

**TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS AND EXECUTIVE OPEN SESSION HELD ON SEPTEMBER 21, 2022 IN BATON ROUGE, LOUISIANA. PRESENT WERE: CHAIRMAN LAMBERT BOISSIERE, III, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER ERIC SKRMETTA, COMMISSIONER MIKE FRANCIS, AND COMMISSIONER CRAIG GREENE.**

<b>Exhibit</b>	<b>Docket</b>	<b>Description</b>	<b>Page</b>
<b>1</b>		<b>Announcements</b>	<b>1-5, 7-12</b>
<b>2</b>	<b>T-36354</b>	<b>Louisiana Public Service Commission vs. Oilfield Logistics, LLC</b>	<b>36-37</b>
<b>3</b>	<b>T-36356</b>	<b>Louisiana Public Service Commission vs. K &amp; D Movers, LLC dba Skinny Wimp Moving Company Baton Rouge</b>	<b>37-42</b>
<b>4</b>	<b>T-36467</b>	<b>Louisiana Public Service Commission vs. Uncle Sam's Moving Corps, LLC</b>	<b>40-43</b>
<b>5</b>	<b>I-36503</b>	<b>1803 Electric Cooperative, Inc., ex parte</b>	<b>42-43</b>
<b>6</b>	<b>R-35568</b>	<b>Louisiana Public Service Commission, ex parte</b>	<b>43-45</b>

7	S-36188	Windham Well Service, LLC ex parte	45-48
8	S-36342	AmeriMex Communications Corp. d/b/a SafetyNet Wireless Lifeline-Only, ex parte	48-50
9	S-36343	Northeast Telephone Service15s, Inc.	50-52
10	S-36348	Cleco Power LLC, ex parte	52-56
11	S-36398	REV Broadband, et al	56-58
12	U-29203 U-30981 U-32764 U-35991	Entergy Gulf States, Inc. and Entergy Louisiana, Inc. Entergy Gulf States, L.L.C. and Entergy Louisiana, LLC, ex parte Entergy Gulf States, L.L.C. and Entergy Louisiana, LLC, ex parte Entergy Louisiana, LLC, ex parte	58-60
13	U-35986	Louisiana Public Service Commission, ex parte.	60-62
14	U-35988	Louisiana Public Service Commission, ex parte	62-64
15	U-36017	Louisiana Public Service Commission, ex parte	44-66

16	U-36018	Louisiana Public Service Commission, ex parte	66-68
17	U-36105	Entergy Louisiana, LLC, ex parte.	68-70
18	U-36337	Concordia Electric Cooperative, Inc., ex parte	70-76
19	U-36383	National Water Infrastructure, LLC, ex parte	77
20		1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS business 5) Directives	18-35 86-93
21	U-35544	Louisiana Public Service Commission, ex parte	55-59
22	U-36190	Entergy Louisiana, LLC, ex parte	12-18
23	U-36259	Southwestern Electric Power Company, ex parte	59-61
24	FERC Docket No. EL20-72	Louisiana Public Service Commission, Arkansas Public Service Commission, Council of the City of New Orleans, Louisiana v. System Energy Resources, Inc., Entergy Services, LLC, Entergy Operations, Inc., and Entergy Corporation.	6
25	Undocketed	Directive to jurisdictional electric utilities regarding their current or upcoming Integrated Resource Planning processes.	61-63

1     **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**  
2     **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON SEPTEMBER**  
3     **21, 2022 IN BATON ROUGE, LOUISIANA.     PRESENT WERE:**  
4     **CHAIRMAN LAMBERT BOISSIERE, III, COMMISSIONER FOSTER**  
5     **CAMPBELL, COMMISSIONER ERIC SKRMETTA, COMMISSIONER**  
6     **MIKE FRANCIS, AND COMMISSIONER CRAIG GREENE.**

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7     **CHAIRMAN LAMBERT BOISSIERE:** I'd like to open the meeting with a  
8     prayer from Commissioner Mike Francis and the pledge led by Commissioner  
9     Foster Campbell.

10    **COMMISSIONER MIKE FRANCIS:** And I might take a little privilege,  
11    Chairman. Sometimes people start with the flag first, you know, and the question  
12    becomes is the flag first or is creation first, you know. So I think we had creation  
13    before we had an American flag, that's why we do the prayer first, so, okay. It was  
14    created [INAUDIBLE]. So let's pray.

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

16    **[COMMISSIONER FOSTER CAMPBELL LEADS IN THE PLEDGE]**

17    **CHAIRMAN BOISSIERE:** Brandon Frey.

18    **EXECUTIVE SECRETARY BRANDON FREY:** Good morning,  
19    Commissioners. We have a few announcements that Kathryn's going to make. We  
20    do have one big announcement. Well, I say big announcement, one important that  
21    we're going to save until after. But as we discussed, we're going to go through the  
22    announcements, then we're going to call up the executive session item, go into

1 executive session, come out, and then proceed with the agenda. I think we might  
2 be moving a few items as well.

3 **MS. KATHRYN BOWMAN:** Yeah, good morning, Commissioners. We will  
4 take a couple of items out of order. Exhibit 24 will be first after announcements,  
5 that's the executive session. We then will take up Exhibit 22, and then we will take  
6 up the discussion under Exhibit 20, which is with the Solicitor General, Ms. Murrill,  
7 who is in the audience. And then Staff also has a couple of announcements.  
8 Lauren, you want to take it?

9 **MS. LAUREN EVANS:** Good morning, Commissioners. Lauren Evans on behalf  
10 of Staff. I do have two announcements. The first is the Louisiana chapter of the  
11 Energy Bar Association is going to be hosting a networking event in conjunction  
12 with NARUC in New Orleans on Sunday, November 13<sup>th</sup> from 5:00 to 7:00 at  
13 Phelps Dunbar's New Orleans office in Canal Place. The address is 365 Canal  
14 Street, Suite 2000. All are invited regardless of whether you are an EBA member  
15 or not and the event is sponsored by Phelps and Long Law Firm.

16 **COMMISSIONER ERIC SKRMETTA:** Time again?

17 **MS. EVANS:** The time is 5:00 to 7:00. And then I do have another announcement.  
18 We have some happy news to share. Legal's administrative assistant, Kim O'Brian,  
19 welcomed a beautiful baby girl, Adaline Blake O'Brian, on the 19<sup>th</sup> and mama and  
20 baby are happy and healthy and legal will be trying to get by while Kim is out on  
21 leave, so bear with us.

