissioner Skrmetta's got something on the
16 announcements.

17 **COMMISSIONER SKRMETTA:** For Staff. Yeah. You know, we've been
18 working this issue on receiverships over non-performing water companies and I
19 know we've been talking to LDH and also, I guess, working through the issues,
20 potentially with DEQ. But I think what I'd like y'all to do is to just make a plan for
21 preparing legislation for next year to get us jurisdiction for our own ability to
22 provide for under our current process here to have the authority to activate
23 receiverships when necessary. I know we've got some troubled systems that need

1 to have receivers get in to fix them, and if we can, to do that without having to go
2 through civil court, but if we have to go just civil court, then we'll do it that way
3 too. But I think we need to move forward with legislation next year and so if you
4 want to make a long-term plan for it, I think we need to do it. And if we can still
5 continue to work with the other agencies now, because I know we've got to move
6 quickly on a couple of these systems that are just really not performing, so we've
7 got to do that. I know we had some initial discussions, but I know there's
8 sometimes some lethargy that takes place, but I'd like to move that forward as well.

9 **SECRETARY FREY:** Sure. And we've got the templates, like you said, for both
10 of the other agencies and we could look and see which ones make more sense. You
11 know, I know the LDH one has been used at least a handful of times. I'm not as
12 certain whether the DEQ one has been used or not, so maybe the best practices
13 would be to follow the LDH model, but we'll certainly look at that.

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

15 **CHAIRMAN FRANCIS:** So no other announcements?

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

17 **CHAIRMAN FRANCIS:** No other announcements, looks like we're ready to
18 move on to Exhibit Number 2.

19 **MS. BOWMAN:** Exhibit Number 2 -- actually we're moving up -- I'm sorry.
20 We're going to take up 4, 9, and 14, first.

21 **CHAIRMAN FRANCIS:** Oh, I'm sorry. John Shirley.

22 **COMMISSIONER SKRMETTA:** The Shirley docket.

1 **CHAIRMAN FRANCIS:** The Shirley docket. Yeah, I see him right there in the
2 back.

3 **MS. BOWMAN:** So we'll start with Exhibit Number 4, which is Docket Number
4 U-35806. This is Cleco Power's request for recovery of lost revenues related to
5 Commission Special Order Numbers 22-2020, 28-2020, and 43-2020, and request
6 for accounting order. It's a discussion and possible vote on an uncontested
7 stipulated settlement. On December 7, 2020, Cleco filed its application requesting
8 the Commission authorize recovery of jurisdictional rates certain lost revenues
9 associated with the Commission special orders. And in the application, Cleco
10 Power further requested that the Commission issue an accounting order authorizing
11 utilization of the methodology established by the FERC that modified FERC's
12 existing allowance for funds used during construction rate calculation on a
13 temporary basis. Notice of the proceeding was published in the Commission's
14 Official Bulletin and timely interventions were filed by Packaging Corporation of
15 America, Cabot Corporation, and the Alliance. The parties thereafter entered into
16 an uncontested proposed partial stipulated settlement effective February 15, 2022.
17 That accounting order was memorialized in Order Number U-35806 and expressly
18 provided that the accounting order did not authorize any additional rate recovery.
19 Further, Order U-35806 expressly provided that all other issues presented in the
20 docket remained open for consideration. After discussions on the remaining issues,
21 the parties were able to achieve resolution to the remaining issues in the form of an
22 uncontested stipulated settlement filed into the record on April 11, 2024 and the
23 intervenors did not oppose that settlement. The uncontested stipulated settlement

1 states that Cleco may recover company's lost revenues for late fees and disconnect
2 fees for the period of March 2020 through July 2020 associated with the
3 Commission special orders, as well as recovery of its actual uncollectable costs and
4 carrying charges through June 30, 2024, subject to certain conditions. Recovery
5 will take place over a four-year period. Staff recommends that the Commission
6 accept the uncontested stipulated settlement filed into the record on April 11, 2024.

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

8 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moved to accept Staff
9 recommendation. There a second?

10 **COMMISSIONER GREENE:** Second.

11 **CHAIRMAN FRANCIS:** Second by Commissioner Craig Greene. Do we have

12 --

13 **VICE CHAIRMAN LEWIS:** Mr. Chairman, I just have --

14 **CHAIRMAN FRANCIS:** Commissioner Lewis.

15 **VICE CHAIRMAN LEWIS:** I'm not going to object. I just want for -- I know
16 we have put the recovery in the rate case rider, I would just request that Staff, along
17 with Cleco, look at adjusting their late fees and disconnection fees in that rate case
18 that is pending, but I have no objections to this motion. I just would like us to take
19 a look at those fees in the rate case.

20 **CHAIRMAN FRANCIS:** Okay. We've been so notified. Is there any other
21 discussion? [NONE HEARD] Hearing none, the Exhibit Number 4 is passed.

