

TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS AND EXECUTIVE OPEN SESSION HELD ON OCTOBER 16, 2024 IN BURAS, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN DAVANTE LEWIS, COMMISSIONER ERIC SKRMETTA, AND COMMISSIONER CRAIG GREENE.

Exhibit	Docket	Description	Page
1		Announcements	1 - 11
2	S-37151	Utilities, Inc. of Louisiana	11 - 13
3	R-35595	Louisiana Public Service Commission	13 - 21
4	R-36131	Louisiana Public Service Commission	21 - 37
5	U-36809	Concordia Electric Cooperative, Inc.	37 - 39
6	U-37134	1803 Electric Cooperative, Inc., Beauregard Electric Cooperative, Inc., Claiborne Electric Cooperative, Inc., Northeast Louisiana Power Cooperative, Inc., South Louisiana Electric Cooperative Association, and Washington-St. Tammany Electric Cooperative, Inc.	39 - 40
7	U-37209	South Coast Gas Company, Inc.	40 - 41

8	U-37210	South Louisiana Electric Cooperative Association	41 - 42
9	U-37215	Utilities, Inc. of Louisiana	42 - 43
10	U-37222	Jefferson Davis Electric Cooperative	44 - 50
11	U-37341	Pointe Coupee Electric Membership Corporation	50 - 54
12	Undocketed	Solicitation of United Professionals Company and Stone Pigman Walther Wittmann L.L.C. for continuation of TRO monitoring services in both MISO AND SPP	54 - 56
13		1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS business - Discussion and possible vote to ratify interventions of LPSC in RTO-related or other Federal Energy Regulatory Proceedings 5) Directives	56
14		FERC Docket Nos. ER18-194 - AEP Oklahoma Transmission Company and ER18-195 - Public Service Company of Oklahoma	56 - 57
15	Undocketed	Directive to Staff to investigate impact of personal generators on jurisdictional gas companies	57 - 61

1 **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**
2 **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON OCTOBER 16,**
3 **2024 IN BURAS, LOUISIANA. PRESENT WERE: CHAIRMAN MIKE**
4 **FRANCIS, VICE CHAIRMAN DAVANTE LEWIS, COMMISSIONER**
5 **ERIC SKRMETTA, AND COMMISSIONER CRAIG GREENE.**

6 **CHAIRMAN MIKE FRANCIS:** This is our monthly meeting of the Public
7 Service Commission. Y'all hear me okay? All right. This is October. This meeting
8 is casual. If you have a coat and tie on, it's a \$2 fine. Okay. We're in downtown
9 Buras, Plaquemines Parish, so welcome everyone. Let's go ahead and get started.
10 We'll all rise and we'll have our prayer and our pledge. I'll ask Commissioner
11 Craig Greene to open with our prayer.

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

13 **CHAIRMAN FRANCIS:** And ask Commissioner Skrmetta to lead us in the
14 Pledge of Allegiance.

15 **[COMMISSIONER ERIC SKRMETTA LEADS IN THE PLEDGE]**

16 **CHAIRMAN FRANCIS:** All right. Y'all can be seated. You know there are five
17 Public Service Commissioners in Louisiana. Each of us has a footprint over a
18 certain part of the area and this beautiful area down here is the area that
19 Commissioner Eric Skrmetta covers and he has chosen this month to have the get
20 together here, so we always enjoy coming. Eric, thank you for opening. You have
21 any opening statements for us?

22 **COMMISSIONER ERIC SKRMETTA:** Yeah. Thank you, Chairman.

23 **MS. KATHRYN BOWMAN:** Commissioner, you have to press the button.

1 **COMMISSIONER SKRMETTA:** Got it. Thank you, Chairman. Want to thank
2 the Parish President Hinkley for arranging the Buras Auditorium and I want to
3 thank -- I know we have a couple of Councilmen who are going to come up at the
4 request of the Chairman. Plaquemines Parish is one of the ten parishes that I
5 represent. It is bustling with economic activity with the new LNG export facility
6 plus the new port that is being built here and it's amazing to see the attendants who
7 are here today marvel at the size of this new export facility. It is massive, and from
8 my understanding, it's the largest private development right now in the world with
9 \$20 billion being spent in its development and more than 10,000 employees
10 involved in the construction. So it's unbelievable the activity that's going on in
11 Louisiana and the jobs that are there from the use of our petrochemical industry.
12 So it's been a good experience, I think, coming down here. We hope that one day
13 when the facility is complete, that we can arrange tours for the Commission and for
14 attendants maybe in the future. Unfortunately, while it's under construction, they
15 had to say no because of the hazards associated with the construction. So,
16 otherwise, it's a -- you know, Plaquemines Parish is such a beautiful place and such
17 an important part of Louisiana economy, guarding the gates of the largest maritime
18 highway in the United States with the Mississippi River, the linear port that goes
19 from the mouth of the river to Baton Rouge, it's a critical element in the economy
20 of Louisiana. So it's a real pleasure to come down here and also be amongst historic
21 friends that we have in our community. So I'm just glad that we take a few meetings
22 a year to move the meeting around our state and it's a real pleasure to be here in
23 Plaquemines Parish. Thank you.

1 **CHAIRMAN FRANCIS:** This parish has a parish government system and we're
2 privileged to have two of our Parish Councilmen here. I'd like to ask them to come
3 up now. Do we got some chairs -- three chairs, if you would sit right here where
4 this microphone is, both of you come up, please. It's Mitch Jurisich, I'm working
5 on it, and Ronnie Newsom. I told them, I said, Ronnie, your name's easy. And
6 we're just -- these are some of the local guys that handle the area, their designated
7 area, all down here from Venice to Empire. And I want to say to Mitch, we had
8 dinner last night, some of us, at a place called Ponderosa Restaurant. If you cross
9 the Empire Bridge, you could look down and you could see the place. Had some
10 great seafood. I had to quit eating the oysters, they were so good, the raw oysters
11 and charred. I really appreciate, but I had asked these guys to come up and just
12 give us a little two minute talk about what's going on in Plaquemines Parish and
13 why are you making a sacrifice to be a public servant for the people because you
14 know when you get to the parish level at your job, the people that have elected you,
15 they know where you live and they come to your house. It's a tough job and not
16 everyone wants to do that. I appreciate y'all doing that and it's a great area. So
17 give me a -- is the button on? Does it look green?

18 **COUNCILMAN MITCH JURISICH:** Yeah, the button's on.

19 **COUNCILMAN RONNIE NEWSOM:** Yes, sir.

20 **CHAIRMAN FRANCIS:** Go ahead there, Mitch.

21 **COUNCILMAN JURISICH:** Well, Mr. Chairman, Commissioners, everyone
22 else, it's a pleasure to be here in front of y'all to welcome y'all down here to our
23 beautiful parish. And, you know, yes, we, me and Mr. Newsom and I, ran for office

1 this year because we wanted to make a difference in this parish. This parish has
2 got to move forward and we're definitely working towards that. One of the things
3 I want to elaborate on is, you know, we have the Mississippi River, we have this
4 parish with all the miles of river, the most riverfront property of any other parish in
5 the state, but the least utilized. And we're going to change that, we're changing
6 that as we speak. This plant is the largest plant of its kind in the world being built
7 here in Plaquemines Parish. We have another one in the plans, hopefully 2027,
8 2028. We got to get some roadwork done because we got to get our traffic problems
9 solved. But traffic's a good thing. What it's done for our economy is just truly
10 amazing. You know, we used to be very rich in oil and gas, you know, drilling in
11 this parish, but that has kind of gone by the wayside with oil and gas moving further
12 offshore, it's kind of gotten out of Plaquemines Parish. So our revenue stream there
13 has really dropped dramatically, but this is the new life we breed. The port, you
14 know, along our river, is our next step, is our next -- hopefully, we can get a
15 container port in the near future. We have a couple others plans for some other --
16 I think another LNG plant is coming, methanol plant. We have a lot of good,
17 positive things looking forward in Plaquemines Parish, and it takes help from y'all
18 as well. We really appreciate y'all doing what y'all do for us because without y'all,
19 it's difficult as well, but I do want to welcome y'all here. Remember, the
20 Mississippi River, a lot of people look at it as the end. No, it's the beginning. It's
21 the gateway to America. Everything that comes into this country comes up that
22 river. We receive goods and we export goods. This river is a very vital tool in our
23 state and our country and we're blessed to be one of the parishes that live along it.

1 And thank y'all once again for everything and it was a great time last night. I met
2 a lot of people, great conversation. Appreciate everything and thank y'all. I want
3 to see y'all back down here again anytime.

4 **CHAIRMAN FRANCIS:** We'll be back soon, Mitch, and those oysters were
5 great. Now, Mitch is -- you're the head of the oyster association for Louisiana?

6 **COUNCILMAN JURISICH:** I'm the Chairman of Louisiana Oyster Task Force.
7 I'm a-third generation oyster farmer from the parish. My grandparents started our
8 business in 1904 here. Been a lifelong resident, I wouldn't change it for the world,
9 you know, it's a beautiful place to be. And we're very proud of what we do and
10 our heritage down here, our seafood. Our fishing, recreational and commercial, is
11 just outstanding. And I got to say something, you could sure eat some oysters now,
12 I'm not going to lie.

13 **CHAIRMAN FRANCIS:** Well, look, Mitch and I had a little debate about who
14 has the best oysters and, you know, I represent Cameron Parish area, my district,
15 and they have some great oysters in Cameron. We have some folks from the
16 Cameron area here today, but you sure have some good ones. I had to make myself
17 stop.

18 **COUNCILMAN JURISICH:** Can we call it a truce then and not argue about
19 who's got the best anymore?

20 **CHAIRMAN FRANCIS:** Now, Ronnie, how about your area?

21 **COUNCILMAN NEWSOM:** Yes, sir. Thank you, again. Thank you, Mr.
22 Chairman, Commission, members of the audience. Thank y'all for having us.
23 Appreciate y'all coming to Plaquemines Parish. Commissioner Skrmetta, thank

1 you. I spoke a little bit last night. It's just a pleasure to have you guys in
2 Plaquemines and just to show our parish off that's a great asset to the state, you
3 know. My district is District 6. If you was coming down the road, it starts probably
4 right past the naval air station and runs through Jesuit Bend. Some sides the road,
5 it's on one side the highway. And other side, me and Mr. Jurisich split the highway
6 sometimes, the way they drew the maps, which wasn't us. As Mr. Jurisich says,
7 we took office in 2023, myself and him, and you are right about the calls and the
8 thing. People know, you know, I'm a lifelong resident of Plaquemines Parish. I've
9 lived here -- I'm 58 years old, so I've lived here my whole life. So people know
10 where you live, they know where you live, they know what kind of car you drive,
11 they know -- you know. So you get it at the grocery store, you get it at church, you
12 get it all the areas that -- where you go frequent. But you know what,
13 [INAUDIBLE], as Mitch said, I think when I decided to run, it was like, I think
14 Plaquemines Parish can be so much better and I want to be a part of it and we are
15 in the process of doing that. And in a little bit of less than almost two years now,
16 we've done some great things in the parish. Again, y'all spoke about the LNG plant,
17 the river, and stuff. Mitch spoke a few things about some other developments. He's
18 correct, you know, there is plans for Venture Global to put another plant there in
19 the future. Again, we have another, Gulf Stream LNG is coming to a spot right
20 pass if you was coming down, it's a point past Ferriday, some leased land. They're
21 in a permitting process now. As also Mitch talked, we have a Nola Oil terminal is
22 being built right across from Myrtle Grove area, a terminal field, they're building a
23 dock now. So a lot of good things are going on, which Mitch has misspoke, it's

1 utilizing the river, which is extremely underutilized for Plaquemines Parish. And
2 as we say, our port is coming along, and our port -- that's what we call it, we're the
3 gateway port now. We're not the -- you know, we're the Plaquemines Parish. We
4 want to be the -- we the first one, come stop here first and we're doing that. Just
5 some notes on, like I said, we talked about the LNG, the tax basis, what it's done
6 for our parish. It's really done good. So in the last, I'd say three, three and a half
7 years, tax is collected, you know, parish gets some, the state gets some. There's
8 probably been roughly around \$500 million and I know it seems like a lot --

9 **CHAIRMAN FRANCIS:** Wow.