22 **SECRETARY FREY:** And Commissioner, I have a couple of announcements.  
23 One to piggyback on what Lauren said about trying to get by. I'm going to

1    embarrass her, she doesn't even know it, but this is going to be LaTonya's last  
2    meeting. She's leaving us for a promotion at another agency. She's hiding behind  
3    Robin back there, so we're also going to try to make it until we can get someone  
4    on board. And one other announcement, and I've discussed this with all of you and  
5    I think we brought this up at the last meeting as well, but in light of NARUC being  
6    in New Orleans Sunday through Wednesday, and I don't know the exact dates off  
7    the top of my head, we've discussed moving the meeting to the New Orleans area  
8    either that Thursday or Friday and I think we have a location secured,  
9    Commissioner Skrmetta has, for no charge, so start looking at your calendars for  
10   that Thursday or Friday, with most of us being already in the New Orleans area. I  
11   think it makes sense and it gets us off the Thanksgiving week, which is the week  
12   following when we initially had the meeting scheduled. So just keep that in mind,  
13   let us know what works for you, and we'll get that schedule.

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

15   **MS. BOWMAN:** Mic, Commissioner.

16   **CHAIRMAN BOISSIERE:** Commissioner Campbell.

17   **COMMISSIONER CAMPBELL:** This letter I got from this lady, whose district  
18   is she in, Ms. Mizell?

19   **SECRETARY FREY:** I think District 1.

20   **COMMISSIONER SKRMETTA:** My district.

21   **COMMISSIONER CAMPBELL:** She's not your fan, huh?

22   **COMMISSIONER SKRMETTA:** She's never been my fan, Commissioner, you  
23   know that.

1 **COMMISSIONER CAMPBELL:** No, I don't know that, I don't know but I'm  
2 seeing here.

3 **COMMISSIONER SKRMETTA:** When I ran for reelection, you organized her  
4 to be against me, so.

5 **COMMISSIONER CAMPBELL:** Well, anyway, anyway, she's sort of  
6 criticizing the Public Service Commission, talking about how we hadn't done  
7 anything about rates. I didn't know what she was talking about. We've had lengthy  
8 discussions about rates and I don't think we are -- we spent a whole four or five  
9 hours talking about Entergy. I don't know who this woman is, but she seems like  
10 -- she's a representative, she must be a nice woman, but I'm reading her letter, it's  
11 off a little bit because I know I'm doing everything I can do to try to lower rates,  
12 so she grouped -- pretty much grouped us all in one, bunch of folks. So anyway, I  
13 just -- I got this, you know, she must be running. Is this lady going to run for the  
14 Public Service Commission? This looks like an election --

15 **COMMISSIONER SKRMETTA:** I would think anything is possible.

16 **MS. BOWMAN:** Commissioner, your mic.

17 **CHAIRMAN BOISSIERE:** Okay.

18 **COMMISSIONER SKRMETTA:** We live in a world of possibilities.

19 **CHAIRMAN BOISSIERE:** Okay. Let me get back to the agenda. As I  
20 understand it, we're to take executive session.

21 **MS. BOWMAN:** If we have no more announcements from the Commission.  
22 Commissioner Greene.

1 **CHAIRMAN BOISSIERE:** Do we have more announcements? Please,  
2 Commissioner Greene.

3 **COMMISSIONER CRAIG GREENE:** I just wanted to address, we've got some  
4 people reaching out to us, and Entergy, thank you for the assistance that you gave  
5 to people with their bills. They're getting denied without really understanding why,  
6 so I just wanted to put it on the record, I think I've confirmed from Mark that the  
7 program has run out of money, so if any of your constituents are asking or looking  
8 for that help, I think that's been exhausted to this point. And I just had a little  
9 comment I wanted to read on the hydrogen conservation, if that's okay, if I could  
10 read that now. I've had the pleasure of meeting with the companies and  
11 stakeholders recently about the potential benefits of green hydrogen and hydrogen  
12 hubs. For the Commission's benefit, I've reached out to Dr. David Dismukes  
13 because LSU's doing work researching hydrogen as an alternative fuel source and  
14 I'd like to have Dr. Dismukes and other universities in the state who are researching  
15 the matter, I know ULL is doing some work as well, give a presentation informing  
16 us of where hydrogen is right now and where it can be in the future, as we look at  
17 the best way to diversify our fuel sources. If Staff could work with my office to  
18 make sure this happens, that'd be great.

19 **CHAIRMAN BOISSIERE:** Any further announcements, Commissioners? Okay.  
20 At this time, I would like to --

21 **MS. BOWMAN:** At this time, we'll move on to Exhibit 24 and I need a motion to  
22 go into executive session, please.

23 **SECRETARY FREY:** Well, you need to read.



1 **CHAIRMAN BOISSIERE:** Move by -- yeah, read the in re. Yeah, read the in re.

2 **MS. BOWMAN:** So it's FERC Docket Number EL20-72. It's the Louisiana

3 Public Service Commission, Arkansas Public Service Commission, Council of the

4 City of New Orleans, Louisiana versus System Energy Resources, Inc., Entergy

5 Services, LLC, Energy Operations, Inc., and Energy Corporation. It's a possible

6 executive session to discuss litigation strategy pursuant to Louisiana Revised

7 Statute 42:16, at the request of the chairman.

8 **COMMISSIONER SKRMETTA:** Move to go into executive session.

9 **COMMISSIONER GREENE:** Second.

10 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by

11 Commissioner Greene to go into executive session. Any opposition? [NONE

12 HEARD] Hearing none, so ordered. At this time, I'd like to ask everyone, come

13 on, Mark. Everybody but Mark can leave the room, please. Come on up,

14 Kleehammer. And please give us a chance to have executive session and then we'll

15 call you back in at the end.

16 **[OFF THE RECORD]**

17 **[BACK ON THE RECORD]**

18 **COMMISSIONER SKRMETTA:** Move to come out of executive session.

19 **COMMISSIONER GREENE:** Second.

20 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, seconded by

21 Commissioner Greene to come out of executive session. Any opposition? [NONE

22 HEARD] So ordered. Okay. Let me see. Before we get rolling, I just wanted to

23 jump in before Ms. Bowman got ahold of this docket. Can we get some more chairs

1 or something in here? It's -- we got too many people standing room only here. Is  
2 there anything we can do to --

3 **UNKNOWN SPEAKER:** There are seats available.

4 **MS. BOWMAN:** There are seats available.

5 **CHAIRMAN BOISSIERE:** There's seats available?

6 **SECRETARY FREY:** Some people are just -- they don't like to sit next to some  
7 of these people, I guess.

8 **CHAIRMAN BOISSIERE:** You know what --

9 **SECRETARY FREY:** I don't blame them, but --

10 **CHAIRMAN BOISSIERE:** I don't blame them either.

11 **SECRETARY FREY:** But, you know, but --

12 **CHAIRMAN BOISSIERE:** I don't blame them either. I understand.