22 What we got --

23 **MS. BOWMAN:** And then go to Exhibit Number 9 next.

1 **CHAIRMAN FRANCIS:** Number 9.

2 **MS. BOWMAN:** Which is Docket U-36984. This is the Commission’s audit of
3 Cleco Power’s Quick Start Energy Efficiency Rate Rider, pursuant to the
4 Commission’s energy efficiency rules, for Program Years 7 and 8. It’s a discussion
5 and possible vote on a joint report and draft order. Pursuant to the Commission’s
6 energy efficiency rules, Staff initiated an audit of Cleco Power’s Program Years 7
7 and 8 on September 27, 2023, and at the completion of that audit, Staff issued its
8 audit report on February 28, 2024, which was published in the Commission’s
9 Official Bulletin dated March 1, 2024 with no parties intervening. The primary
10 purpose of Staff’s audit was to determine whether the costs passed through Cleco’s
11 energy efficiency rider were reasonable and prudent, and whether those costs were
12 appropriate and eligible for recovery through the company’s rider. Staff’s audit
13 report concluded that, aside from two small exceptions, the costs charged were
14 reasonable and prudent and appropriate and eligible for recovery. The two
15 exceptions Staff found was an under-reported cost in Program Year 7 related to
16 journal entries recorded in December of 2021 and an over-accrued cost estimate for
17 one of the company’s vendors at the end of Plan Year -- excuse me, Program Year
18 8. For both exceptions, Staff recommends the company include those costs
19 associated with each in its next rate redetermination, including carrying costs. After
20 review of Staff’s audit report, Cleco Power indicated no objection to Staff’s
21 findings or its recommendations, and as such, the parties filed a joint report and
22 draft order on April 30, 2024 notifying the Commission there are no unresolved

1 issues. Staff recommends that the Commission accept the joint report and draft
2 order filed into the record on April 30, 2024.

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

4 **COMMISSIONER GREENE:** Second.

5 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta, seconded by
6 Commissioner Greene. Any other discussion? [NONE HEARD] Hearing none,
7 Number 9 is passed.

8 **MS. BOWMAN:** And then we're moving to Exhibit 14.

9 **CHAIRMAN FRANCIS:** Go to Exhibit 14.

10 **MS. BOWMAN:** Which is Docket U-37062. This is Cleco Power's second
11 amended restated formula rate plan annual earnings monitoring report for 12
12 months ended June 30, 2023. It's a discussion and possible vote on a joint report
13 and draft order at the request of Commissioner Skrmetta. The Commission
14 authorized Cleco Power's FRP and annual filings in Order Number U-35299, which
15 extended their FRP for the Test Years 2022 to 2024. Cleco submitted its 2023 filing
16 on October 31, 2023 covering test year ending June 30, 2023. Notice was published
17 in the Commission's Official Bulletin with Packaging Corporation of America and
18 International Paper Company intervening. The earnings monitoring provision
19 under Cleco Power's FRP utilizes a target return of equity of 9.5 percent. On
20 January 31, 2024, Staff filed its Staff report and confirmed that no earnings-related
21 refund is due to Cleco Power's retail customers in connection with the 2023 filing.
22 Additionally, Staff reserved its rights to maintain its position regarding the
23 inclusion of certain regulatory assets in rate base in Cleco Power's future rate base

1 proceedings. Subsequently, on February 23, 2024, Cleco filed its comments on
2 Staff's report, and subject to certain clarifications described therein, Cleco Power
3 indicated its concurrence with Staff's recommendations. On May 15, 2024, Cleco
4 Power and Staff filed a joint report and draft order, stating that there are no
5 unresolved issues and requested the Commission accept that joint report.
6 Therefore, Staff recommends that the Commission accept the joint report filed into
7 the record on May 15, 2024 and issue the draft order, therewith.

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

9 **COMMISSIONER GREENE:** Second.

10 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta, seconded by
11 Commissioner Greene. Any discussion? Any objection? [NONE HEARD]
12 Hearing none, Number 14 is passed. So where we go from here?

13 **MS. BOWMAN:** We will move back to Exhibit Number 2.

14 **CHAIRMAN FRANCIS:** Back to Number 2. Okay. Back to Number 2.

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

16 **COMMISSIONER CAMPBELL:** Mr. Chairman.

17 **CHAIRMAN FRANCIS:** Commissioner Campbell is recognized.

18 **COMMISSIONER CAMPBELL:** Could I ask you to do something for me?

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

20 **COMMISSIONER CAMPBELL:** And I apologize. The gentleman that came a
21 while ago, he was very nice. Would you write a letter for me to him asking him
22 what he knows about this carbon capture project, about how much -- where are they
23 at, about where they're planning on going? I want to know about how much carbon

1 they estimated they can capture and what is the price per ton going in the ground.
2 That's what I'd like to know and tell him, in other words, I would just like to have
3 a general information about a project, this project or other projects, what it can
4 mean to the state of Louisiana, how much money would it be. And it's Cameron
5 Parish, if it's put there, or Calcasieu Parish or Columbia, up in north Louisiana.
6 How much money are they paying, what are they doing down in Lake Maurepas --
7 not Maurepas, but the other one. What's the other big lake there?