10 **COUNCILMAN NEWSOM:** -- but that's total. The parish's take was about \$50
11 million of that money and the state -- so the state, you know, they get the 4.5
12 percent, about \$260 million went to the state. So it's a huge tax basis for us and,
13 right, we do have problems with traffic and so this government is really
14 concentrated, we hear from the residents. We're aggressively in talks with the state,
15 with DOT, about building a -- they call it Walker Road/Peters Road bypass road to
16 help get out, that shoots people right down Peters Road for traffic purposes to keep
17 them out of coming through mainstream Bell Chasse. So we are definitely -- that
18 is one of our number one -- no, it is our number one infrastructure project that we
19 are working hand in hand with those folks to make life a little better for residents.
20 And, look, it is a problem, traffic, but it's progress and I tell folks if we didn't have
21 problems -- if we didn't have the progress, we'd have real big problems. So well,
22 you know, so just with these numbers have improved our -- some folks are going
23 to argue quality of life, but it's a short term problem, it'll be finished in the future.

1 So those are just a couple things we got going on in the parish and, again, just thank
2 y'all for coming. Mr. Francis, thank you, Chairman, for coming and enjoying
3 yourself last night. That's what it's all about, fellowship, hanging out, talking, and
4 having some good times. Again, thank you.

5 **CHAIRMAN FRANCIS:** Thank you, Ronnie, and thank you, Mitch. And, Mitch,
6 you're welcome to come to Cameron, eat some of our oysters sometime.

7 **COUNCILMAN JURISICH:** I'm going to be over there. Maybe I'll set up an
8 oyster task force [INAUDIBLE] one of these days. And, look, I just want to let
9 y'all know, Mr. Newsom's two minutes never last two minutes. He's always much
10 quicker.

11 **CHAIRMAN FRANCIS:** Okay. All right. Thank y'all. Thank you for coming.

12 **COUNCILMAN JURISICH:** Thank y'all very much.

13 **COMMISSIONER SKRMETTA:** One thing, Mr. Jurisich, I want you to know
14 that I've told a few people, but my great-grandfather, Nikola Skrmetta was
15 Croatian-zero. He was the first Croatian in the Gulf South, came over in 1899,
16 worked in Biloxi with the Spanish and the French people in their oyster canneries.
17 And after being here a few years, he said the coast was clear and brought over most
18 of the Croatian folks from the costal islands in Croatia, including your family, and
19 brought them all in. So he's why my family and your family, we're all in the oyster
20 business and the seafood business.

21 **COUNCILMAN JURISICH:** Yes, yes.

22 **COMMISSIONER SKRMETTA:** So it's kind of interesting historically, but we
23 found his photo portrait and brought one over to the Slavonic Lodge in Mississippi

1 and I've got one framed for the Croatian Society here as well. So waiting to bring
2 it over to them.

3 **COUNCILMAN JURISICH:** That's wonderful, and I tell you what, we really
4 appreciate what he did by bringing our Croatian relatives here and, you know,
5 establishing us in the oyster business because this really been a blessing. Thank
6 you so much for sharing that with me.

7 **COMMISSIONER SKRMETTA:** Glad to do it.

8 **COUNCILMAN NEWSOM:** One more, and I'd be remiss not to say, Mr.
9 Skrmetta helped us out in the parish government with some lighting and I want to
10 thank you. On our government complex with some lighting, at some of our
11 playgrounds with some lighting, some improved lights that really brought it out.
12 So, again, thank you, Mr. Skrmetta, for helping us out with that. Thank you.

13 **CHAIRMAN FRANCIS:** Thank y'all very much. Thank you. Remind
14 everybody, you got your cellphones, y'all make sure you got your cellphones on,
15 you don't want to miss a call. All right. Okay. Is there any announcements? It's
16 announcement time. Commissioner Lewis.

17 **VICE CHAIRMAN DAVANTE LEWIS:** Thank you, Mr. Chairman. I first want
18 to thank all of our electric utilities who responded to my data request on advanced
19 grid technologies. I appreciate your responses. Me and my Staff will be going
20 through those. We have had a productive conversation with the Department of
21 Energy and the Loan Program Office to do some technical assistance workshops,
22 maybe at the beginning of the new year, so I will follow up with you all. We'll
23 probably try to schedule that around one of our January or February B&Es, but I

1 just wanted to thank you all for that. Secondly, I want to thank -- I know they're
2 not here -- the Center for Planning and Excellence. Recently, I was part of a
3 Louisiana delegation to Germany to look at offshore wind and the development and
4 the deployment here in the United States. I was joined by Mr. Blake Canfield, the
5 General Counsel of the Department of Natural Resources, and Senator Patrick
6 McMath, Franklin Foil, Mark Abraham, and Mike Reese, so from everybody's
7 districts. In this voyage, we met with the German Foreign Ministry, we met with
8 some of the developers, especially RWE, who's developing that offshore wind, Mr.
9 Chairman, in your neck of the woods, right off side of Cameron Parish. And so I
10 know we have significant more work to do in Louisiana to make offshore wind a
11 possibility, but I just wanted to say that that was a -- there's some work for us, I
12 think, at the Commission and I look forward to further engagements on our
13 procurement and our development of how we could potentially bring offshore wind
14 to Louisiana. And then, finally, I would like to thank all of those who participated
15 two weeks ago in my district's HBCU Utility Workforce Summit. Two weeks ago,
16 we brought all of the utilities, our Commission Staff, to Dillard University in my
17 district. We had over 60 students who were able to engage with utilities, learn about
18 the industry, learn about the business. They have been -- I know from LinkedIn,
19 have been connecting with many of you all on potential employment and
20 internships and externships. I think developing a workforce pipeline in this state is
21 extremely important. So I want to thank all of you who showed up, who contributed
22 funds to the event, who participated, and who also engaged with the students. They
23 were extremely appreciative. I think it was a great event. I also want to, on the

1 record, thank FERC Chairman Willie Phillips, who flew from D.C. to join us in that
2 event and be present here in the state of Louisiana. So I wanted to send my thanks
3 to all of you for that engagement and hopefully we can continue it on in the future.

4 Thank you, Mr. Chairman.

5 **CHAIRMAN FRANCIS:** By the way, one of our Commissioners is missing
6 today, and I want to recognize Foster Campbell, Commissioner Campbell from
7 Shreveport. He's under the weather and we miss him. This meeting won't be the
8 same without Foster Campbell, we know that. So let's keep him in our prayers.
9 Hopefully, he'll be back to his usual self here real soon and be back. Kathryn
10 Bowman, you have some other announcements?

11 **MS. BOWMAN:** The only announcement I have is that the report under Exhibit
12 14 has been deferred.

13 **CHAIRMAN FRANCIS:** Okay. Exhibit 14 been deferred?

14 **MS. BOWMAN:** The report.

15 **CHAIRMAN FRANCIS:** Okay. Report been deferred.

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

17 **CHAIRMAN FRANCIS:** Okay. Fourteen. All right. Any other announcements?
18 I got one announcement about the seating, this front row up here, there's only one
19 seat there. Looks like a Baptist church, everybody's sitting in the back, you know.
20 You know, when God comes, he's going to hit this front row first, y'all, so y'all can
21 move up here. And of course, Mike Heinen, he knows that, so he's on the front
22 row. So thank God that we got a good God that he saves the ones on the back and

1 the front, but I want to be up front. I want to be there first. Okay. Let's go ahead,
2 Ms. Bowman. It'd be Exhibit Number 2.

3 **MS. BOWMAN:** Yes, sir. Exhibit Number 2 is Docket Number S-37151. It's
4 Utilities, Inc. of Louisiana's request for a letter of non-opposition to include a bulk
5 usage rate on UIL's tariff. It's a discussion and possible vote on Staff's Report and
6 Recommendation. Pursuant to the Commission's March 18, 1994 General Order,
7 UIL filed the above request on April 2, 2024, which was published in the
8 Commission's Official Bulletin and no interventions or protests were received.
9 UIL provides water and wastewater services in approximately 19 parishes to
10 approximately 14,000 water and 19,000 wastewater equivalent residential
11 customers. The company requested the addition of a wholesale wastewater rate in
12 order to charge St. Tammany Parish and the town of Abita Springs for
13 interconnecting and using UIL's wastewater treatment facilities as both of those
14 systems are at the end of their useful life and/or capacity limits. The wholesale rate
15 has been defined as a bulk usage charge and associated with the treatment process
16 of wholesale providers' raw or partially treated sewage. The March 18, 1994
17 General Order requires utilities to respond to an 18-point test prior to transferring,
18 encumbering, or otherwise disposing of assets when the value exceeds 10 percent
19 of the utility's gross assets. And based on this order, Staff reviewed UIL's
20 application, the factors, and had discovery. In connection with allowing St.
21 Tammany Parish and Abita Springs to interconnect and use UIL's treatment
22 facilities, UIL proposes to implement a \$1.35 per 1,000-gallon bulk usage rate. The
23 rate was determined by estimating the incremental costs to treat and dispose of bulk

1 flows and then applied an operating margin premium to the estimated incremental
2 costs to calculate a return component in the bulk sewer rate with the return flowing
3 back to existing UIL customers. Staff filed its Report and Recommendation on
4 August 22, 2024, which found that UIL’s request was reasonable and recommended
5 the Commission issue a letter of non-opposition authorizing the creation of the bulk
6 usage rate based upon certain conditions. Staff recommends that the Commission
7 accept Staff’s Report and Recommendation, filed August 22, 2024, and issue a non-
8 opposition to UIL’s request.

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

10 **COMMISSIONER GREENE:** I’ll second.

11 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves that we accept Staff
12 recommendation, seconded by Commissioner Greene. Is there any discussion or
13 opposition? [NONE HEARD] Hearing none, Number 2 is in the books.

14 **MS. BOWMAN:** Exhibit Number 3 is Docket Number R-35595. This is the
15 Commission’s review of the schedule of prescribed rates and requirements for
16 towing and recovering services in General Order dated August 5, 2016. It’s a
17 discussion and possible vote on Staff’s Final Report and Recommendation,
18 corrected. On July 7, 2020, the Commission opened a rulemaking docket to review
19 the schedule of prescribed rates and requirements for towing and recovering
20 services. Notice of the rulemaking was published in the Commission’s Official
21 Bulletin and several interventions were filed. Throughout the pendency of the
22 docket, the Commission has adopted several interim rate orders including Interim
23 Order dated October 18, ’21, which adopted gate and administrative fees, Interim

1 Order dated February 17, 2022, which increased rates by 15 percent. And on
2 August 9, 2024, the Commission Staff filed its Report and Recommendation
3 wherein it recommended that the Commission authorize an additional 15 percent
4 increase and all regulated towing and recovering rates, excluding the fuel surcharge,
5 as well as several changes to the definitions and terms of the August 15, '16 General
6 Order. After the filing of Staff's Report and Recommendation, TRPL informally
7 requested that a second interim rate increase be considered by the Commission.
8 That request was placed on the agenda at the Commission's August 14, 2024
9 Business and Executive session and at that Commission, Commissioner Skrmetta
10 made a motion to accept the rates of 15 percent, but put everything else back for
11 comment related to the [INAUDIBLE] --

12 **COMMISSIONER SKRMETTA:** I have a motion that I'm going to read.

13 **MS. BOWMAN:** Okay.

14 **COMMISSIONER SKRMETTA:** You ready?

15 **MS. BOWMAN:** Sure.

16 **COMMISSIONER SKRMETTA:** Okay.

17 **CHAIRMAN FRANCIS:** Commissioner Skrmetta, go ahead.