13 **COMMISSIONER SKRMETTA:** Before we begin, I would like --

14 **MS. BOWMAN:** Your mic, Commissioner.

15 **SECRETARY FREY:** Oh, your mic.

16 **CHAIRMAN BOISSIERE:** Let me get you, hold on. Go ahead.

17 **COMMISSIONER SKRMETTA:** And I failed to do this during announcements,  
18 but I would like y'all to remember our Commissioner friends and folks in Puerto  
19 Rico who are going through some hurricane damage. They have plenty of money  
20 right now to deal with things, as we know, but the issue is they still suffered issues  
21 and damages. And I've reached out to our Commissioner Representative at  
22 SEARUC. I have not heard back from her, but I understand about 30 percent or

1 more of the island is back restored with power, but I'd like you to keep the folks in  
2 Puerto Rico in your mind. Thank you.

3 **CHAIRMAN BOISSIERE:** Okay. Thank you, Commissioner Skrmetta, because  
4 one of the things I wanted to add, even though went to executive session and took  
5 announcements in advance of that, is that we probably had more announcements  
6 after executive session that we wanted to talk about, so it's not completely closed,  
7 and so that was very appropriate and important to raise the issue of Puerto Rico.  
8 We had our last SEARUC and it is now one of the partners in the regulatory and I  
9 guess colleges of thought and policy makers in this nation, Puerto Rico has risen  
10 and been very active and aggressive, mostly because of hurricanes and storms, but  
11 they're back in now and it's very important that we -- and we understand how  
12 difficult hurricanes and storms and weather events can be to a utility grid, so thank  
13 you, Commissioner Skrmetta. At this point, I also want to turn it back to Brandon  
14 Frey to continue the announcements.

15 **SECRETARY FREY:** And Chairman, I don't know if you want to make the  
16 announcement first and then we'll read the resolution about -- and I'll share some  
17 thoughts, I know you have some thoughts, I have a funny story I'd like to share.

18 **CHAIRMAN BOISSIERE:** Okay.

19 **SECRETARY FREY:** But you go ahead first.

20 **CHAIRMAN BOISSIERE:** All right. Thank you. Well, first of all, one of the  
21 things I wanted to talk about today, and look, I thought about so many different  
22 ways to approach this, I'm just going to say it directly. I want to take a minute, just  
23 a minute, to talk about Stan Perkins. We lost Stan last week. He was a long time

1 employee of my office, the District 3 office, as well as the Baton Rouge  
2 Commission Staff, as an auditor for years, and we can get into that, but Stan was  
3 really important to all of us in District 3, he was important to all of us in Louisiana,  
4 and anyone that worked with him had admiration for him. You know, all due  
5 respect to myself, you know, my entire office, Cesily, Jared, Anthony's moved on  
6 and a few others over the years, but Stan was the glue that held us together and  
7 sometimes I would sit there with problems and issues and just, you know,  
8 sometimes it's hard to figure this stuff out. Sometimes we have difficulty resolving  
9 problems and we're fighting with companies or we're fighting with policy, we're  
10 fighting with law, and we have lobbyists and so many other things moving at us,  
11 and sometimes, in a Commissioner's office, it gets pretty tense, and whenever those  
12 times would happen, and Jared will tell you, I would say, we need to go talk to Stan  
13 about this one and Stan would always either have the best answer or have seen it  
14 before and know exactly what to do. He was always there to give us the calmness  
15 and the experience and the knowledge that the office needed, but more than that,  
16 he was a really good person, always calm and just had a great leadership about him.  
17 He loved his wife, who, if -- I don't know if you've heard this story, his wife passed  
18 one week before he did. Just to give you the end of this story, her funeral was on a  
19 Friday a week ago, and after the funeral, that evening, Stan went home and passed  
20 away. And I'll be honest with you, we had a meeting with the members in our  
21 office and we didn't know how Stan was going to make it without her. I didn't  
22 know how right we were. So I think, ultimately, he passed of a broken heart, I  
23 guess. Someone asked me was it natural causes. I said, well, if a broken heart is a

1 natural cause. I could go on and on, and so I won't. I just want to say that Stan  
2 was extremely valuable to all of us and that he's a great person and a great resource  
3 and a great husband and a great father and I just wanted to take a minute to  
4 recognize a person who has given so much and that he set a great example for all  
5 of us and that he will definitely, definitely be missed. And I'll turn it over to Mr.  
6 Brandon Frey.

7 **SECRETARY FREY:** Thank you, Mr. Chairman. And Kathryn's got a resolution  
8 that she's going to read to you, but I want to share one story, it's one of my favorite  
9 Stan stories. Back when I was a young attorney with the Commission, we were  
10 working on a very contentious case and Stan was my witness and I won't mention  
11 what it was because I don't want to embarrass anyone that was associated with it, I  
12 don't think anyone is in the room right now, but Stan was being deposed as my  
13 witness and I was defending the deposition. And those of y'all that remember Stan,  
14 he did not hear well, but he wore hearing aids, but he would selectively cut his  
15 hearing aids off and make the opposing counsel repeat the questions over and over,  
16 to where he got so frustrated and Stan and I just laughed and laughed at lunch after  
17 and it was one of the best depositions I've ever attended and they got nothing out  
18 of Stan as a result of it, but that's the kind of guy Stan was, great, always smiling,  
19 mentored a ton of us. You know, I've talked to some of the attorneys on the outside  
20 who said they learned about utility regulatory accounting from Stan, so I think his  
21 legacy is present in this room and we have a resolution to that respect.

22 **MS. BOWMAN:** So this is Resolution 1-22. It's a resolution to express  
23 condolences upon the passing of Stanley B. Perkins, Senior and to further express

1 gratitude for his services to the Louisiana Public Service Commission. To express  
2 the condolences of the Commission upon the passing of Commission employee  
3 Stanley B. Perkins, Senior and to further express gratitude for his lifetime of service  
4 to the Commission and the people of the state of Louisiana. Whereas, the members  
5 of the Louisiana Public Service Commission and its Staff were saddened to learn  
6 of the passing of Stanley B. “Stan” Perkins, Senior on September 9<sup>th</sup> of 2022; and  
7 whereas Stan was a graduate of Xavier University in New Orleans; whereas Stan,  
8 prior to his tenure with the Commission, began his public service career serving in  
9 the United States Army; and whereas Stan, on November 23, 1992, was hired by  
10 the Commission as a Staff auditor and ultimately became audit manager director in  
11 1998. He served in that position to his retirement from the Commission on March  
12 15, 2014, leading the Commission’s audit division for 17 years; and whereas Stan,  
13 during his tenure with the audit division represented the Commission in hundreds  
14 of cases and mentored and trained numerous auditors, utility specialists, economists  
15 and attorneys in utility regulation; and whereas Stan, as a speaker and representative  
16 of the Commission, was always smiling and welcoming at numerous conferences  
17 and forums throughout his tenure; and whereas Stan, following his retirement, was  
18 shortly thereafter called to return to public service, rejoining the Commission only  
19 three months later, on June 14, 2014 to serve the people of District 3 as an  
20 enforcement agent, a position he continued to serve until his passing, culminating  
21 in nearly 30 years of public service with the Commission. Now, therefore, be it  
22 resolved that the Louisiana Public Service Commission does hereby express its  
23 deepest sympathies and sincere condolences to the family of Stanley B. “Stan”