8 **MS. BOWMAN:** Well, there is a potential project in Lake Maurepas, but are you
9 talking the one in Cameron?

10 **COMMISSIONER CAMPBELL:** Yeah. Well, they have a project -- I just want
11 to know, in summary, what these projects entitle and detailed, and how much are
12 they -- the information they have. How many tons are they projecting to put out in
13 the wells, how much are they paying? Just generally, what -- give me the summary
14 of what they think they're up to date today.

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

16 **COMMISSIONER CAMPBELL:** Because I don't know and no one knows and
17 I'd like to have the latest information, where they're going, can they use state land,
18 how much money is it going to be to the landowner or the state of Louisiana. A
19 general synopsis of what the project entails. If you send it to him, send it to -- tell
20 him to send it back to you, you can send it to me.

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

22 **COMMISSIONER CAMPBELL:** Okay. Thank you.

1 **CHAIRMAN FRANCIS:** Okay. Thank you, Commissioner Campbell. Are we
2 on Exhibit 2?

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

4 **CHAIRMAN FRANCIS:** All right.

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

6 **CHAIRMAN FRANCIS:** Motion by --

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

8 **CHAIRMAN FRANCIS:** Move to take up Number 2 under Rule 57 by
9 Commissioner Skrmetta, seconded by Commissioner Lewis. Okay.

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

11 **CHAIRMAN FRANCIS:** Moved to -- did you read Number 2 yet?

12 **MS. BOWMAN:** I have not.

13 **COMMISSIONER SKRMETTA:** Oh, I thought you read it.

14 **CHAIRMAN FRANCIS:** Okay.

15 **COMMISSIONER SKRMETTA:** I thought you read it. Sorry.

16 **MS. BOWMAN:** No. I can do it quickly.

17 **CHAIRMAN FRANCIS:** Well, you already pre-approved it, but go ahead and
18 read it.

19 **COMMISSIONER SKRMETTA:** Go ahead and read it. I thought you did it
20 already.

21 **MS. BOWMAN:** You can take the matter up under Rule 57.

22 **COMMISSIONER SKRMETTA:** No, that's okay.

1 **MS. BOWMAN:** Exhibit Number 2 is Docket Number 37019. It's the
2 Commission versus Move Precision. It's an alleged violation of the revised statutes
3 by engaging in activities related to moving household goods prior to complying
4 with the requirements of Revised Statute 45:164 (E) and the Commission's General
5 Order dated March 16, 2021, and also for failure to comply with the requirements
6 of General Order dated April 3, 2008 as amended. It's a discussion and possible
7 vote pursuant to Rule 57 on an affidavit and stipulation executed by the carrier. As
8 a result of a complaint submitted to Transportation Staff, a citation was issued to
9 Move Precision on November 9, 2023. And in response to that citation, the CEO
10 of the company executed an affidavit and stipulation admitting to the violations
11 alleged, agreeing to the imposition of a \$1,000 fine with a \$25 citation fee and 500
12 of that being suspended contingent on the Commission's standard conditions. Staff
13 recommends that the Commission: 1) Exercise its original, primary jurisdiction;
14 and 2) Accept the affidavit and stipulation executed on May 1, 2024 for fines and
15 fees totaling \$525. We already have the motion to take it up under Rule 57 and
16 Commissioner Skrmetta motioned to approve the affidavit.

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

18 **COMMISSIONER SKRMETTA:** Correct.

19 **CHAIRMAN FRANCIS:** So we have a motion to go to 57 by Commissioner
20 Skrmetta, seconded by Commissioner Lewis.

21 **COMMISSIONER SKRMETTA:** And move to approve.

22 **CHAIRMAN FRANCIS:** Is there any opposition? [NONE HEARD] No. So
23 there's a motion to approve it by Commissioner Skrmetta and we got a second by

1 Commissioner Lewis again. Okay. Is there any opposition or discussion? [NONE
2 HEARD] Hearing none, Number 2 is in the history books.

3 **MS. BOWMAN:** Exhibit Number 3 is Docket Number T-37085. It's the
4 Commission versus Benson Dupre Moving Services for alleged violations of the
5 revised statutes by engaging in activities related to moving household goods prior
6 to complying with the requirements of Revised Statute 45:164 (E), Commission
7 General Order dated March 16, 2021, and for failure to comply with the
8 requirements of Commission General Order dated April 3, 2008 as amended. It's
9 also a discussion and possible vote pursuant to Rule 57 on affidavit and stipulation
10 executed by the carrier. As a result of the complaint submitted to the Transportation
11 Staff, a citation was issued to the company on December 29, 2023. In response to
12 that citation, the owner of the company executed an affidavit and stipulation
13 admitting to the violations alleged in the citation and agreeing to the imposition of
14 a \$1,000 fine and \$25 citation fee, with \$500 being suspended contingent on the
15 Commission's standard conditions. Staff recommends that the Commission: 1)
16 Exercise its original and primary jurisdiction under Rule 57 to consider the affidavit
17 and stipulation; and 2) Accept the affidavit and stipulation executed on April 18,
18 2024 for fines and fees totaling \$525.