18 **COMMISSIONER SKRMETTA:** I move that the storage rates remain at the
19 current rates for the first five days, then thereafter triple the current rate for storage
20 Days 6 through 30, and afterwards revert back to the current rates for storage on
21 Day 31 and beyond. The following are the storage rates based upon my motion,
22 storage rates calculated per calendar day: Storage rates for the first five days remain
23 at the current rates, \$31.50 per day for outside storage, \$38 per day for covered

1 storage, \$57 per day for oversized storage. Storage rates for Day 6 through 30
2 would increase to \$94.50 per day for outside storage, \$114 per day for covered
3 storage, \$171 per day for oversized storage. Storage rates for Day 31 and beyond
4 would be reduced back to the current rates of \$31.50 per day for outside storage,
5 \$38 per day for covered storage, \$57 per day for oversized storage. I further move
6 that we adopt the following definition of standard recovery as follows: Standard
7 recovery: The recovery of a vehicle that does not come under the definition of a
8 simple water recovery or a complicated recovery. I further move that we adopt the
9 definition of complicated recovery as follows: Complicated recovery: 1) Rollover
10 recovery, when a vehicle is overturned or positioned in such an irregular way that
11 requires repositioning and an additional operator to complete the recovery; 2)
12 Removal of cargo that has become unsecured from the vehicle; 3) When unloading
13 and reloading cargo in box trailers, box trucks, flatbed trailers, and tank trucks as
14 necessary to complete the recovery; 4) Water recovery, an additional operator is
15 required to complete the recovery of a vehicle in water greater than 12 inches in
16 depth. I further move that the following rates be added for a complicated recovery
17 under each weight class as follows: Light duty, \$350 per hour; medium duty, \$500
18 per hour; heavy duty, \$980 per hour. And I further move that Paragraph 2 under
19 Section G, Administrative and Mailing Fees, shall read as follows: The maximum
20 administrative fee that may be charged by a storage company for filing of the ORSV
21 notice shall be \$33.50 for in-state notifications and \$39.50 for out-of-state
22 notifications. The maximum administrative fee that may be charged for mailing of
23 certified letters to the vehicle owner and lien holder shall be no more than the rate

1 for U.S. Postal Service plus \$10 per letter. I further move that under the G.O., the
2 entirety of Section V shall remain the same as the previous G.O. and that any
3 requirements to accept credit cards shall be eliminated from the G.O. That's my
4 motion.

5 **CHAIRMAN FRANCIS:** Okay. I want to ask the Staff, Tammy Burl, do you
6 have this information?

7 **MS. TAMMY BURL:** Good morning, Commissioners. Tammy Burl with Staff.
8 Not exactly in the form that Commissioner Skrmetta read it. I did have bits and
9 pieces that probably equvalate to what he read.

10 **CHAIRMAN FRANCIS:** Has Commissioner Skrmetta worked with you to put
11 this in your Staff recommendation?

12 **MS. BURL:** Not myself, no, sir.

13 **CHAIRMAN FRANCIS:** So this is new information to your Staff?

14 **MS. BURL:** In the form he read it, yes, sir.

15 **CHAIRMAN FRANCIS:** What do you want to do with this information?

16 **MS. BURL:** I mean, Staff has a recommendation that I worked very closely with
17 other Staff members to come up with. That's what I -- I know that there was some
18 discussions with the storage portion, the very first portion that Commissioner
19 Skrmetta read. That was what Staff was working with. The rest of it, it's going to
20 be up to you, Commissioners.

21 **CHAIRMAN FRANCIS:** You think we should consider your Staff
22 recommendation now or should we give this information to you and let you work
23 on it some more? I mean, I know we've been working on this for the last year. Let

1 me stop right there, I'll just ask the other Commissioners. Looks like Commissioner
2 Greene wanted to say something about it.

3 **COMMISSIONER CRAIG GREENE:** Kathryn, I know you and I spoke. Is this
4 something y'all are okay with?

5 **MS. BOWMAN:** So Staff was aware of the storage component, the increase of
6 the storage rates as Commissioner Skrmetta read. Staff hasn't had time to digest
7 the rest of what was just read out into the record. I know that some of what was
8 read was part of comments that we received from the industry, but the rates and
9 some of the additional changes, it's just stuff that we haven't had time to consider.

10 **COMMISSIONER GREENE:** Commissioner Skrmetta, why was this not given
11 to Staff ahead of reading it out at the meeting?

12 **COMMISSIONER SKRMETTA:** Actually, the General Order provisions were
13 the original General Order provisions. The Staff, without talking to the
14 Commissioners, changed some of the General Order provisions regarding the credit
15 card information without discussing it with the Commissioners and I wanted it to
16 remain as the original concept in the General Order of not requiring the acceptance
17 of the credit cards. Credit cards create fraud provisions when used to pay for
18 storage, so that's something that the Staff added without talking to the
19 Commissioners about. The other issues are about the different rate structures and
20 definitions are something that the actual towing association has been engaged with
21 the Staff on, so it should not be a surprise for the Staff and I think that, you know,
22 this is a matter of policy for the Commissioners to determine. And while I
23 appreciate what the Staff is trying to do, I think we need to look at the problems

1 that we face on where the Legislator is holding the association in a position where
2 they're requiring them, versus other states, to maintain these vehicles on a 180 day
3 hold and they're not really vehicles at that point. Largely, they're scrap or just
4 destroyed things. And that's where we worked with the Staff directly in discussion
5 on how we were going to do this, like, the hold of five days at the current rate, then
6 we were going to go to triple rates because most of it was going to be, you know,
7 elements --

8 **CHAIRMAN FRANCIS:** All right. So this is in the form of a motion to accept
9 these changes?

10 **COMMISSIONER SKRMETTA:** Right. These are the forms -- accept the
11 changes to make -- well, actually, to maintain the General Order in the way it is
12 before the Staff wanted to change it, regarding the credit card element, but also to
13 clarify the definitions associated with what is a complicated tow, what is a standard
14 tow, what is a water-based tow, and what's necessary. We've seen, just the other
15 day, we had a two-truck collision on the Mississippi River bridge where a lady was
16 pinned under the vehicle. That would've been clarified if we would've had better
17 discussions about -- better clarifications in our tow tariff and a better understanding
18 of the rules where they could've got somebody out quicker and had this lady pulled
19 out from under this vehicle in a better way through this non-consensual tariff. So
20 it really does make sense to have these different -- just clarifications of definitions.
21 The actual rates associated with it, I know that the Staff doesn't like the work
22 associated with dealing with the towing tariff issues, but we're very close to the end
23 of determining what the tariffs and the rules are associated with the towing and

1 tariff program to make it simpler for the Staff to do this. And I don't think that
2 what I've suggested -- and I have worked with the towing association on this. This
3 is not something that I came up with on my own. This is through extended
4 conversations with members of the industry, and also talking to Staff because the
5 Staff will tell you that I did -- not so much Tammy, but spoke to Kathryn at length
6 about this, that these are reasonable adjustments to what we need to do to the tariff
7 to make it work. And so I'd like to get comments from the industry on this to
8 explain where we are on this, so the rest of the Commissioners can understand why
9 it's probably a very good idea for us to move forward on this basis.

10 **CHAIRMAN FRANCIS:** Okay. Do we have a second? Is there a second on this
11 motion? [NONE HEARD] Hearing no second, the motion dies. So now we're
12 back to the Staff recommendation. I make a motion that we accept Staff's
13 recommendation on this towing bill.

14 **COMMISSIONER SKRMETTA:** I'm just going to oppose it.

15 **COMMISSIONER GREENE:** I second.

16 **CHAIRMAN FRANCIS:** And a second by Commissioner Greene. Is there any
17 opposition?

18 **MS. BOWMAN:** Wait, wait, wait. I'm sorry. Excuse me, but they do have a right
19 to speak before we have a final vote on the issue.

20 **CHAIRMAN FRANCIS:** Okay. All right. Well, let's go ahead. Mr. Rudy, you
21 want to go first?

22 **MS. BOWMAN:** You have the green? There you go.

1 **MR. RUDY SMITH:** Here we go. I am here for mostly questions and to clear up
2 any confusion and it seems we have a lot of confusion. We had a lot of agreement
3 with Staff coming up to this. We've discussed all these points at length. I think
4 we're just at a few points that are still in contention, but we are so close to getting
5 to the basis that we need for this tariff. I think this final thing, less EV storage
6 which we'll discuss in the future, could nail this particular docket, which is now I
7 don't know how many years old, close to 10, and let us move along. But if any of
8 the Commissioners have questions, I stand ready to answer.

9 **CHAIRMAN FRANCIS:** Is there any other discussion? [NONE HEARD] Okay.
10 Commissioner --

11 **COMMISSIONER GREENE:** Mr. Chairman, I don't -- it's just the first anyone's
12 heard of what Commissioner Skrmetta has mentioned, so I would motion that we
13 postpone this to next month to give Staff opportunity to digest it and get on the
14 same page with everyone.

15 **MS. BOWMAN:** So to clarify, you had seconded Commissioner Francis', but you
16 withdraw that --

17 **COMMISSIONER GREENE:** Yeah. I'm going to withdraw the second and
18 make a motion that we defer to next month so Staff can further process the new
19 motion that Commissioner Skrmetta made.

20 **COMMISSIONER SKRMETTA:** And I'll second that.

21 **CHAIRMAN FRANCIS:** Sounds like a good idea to me. Let's ask the Staff to
22 be patient with us.

23 **MS. BOWMAN:** Jared, did you want to say anything?

1 **MR. JARED VARNADO:** Not unless anybody has any questions for me.

2 **MS. BOWMAN:** Okay. Thank you. I just wanted to give you the opportunity.

3 **CHAIRMAN FRANCIS:** Okay. So we've deferred this to next month; is that
4 right?

5 **MS. BOWMAN:** Assuming there's no opposition.

6 **CHAIRMAN FRANCIS:** If there's no opposition. [NONE HEARD] And
7 hearing no opposition, it's deferred. Okay. We'll move on to Exhibit 4.

8 **MS. BOWMAN:** Exhibit Number 4 is Docket Number R-36131. It's the
9 Commission's determination of Commission jurisdiction over the various methods
10 of providing electricity to electric vehicles and infrastructure associated therewith.
11 It's a discussion and possible vote on a joint motion for clarification or
12 reconsideration of General Order R-36131. Pursuant to an unopposed directive
13 issued at the Commission's July 14, 2021 B&E, Commission Staff opened the
14 rulemaking to determine the Commission's jurisdiction over electric vehicle
15 charging stations. Several parties intervened. On April 21, 2023, Staff issued its
16 Final Phase 1 Recommendation wherein Staff recommended that the Commission
17 decline to exert its jurisdiction over electric vehicle charging stations. The
18 Commission accepted that Phase 1 Recommendation and subsequently issued
19 General Order dated May 24, 2023. Commission Staff also recommended that the
20 docket remain open for a Phase 2 review of other topics. On July 26, 2024, Staff
21 issued its Final Phase 2 Recommendation and, in that recommendation, the
22 Commission accepted that at the August 14, 2024 B&E and was memorialized in
23 General Order dated September 10, 2024, corrected. On September 20, 2024,

1 Entergy Louisiana, Cleco Power, and SWEPCO filed a joint motion for clarification
2 or reconsideration of General Order R-36131, corrected. In that motion, the IOUs
3 note several concerns with the general order, they contend that Section 601, relative
4 to the prohibition on electric utilities from owning, leasing, operating, or controlling
5 an EV charging station is either so broad that it prevents electric utilities from
6 owning chargers for their own purposes, or the definitions and internal references
7 render this prohibition superfluous and meaningless. And, second, the IOUs
8 contend that Section 801, relative to on-site solar generating units for EV charging
9 stations is inconsistent with the definition of EV charging stations, is missing
10 important guidance, and appears incomplete. While Staff believes the order read
11 in its entirety is clear, Staff does not oppose reopening the rulemaking to review
12 Section 601 and 801 of the general order to further clarify those ambiguities raised
13 by the IOUs.

14 **VICE CHAIRMAN LEWIS:** Chairman, I have some questions.

15 **CHAIRMAN FRANCIS:** Okay. Commissioner Lewis has questions.