1 Perkins, Senior and does hereby offer best wishes, hopes, and prayers for comfort  
2 to those who mourn his passing. Be it further resolved that the Louisiana Public  
3 Service Commission does hereby express its deepest gratitude to the family of Stan  
4 Perkins for the gift and lasting legacy of his service to the Commission and to the  
5 people of the state of Louisiana. Be it further resolved that a suitable copy of this  
6 resolution be transmitted to Mr. Perkins' family.

7 **CHAIRMAN BOISSIERE:** Thank you.

8 **MS. BOWMAN:** So we will now move to Exhibit Number 22, which is Docket  
9 Number U-36190. This is Entergy Louisiana's application for certification and  
10 approval of the 2021 solar portfolio, Rider Geaux Green Option, cost recovery and  
11 related relief. It's a discussion and possible vote on an uncontested stipulated  
12 settlement, at the request of Chairman Boissiere. On November 9, 2021, Entergy  
13 filed its application for approval of the '21 solar portfolio, Geaux Green Option,  
14 cost recovery and related relief. Notice of the application was published in the  
15 Commission's Official Bulletin and The Alliance, LEUG, and Walmart timely  
16 intervened. On November 30, 2021, ALEC filed its petition for late intervention  
17 and the tribunal issued notice giving parties an opportunity to comment with a  
18 deadline and no comments were received during that period. The tribunal therefore  
19 granted ALEC's petition. After discovery and the filing of testimony, Entergy and  
20 Commission Staff filed a joint motion for the scheduling of a hearing of an  
21 uncontested stipulated settlement term sheet on August 29, 2022. The motion was  
22 accompanied by the term sheet and supporting exhibits and testimony. The  
23 settlement term sheet describes the four solar photovoltaic resources with a total

1 nameplate capacity of 475 megawatts that comprise the Entergy 2021 Solar  
2 Portfolio. Three of the selected resources will not be owned by Entergy and are  
3 subject to purchased power agreements, while one will be owned by Entergy and  
4 is subject to a build to own transfer contract. The settlement term sheet also  
5 establishes a series of reporting requirements to allow the Commission to monitor  
6 the construction status of the four resources, to review the final costs prior to setting  
7 any initial rates, and to monitor and revise the rates, subject to the conditions set  
8 forth therein. The settlement term sheet also adopts a new Geaux Green Option  
9 tariff to allow customers to participate in the risk, the costs, the benefits, and the  
10 environmental attributes of the four resources through subscriptions and  
11 subscription fees to cover the costs of the resources offset by the MISO market  
12 revenues. Certain issues in this proceeding will be resolved in a future rate filing,  
13 pursuant to the terms of the settlement term sheet. The uncontested stipulated  
14 settlement resolves all other issues in this docket, as the resources compromising  
15 the 2021 Solar Portfolio serve the public convenience and necessity, are in the  
16 public interest, as modified by the terms in the settlement term sheet. Therefore,  
17 Staff recommends that the Commission accept the uncontested stipulated  
18 settlement filed into the record on August 29, 2022.

19 **CHAIRMAN BOISSIERE:** Are we ready for the motion?

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

21 **CHAIRMAN BOISSIERE:** I have a motion I'll read. I, the Chair, move to  
22 approve the uncontested settlement. I am pleased to finally see Entergy move  
23 forward with these renewable resources. I have been calling for years for our



1 utilities to focus on renewable options and today is a great example of a win-win  
2 for both the environment and customers, as we approve resources that will be  
3 reliably integrated into ELL's portfolio, that provide both environmental and  
4 financial benefits. We are at a point where the cost of utility scale renewables are  
5 competitive supply resources and we need to expedite our transition. This has been  
6 a long time in the making. Too long. These resources are from a 2020 RFP. I  
7 appreciate that Entergy is in the process of seeking renewable resources from '21  
8 and '22 RFPs and I ask Entergy and Staff to explore opportunities to expedite those  
9 requests as quickly as possible. And now I entertain a second.

10 **COMMISSIONER GREENE:** I have a question, but I'll second.

11 **CHAIRMAN BOISSIERE:** Moved by myself, Chair, and second by  
12 Commissioner Greene. Commissioner Greene, your question.

13 **COMMISSIONER GREENE:** Can anyone --

14 **MS. BOWMAN:** Your mic, Commissioner, please.

15 **CHAIRMAN BOISSIERE:** That's me. Go ahead.

16 **COMMISSIONER GREENE:** Can anyone quantify how these are more  
17 economical now than they were during, like, Solyndra and all?

18 **MS. BOWMAN:** Going to look to Ms. Evans, who was Commission Staff and I  
19 guess call Entergy up to the table as well.

20 **COMMISSIONER GREENE:** And do we have a number for the residential  
21 impact of this yet? And my third question is how does the low income portion of  
22 this tariff work and how those benefits flow to the low income?

23 **SECRETARY FREY:** Turn -- hit -- there you go, you got it.

1 **MR. KLEEHAMMER:** Mark Kleehammer and Elizabeth Ingram on behalf of  
2 Entergy Louisiana. I think your first question on quantifying the benefits versus  
3 the Solyndra timeframe, we know that the cost of the panels has come down  
4 dramatically over time. We've always looked at resource planning from, you know,  
5 reliability, affordability, and sustainability. I would say when we go back into the  
6 six, seven, eight, nine timeframe, the sustainability piece was there but not the  
7 affordability piece and, you know, we have, in our application, quantified the net  
8 benefits over time of these resources. I don't recall whether that's HSPM or not,  
9 but that was done when we were looking at gas prices around \$3 or \$4, so the net  
10 benefits are significantly higher at this point, so I think between --

11 **COMMISSIONER GREENE:** Because of the price of gas?

12 **MR. KLEEHAMMER:** Yeah. So when you look at the alternative of where  
13 natural gas pricing is and the drop in the cost of the panels, which are a good 40  
14 percent of the overall cost of the project, somewhere in that range, this is  
15 significantly more economic and has made it into that resource triangle, including  
16 affordability.