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

20 **VICE CHAIRMAN LEWIS:** Second.

21 **CHAIRMAN FRANCIS:** Commissioner Skrmetta suggests we take this up under
22 Rule 57, seconded by Commissioner Lewis to approve.

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

1 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to accept Staff
2 recommendation.

3 **VICE CHAIRMAN LEWIS:** Second.

4 **CHAIRMAN FRANCIS:** And Commissioner Greene seconds. Is there anyone
5 here from Benson Dupre Moving? [NO AUDIBLE RESPONSE] So I guess
6 everything's okay with those guys, so looks like Number 3 is in the history books.

7 **MS. BOWMAN:** We have already taken up Exhibit 4. Exhibit 5 is deferred, so
8 we'll move on to Exhibit Number 6. Exhibit Number 6 is Docket Number U-
9 36685. It's Entergy Louisiana's request for certification and approval of the solar
10 portfolio program, including eligibility for inclusion in the company's Geaux Green
11 Option. It is a discussion and possible vote on an uncontested stipulated settlement
12 pursuant to Rule 57. On February 28, 2023, Entergy filed its application, and while
13 the parties did not contest that the resources comprising the 2022 Solar Portfolio
14 were in the public interest, both Entergy and LEUG identified certain contested
15 issues relative to the appropriate subscription allocation process to be made
16 available for subscription by other non-residential customers for the proposed
17 expansion of the Geaux Green Option capacity to include the 2022 Solar Portfolio.
18 On December 12, 2023, there was a hearing related to some disputed issues, which
19 occurred before our ALJs, and following that hearing, Staff, Entergy, and the
20 parties were able to reach a partial settlement on this matter and the Commission
21 issued Order Number U-36685, which resolved all issues in the docket, with the
22 exception of the aforementioned disputed issues. Subsequently, the parties reached
23 a settlement on the disputed issues, and on May 15, 2024, filed the uncontested

1 stipulated settlement, which indicated that the settlement, as well as the settlement
2 reached in Docket Number U-36697, fully resolves the GGO Subscription Issue,
3 and LEUG will not further litigate or seek to relitigate the GGO Subscription Issue,
4 including in Entergy's creating, maintaining, and using a waitlist to implement the
5 terms of the Rider GGO. Staff recommends that the Commission: 1) Take the
6 matter up pursuant to Rule 57; and 2) Approve the uncontested stipulated settlement
7 filed into the record on May 15, 2024

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

9 **CHAIRMAN FRANCIS:** I've got a request from Commissioner Skrmetta to take
10 this up -- Number 6 up under Rule 57. Is there a second?

11 **COMMISSIONER GREENE:** Second.

12 **VICE CHAIRMAN LEWIS:** Second.

13 **CHAIRMAN FRANCIS:** Got two seconds, so we'll take Greene. I think he beat
14 you. Commissioner Greene seconded, so now we open for a motion.

15 **COMMISSIONER SKRMETTA:** Move to approve the uncontested stipulated
16 settlement.

17 **CHAIRMAN FRANCIS:** Okay. Commissioner Skrmetta has moved to accept
18 Exhibit Number 6. A second?

19 **VICE CHAIRMAN LEWIS:** Second.

20 **CHAIRMAN FRANCIS:** Seconded by Commissioner Lewis. Any discussion?

21 [NONE HEARD] Hearing none, Number 6 is approved.

22 **MS. BOWMAN:** Exhibit Number 7 is Docket Number U-36697. It's Entergy
23 Louisiana's application for approval of an alternative market-based mechanism

1 process seeking to secure up to 3,000 megawatts of solar resources, including
2 certification of those resources, expansion of the Geaux Green Option Rider, and
3 approval of the new renewable tariff. It's a discussion and possible vote on a
4 stipulated settlement pursuant to Rule 57. On March 13, 2023, Entergy filed its
5 application, with notice published in the Commission's Bulletin, and republished
6 to resolve remaining notice issues. Several parties timely intervened in the docket.
7 Following discovery, testimony, and settlement negotiations, the parties were able
8 to enter into an uncontested stipulated settlement and filed a joint motion for
9 consideration of the proposed uncontested stipulated settlement by the Commission
10 on May 15, 2024. The major parts of the settlement are as follows: The company's
11 alternative market-based mechanism as proposed and as modified by this term sheet
12 is in the public interest and is therefore consistent with the Market-Based
13 Mechanism Order. The company has demonstrated a need for additional resources,
14 which can be partially supplied by up to 3,000 megawatts of additional nameplate
15 solar resources. The costs associated with the Solar Portfolio are eligible for
16 recovery through mechanisms in place at the time that the respective resources are
17 placed into service. And that the company shall have an ongoing duty to prudently
18 manage and administer all of the agreements associated with the Solar Portfolio
19 through the terms of the contracts. Staff recommends that the Commission: 1)
20 Take the matter up pursuant to Commission's original and primary jurisdiction
21 under Rule 57 and; 2) Accept the uncontested stipulated settlement filed into the
22 record on May 15, 2024.