16 **VICE CHAIRMAN LEWIS:** These first questions are for Staff. How are you
17 reading the definition of EV charging stations and what consists of customer self-
18 generation for an EV charging station?

19 **MS. BOWMAN:** So, Commissioner, I mean, the definition of EV charging station
20 is part of our general order, it is specific and, I mean, I can read it to you. It's a
21 person or entity that purchases electricity from its electric public utility or the
22 municipal electric utility. It furnishes that electricity to the public for compensation
23 exclusively to charge battery electric vehicles and plug-in hybrid electric vehicles

1 and is not otherwise a public utility or electric public utility as defined by the
2 Commission in the Louisiana statutes.

3 **VICE CHAIRMAN LEWIS:** Okay. And so I'm just curious, based off of those
4 definition and those terms you just read, do you see really any legitimate
5 discrepancies in what was written regarding the ownership of EV charging stations
6 by a utilities owned fleet, since that seems to be part of their request?

7 **MS. BOWMAN:** Yes, sir. I think the definition is clear, and in the entirety of the
8 general order, it discusses if the utility would like to seek an exception from this
9 order and own or operate, they have the right to come in and request that of the
10 Commission if they deem it's in the public interest, but the definition of EV
11 charging station is for public consumption and furnishing it to the public. So if any
12 of the utilities wanted EV charging to, say, have a entire fleet of their own trucks,
13 that's not prohibited under the current rules.

14 **VICE CHAIRMAN LEWIS:** Okay.

15 **CHAIRMAN FRANCIS:** [INAUDIBLE] come up?

16 **VICE CHAIRMAN LEWIS:** Yeah. I do have some questions for them as well.

17 **CHAIRMAN FRANCIS:** [INAUDIBLE]. And call on Commissioner Skrmetta
18 for the questions.

19 **COMMISSIONER SKRMETTA:** Kathryn?

20 **MS. BOWMAN:** Yes, sir?

21 **COMMISSIONER SKRMETTA:** Just based on what you said, is there -- under
22 the definition, is there a prohibition from regulated utilities having EV charging
23 facilities that are conducted in an unregulated, separate entity?

1 **MS. BOWMAN:** No, sir. They are allowed -- each of the electric utilities, if they
2 want it to have an affiliate company own, operate, lease electric vehicles, they have
3 the right to do that as well. It just doesn't need to be -- the cost of that doesn't need
4 to be on our ratepayers, that's what the rule says.

5 **COMMISSIONER SKRMETTA:** Right. Okay. Understood. And, Mr.
6 Chairman, if it's appropriate, besides, I see Mr. Hand is up there, but if any other
7 utilities want to come up and make comment?

8 **CHAIRMAN FRANCIS:** Is there any other utilities here that'd like to comment
9 on the EV chargers? Seeing none --

10 **VICE CHAIRMAN LEWIS:** Mr. Chairman, I would request SWEPCO and
11 Cleco. They filed a joint motion, I've yet to hear from either one of them on their
12 motion. I mean, it was a -- so I would love to hear SWEPCO and Cleco's position
13 since they filed this motion jointly.

14 **CHAIRMAN FRANCIS:** Here's Cleco. Okay. We have somebody with
15 SWEPCO. Okay.

16 **MR. LARRY HAND:** And while they come up, this is Larry Hand on behalf of
17 Entergy Louisiana. Commissioner Lewis, to your question about the definition --

18 **CHAIRMAN FRANCIS:** Can you talk right into the microphone?

19 **MR. HAND:** Yes, sir. How's this? Better? Good. So you asked about the
20 definitional restrictions. The definition is as you read. In terms of whether an
21 electric utility can own EV charging, our request for rehearing clarification is not
22 to reopen that issue. We are not -- certainly Entergy Louisiana by that motion is
23 not seeking to rehear or clarify the Commission's determination that you don't want

1 ratepayer dollars to be used to fund public EV charging. That's not the business
2 you want to send, that's what we heard. This clarification is not about that. Section
3 601 of the rule has a very clear unequivocal prohibition on public utilities from
4 owning EV charging stations, a non-capitalized term. So that's what I'm looking
5 at and say, well, I'm precluded from even owning one at my service center to charge
6 my fleet vehicles. That also would preclude me from, at the request of an Entergy
7 customer, installing EV charging at their fleet location to charge their vehicles,
8 again, not for public consumption. Section 601 by itself needs some refinement to
9 make it clear that the Commission doesn't want to preclude me from owning and
10 operating an EV charger at my fleet locations or at a customer's fleet location,
11 provided that ratepayers' funds are not used to invest in those fleet chargers, that's
12 the intent here. When you go back to section -- what I think Staff and others are
13 relying on, when you look back at the definition of EV charging, again, a capitalized
14 term, electric utilities are precluded from even meeting that definition because the
15 third -- you know, Number 3 of it, it says EV charging station is not otherwise a
16 public utility. Well, I am a public utility. So I don't think the intent of the parties
17 is drastically different, but when I look at the words, I can't get there, and I'm stuck
18 with 601 using a non-defined, non-capitalized term with a very clear prohibition.
19 And that's the issue on at least the first prong of the request for clarification, 601.
20 There's a second one, which gets into self-generation. You know, when you look
21 at the Section 101 definition again, and I thought this was where your question was
22 going, vis-à-vis self-generation, the Commission said it will not regulate the sales
23 of EV charging to the public, but it defines EV charging station as a person or entity

1 that purchases electricity from a regulated public utility, that's the first part. The
2 second part is that it furnishes that electricity, meaning that electricity that
3 purchased from a public utility, that's what it is furnishing to the public. And so
4 when you get into the notion of self-generation, you've disqualified yourself from
5 being an exempt EV charging station because you are now self-generating. You're
6 not reselling the electricity you bought from the public utility, you're generating it
7 yourself. And so those are things that need to be clarified and, you know, obviously
8 I have a point of view as to how it should be clarified, but that's not the point here
9 today. The point here today is that it's very unclear and could stand to be clarified
10 and I think a limited opportunity for the Staff to receive comments and clarify that
11 would be very beneficial for us all as we move forward. I think timing is of the
12 essence, we don't want to have this drag out, but a quick comment period followed
13 by Staff clarifying these things, I think would be very helpful.

14 **VICE CHAIRMAN LEWIS:** And thank you for that. I guess where I'm very
15 hesitant on this because we litigated this, you filed comments, this was a point that
16 we talked about it on self-gen, and I mean, we're two months later and now it's a
17 kind of a doomsday scenario. I appreciate that you did give me a call and we talked
18 about this. I mean, I have yet to hear from SWEPCO or Cleco on this matter. You
19 filed a joint motion and this is the -- until I called you up, neither one of you came,
20 so I'm really concerned and confused if this is so important, why have you not
21 reached out on this agenda item and also why when requested to come to the table,
22 you had to be called?

1 **MR. MARK KLEEHAMMER:** Well, first off, Mark Kleehammer on behalf of
2 Cleco Power. I apologize for not reaching out to you on this one. We absolutely
3 are supportive of the comments. They were joint comments from the three utilities
4 here. I think you've touched on the three different items. The first and second, I
5 think, are relatively innocuous fixes, but they are conflicting -- the language is
6 conflicting. And as Mr. Hand noted, on the third item, on self-generation, as I read
7 it, it is conflicting between the order on EVs and the order on net metering. And I
8 don't think that you can read them both consistently without having some level of
9 confusion, so we agree that looking at this and trying to harmonize, consistent with
10 what y'all's will is, is the appropriate path.

11 **VICE CHAIRMAN LEWIS:** Thank you. And could you clarify what are your
12 concerns using on-site generation for EV charging stations if the owner has already
13 met their net metering obligations?

14 **MR. KLEEHAMMER:** So the Net Metering Rule says that you can use the power
15 generated on-site for your own usage or you can otherwise sell it back to the grid
16 at a voided cost. And in this instance, you're not doing that. In this instance, as I
17 read it, you are selling it for resale. So they're very distinct concepts where you
18 have sale for resale for EV charging versus net metering, where you're selling back
19 to the utility.

20 **VICE CHAIRMAN LEWIS:** So you see no difference and you have no problems
21 with behind the meter generation being used for residential customers charging
22 EVs?

23 **MR. KLEEHAMMER:** They're not selling it.

1 **VICE CHAIRMAN LEWIS:** Okay.

2 **MR. KLEEHAMMER:** In no instance, they're using a hundred percent of their
3 power for their own needs or to the extent that have excess that's coming back to
4 the utility.

5 **VICE CHAIRMAN LEWIS:** I understand. And then I think my other question -
6 - or my last question for you would be: Do you have a problem with the 300-kW
7 threshold that the Commission's approval for distributive generators?

8 **MR. KLEEHAMMER:** Yeah.

9 **VICE CHAIRMAN LEWIS:** I mean, I'm seeing that there's --

10 **MR. KLEEHAMMER:** At this point, I think the 300 kW is consistent with the
11 Net Metering Rule, but again, the conflict here is between the Net Metering and the
12 EV Rule.

13 **VICE CHAIRMAN LEWIS:** Thank you. And, Mr. Gilliam, I'm sorry, I didn't
14 give you an opportunity to speak, but those are my questions for the utilities.

15 **MR. BOBBY GILLIAM:** Okay. Yeah. Thank you, Commissioner. Yeah. And
16 likewise, with SWEPCO, apologize if somebody didn't discuss with you, but the
17 concept was we were joining in with Entergy and Cleco and they were setting forth
18 our position. So that is the same position SWEPCO has.

19 **VICE CHAIRMAN LEWIS:** Thank you. I have further questions for Mr. Young,
20 but I'll pass it to the --

21 **CHAIRMAN FRANCIS:** Commissioner Skrmetta.

1 **COMMISSIONER SKRMETTA:** This question any of y'all can answer it. So
2 what sort of steps forward in process would you like to see to achieve the
3 clarification that concerns you?

4 **MR. HAND:** Again, Larry Hand on behalf of Entergy Louisiana. This rulemaking
5 was a little bit different than we've done in the past. We had extensive comments
6 from all the parties, but we never had a chance to actually see the words of the
7 proposed rule until the general order came out. And so I think now that we have
8 seen those words, providing a brief opportunity for all parties, all stakeholders to
9 provide comments on how those could be clarified, and then giving that to Staff
10 and let Staff factor all that in, come back to the Commission with a proposed, maybe
11 corrected final rule, revised, or maybe not. But at least that brief comment period,
12 and I don't know, that's really up to Staff or that's 30 days, and then get it back to
13 the Commission, you know, for a vote relatively soon. That's the process I would
14 imagine.

15 **COMMISSIONER SKRMETTA:** Okay. So you actually -- you saw the sort of
16 various facts were floating around, but you never actually saw it as a unified
17 document until the end, and that's where you saw these particular issues that were
18 brought, you know, a concern to.

19 **MR. HAND:** And I want to be very clear, there were extensive comments from all
20 the parties. Staff's recommendation talked about these various issues, but the first
21 compilation of the form of the rule, the words of the rule, you know, the text of it,
22 came in the form of general order, which came out after we all provided those

1 comments. So our first visualization of it was after you voted on it and the written
2 order was issued, and that's what we're seeking to clarify here.

3 **COMMISSIONER SKRMETTA:** So my question to the Staff is if you don't
4 oppose the reopening of a rulemaking, is it the reopening of a rulemaking? How
5 long does the Staff think that you'd need, time-wise, to do the clarification, or for
6 whatever these particular issues are? Because they don't seem like they're broad,
7 you know, differences of opinion on this, they're just rather small issues.

8 **MS. BOWMAN:** Yes, sir. And I agree. Procedurally, it would be a remand back
9 to the Staff from the Commission. I would ask, you know, what I would envision
10 is to let Staff go back, see if we can fine tune the actual language, put it in track
11 changes, submit that back out to all of the intervenors to review, provide feedback
12 and comment on that. So, you know, I'd say give us 45 days just to make sure we
13 have time to put that together and get it back out to them, so December to January
14 B&E, I would think.

15 **COMMISSIONER SKRMETTA:** So you wouldn't need more than 90 days is
16 what you're saying?