17 **COMMISSIONER GREENE:** And then the low income portion.

18 **MS. ELIZABETH INGRAM:** Good morning. So the overall portfolio,  
19 Commissioner, is 475 megawatts that's coupled with this Geaux Green tariff that  
20 we've proposed. Ten out of the 475 megawatts has been allocated to this low  
21 income program and the way it would work is the customers that qualify, you know,  
22 customers that meet qualifications for federal LIHEAP standards are who would  
23 qualify for the program, would pay a lower fee than other residential customers that

1 would participate for their allocation, and the way it was set is as long as prices in  
2 the wholesale market are at least \$30, they would see a net credit on their bill. And  
3 as you know, with gas prices as high as they've been, we've seen prices in the  
4 wholesale market well in excess of that in the last year.

5 **COMMISSIONER GREENE:** Thank you.

6 **CHAIRMAN BOISSIERE:** Any other questions while we have the Entergy  
7 representatives here? Okay. Any -- and I don't know if it was mentioned in the  
8 reading, when do we expect this to be online?

9 **MS. INGRAM:** There's four resources in the portfolio. The first one currently is  
10 expected in early 2024 and the rest over the next several months or year thereafter,  
11 so they range between 2024 and 2025 for one of them.

12 **CHAIRMAN BOISSIERE:** Okay. Great. Well at least we know we're on our  
13 way.

14 **MS. INGRAM:** Yes.

15 **CHAIRMAN BOISSIERE:** Big step. Anyone else?

16 **COMMISSIONER FRANCIS:** When will the first project be done, you say  
17 2024?

18 **MS. INGRAM:** Early 2024 is the current projection for the first one.

19 **COMMISSIONER FRANCIS:** Just give me a brief explanation of what that  
20 project would be.

21 **MS. INGRAM:** That first project?

22 **COMMISSIONER FRANCIS:** Yeah.

1 **MS. INGRAM:** That project, actually, I think is in your district, Commissioner,  
2 it's the one in Allen Parish.

3 **COMMISSIONER FRANCIS:** Yes, okay.

4 **MS. INGRAM:** It's a 125 megawatt facility and it is expected in early 2024 to be  
5 operational currently.

6 **COMMISSIONER FRANCIS:** And where is it located in Allen parish? Is it  
7 Oakdale or Oberlin?

8 **MS. INGRAM:** So I promise it's not named for me, it's the Village of Elizabeth  
9 in Allen Parish.

10 **COMMISSIONER FRANCIS:** Okay. Yeah.

11 **MS. INGRAM:** So it's referred to as the Elizabeth --

12 **COMMISSIONER FRANCIS:** I know where it is, big county, Elizabeth, yeah.

13 **CHAIRMAN BOISSIERE:** That's what they call it now.

14 **COMMISSIONER FRANCIS:** Got a lot of friends up there. That's a good area.

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

16 **COMMISSIONER FRANCIS:** Great. Thank you.

17 **CHAIRMAN BOISSIERE:** Commissioner Greene.

18 **COMMISSIONER GREENE:** The ratepayer impact?

19 **CHAIRMAN BOISSIERE:** Ratepayer impact.

20 **MR. KLEEHAMMER:** Yeah, so remember we have revenue requirements  
21 declined on the built to own transfer likely, you know, off an increase on PPAs.  
22 Fully subscribed, I think it was 7 cents. Seven cents fully subscribed to the non-  
23 participating customers on their base portion of their bill, but there are offsets.

1 **COMMISSIONER FRANCIS:** So that means no price increase, correct?

2 **MR. KLEEHAMMER:** Not really perceptible, yeah, very small.

3 **MS. BOWMAN:** Okay. So we have a motion by the Chair and a second by  
4 Greene. Is there any opposition? [NONE HEARD] All right. Hearing none, we  
5 are -- last item we are taking out of order is Exhibit Number 20, which is the reports,  
6 resolutions, discussions. Under discussions, there is a discussion with Louisiana  
7 Solicitor General regarding FERC Docket Number PL21-3, consideration of  
8 greenhouse gas emissions in natural gas infrastructure project reviews. And I'm  
9 going to ask Ms. Murrill to come up. Before I hand the floor over to Ms. Murrill,  
10 I just want to state for the record that the Commission is not taking any action today  
11 regarding this docket and further, the Commission will not be engaging in any  
12 discussion that would be considered litigation strategy, therefore we -- does not  
13 need to do an executive session. And Ms. Murrill, please just identify yourself for  
14 the record.

15 **MS. LIZ MURRILL:** Thank you. I'm Liz Murrill and I'm the Solicitor General  
16 in the Attorney General's Office. Mr. Chairman and members of the Commission,  
17 thank you for giving me some of your time this morning to talk to you a little bit  
18 about the policies that FERC has been promoting for comment. Louisiana citizens,  
19 as you know and as you deal with every day, are facing unprecedented economic  
20 challenges, from finding baby formula to buying groceries to paying for fuel at the  
21 pump. All of these worries weigh on our citizens every day. We need to do  
22 everything that we can to help and in our office, we look for ways to help in the  
23 ways that we can, which frequently involve litigation or regulatory involvement, in

1 this particular matter involving the FERC. Instead of helping our citizens recover,  
2 the federal government instead has launched a massive attack on the fossil fuel  
3 industry. We don't think you should have to choose between food and fuel, and we  
4 are not opposed, I'm not, Jeff's not, no one's opposed to an all of the above  
5 approach. So we're not here to cast any kind of aspersions on any type of mix or  
6 movement or transitioning policies, those are good. Louisiana's always been  
7 uniquely positioned to help with transitioning because we have enormous assets in  
8 natural gas. Louisiana counts for 10 percent of the total marketed natural gas  
9 production in the entire United States and 8 percent of the nation's natural gas  
10 reserves. An all of the above approach to serving our nation's energy demands is  
11 a good thing and Louisiana's economic outlook, because of where we stand, should  
12 be strong. But an all of the above energy mix is not the approach that this  
13 administration is taking. Instead, it has a massive assault on the fossil fuel industry,  
14 so instead of economic growth and strength, what we face is job loss, land loss,  
15 revenue loss, and economic decline due to the administration's misguided war on  
16 fossil fuels. Electric everything is the solution this administration has embraced,  
17 even though the grid is not ready. Many American consumers already face  
18 reliability issues. These issues will not go away because these policies serve only  
19 to make us more dependent on foreign power producers and diminish domestic  
20 investments and national -- and diminish national energy independence. Power  
21 shortages loom large. I know you deal with this problem every day that in your  
22 jobs as Commissioners, and this is before the government mandates electric  
23 appliances and electric cars. The news is full of stories that next summer, the heat