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

1 **VICE CHAIRMAN LEWIS:** Second.

2 **CHAIRMAN FRANCIS:** Commissioner Skrmetta recommends taking this
3 Number 7 under Rule 57, seconded by Commissioner Lewis. Any discussion?

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

5 **CHAIRMAN FRANCIS:** Okay. There's no objection, and Commissioner
6 Skrmetta moves that we approve this Exhibit 7. Is there a second?

7 **VICE CHAIRMAN LEWIS:** Second.

8 **CHAIRMAN FRANCIS:** Second by Commissioner Lewis. And Lewis has a
9 question.

10 **VICE CHAIRMAN LEWIS:** Yes. Could I have a representative from Entergy
11 real quick? Thank you, Mr. Hand, Elizabeth, for joining. First, before I ask my
12 question, I want to say that I truly do appreciate the way that you're speeding up
13 deployment in our state while maintaining some reasonable guardrails for
14 accountability and cost effectiveness. I really appreciated that in this application,
15 as well as your commitment to and your efforts in diversifying your portfolio,
16 particularly to bring more clean energy onto our grid, especially at a low cost. I
17 know that in my district you do have two solar farms that are proposed in St. James
18 Parish for around 300 megawatts and I know there has been some challenges, so I
19 just wanted to, one, issue my support for those two projects and issue my help to
20 ensure that we can get these through the parish government. But I just wanted to
21 see if there are any items or the challenges that you face, particularly with local
22 government, that whereas, we as Commissioners, need to be aware of how to ensure
23 that we're communicating with our mayors, our parish presidents, and our council

1 about some of these projects and what those permitting and planning commissions
2 can do to jeopardize some of the reliability and clean energy that we're trying to
3 put on the grid.

4 **MR. LARRY HAND:** Yeah. And good morning. Larry Hand on behalf of
5 Entergy Louisiana. You're exactly right. As solar became more prominent -- we're
6 not prominent yet in Louisiana, but as it began to develop, I think the development
7 surprised a lot of local communities, parishes, local governments, and it led to
8 moratoriums. Several moratoriums were issued to slow down, pause it, until
9 planning rules could be developed, and that process is playing out. We've seen that
10 in Washington Parish, we're seeing it in St. James Parish. St. James Parish did take
11 the time to come up with moratoriums, I believe they -- rules to develop solar. I
12 think they worked with the State Planning Commission or the Central Planning
13 Commission to develop that. Those are in place, we're working through that
14 process, but, you know, generally it's a grassroots effort to educate the communities
15 in those areas, the benefits of solar, the environmental attributes, why it's important
16 to the entire state and the region. But there is a friction there. You take up a lot of
17 land with solar, you know, per megawatt. It's, you know, six or seven acres per
18 megawatt, so there's a lot of land use there and that's a friction, certainly, in some
19 of the rural communities. Is there a higher value for farming? So those are the
20 conflicts we run into. We work with local leaders, community leaders to try to
21 explain those, the benefits. There's no silver bullet to fix that, it just takes a lot of
22 those discussions and, you know, any perspectives you, as Commissioners, could
23 offer from a statewide perspective always is helpful in those communities. Often,

1 when they hear from us, they may not fully accept our motives for doing so. We
2 are doing this to become more resilient, more renewable, and to have better
3 attributes because our customers demand it, the environment demands it, and that's
4 what we're trying to accomplish. So I don't know if that answers fully your
5 question.

6 **VICE CHAIRMAN LEWIS:** No, no, no. That does. And I just wanted to say
7 that I will definitely work with you all, with St. James Parish, and the council and
8 the community that I do represent to ensure they understand the entirety of the
9 benefits that not only will pertain to those residents in that parish, but into the state's
10 portfolio as a whole. And so I look forward to -- I'm offering my office to ensure
11 that we can get these two projects and these 300 megawatts, particularly in this
12 docket, over the finish line and have these facilities built. So I just wanted to
13 commend you for your diversification and offer my support and help ensuring we
14 get them over the finish line in St. James.