17 **MS. BOWMAN:** I wouldn't think so, no, sir.

18 **COMMISSIONER SKRMETTA:** Well, I'm going to just move to remand this
19 to the Staff for clarification and for comment. And so if we can just move this
20 along, just get it done as quickly as possible because I think it's very small issues
21 and we can get it done pretty quickly. So just see if we can get this done as quickly
22 as possible.

1 **MS. LAUREN EVANS:** Lauren Evans on behalf of Staff. Commissioner, you
2 mean just the two sections that were mentioned in the motion, correct?

3 **COMMISSIONER SKRMETTA:** I mean to move it back for the rulemaking on
4 whatever is necessary. I don't want to micromanage it. If this is an issue that is
5 brought up on this particular issue, if that's what we're talking about that's unified
6 in the docket, then that's what we're talking about. If that's what been raised by
7 the issue of the utilities, then that's what it is. So we don't need to go back into a
8 full-blown attack, but if we're going on these two particular statements that have
9 been brought and filed, then that's what it's about. But I do move that we bring it
10 back for the -- move it back to the Staff for, you know, on the rulemaking to
11 clarification on these two issues.

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

13 **CHAIRMAN FRANCIS:** I think on the other side of this argument will be the
14 industrial folks, so Randy Young. But if we're going to be hashing it out over the
15 next 90 days, Randy, you have any other -- oh, I'm sorry. Come forward.
16 Commissioner Lewis has some questions for you. You guys can go. Thank you.

17 **MR. RANDY YOUNG:** Good morning, Commissioners.

18 **MS. BOWMAN:** Press the button. It's got to be -- there you go.

19 **CHAIRMAN FRANCIS:** Right into it.

20 **MR. YOUNG:** There we go. Good morning, Commissioners. Let me introduce
21 myself, to start out. Randy Young. And in this proceeding, I represent two groups.
22 One is Americans for Affordable Clean Energy, or AACE. They're an association
23 of fuel suppliers who want to bring private investment to Louisiana to build out

1 electric vehicle charging stations at already existing fuel stops. So that group is
2 companies like, for example, Love's Truck Stop, RaceTrac, Circle K, and there's
3 some others, like Travel Centers of America, and some others. The other group I
4 represent is Louisiana Energy Users Group, which is a group of industrials who all
5 buy a lot of power from Entergy and who pay a lot of attention to Entergy spending
6 plans and rates. Both AACE and LEUG want the cost of electric vehicle charging
7 station to come from private investment, at their cost and risk, not from utilities
8 who will add the costs to the electric bills. That's very important to them. The
9 other piece in this is the self-generation. So from the AACE group perspective, the
10 fuel suppliers, I mean, I think they anticipate that a lot of the power they'll use for
11 this will come from the utilities. But they do want to have us here looking at
12 investment in Louisiana, they do want to have that path available and that
13 opportunity available that if self-generation and solar panels, combined with battery
14 storage, becomes economical at some point in the future. And they've got all this
15 canopy space at the fuel stops, and they want the opportunity to be able to come in
16 and be able to ask the Commission to be able to do that. And using the net metering
17 rule and allowing that path forward is very important to them because what it does
18 is allows that, if they see that path become economically acceptable and they want
19 to pursue it, then they can come to the Commission, file an application, let you look
20 at it, and determine if it's in the public interest, and make that determination. But
21 it's very important that they have that path and be able to come and ask you for
22 permission to do that in the future, as they consider these investments in Louisiana.
23 **VICE CHAIRMAN LEWIS:** Thank you.

1 **MR. YOUNG:** And I do want to -- one note.

2 **VICE CHAIRMAN LEWIS:** Please, go ahead.

3 **MR. YOUNG:** One I want to make clear, Commissioners. So I believe that the
4 Net Metering Rule does fully apply here and is an opportunity and a path for them.
5 Because the way I see it, what they would be doing is using the electricity from the
6 self-generation to supply service, to supply battery charging service. As I've
7 discussed with some of the Commissioners, so I grew up, my dad owned an Exxon
8 station for 25, 30 years, and I grew up in it. And so I've been selling -- or started
9 selling battery charging services when I was probably about 10 years old. And
10 that's just something that you're using electricity, yes, but you're selling a service,
11 and so you are using that electricity yourself to provide that service to the
12 customers. So I believe the Net Metering Rule is a fit and it's important to have
13 that option.

14 **VICE CHAIRMAN LEWIS:** Thank you. Thank you, Mr. Young. That was
15 going to be my question and I believe, from my reading, that the Net Metering Rule
16 gives a clear policy landscape of how EV charging could be used for self-generated
17 power and I'm failing to see the argument here that clarification is really needed.
18 Do you, in your opinion and your two organizations' opinion, think this requires a
19 formal reconsideration and reopening of the procedural schedule of this docket?

20 **MR. YOUNG:** Well, we had said, Commissioners, that what the three points that
21 the utilities have raised, one is they want to be able to use it for their own fleet use.
22 I think that's already covered because the definition says it was prohibited is the
23 electric -- excuse me, the electric vehicle charging stations, which is to the public

1 for compensation. Fleet use is not providing to the public for compensation, so I
2 think they already have that path, so I don't think you really need clarification there.
3 Second thing is they wanted to make sure that there's an exception that they can
4 come in and ask permission to use ratepayer money if they want to come ask you
5 for that, for charging. That's already built into the order, that language is in the
6 order, Staff wrote it in there, so it's there if they want to use it and come in in the
7 future. The third piece is the self-generation piece. So Staff added the Section 801
8 as a new section that says if you want to do this, fuel suppliers, you have to follow
9 the Net Metering Rule and you have to come in and ask for permission, case-by-
10 case, if you exceed 300 kW, which they will. So I think it's already there. So am
11 I opposed to if want to do a few word tweaks? No, but as long as we're not changing
12 the ultimate outcome. But do I think it's really necessary? No. I do have some
13 concern, and we've been working on this rulemaking for a really long time, and
14 industry is looking at wanting to invest in Louisiana. So the longer we keep it open
15 and in flux, you know, the longer we're not -- we don't have the rules finalized. So
16 that's a bit of a concern, but that's my thoughts on it.

17 **VICE CHAIRMAN LEWIS:** Thank you. And that's also my concern. I mean,
18 I've listened, I read the motion. My opinion is very similar to yours. We can
19 always, always continue to clarify definitions, but I'm concerned that this may be
20 using as a stalling tactic to get us to the deployment of EV charging. I'm
21 particularly worried about the NEVI dollars that the Department of Transportation
22 has to put charging stations all across Louisiana, but that it requires some of your
23 members participating. And the longer that there's uncertainty, means the longer

1 that I think some of your clients who want to build EV charging stations around the
2 state, and then pull down a lot of federal dollars. We keep pushing back. Louisiana,
3 we're already behind the eight-ball than most of the other states pulling down this
4 money, and so I'm deeply concerned that we are constantly further getting away
5 from private development of EV charging stations and then we're stuck with only
6 one option. And so I want to thank you. Those were all the questions that I had for
7 you, but I also really see no point for the reconsideration at this point in time

8 **CHAIRMAN FRANCIS:** I think the definition of those federal dollars, and we
9 need to understand that if -- I haven't seen that come up in a discussion as one of
10 the factors that we might consider. Let me ask you this, Mr. Young. If I'm charging
11 my car at one of these truck stops, say that this goes forward, is it true that this free-
12 market pricing on what the electricity charge would be, it's going to be competition
13 just like selling gasoline or diesel; would that be more or less true?

14 **MR. YOUNG:** Yes, Commissioner. So you will still regulate as the Public Service
15 Commission the tariff that they buy the power from the utility, whether it's Entergy,
16 SWEPCO, or Cleco, or others, so you still regulate that underlying price. But the
17 price to the market just they'll be competing between the locations. And what you
18 see at these fuel stops is, look, what they're trying to do is get customers there to
19 buy the conveniences and so forth. So it's usually, you know, a very incremental
20 markup on the fuel itself, but there will be some markup and they'll compete with
21 each other for price and the prices up on the billboards, trying to have the lower
22 prices to get the people in the door.

1 **CHAIRMAN FRANCIS:** All right. Thank you. Is there any other -- so we're 90
2 day -- we're going to work on this for 90 days; is that right?

3 **MS. BOWMAN:** So there's a motion to remand to Staff from Commissioner
4 Skrmetta related to the two sections in the joint motion, but we do not have a second
5 on that.

6 **CHAIRMAN FRANCIS:** I'll second that. Is there any other discussion or
7 opposition?

8 **VICE CHAIRMAN LEWIS:** I'll oppose, but if everybody is fine, I don't --

9 **CHAIRMAN FRANCIS:** You're opposed --

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

11 **CHAIRMAN FRANCIS:** -- to it going the 90 days? Okay. So --

12 **COMMISSIONER GREENE:** Can we vote on it in December?

13 **COMMISSIONER SKRMETTA:** Yeah, that'll be less than 90 days. I was just
14 -- that was conversational. They said 45 days, they'd get [INAUDIBLE].

15 **MS. BOWMAN:** Yeah. I mean, just to give some time because obviously I want
16 the intervenors to have time to provide comments to us on the proposed revision.
17 So I think December vote, we probably could do that.

18 **VICE CHAIRMAN LEWIS:** Well, then I'll --

19 **COMMISSIONER SKRMETTA:** Try to get it for December.

20 **MS. BOWMAN:** Yeah. We will shoot to -- every possible effort we can have.

21 **VICE CHAIRMAN LEWIS:** And because of that, thank you for that, I'll
22 withdraw.

1 **CHAIRMAN FRANCIS:** So we all agree, we'll still bring it up in the December
2 meeting.

3 **VICE CHAIRMAN LEWIS:** I'll withdraw my opposition.

4 **CHAIRMAN FRANCIS:** Okay. All right. So let's have the same issue to be
5 voted on in December. So good luck, y'all, hammering it out. Okay.

6 **MR. YOUNG:** Thank you, Commissioners.

7 **CHAIRMAN FRANCIS:** All right. So we're moving on to -- we're Number 5?

8 **MS. BOWMAN:** Yes, sir. Exhibit Number 5 is Docket Number U-36809. This
9 is Concordia's Formula Rate Plan Annual Report for 2022 Test Year. It's a
10 discussion and possible vote on an unopposed motion. On October 2, 2024,
11 Concordia filed its second motion to amend Commission Order Number U-36809
12 and request for consideration at October's 2024 B&E. Order Number U-36809
13 accepted Concordia's 2022 Annual Report and required that Concordia file a full
14 base rate review no later than June 1, 2024. Order U-36809-A, dated April 24,
15 2024, extended the deadline to file the rate case by 120 days, to allow time for a
16 new engineering firm to assist Concordia with the rate study. As stated in its
17 motion, due to additional changes in the engineering firms, Concordia cannot meet
18 the deadline to file its rate case, and so Staff does not oppose the motion, as the
19 extension would not result in any rate impact, and Concordia would simply
20 continue charging its current rates until the result of a full rate case. Therefore,
21 Staff agrees that Concordia should be afforded until June 1, 2025 to file a full base
22 rate review. Staff recommends that the Commission grant Concordia's motion filed

1 into the record on October 2, 2024, to extend the time for it to file a full base rate
2 until June 1, 2025.

3 **COMMISSIONER SKRMETTA:** Move to grant the extension of time.

4 **VICE CHAIRMAN LEWIS:** Second.

5 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves to accept, and
6 Commissioner Lewis has seconded. Is there any opposition or discussion? [NONE
7 HEARD] Hearing none, it's in the books. Number 6.

8 **EXECUTIVE SECRETARY BRANDON FREY:** Russell, do you have anything
9 to say or no?

10 **CHAIRMAN FRANCIS:** What?

11 **MS. BOWMAN:** Thank you and move on.

12 **CHAIRMAN FRANCIS:** Oh, look here. You want to -- you got something to
13 say about Concordia?

14 **MR. RUSSELL PURVIS:** No, sir. I have nothing to say.

15 **CHAIRMAN FRANCIS:** Well, you drove all the way down here from Jonesville.
16 You must have had something, wanted to say something.