1 wave is expected to cause brownouts and blackouts throughout the nation. Running  
2 a power grid is complicated business, but the FERC means to make it worse through  
3 its recent proposed policies on greenhouse gas emissions and its efforts to  
4 fundamentally restructure the electric grid by executive fiat. It's constant repetition  
5 in the recent transmission planning rule, 116 times the FERC uses the phrase  
6 "resource mix" in a thinly disguised effort to place more renewables into the energy  
7 base without any actual authority to restructure that base. They're taking your  
8 authority in order to do that, and we're conscious of losing state authority that has  
9 been placed in the hands of this Commission by the citizens of Louisiana, through  
10 the Constitution, and the laws of this state. That's part of what I do, that's the kind  
11 of thing that I guard against when I engage on these policies. Wind and solar are  
12 fine sources of supplemental energy, but they're not without their own issues and  
13 they are not capable of providing us with stable, reliable energy sufficient to meet  
14 the demands of this nation. We've seen the result of ill-advised mandates in  
15 California with power shortages and major price spikes. FERC would impose the  
16 burdens of these risks on our state and on state ratepayers who did not choose them  
17 and instead chose more stable energy sources. The net effect of FERC's misguided  
18 gamble is to destabilize local electricity markets. This is a bad idea with the  
19 capacity to wreak real damage. At the Louisiana Department of Justice, we're  
20 fighting every day to protect individual liberty and also to preserve our  
21 independence from this kind of federal overreach. We have fought these misguided  
22 policies at every turn. I specifically have launched a number of lawsuits. We  
23 recently were successful in helping to push the only oil and gas lease sale that we

1 think will occur and has occurred so far under this administration, and we have filed  
2 comment letters at FERC, as I know that you have. We have comment letters that  
3 we -- and we filed an intervention on the GHG Rule. That, along with a massive  
4 input of interventions from industry and states, resulted in FERC pulling back those  
5 policies and submitting them to notice and comment, which is what they should  
6 have done all along. And so now they're being subjected to notice and comment.  
7 I don't think it will change the vote at FERC and I think those policies will continue  
8 to move forward. They might tweak some things but they're not going to tweak  
9 what matters to us most, which is the attempt to kill the fossil fuel industry through  
10 their authority to evaluate certificates of public need on a pipeline application. The  
11 other rule that they've adopted, that they've put out for comment, and I believe  
12 you're subject to submitting comments on this rule, as we have, is the transmission  
13 planning rule. And that rule, again, is one that inherently attacks your authority. It  
14 requires us to take into consideration and determine whether our ratemaking  
15 approvals are consistent with the laws of other states and mostly those that would  
16 be adjacent to us. Now, nobody knows what "consistent with" means. What FERC  
17 has done in that rule is essentially create a very, very subjective mechanism by  
18 which they want to restructure the grid. They want to take the power to FERC so  
19 that they can restructure the grid by determining whether or not the resource mix is  
20 appropriate. We think that that is a huge problem. The United States Supreme  
21 Court recently issued an opinion called West Virginia versus EPA, and in that  
22 opinion, they gave a lot more direction and explanation of what the Court considers  
23 when it evaluates something called the major questions doctrine. Whether



1 Congress has actually given authority to an agency to adopt a regulatory scheme  
2 that has major economic and social consequences for the country. So EPA's clean  
3 power plan efforts to do that were stopped by that opinion, but now what we see is  
4 a transfer of that effort to FERC. And so what I'm here to urge you to do and to  
5 invite you to do is simply to join with us in our office to protect your authority and  
6 to protect the citizens and the consumers of our state from the federal overreach  
7 that is doing nothing but damage to our people and our economy. So I thank you  
8 for your time. I'm happy to answer any questions that you have about either of  
9 those -- any of these policies and I am in touch with your Staff on these issues  
10 regularly.

11 **CHAIRMAN BOISSIERE:** Great. Thank you for the presentation and at this  
12 time, I think we have a question from Commissioner Skrmetta.

13 **COMMISSIONER SKRMETTA:** Yeah, I'd just like to share some data with  
14 you, really, and some information on two things. One of which, and I'm sure you're  
15 already aware of, is in the Inflation Reduction Act, as a follow up to West Virginia  
16 versus EPA, the Congress took the opportunity to modify the Clear Act by tagging  
17 on an element to define carbon dioxide as a pollutant, which it had not been done  
18 and did not have authority to do pre-West Virginia versus EPA and questionably  
19 still has done through an add-on into the Inflation Reduction Act. But, you know,  
20 as I'm serve at the NARUC on the board of directors and I serve on their  
21 Washington Action Committee and we, you know, get reports from our staff in  
22 Washington and one of the things we received was the following. Aand that is as  
23 part of a must pass continuing resolution that's coming on a stop gap funding,

1 legislation to avert the government shut-down, the Senate will be considering  
2 legislation addressing federal energy infrastructure permitting reform drafted by  
3 Senator Manchin. The intent of the legislation is to speed up and streamline the  
4 federal permitting process for energy infrastructure, particularly electric  
5 transmission, natural gas pipelines, storage, renewable energy production projects,  
6 but however, the legislation also includes a section which completely pre-empts  
7 what is left of electric transmission siting by states. Now, since 2005, with the  
8 passage of the Energy Policy Act, Congress has been preempting state authority,  
9 slowly but surely, and regarding -- with regard to siting transmission projects. Last  
10 year, in 2021, the Infrastructure Investment and Job Acts eliminated backstop  
11 authority and siting in the EPA Act and then replaced it with a regime that allows  
12 the FERC to overrule a state, should that state disapprove a transmission project in  
13 the national interest corridor. In the proposal currently being offered by Senator  
14 Manchin, that if the FERC and the Secretary of Energy determine that any project  
15 is in the national interest, the state where it will be located will no longer have  
16 jurisdiction to review and rule on the project. The provision will, in essence, finish  
17 what the federal government began in 2005 and place electric transmission squarely  
18 in the FERC jurisdiction whenever and wherever and the Secretary -- the FERC  
19 and the Secretary choose. You could see the concerns about this in not just on  
20 transmission but that the FERC also has determinate of authority over pipeline  
21 issues, but where this really comes into play, and for your understanding a little bit  
22 more of what we do, when we approve transmission projects, we tend to keep our  
23 returns on equity below 10, really below 9, 8.5 percent, where the FERC tends to