15 **MR. HAND:** And thank you very much. And if I could just take one moment, I
16 wanted to commend all the parties in this docket. This is a different approach than
17 the Commission's used before to procure resources. We've seen, particularly in
18 the renewables space, constraints and the timing between an RFP and certification,
19 and that was not conducive to development because when you have to hold a price
20 open for 24 months, you're going to inflate the price in the front end so you're not
21 getting the best deal. Markets can change quickly. This process is innovative, it's
22 different. We've kind of fit it into the framework, so we still had oversight and
23 approval and a competitive solicitation, but we think we can do it on a much more

1 shortened timeframe which would be good for our customers and also, I think, good
2 for developers. They can really sharpen their pencils, we hope, and bring the best
3 prices forward and not build in two years' worth of pricing risk. So I wanted to
4 commend all the parties, the Staff. This was a new idea we came up with, it had
5 never been done before in the state, but we figured we had to try something to work
6 with the new rules, but also streamline it. So I wanted to commend all the parties
7 for working with us to get us to this point, and we're hoping this can be successful
8 and drive more renewable resources into Louisiana's resource mix.

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

10 **MR. HAND:** Thank you.

11 **CHAIRMAN FRANCIS:** Mr. Hand, are you taking up any sugar cane real estate
12 down there?

13 **MR. HAND:** That is, you know, depending on the parish, the crops are different
14 by parish, but I think St. James, one of the bigger crops is sugar cane and that is a
15 friction point. You have, you know, sugar cane mills, other processes, and
16 businesses built around that, so it is a -- I don't want to call it a threat to certain
17 local economies, but it is competing with certain local economies.

18 **CHAIRMAN FRANCIS:** Well, along with our representing all the residential
19 people in Louisiana, we also represent the corporations and we've been getting a
20 lot of heat on all the Commissioners for, you know, time's of essence, time's money
21 in industry, and this is a big industrial area there. I know it's -- and this area is
22 Commissioner Lewis' background or his area to represent, but just -- let's keep

1 grinding it out and get it done as quickly as we can and past all the intervenors, you
2 know, [INAUDIBLE].

3 **MR. HAND:** Absolutely.

4 **CHAIRMAN FRANCIS:** So, Commissioner Campbell.

5 **COMMISSIONER CAMPBELL:** We had a guy from the sugar cane
6 organization came up here and he was talking about the dreadful effect of solar,
7 basically. And I asked him, I said, anybody -- he was recommending that they
8 don't put it down, basically. Have you had any farmers, once you went to them,
9 and they said, no, we're just going to leave the sugar cane?

10 **MR. HAND:** I'm not on the development side, so I'm not engaged in talking to
11 landowners to get the leases, so I can't say what their reaction was, Commissioner,
12 I'm sorry.

13 **COMMISSIONER CAMPBELL:** Yeah. What I found out up our way,
14 anybody's against it, you can get them for it, all you got to do is tell them you're
15 going to give them one. And all of a sudden, they go from a non-believer to a
16 believer because it makes a lot more money for them, having a solar farm than a
17 sugar cane farm or a cotton farm or a soy bean farm. So what I found out, the
18 people that are griping about it, all you got to do is go to them and tell them, well,
19 we'll give you a solar farm, and they go from a non-believer to a believer real fast.
20 And maybe not in call cases, but that fella was talking about how -- the land use.
21 He was telling people what, you know, the good land is close to the river. You
22 know the story, as the river went back, the real good land's always close to the
23 river, stiff land's out from the river. And he said -- telling people, basically, if you

1 have real good sugar cane land, you shouldn't put solar on it. That's what this guy
2 was saying. He didn't own the land, by the way, but he didn't recommend it go on
3 real good sugar cane land, he wanted to go out on the land where it was a lot stiffer.
4 And I understand, but you hear people gripe and moan and talk about how solar
5 this, that, and the other. But when you go to them and they've got a big piece of
6 land and you tell them, well, we'll be glad to deal with you here and get this taken
7 care of, most people agree. And it's a life changer for a lot of people. I know a
8 particular instance on the Mississippi River where a fellow has a considerable
9 amount of land and he's trying -- and they're in the last stages of putting a solar
10 farm there. When he looked at all the numbers, he's very happy with it. And in
11 their contract, once it's over, they pick up any damage that was done, they handle
12 that. So that's all I've got to say. Thank you.

13 **MR. HAND:** Thank you.

14 **CHAIRMAN FRANCIS:** Mr. Hand, who do you have with you? What's the lady
15 with you there? Who is that?

16 **MR. HAND:** This is Elizabeth Ingram. She was, at the time we put this plan
17 together, she was our director of regulatory affair. She has since, unfortunately for
18 me, moved on to a different organization within Entergy, and I'll let her introduce
19 herself.

20 **MS. ELIZABETH INGRAM:** Elizabeth Ingram, I'm the director of regulatory
21 research for Entergy Services, now, so working with all five of our operating
22 companies.

23 **CHAIRMAN FRANCIS:** Okay. Well, thank you for coming, Elizabeth.