17 **MS. BOWMAN:** Russell, use the microphone, please.

18 **MR. PURVIS:** I'm sorry.

19 **MS. BOWMAN:** That's okay. Thank you.

20 **MR. PURVIS:** We know who our friends are, this Commission has always been
21 a friend of the ratepayers of Concordia Electric, and we thank you for your
22 consideration and your help. I'm not sure, if without the Public Service
23 Commission, Concordia Electric would even exist today.

1 **CHAIRMAN FRANCIS:** Well, you're in -- I have some of your area.
2 Commissioner Campbell, who's not here, has the bulk of it, and I would go out on
3 a limb and say I think he's going to agree with what we're doing down here today,
4 hopefully. But appreciate you. Tell all our friends in Jonesville we said hello.

5 **MR. PURVIS:** Yes, sir. Thank you.

6 **MS. BOWMAN:** Exhibit Number --

7 **CHAIRMAN FRANCIS:** Six.

8 **MS. BOWMAN:** Yes, sir. Exhibit Number 6 is Docket Number U-37134. This
9 is 1803 Electric Cooperative, Beauregard, Claiborne, Northeast, South Louisiana
10 Electric Cooperative, and Washington-St. Tammany Electric Cooperative's joint
11 request for a non-opposition to an asset transfer by 1803 Member Cooperatives to
12 1803 and for operation of the same. It's a discussion and possible vote on an
13 uncontested stipulated settlement. On March 12, 2024, 1803 and its cooperatives
14 filed this request, which was published in the Commission's Official Bulletin, with
15 MISO filing a notice of participation as an interested party and Louisiana
16 Generation filling a timely notice to intervene. After filing of testimony and
17 discovery and extensive negotiations, 1803, the cooperatives, and Staff were able
18 to enter into an uncontested stipulated settlement, which was filed into the record
19 on September 23, 2024. The major terms of the settlement were that the parties
20 agree that the proposed transaction between 1803 and its cooperative members met
21 the burden of the 18-point analysis provided in Commission's general order; that
22 1803 and Staff agree that the amendments to the wholesale power contracts will
23 help provide 1803 and its member cooperatives, and their customers with economic

1 benefits as compared to alternatives; and that the terms, conditions, rights,
2 remedies, and limitations set forth in those amendments are commercially
3 reasonable and have been negotiated at arm's length. Therefore, Staff recommends
4 that the Commission accept the uncontested stipulated settlement filed into the
5 record on September 23, 2024.

6 **CHAIRMAN FRANCIS:** Motion?

7 **VICE CHAIRMAN LEWIS:** I motion to accept Staff's recommendation.

8 **CHAIRMAN FRANCIS:** Motion to accept Staff's recommendation by
9 Commissioner Lewis, second by the Chair. Is there any opposition or discussion?
10 [NONE HEARD] Hearing none, it's in the books. Number 7.

11 **MS. BOWMAN:** Exhibit Number 7 is Docket Number U-37209. This is South
12 Coast Gas Company's request for an interim operating revenue rider. It's a
13 discussion and possible vote pursuant to Rule 57 of the Commission's Rules of
14 Practice and Procedure of an uncontested stipulated settlement, so this will need
15 two votes. On May 14, 2024, South Coast filed this instant application, which was
16 published in the Commission's Official Bulletin, and no interventions were
17 received. Following initial discovery, Staff filed its Report and Recommendation
18 on September 6, 2024, which recommended that South Coast be authorized to
19 implement a rate rider of approximately \$2.55 per month for a period of 12 months
20 in order to recover approximately \$568,322 in revenue that would be applied to
21 short term debt accounts. On September 13, 2024, South Coast filed
22 correspondence into the record, which indicated that they accepted Staff's Report
23 and Recommendation. South Coast and Staff entered into an uncontested stipulated

1 settlement, which was filed into the record on September 27, 2024. Staff therefore
2 recommends that the Commission: 1) Exercise its original and primary jurisdiction
3 pursuant to Rule 57 to consider this matter; and 2) Accept the uncontested stipulated
4 settlement filed into the record on September 27, 2024.

5 **COMMISSIONER GREENE:** Motion to take the item up under Rule 57.

6 **CHAIRMAN FRANCIS:** Motion to take it up under 57 by Commissioner Greene,
7 seconded by Chair.

8 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

9 **CHAIRMAN FRANCIS:** Motion to accept Staff recommendation by
10 Commissioner Greene, seconded by the Chair. I might add, we're going to have -
11 - go in to some discussions about the gas supply here soon.

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

13 **SECRETARY FREY:** Yes.

14 **CHAIRMAN FRANCIS:** Y'all have any comment on that?

15 **SECRETARY FREY:** No, we'll bring it up then. I think --

16 **MS. BOWMAN:** Yeah, that's Exhibit 15.

17 **SECRETARY FREY:** Yes. But for a company like South Coast, it may be a
18 bigger issue, but we'll find that out and that'll be part of our discussion.

19 **CHAIRMAN FRANCIS:** All right. Let's go on to Issue Number 8.

20 **MS. BOWMAN:** Exhibit Number 8 is Docket Number U-37210. This is South
21 Louisiana Electric Cooperative's Formula Rate Plan Annual Report 2023 Test Year
22 filing. It's a discussion and possible vote on a Joint Report and Draft Order. On
23 May 14, 2024, SLECA filed its 2023 FRP filing, wherein it reported that its

1 calculated times interest earned ratio fell below the 1.4 to 1.6 bandwidth authorized
2 in its FRP, and therefore an increase in rates was appropriate. Staff reviewed the
3 filing, including a review of the cooperative's application, supporting
4 documentations, and responses to data requests. Staff concurred with SLECA's
5 finding that it's adjusted TIER was -6.33, and that the requested revenue increase
6 should be permitted. Staff and SLECA note that, while the test year results
7 authorize an increase of approximately \$9,184,000515, approximately 5.2 of that
8 in revenues are already being collected through a storm rider approved in
9 Commission Order Number U-36339-A. As such, the effective increase in the '23
10 test year is only approximately \$3.9 million. Staff filed its report on August 7,
11 2024, and on August 21st, SLECA filed correspondence into the record of this
12 matter indicating its acceptance. And a Joint Report and Draft Order was filed into
13 the record on October 4, 2024. Staff recommends that the Commission accept the
14 Joint Report and issue the Draft Order filed into the record on October 4, 2024.

15 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

16 **CHAIRMAN FRANCIS:** Commissioner Greene --

17 **VICE CHAIRMAN LEWIS:** Second.

18 **CHAIRMAN FRANCIS:** -- recommends a motion to accept Staff
19 recommendation, a second by Commissioner Lewis. Is there any discussion? Any
20 objection? [NONE HEARD] Hearing none, it passed.

21 **MS. BOWMAN:** Exhibit Number 9 is Docket Number U-37215. This is Utilities,
22 Inc. of Louisiana's Formula Rate Plan Annual Report for Test Year '23. It's also a
23 discussion and possible vote on a Joint Report and Draft Order. On May 21, 2024,

1 UIL filed its Formula Rate Plan Annual Report, which was published in the
2 Commission's Official Bulletin with no interventions. Pursuant to Commission
3 Order Number U-36003, UIL's FRP allows the company to earn a return on equity
4 ratio bandwidth of 9 to 10 percent, with an ROE midpoint of 9.5 percent. UIL's
5 filing reported an ROE of 8.03 for water and 6.52 for wastewater, which was a
6 blended ROE of 6.93, which would have required a rate increase and would result
7 in an upward adjustment in revenues. Staff conducted a review of UIL's filing and
8 determined that the company's earned ROE for 2023 test year for water was 8.51
9 and wastewater was 6.58, with a blended ROE of 7.1, which is still below UIL's
10 established bandwidth. As UIL's earned ROE fell below the established
11 bandwidth, Staff found that UIL was authorized, in accordance with its FRP, to
12 adjust rates to generate an increase of \$955,154 for water and \$888,420 for
13 wastewater. Staff filed its Report and Recommendation into the record on August
14 30, '24. Upon review, UIL indicated that the company accepted Staff's Report and
15 Recommendation and filed notice of this effect. The parties' agreement, Staff and
16 UIL filed a Joint Report and Draft Order into the record on September 24, 2024.
17 Staff recommends that the Commission accept the Joint Report filed into the record
18 on September 24, 2024.

19 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

20 **CHAIRMAN FRANCIS:** Motion to accept Staff recommendation by
21 Commissioner Greene, seconded by Chair. Is there any discussion or opposition?

22 [NONE HEARD] Hearing none, it's in the books. Number 10.

1 **MS. BOWMAN:** Exhibit Number 10 is Docket Number U-37222. This is
2 Jefferson Davis Electric Cooperative's request for approval of a revenue
3 adjustment, establishment of a formula rate plan, continuation of its storm rider,
4 modifications to its terms and conditions, and associated rate schedules, and for
5 interim rate relief. This is a discussion and possible vote on an interim rate increase
6 pursuant to Rule 57, at the request of the Chair, and this will need two votes. On
7 May 31, 2024, JDEC filed the instant application, indicating its application that its
8 current financial operations are unsustainable, and that a rate increase is necessary
9 to improve the cooperative's negative operating balance, and allow the cooperative
10 to pay operating expenses. JDEC further indicates that its request for interim rate
11 relief is necessary due to the immediacy of the cooperative's needed financial relief.
12 JDEC's proposed interim rate increase is 11.65 percent, and should the interim rate
13 increase be approved, the monthly bill for a typical residential member using 1,000
14 kilowatt hours would increase \$15.07. The cooperative proposes to begin
15 implementing the interim rate, if approved, in the first billing cycle of November
16 2024 and would continue to charge that rate until a final, permanent rate is
17 established. Staff recommends that the Commission exercise its original and
18 primary jurisdiction under Rule 57 to consider JDEC's request. But while Staff
19 makes no formal recommendation regarding the interim rate increase, Staff does
20 note that pursuant to applicable law, any interim increase should be subject to
21 refund and the applicable bonding requirements. If JDEC's request is approved,
22 Staff would recommend JDEC be required to file proof of the applicable bonding
23 requirements; file an updated tariff indicating the interim rate, and its terms, within

1 30 days of the order approving the interim rate; and that JDEC cannot begin
2 charging the interim rate until proof of the applicable bonding requirements and an
3 updated tariff have been provided to and approved by Staff.

4 **COMMISSIONER GREENE:** Motion, Rule 57.

5 **CHAIRMAN FRANCIS:** Moved to take this up under Rule 57 by Commissioner
6 Greene, second by the Chair. And then I move that we approve this Staff
7 recommendation.

8 **COMMISSIONER GREENE:** Second.

9 **CHAIRMAN FRANCIS:** Seconded by Commissioner Greene. I'd like to ask
10 Commissioner Lewis if he has any comments on this?

11 **VICE CHAIRMAN LEWIS:** Yes. Can I have a rep from JDEC, just for a few
12 questions?

13 **CHAIRMAN FRANCIS:** JDEC, come up, please.

14 **SECRETARY FREY:** Just make sure you fill out the cards or sign if you're
15 speaking, if you hadn't already done that, so.

16 **CHAIRMAN FRANCIS:** Speak into the mic real closely and just let us know
17 who's here.

18 **MS. KARA KANTROW:** Good morning, Commissioners. Yeah, I have Mike
19 Heinen with me, the GM and CEO of Jeff Davis, and we have two representatives
20 from our consultants from CFC, Jason Strong and Paul DeChario.

21 **COMMISSIONER SKRMETTA:** You're going to have to speak closer to the
22 microphone, it's not being real cooperative.

1 **MS. KANTROW:** All right. Well, Kara Kantrow on behalf of Jeff Davis. I have
2 with me Mike Heinen, the CEO and GM of Jeff Davis. And we also have our rate
3 consultants with us, Jason Strong and Paul DeChario.

4 **VICE CHAIRMAN LEWIS:** Thank you. And thank you all for being here. I
5 just have a few questions. And so to my understanding, CFC, you conducted this
6 analysis pro bono in an emergency standpoint because of the financial strain of
7 JDEC. Is that a fair analysis of what you did?