1 be above 12 percent on transmission projects, and they have this little known  
2 mechanism called double leveraging of equity where they allow earnings on debt  
3 and that creates a mechanism to where they're earning closer to 40 and 45 percent  
4 returns on large projects and MISO, which I don't know if you're familiar with, but  
5 MISO recently did an approval of \$13.5 billion in the first tranche of a new  
6 transmission projects to build out to the stranded renewable energy in the upper  
7 Midwest. The next tranche will be next year and I think it's going to be about \$14  
8 billion and then there's going to be another one that's going to be about another  
9 \$14 billion or so next the following year. About \$45 billion in transmission that  
10 none of the states, if this passes in the CR, are going to have any authority over.  
11 It's going to mean increased costs to ratepayers throughout those states as they --  
12 because the taxpayers of the United States paid for through the mechanism provided  
13 under tax law paid for the wind units, but the ratepayers are going to pay for these  
14 transmission lines. And so now the cost of these transmission lines by this shift in  
15 regulatory control are going to be higher than they would if they would be  
16 controlled by the states, significantly higher. And those costs are now the volume  
17 of transmission is going to grow significantly in order to reach stranded assets of  
18 renewable energy that are in the Midwest and upper Midwest and other places in  
19 their efforts to bring renewable energy from the western states to the eastern states  
20 to supply more effort. But that, to me, is a significant economic impact on the  
21 population of the United States that is unwarranted under protection of individual  
22 rights in the country. And so I wanted to make sure that these numbers that  
23 sometimes can escape because, you know, look, we swim in a small pond, but --

1 and not everybody wants to swim in it because it stinks. But it's good for you to  
2 know about it and it's good for you to go back and speak to the Attorney General  
3 about it and understand that drastic economic differential, because when that starts  
4 coming, it's going to come through all the utilities in here are going to start saying,  
5 well, my transmission costs have gone up, we need rate increases or we need  
6 increases through our formula rate plan to match these soon to be swelling  
7 transmission costs that the federal government is going to start telling us what we  
8 have to pay. So just wanted to make sure you were aware of these particular issues.

9 **MS. MURRILL:** Yes, sir. And I would -- just to kind of make things worse, I  
10 will tell you that, you know, one of the lawsuits that we filed early in this -- when  
11 this administration took over in Washington was a suit involving something called  
12 the social cost of carbon. And the social cost of carbon is an economic metric by  
13 which a bunch of environmental economists, essentially, have come up with a way  
14 to monetize the cost of carbon over a 300 year trajectory, and it is a one way ratchet.  
15 It doesn't take into account anything positive that we've done, it accounts only for  
16 damage, and so it is an economic damage modeling mechanism that the president  
17 has put into an executive order and directed every agency and state government to  
18 use in all decision making, including regulatory rulemaking and permitting  
19 decisions, and so we see it coming through everything. It's, you know, we describe  
20 it like poison gas because you have to -- to chase it, it's like playing whack-a-mole.  
21 You have to go find everywhere they're using it, but they've been told to use it  
22 everywhere, so it's popping up everywhere and it's popping up in the GHG Policy  
23 A lot of the comment letters that were submitted on the GHG Policy to FERC,

1 which by the way, that policy, FERC is purporting to require a pipeline and to your  
2 -- I mean, to your point, I mean I know this deals with natural gas pipelines, but if  
3 they take over everything transmission lines, this all ties into NEPA, to NEPA and  
4 environmental impact analyses that have to be conducted and now FERC is going  
5 to require it for its application process that any applicant identify with regard in this  
6 particular instance on pipelines, you have to evaluate all upstream, everything,  
7 upstream, downstream, throughout the entire process and you've got to figure out  
8 what the impact is and then they are going to apply the social cost of carbons in  
9 there. These numbers are ginormous. Like you cannot even -- they are designed  
10 to kill projects, not to make them happen, and they are so subjective that they can  
11 take these policies, so to your point, we are opposed to federalizing all of this. I  
12 mean, it sounds -- I think that's a misguided effort to deal with some of the impasse  
13 that's been created due to the misapplication and the expansion of NEPA. Some  
14 states are blocking pipeline projects that are coming through their states and they've  
15 created impasse and the solution has been to go to Senator Manchin, who seems to  
16 be the only senator in Washington, D.C. who can -- who they've gone to to try and  
17 get his vote one way or the other, and what we are ending up with is a loss of our  
18 sovereignty, not a gain from it, so I think that's a net loss for us and we are going  
19 to fight those policies. Again, I'm happy to work with you on that and continue to  
20 get more input and information from you.

21 **COMMISSIONER SKRMETTA:** [INAUDIBLE] where we do tariffs on  
22 pipelines, it's a potential shift on pipelines and, you know, since this shift under the  
23 -- this seat -- well, since they have shifted and created CO2 as a pollutant under the

1 Inflation Reduction Act, that potentially opens up a much broader door of potential  
2 federal regulatory --

3 **MS. MURRILL:** Huge.

4 **COMMISSIONER SKRMETTA:** -- on a lot more than just power plants. In  
5 fact, we've all been in here polluting.

6 **MS. MURRILL:** We've all been polluting. We're breathing.

7 **COMMISSIONER SKRMETTA:** Right. So it's an issue that I think is requires,  
8 you know, a much more sensitive element about where we interact with the  
9 Attorney General's Office.

10 **MS. MURRILL:** Right.

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

12 **MS. MURRILL:** Thank you kindly.

13 **CHAIRMAN BOISSIERE:** Commissioner Skrmetta, hold on one second.  
14 Commissioner Campbell, did you have any questions?

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

16 **COMMISSIONER CAMPBELL:** Come over here.

17 **MS. BOWMAN:** All right.

18 **CHAIRMAN BOISSIERE:** Ms. Bowman?

19 **COMMISSIONER CAMPBELL:** Yeah.

20 **CHAIRMAN BOISSIERE:** Are we missing Mr. Frey?

21 **COMMISSIONER CAMPBELL:** Let me ask you something. You work for the  
22 Attorney General?

23 **MS. MURRILL:** Yes, sir.

1 **COMMISSIONER CAMPBELL:** And he is -- this is a suit he's filed?

2 **MS. MURRILL:** We have three lawsuits pending. One's on the social cost of  
3 carbon, one was one the leasing moratorium, one is on the lease 257 --

4 **COMMISSIONER CAMPBELL:** What moratorium is he -- what is it?

5 **MS. MURRILL:** That's the ban -- that was the ban on leasing on the outer  
6 continental shelf and on federal land.

7 **COMMISSIONER CAMPBELL:** Okay. What else is he -- I know he's in a lot  
8 of lawsuits, I read about him all the time, suing this and suing that. So who else is  
9 he suing, what else?

10 **MS. MURRILL:** So the social cost of carbon lawsuit is a lawsuit against the  
11 federal government challenging the use of these numbers --

12 **COMMISSIONER CAMPBELL:** That this administration --

13 **MS. MURRILL:** -- without complying with the Administrative Procedures Act,  
14 and we also think it's a major questions doctrine issue.