1 **MS. INGRAM:** Thank you.

2 **CHAIRMAN FRANCIS:** I make a motion that we accept this.

3 **MS. BOWMAN:** We do have a motion on the floor by Commissioner Skrmetta
4 and a second by --

5 **CHAIRMAN FRANCIS:** Oh, for 57? Okay.

6 **MS. BOWMAN:** Both, yes, sir.

7 **CHAIRMAN FRANCIS:** Okay. Then we're back to the real thing now?

8 **MS. BOWMAN:** We are back to the real thing, yes, sir.

9 **CHAIRMAN FRANCIS:** Okay.

10 **MS. BOWMAN:** We have a motion by Commissioner Skrmetta to accept the
11 uncontested stipulated settlement and a second by Commissioner Lewis.

12 **CHAIRMAN FRANCIS:** Okay. Well, that's good. Well, is there any opposition
13 or any more discussion? [NONE HEARD] So it looks like Exhibit Number 7 is in
14 the history books.

15 **MS. BOWMAN:** So moving to Exhibit Number 8. It's Docket Number U-36836.
16 It's People of Bastrop request for approval of an increase in water rates, including
17 change in rate design and interim capital improvements charge and the
18 Commission's non-opposition to certain loans associated with said capital
19 improvements charge. It's a discussion and possible vote on an uncontested
20 stipulated settlement. On June 15, 2023, Peoples of Bastrop filed its application,
21 which was published in the Commission's Official Bulletin and no interventions
22 were received. After filing of testimony by both parties and extensive negotiations,
23 Peoples of Bastrop and Staff reached an agreement and executed an uncontested

1 stipulated settlement, which was filed into the record on April 26, 2024. The major
2 terms of the settlement are that Peoples of Bastrop is allowed to increase its base
3 water rates to result in an increase in annual revenues of approximately \$0.53
4 million, which includes a restructuring of its water rates to provide a single set of
5 base and volumetric rates. Peoples of Bastrop shall include an interim capital
6 improvements charge on customers' bills to recover principal and interest expense
7 associated with capital improvements funded by LDH. The parties agree that the
8 Commission should express its non-opposition to Peoples of Bastrop entering into
9 issuance of LDH loans, subject to conditions. And the parties agree that Peoples
10 of Bastrop is allowed to include in its revenue requirement a \$225,000 management
11 fee to its owners. Staff recommends that the Commission approve the uncontested
12 stipulated settlement filed into the record of April 22, 2024.

13 **COMMISSIONER CAMPBELL:** I make a motion to approve the
14 recommendation.

15 **COMMISSIONER GREENE:** Second.

16 **CHAIRMAN FRANCIS:** Commissioner Campbell moves that we accept this
17 recommendation of the Staff and Commissioner Greene seconds it. Is there any
18 discussion? [NONE HEARD] That Bastrop area, it's a busy area up there. There's
19 a new solar farm coming up in the Sterlington area, I believe, and a decommission
20 of a gas plant, so things are moving along in Campbell's area. So it's passed, so
21 moving on.

22 **MS. BOWMAN:** So we've already handled Exhibit Number 9, so moving to
23 Exhibit Number 10. This is Docket Number U-37131. It's Entergy Louisiana's

1 request for certification of the Bayou Power Station, including cost recovery. It's
2 a discussion and possible vote to retain an outside consultant. Staff issued RFP 24-
3 22 seeking an outside consultant to assist Staff in the review and analysis of this
4 certification proceeding and received three conforming bids. The first is from
5 Critical Technologies Consulting for 63,190 in fees and 4,000 in expenses for a
6 total budget not to exceed of \$67,190. The second was from GDS Associates of
7 \$114,180 in fees and \$2,090 in expenses for a total budget not to exceed of
8 \$116,720. And the third is from United Professionals Company of 148,000 in fees
9 and 3,000 in expenses for a total budget not to exceed of \$151,000. Staff makes no
10 recommendation as all bidders are qualified.

11 **COMMISSIONER SKRMETTA:** I move to accept the bid of United
12 Professionals.

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

14 **COMMISSIONER SKRMETTA:** For the amount stated.

15 **CHAIRMAN FRANCIS:** Move by Commissioner Skrmetta to accept Number 3,
16 United Professionals, seconded by Commissioner Campbell. Is there any
17 discussion?

18 **VICE CHAIRMAN LEWIS:** Mr. Chairman, I would -- while I don't oppose
19 UPC, I do think seeing GDS and having a consultant that's not working on so many
20 of our other dockets may be beneficial to the Commission. I think one of our things
21 that I think we should start thinking about is the diversification of our qualified
22 consultant pool. I know some of us have had challenges with some of our dockets
23 and U dockets and R dockets moving, and that is no fault of CTC or UPC. I think

1 they do fantastic work. But as we have some major rate cases, rulemakings, I think
2 it may be worth at least some discussion and some thought among my colleagues,
3 if we consider GDS as a consultant that has done work here with the Commission
4 before and is not on as many of our pending dockets. But if the will of the body is
5 to go with the motion on the floor, I will not object.