8 **MR. JASON STRONG:** I believe that's a fair representation. I'm Jason Strong,
9 I'm the Vice President of Utility Pricing, Policy, and Analytics employed by CFC.
10 As part of CFC's services to our members is a suite of value added services, I head
11 up a team of rate consultants working with the electric cooperative network,
12 provided at no charge to our members, yes.

13 **VICE CHAIRMAN LEWIS:** Thank you. And can you just, at least for me, give
14 a little bit more context of what your analysis showed and why this -- why an
15 interim rate is needed? I'll preface my questions, I am very skeptical of interim
16 rates across the board as a policy matter because I think that's the point of rate
17 cases, is to go and dig into the financial structure. But when these cases are
18 presented, I'm very curious on what is your analysis showcasing that is the
19 reasoning or the justification that you believe we should approve this request today,
20 before we finalize the entire rate case that is before us?

21 **MR. STRONG:** Based on our analysis of the 2023 adjusted test year, Jefferson
22 Davis was, at the end of the test year, sitting at -\$6.4 million in operating margins.
23 Now, you know, proposing interim rates allows Jeff Davis, given their current cash

1 position, to continue to operate and pay their bills while, you know, the larger rate
2 case is ongoing, subject to refund and bonding requirements. But the interim rates
3 would be that initial step to, you know, fulfil their needs to, you know, providing
4 electric service to their membership.

5 **VICE CHAIRMAN LEWIS:** Thank you. Thank you. And a few questions for
6 JDEC's leadership. I mean, this is a pretty high ask. I mean, if we do the more
7 average, which would be 1,250 kWh, I mean, we're talking about around almost
8 \$19. And then looking at your, kind of, average usage for 2023, the average
9 customer was using around almost 1,500 kWh. And so that does give me some
10 pause that this would be a significant increase on your members and your
11 ratepayers. Can you give me any plans that you have to not catch these people off
12 guard with such a massive increase? I mean, a nearly \$20 increase on a utility bill
13 could really make a difference for some people.

14 **MR. MIKE HEINEN:** Yes, sir. We definitely understand that. We're in the
15 position that we are due to the hurricanes that came through, but we're going to be
16 sending individual letters to each member of the co-op, outside of their billing that
17 they get from us. So it'll be individual letters stating what's happening and why
18 it's happening, and it's mostly due to inflation and the concerns of materials and
19 the higher cost of just doing -- of everything. And we're also going to be posting
20 this on social media and putting it in Louisiana Country Magazine that we put out
21 every other month, and trying to get this in front of people before the rate actually
22 goes into effect. But the individual letter to each member will be done before the
23 rate goes into effect.

1 **VICE CHAIRMAN LEWIS:** Thank you. Thank you. And one last question for
2 Staff. Can you tell me where we stand in the procedural schedule on the full rate
3 case application, like what time are we looking at potentially being for a final
4 recommendation or Staff's position?

5 **MS. EVANS:** Lauren Evans on behalf of Staff. The application was filed on May
6 31st and typically it takes us a year to complete rate cases, so I would assume middle
7 of the year next year. We've just begun looking at it.

8 **VICE CHAIRMAN LEWIS:** Okay. Thank you, Mr. Chairman.

9 **CHAIRMAN FRANCIS:** Middle of next year?

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

11 **CHAIRMAN FRANCIS:** Okay. Ms. Kantrow, that sounds about right for your
12 schedule?

13 **MS. KANTROW:** That's correct. Our hearing is set for late February.

14 **CHAIRMAN FRANCIS:** So you're going to wrap things up in February?

15 **MS. KANTROW:** That's just the hearing at the Commission, so I think Ms. Evans
16 is correct in what she said.

17 **CHAIRMAN FRANCIS:** I want to know when's it going to finish, when will it
18 be done? Answer Mr. Lewis' question.

19 **MS. KANTROW:** I think it depends on the Staff's recommendation, which is due
20 out in November, and depending on where Jeff Davis falls with the Staff
21 recommendation, if it's contested or uncontested. Hopefully, if it's uncontested, it
22 can be even shorter.

23 **CHAIRMAN FRANCIS:** I didn't -- what's the date?

1 **MS. KANTROW:** The hearing that is currently set is for the end of February. I
2 believe Staff's recommendation is due sometime in November. So hopefully the
3 parties can work together and we can short-circuit it and get it done quickly. But if
4 not, you know, we have our hearing date set and we'll go with that procedural
5 schedule.

6 **CHAIRMAN FRANCIS:** Did you get an answer on that?

7 **VICE CHAIRMAN LEWIS:** Yes.

8 **CHAIRMAN FRANCIS:** Okay. You're good? I'm like Commissioner Lewis, I
9 don't like interim rates, but this area has been devastated with these hurricanes,
10 that's one of our problems causing this. I think my experience with your
11 communicating with your ratepayers, I know they're very aware of what you're
12 trying to do for them, and so I'm okay with the interim rates and I would support
13 that. Thank y'all for coming out here.

14 **MS. KANTROW:** Thank you.

15 **MR. STRONG:** Thank you.

16 **CHAIRMAN FRANCIS:** So we do have a motion yet?

17 **MS. BOWMAN:** Yes, sir. There was a motion by you and a second by
18 Commissioner Greene to allow the interim rate increase, pursuant to bonding
19 requirements.

20 **CHAIRMAN FRANCIS:** I'm having a hard time understanding you.

21 **MS. BOWMAN:** I'm sorry. Yes, sir. You made a motion, seconded by
22 Commissioner Greene, to allow the interim rate increase, subject to bonding
23 requirements.

1 **CHAIRMAN FRANCIS:** Okay. So is there any other opposition? [NONE
2 HEARD] Hearing none, it's approved, Staff's recommendation. Where we at?
3 We're at 11?

4 **MS. BOWMAN:** Yes, sir. So Exhibit Number 11 is Docket Number U-37341.
5 This is Pointe Coupee Electric Membership Cooperative's application for an
6 increase of base rates, including request for an interim rate relief request for
7 associated tariff modifications, and request to establish a formula rate plan and
8 emergency reserve fund. It is also a discussion and possible vote on an interim rate
9 increase pursuant to Rule 57 of the Commission's Rules of Practice and Procedure,
10 so this will need two votes. On July 30, 2024, Pointe Coupee filed its application,
11 which was published in the Commission's Official Bulletin, with no interventions
12 received. In the current application, Pointe Coupee states that it has an immediate
13 need to increase base rates to position Pointe Coupee to regain compliance with its
14 covenants and its lenders. Pointe Coupee is requesting the authority to immediately
15 implement an interim increase in the amount of 60 percent of the overall requested
16 increase, and it seeks this to mitigate the member impact of the needed rate increase
17 by phasing in the increase through an initial interim millage increase. Pointe
18 Coupee has indicated in their application that should this interim rate increase be
19 approved, the monthly bill for a residential customer using 1,250 kilowatt hours
20 should increase \$13.02. Staff recommends that the Commission exercise its
21 original and primary jurisdiction under Rule 57, and while Staff makes no formal
22 recommendation regarding the interim rate increase, Staff does note that pursuant
23 to the applicable law, any interim increase should be subject to refund and the

1 applicable bonding requirements. And if Pointe Coupee's request is approved,
2 Staff recommends that Pointe Coupee be required to file proof of the applicable
3 bond requirements with the Commission; file an updated tariff with the Utilities
4 Division within 30 days of the order; and that Pointe Coupee cannot begin charging
5 the interim rate increase until proof of the applicable bond requirements and an
6 updated tariff have been provided to and approved by Staff.

7 **COMMISSIONER GREENE:** Motion to accept to accept Staff -- Rule 57.

8 **MS. BOWMAN:** There we go.

9 **CHAIRMAN FRANCIS:** Moved to accept this case under Rule 57 by
10 Commissioner Greene, seconded by Chairman.

11 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

12 **CHAIRMAN FRANCIS:** Motion to accept Staff recommendation by
13 Commissioner Greene, seconded by the Chair. And we'd like to have Myron come
14 up, got some questions for you from Commissioner Lewis. Any kind of help you
15 might have can come along with you.

16 **VICE CHAIRMAN LEWIS:** And, Myron and Jennifer, to make it easier for you,
17 most of my questions are the same that I posed to JDEC, so instead of reading
18 through them, I'll just --

19 **CHAIRMAN FRANCIS:** Y'all go ahead and announce your name, who it is.

20 **MS. JENNIFER VOSBURG:** Jennifer Vosburg, attorney for Pointe Coupee
21 Electric.

22 **MR. MYRON LAMBERT:** Myron Lambert, General Manager for Pointe Coupee
23 Electric.

1 **CHAIRMAN FRANCIS:** Thank you.

2 **VICE CHAIRMAN LEWIS:** Like I said, I have some of the same questions. I
3 mean, I guess we'll start, I mean, this is a significant ask, and I'll start kind of where
4 I ended with JDEC. Can you just explain your process of communication to your
5 members and ratepayers on this interim rate?

6 **MR. LAMBERT:** Commissioner, within compliance of the rate case, we've
7 already advertised our need to increase rates. We'll do the same avenue, we'll
8 advertise, send on a bill, as well as social media. And as I've committed to you,
9 we'll continue to work with ratepayers that request assistance and bill payment
10 plans.

11 **VICE CHAIRMAN LEWIS:** Thank you. Thank you for that, and also thank you
12 for the time we've spent going over. Ms. Vosburg, can you just briefly just kind of
13 explain the financial situation of why an interim rate was requested and the financial
14 situation that Pointe Coupee Electric is facing and why we're kind of going before
15 the procedural schedule here of the rate case?

16 **MS. VOSBURG:** Yes, Commissioner. As we explained in our application, it's no
17 mystery. It is high interest rates, it's inflation, and the timing of when we're now
18 coming in for our rate case, it really kind of made it kind of a prime time for us to
19 be able to pursue the rate case, looking at what's going on with the impact of high
20 interest on short-term loans. What we have seen as, even though we have been
21 under a formula rate plan that has since expired in the last year, and we are seeking
22 to go back underneath a formula rate plan in our application, Pointe Coupee has not
23 been able to meet its covenants of its RUS loans. We have been underneath the

1 bandwidth for the last two years. We are not on track to make it for this year as
2 well. We have been able to work with RUS on that to provide remedial plans.
3 However, on our procedural schedule, we're a little bit behind on the Jeff Davis'
4 procedural schedule. We go to Staff recommendation will come out in January.
5 We are set for our hearing in April. We also will, you know, work to reach a
6 settlement with Staff on this matter so we can accelerate it. But by doing an interim
7 right now, which is -- it's 60 percent of our revenue requirement ask, it would allow
8 us to start really -- it's not going to save us for 2024, but it'll allow us to start
9 building up income for the next few months, and as we move into getting the
10 resolution of the rate case, to put us in a better position to make our covenants for
11 2025. So that is this portion of the request for the interim, is to help us get that
12 revenue coming in right now.

13 **VICE CHAIRMAN LEWIS:** And you do see some further relief coming from
14 your wholesale contract, correct, when that comes online in 2025?

15 **MS. VOSBURG:** Yes, Commissioner. When we looked at the timing of it, the
16 calculation of doing the 60 percent, we looked at it, these are -- we typically are a
17 summer peaker, so we're looking at lower usage months going forward, so the
18 impact would be minimized for our ratepayers and our new wholesale contracts
19 will start in April 1st. So with timing wise, by the time a full rate case would come
20 in, we would see rate relief coming in from the wholesale side.

21 **VICE CHAIRMAN LEWIS:** Great. Thank you. And Ms. Evans probably should
22 thank you because you answered my question that was going to be for her, so I
23 don't have to ask Staff a question because you answered it already. Thank you.