6 **CHAIRMAN FRANCIS:** So it's not an alternative motion?

7 **VICE CHAIRMAN LEWIS:** No, sir.

8 **CHAIRMAN FRANCIS:** Okay. Just you object? Okay. Any other discussion?

9 [NONE HEARD] Did we get on a second on that?

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

11 **CHAIRMAN FRANCIS:** Yes. Okay. Any other discussion? [NONE HEARD]

12 So sounds like we've approved Number 10 to UPC.

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

14 **CHAIRMAN FRANCIS:** Okay.

15 **MS. BOWMAN:** So Exhibit Number 11 is Docket Number U-37155. This is
16 Southwestern Electric Power Company's formula rate plan annual report for Test
17 Years 2022 and 2023. It's a discussion and possible vote to also retain an outside
18 consultant. We did receive two bids from this RFP. The first was from United
19 Professionals Company of 87,000 in fees and 2,000 in expenses for a total budget
20 not to exceed of \$89,000. And the second is from London Economics International
21 of 135,000 in fees and 4,800 in expenses for a total budget not to exceed of
22 \$139,800. And Staff makes no recommendation, as both bidders are qualified.

1 **COMMISSIONER SKRMETTA:** Move to accept the bid of United
2 Professionals.

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

4 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves that we accept Staff --
5 well, I'm sorry, Number One, United Professionals, seconded by Commissioner
6 Campbell. Is there any discussion or objection? [NONE HEARD] Hearing none,
7 we select United Professionals Company for Exhibit Number 11.

8 **MS. BOWMAN:** So Number 12 is discussions, reports, resolutions. There is only
9 one item under Exhibit 12 this month, and it's a discussion and possible vote to
10 ratify votes taken by Chairman Francis acting as the Commission's representative
11 on the Regional State Committee of the Southwest Power Pool. This matter is on
12 the agenda for ratification of votes taken on May 6, 2024 by Chairman Francis.
13 Staff followed the protocols set forth in Special Order 17-2019 to consult with the
14 Executive Secretary and Vice Chairman and to make a recommendation to
15 Chairman Francis prior to the votes. The protocols also require that the votes be
16 ratified at a following B&E. There were seven voting items before the RSC. The
17 first was to approve a change to the Safe Harbor Provisions of the SPP Tariff. The
18 second approved the development of an entry fee concept into a consolidated
19 planning process. The third approved additional requirements for resources to be
20 available during the summer and winter seasons. The fourth voting item approved
21 the tariff language to ensure that all outages, outage extensions, and derates that are
22 not approved by the SPP Balancing Authority are captured as events for
23 performance-based accreditation. The fifth endorsed a policy to remove load shed

1 and other emergency events from market price formation during times of
2 emergency. The sixth approved the implementation of a congestion hedging policy.
3 And the seventh approved a set of revisions to incorporate the western entities into
4 SPP's resource adequacy process. Based upon Staff's recommendations, Chairman
5 Francis voted in favor of all seven voting items. Staff recommends that the
6 Commission ratify Chairman Francis' votes taken on May 6, 2024 as the
7 Commission's representative to the SPP RSC.

8 **COMMISSIONER SKRMETTA:** Move to ratify the votes taken by Chairman
9 Francis.

10 **COMMISSIONER GREENE:** Second.

11 **CHAIRMAN FRANCIS:** And I'll abstain on that. Moved by Commissioner
12 Skrmetta, seconded by Commissioner Greene. Any other discussion? [NONE
13 HEARD] And I would just like to say, as our representative on Southwest Power
14 Pool for Louisiana, it is some heavy lifting. It's very complicated and it's a team
15 effort, I assure you. Without the help of people like Lane Sisung and Dana Shelton,
16 I'd really be in a bind, you know. And just one of the things I've learned over the
17 years, it's, you know, big things take a lot of help and a team effort, just like the
18 five people sitting up here before you, we work together as a team. We don't always
19 agree, but appreciate all of you guys, and appreciate Dana and Lane. So, I guess,
20 is there any objection to this vote? [NONE HEARD] Sounds like we got a
21 unanimous and I'll abstain. Thank you.

22 **MS. BOWMAN:** And Exhibit is 13 is deferred to next month and we have already
23 resolved Exhibit 14, so --

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

2 **COMMISSIONER GREENE:** Second.

3 **CHAIRMAN FRANCIS:** Move to adjourn and a second. We're adjourned.

4

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

6

1 I certify that the foregoing pages 1 through 46 are true and correct to the best
2 of my knowledge of the Open Session of the Business and Executive Meeting
3 held on May 22, 2024 in Baton Rouge, Louisiana.

4 *****

5 **Rough Draft prepared by:**

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