1 **CHAIRMAN FRANCIS:** Okay. We got a motion and a second and discussion.
2 So is there any other discussion or any opposition? [NONE HEARD] Hearing
3 none, looks like y'all been given your interim rate increase. Thank you.
4 **MR. LAMBERT:** Thank you, Commissioners.
5 **CHAIRMAN FRANCIS:** Number 13.
6 **MS. BOWMAN:** Exhibit Number 12 --
7 **CHAIRMAN FRANCIS:** Oh, 12, sorry.
8 **MS. BOWMAN:** Yes, sir. That's okay. Is undocketed. It's a solicitation of
9 United Professionals Company and Stone Pigman Walther Wittmann for
10 continuation of their RTO monitoring services in both MISO and SPP. It's a
11 discussion and possible vote to retain UPC and Stone Pigman. Since 2014, UPC
12 and Stone Pigman have assisted the Commission in monitoring services for MISO
13 and SPP markets and stakeholder proceedings, as well as providing services in
14 numerous litigated matters at FERC and other federal courts. The Commission's
15 General Order dated November 10, 2014 does not require a formal RFP when the
16 consultant or counsel were previously retained to assist the Commission with
17 matters substantially related. UPC and Stone Pigman's services have previously
18 been renewed twice by the Commission to assist Staff with these services.
19 Additionally, the Commission's general order allows for retention of outside
20 services with no total estimated budget in certain circumstances. In response to
21 Staff solicitation, UPC and Stone Pigman submitted a joint proposal, with yearly
22 renewals subsequent thereto at the discretion of the Commission. The joint
23 proposal separates services between: 1) RTO monitoring; 2) RTO-related federal

1 regulatory matters; and 3) Non-RTO-related federal regulatory matters. The
2 current discounted rates will remain through the end of the current term. In all
3 instances, UPC and Stone Pigman's services are subject to Commission approval,
4 and if pre-approval cannot be obtained due to restricted timelines, UPC and Stone
5 Pigman will consult with the Executive Secretary or the Executive Counsel prior to
6 taking any action, which is then subject to ratification at a subsequent B&E. Staff
7 recommends that the Commission extend the retention of UPC and Stone Pigman
8 through December 31, 2030 for the following services: For RTO monitoring
9 services and RTO-related federal regulatory matters at a capped hourly rate of \$255
10 an hour for UPC and a capped hourly rate of \$450 for Stone Pigman; and for non-
11 RTO related federal regulatory matters is a capped hourly rate of 295 for UPC and
12 a capped hourly rate of 475 for Stone Pigman.

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

14 **VICE CHAIRMAN LEWIS:** Second.

15 **CHAIRMAN FRANCIS:** Move to accept Staff recommendation by
16 Commissioner Skrmetta, seconded by Commissioner Lewis. I can give a short
17 testimony, I serve on the Southwest Power Pool RTO with the assistance of Stone
18 and United Professionals. They've done a good job, I wouldn't know what to do
19 without them, it's a very complicated job. It's a team effort. If you see any one
20 person that's doing the whole thing, you better be careful, because they're probably
21 out of their league. So I strongly recommend we approve this. Is there any
22 objection or any other conversations? [NONE HEARD] So I want to just thank

1 y'all for giving us some more money for these people to help us because it's a tough
2 job. So this is approved. Thirteen.

3 **MS. BOWMAN:** Yes, sir. Exhibit Number 13 is reports, resolutions, discussions.
4 As mentioned earlier, the report from correctional institution services is deferred to
5 next month. And then we have a vote ratification. It's a discussion and possible
6 vote to ratify interventions of the Commission in RTO-related or other federal
7 regulatory proceedings. This is also for UPC and Stone Pigman, due to their
8 retention with us and due to the short deadlines allowed for interventions, if
9 advanced Commission approval is not possible, the Executive Secretary, on the
10 recommendation of UPC or Stone Pigman, may authorize the initial interventions,
11 comments, or protests, subject to ratification. Interventions were filed on behalf of
12 the Commission in the following dockets: Docket ER24-2797, ER24-2871, ER24-
13 2825, and ER24-2798. All four of those were doc less interventions and Staff
14 recommends that the Commission ratify those.

15 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation for
16 ratification.

17 **COMMISSIONER GREENE:** Second.

18 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves that we accept Exhibit
19 Number 13 and seconded by Commissioner Greene. Is there any conversation or
20 opposition? [NONE HEARD] Hearing none, Number 13 is in the books.

21 **MS. BOWMAN:** Exhibit Number 14 is FERC Docket Numbers ER18-194 and
22 ER18-195. It's a discussion, possible executive session, to discuss litigation
23 strategy pursuant to Revised Statute 42:16, et seq., and vote regarding treatment of

1 the NOLC ADIT in FERC Docket Numbers ER18-194 and ER18-195. We do not
2 need an executive session. I believe between Stone Pigman, UPC, and myself,
3 we've had conversations with each of you, independently, before today. So if we
4 do not need an executive session, Staff would recommend that the Commission
5 authorize Special Counsel to draft and submit a request for guidance to the IRS,
6 seeking additional guidance regarding the proper method of calculating NOLC
7 ADIT for ratemaking purposes, and to take such other action as may be necessary
8 to address this issue with the IRS and the FERC.

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

10 **VICE CHAIRMAN LEWIS:** Second.

11 **COMMISSIONER GREENE:** Second.

12 **CHAIRMAN FRANCIS:** Commissioner Skrmetta moves that we accept Staff
13 recommendation, seconded by Commissioner Greene and Lewis, so we're all
14 approved there. Moving on.

15 **MS. BOWMAN:** Okay. Moving on. Exhibit 15 is a directive to Staff to
16 investigate the impact of personal generators on jurisdictional gas companies. This
17 is at the request of the Chair. And the directive is: During Hurricane Francine,
18 reports suggested that home standby generator usage led to increased demand for
19 natural gas, and therefore resulted in decreases in gas pressure in some local
20 distribution systems, a number of which may be LPSC-jurisdictional. Louisiana is
21 always at risk of severe weather, and with the rise in use of home standby
22 generators, we can expect this issue will occur again, potentially with greater
23 impacts as more home standby generators are added to the gas systems. I believe

1 it is the Commission's duty to be aware of such events, as they may affect the
2 reliability of service provided by our gas companies. Therefore, I direct Staff to
3 investigate the impact of personal generators on our jurisdictional gas companies,
4 including potentially collaborating with the Louisiana Department of Natural
5 Resources, given our shared regulatory authority. I do not believe a docket needs
6 to be opened at this time. However, if Staff determines that a docket should be
7 opened, I direct them to do so, and to issue RFPs to retain any necessary outside
8 counsel or consultants needed to perform the evaluation.

9 **SECRETARY FREY:** And just to add to this, Mr. Chairman, this is what you
10 mentioned during the South Coast exhibit. This issue was brought up at GOHSEP
11 during Francine, where we heard -- there were stories that made it on social media
12 and in the media, and I know, Commissioner Lewis, I think you asked for comments
13 on it as well, where some municipal systems not regulated by us that may have a
14 older infrastructure, could not withstand the load or the demand that these
15 generators put on the system, and you had pressure drops and service not being able
16 to be provided. So we had started the discussion with our LDCs, and I believe that
17 they're going to have some good data that's going to show what the impact is on
18 their systems, individually, in areas where it's affected, where you see these spikes,
19 is it similar to what we'll see when heaters come on or not. But I think it's important
20 for us to understand this and see now, before we have more, if there's safeguards
21 that need to be put in place. And we've got a good relationship with the Louisiana
22 Department of Energy and Natural Resources and their Pipeline Safety Division,
23 so we're going to meet with them as well. They'll probably have data from the

1 systems we don't regulate, and see if there's anything we need to do. But we're
2 kind of in the fact-finding phase right now, and want to get ahead of this before it
3 becomes a bigger issue.

4 **COMMISSIONER SKRMETTA:** Mr. Chairman.

5 **CHAIRMAN FRANCIS:** Yes, Commissioner Skrmetta?

6 **COMMISSIONER SKRMETTA:** I've been serving on the NARUC's National
7 Gas Infrastructure Task Force for now over a year, and -- well, almost a year, next
8 month. And, you know, we've been looking at sort of the national sort of profile
9 of issues associated with either maintaining, deconstructing, expansion of gas
10 infrastructure and, you know, you're going to see I think with, you know, general
11 concern in our particular area, through the maintenance of expansion of gas
12 infrastructure is going to become a critical factor. The growth of advertised backup
13 generators as well as general purpose of people wanting to have backup generators
14 is going to make for a greater demand. So we're going to have to look at, you
15 know, systems we regulate, obviously, to make sure that capacity's there. I'm not
16 sure if it's any specialized element of, you know, is it certain rate differentials, but
17 I think it's more about working with our gas providers to make sure that they can
18 meet the step up demand questions about putting volume through the pipelines.
19 You know, we've had a meeting with the geniuses in the universe about a week ago
20 about gas supplies for the winter, and storage is full, pipeline storage is full, plenty
21 of gas in the ground that can be out in 30 days, so there's no shortage of natural
22 gas. It's going to be about, you know, determination of how we're going to increase
23 volumetric flow of natural gas through either the existing system or modification

1 of a system to, you know, serve the needs of the public and what the public wants.
2 So I think this is a good opportunity for us to look at this and work with our
3 residential gas suppliers. And also include in that our wholesale gas folks, the
4 TransAmerica or trans -- I forget what the name of the pipeline companies are, but
5 all of our pipeline companies that provide the wholesale gas into the system and
6 work with them on, you know, there are opportunities of full knowledge of
7 preparation of when we know we're going to need, for the most part, more gas.
8 We're going to know that there's going to be increased demand, we know where
9 there's going to be a hurricane three days out. I mean, sometimes we don't and it's
10 like an emergency [INAUDIBLE], but those are manageable. But, you know,
11 working with the wholesalers, working with the retailers, and working with the
12 engineers on design, I think will help us accomplish the goals that are going to be
13 sought out in these things.

14 **SECRETARY FREY:** I agree. And, you know, one thing is simple as, so when
15 you're installing a standby generator at your house, you've got to coordinate that
16 with your electric provider because it's going into the meter, but the gas provider,
17 if you've already got gas service there, I don't know that they're going to have any
18 knowledge, so

19 **COMMISSIONER SKRMETTA:** You've got to get a permit [INAUDIBLE]
20 you know, your local government, and the local government's going to have
21 information on that that they can share.

22 **SECRETARY FREY:** Yes.

1 **COMMISSIONER SKRMETTA:** So there's a lot of information that goes back
2 and forth. And the average home gas service is somewhat limited on the volume it
3 can provide to a gas generator, so sometimes they need bigger lines, and so there's
4 a lot of question marks involved in, you know, in doing installation like that. So I
5 think there's enough information out there, if people share information that can help
6 build out the information that folks are going to need to build better systems for the
7 future. Just get folks sharing information and getting together from government,
8 business, and commercial sellers to where they can work together on this, I think
9 will provide the information necessary because people want to make sure that when
10 they want a generator, they're going to get the gas to run. So thank you.

11 **CHAIRMAN FRANCIS:** Yeah, I think it's a great opportunity for the Public
12 Service Commission to help solve this problem and keep Louisiana -- keep the
13 lights on in Louisiana. So does anyone want to make a motion to adjourn?

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

15 **COMMISSIONER GREENE:** Second.

16 **CHAIRMAN FRANCIS:** Make a motion to adjourn and a second. It's over.

17

18 **(WHEREUPON THE MEETING WAS ADJOURNED).**

19

1 I certify that the foregoing pages 1 through 61 are true and correct to the best
2 of my knowledge of the Open Session of the Business and Executive Meeting
3 held on October 16, 2024 in Buras, Louisiana.

4 *****

5 **Rough Draft prepared by:**

6 Kayla Fiorenza October 28, 2024
7 Kayla Fiorenza, Date
8 Court Reporter

9 Clarisa Findley October 28, 2024
10 Clarisa Findley, Date
11 Court Reporter

12 *****

13 **Proofed by:**

14 Clarisa Findley October 29, 2024
15 Clarisa Findley, Date
16 Court Reporter

17 **Finalized by:**

18 Kayla Fiorenza October 29, 2024
19 Kayla Fiorenza, Date
20 Court Reporter