15 **COMMISSIONER CAMPBELL:** Oh, okay. This administration he's suing,  
16 right?

17 **MS. MURRILL:** The state, through the Attorney General's Office, is suing the  
18 federal government, and in that particular instance, because it involves almost every  
19 agency who is a part or a part of the internal working group created by the president,  
20 the line of defendants.

21 **COMMISSIONER CAMPBELL:** How many lawsuits does he have against the  
22 federal government?

23 **MS. MURRILL:** By my last count, we have about 30.

1 **COMMISSIONER CAMPBELL:** Thirty lawsuits against the federal  
2 government. He's not too happy with the federal government, huh?

3 **MS. MURRILL:** We are generally trying to protect our state from the loss of  
4 [INAUDIBLE].

5 **COMMISSIONER CAMPBELL:** Thirty lawsuits against the federal  
6 government? Ranging from what to what?

7 **MS. MURRILL:** Hmm?

8 **COMMISSIONER CAMPBELL:** Ranging from what to what? He's in all kinds  
9 of school issues and he's straightening out the state; is that thirty lawsuits?

10 **MS. MURRILL:** Some of those lawsuits we are partner -- in every one of those  
11 lawsuits, we're partnering with a large number of other states. Some of those  
12 lawsuits would say involve immigration policy, they involve education policy, they  
13 involve energy policy. We have at least five that relate to energy policy. We have  
14 one that relates to 401 rules. Most all of these lawsuits right now involve the  
15 question of whether the government has the authority to impose these policies  
16 through agencies without the direction of Congress or whether they have complied  
17 with the Administrative Procedures Act properly to take into account notice and  
18 comment to the states when they affect us either through our sovereign powers or  
19 major grant programs like Title IX or Medicaid, where we are facing the loss of  
20 significant amounts of federal dollars based on their change in policy without  
21 providing notice to comment.

22 **COMMISSIONER CAMPBELL:** You wasn't in favor of expanding Medicaid,  
23 now you're worried about losing dollars?



1 **MS. MURRILL:** Commissioner Campbell, I mean, I -- no, I mean --

2 **COMMISSIONER CAMPBELL:** Let me ask you something. I want to ask you

3 something, it's what I've noticed. Are you in conjunction in any lawsuits with

4 somebody that's not a republican, any governor or do you have any lawsuits with

5 any other state that doesn't think just like you think or close? I mean, I'm -- I know

6 your boss, he's a nice fellow, I'm not saying -- in all due respect, he's very much a

7 republican against the government. I got it. And he shows that daily with all 30

8 lawsuits, might be a record. Do you have any states that join you that don't have a

9 republican governor?

10 **MS. MURRILL:** I think some of the energy cases that we have are bipartisan. We

11 have some because of -- especially the leasing moratorium case because it affected

12 so much money that states depended on.

13 **COMMISSIONER CAMPBELL:** Like one -- give me a state that's joined you

14 that's bipartisan?

15 **MS. MURRILL:** Commissioner Campbell, I have to go back and look at the list

16 of states in every suit, but I believe, based on my recollection that a couple of the

17 energy lawsuits specifically involving the leasing moratorium.

18 **COMMISSIONER CAMPBELL:** I appreciate you coming today. I'm skeptical

19 of people -- I'm skeptical of the attorney general having 30 lawsuits against the

20 government. It reminds me of the time we had 30 lawsuits against people that

21 didn't want to integrate. For a little history reference, you might need to hear this.

22 In the legislature, Jimmy Davis was governor and they passed a bill every ten

1 minutes and the attorney general knocked -- I mean, the Supreme Court knocked it  
2 out. They passed three in one day. So I'm just -- it looks like this man is --

3 **MS. MURRILL:** Well, Commissioner, my only comment would be we've  
4 obtained injunctions in virtually every one of them so -- that we -- we've been able  
5 to -- in fact, we got another one today on the attempt to impose a vaccine mandate  
6 on head start teachers and masking of two year olds. So these issues are not -- you  
7 know, I understand how you view them and I appreciate your point of view. That's  
8 fair of you, you are entitled to your point of view. We are protecting the state's  
9 ability to engage and notice and comment on these issues. And we may not win in  
10 the end on the policy, but we should have the opportunity to be able to engage in  
11 the process, and that's what our system was built to accommodate. And when they  
12 adopt these policies without giving us an opportunity for notice and comment,  
13 which is what FERC did with the initial GHG policies, then they are violating the  
14 law. And we should be able to go out there and fight for our right to participate in  
15 this discussion.

16 **COMMISSIONER CAMPBELL:** I hear you.

17 **MS. MURRILL:** So that's what we're doing.

18 **COMMISSIONER CAMPBELL:** I got your speech. It's just other -- what  
19 you're not saying is, there's two sides to every story. This is your side, and you  
20 ought to have the right. I give you the right. But I say, you know, I just -- I'm not  
21 -- I don't know enough about this for this and just to go along with the attorney  
22 general because he wants to sue somebody else or whatever.

1 **MS. BOWMAN:** And we're not asking for the Commission to take any action  
2 today. The only thing Ms. -- I asked Ms. Murrill to come and explain the AG's  
3 position because it's a lawsuit -- excuse me, it's not a lawsuit -- the FERC policy is  
4 something that we are also heavily involved in. And so that's all this is.

5 **COMMISSIONER CAMPBELL:** Well, I know that.

6 **MS. BOWMAN:** The Commission is not taking any action today on joining or not  
7 joining or supporting or not supporting the AG's position on this.

8 **COMMISSIONER CAMPBELL:** Yeah, okay. Good deal. If we were, I would  
9 not vote for it.

10 **CHAIRMAN BOISSIERE:** Let me double check, Commissioner Campbell --

11 **COMMISSIONER FRANCIS:** [INAUDIBLE] over here, okay.

12 **CHAIRMAN BOISSIERE:** Commissioner Campbell, you complete your  
13 statement? I'm going to give him a second, Mike.

14 **COMMISSIONER FRANCIS:** Okay.

15 **CHAIRMAN BOISSIERE:** Commissioner Campbell, any further comments?

16 **COMMISSIONER CAMPBELL:** No, no, no. Thank you for coming. You did  
17 a good job.

18 **CHAIRMAN BOISSIERE:** Okay. All right. I have a question by Commissioner  
19 Francis.

20 **COMMISSIONER FRANCIS:** Okay. The other side of the story, ma'am. Do  
21 you believe the attorney general in these lawsuits in pursuit of the federal  
22 government is supporting the majority of what Louisiana citizens expect for the  
23 attorney general? Would you say yes to that?

1 **MS. MURRILL:** I would say yes to that.

2 **COMMISSIONER FRANCIS:** Okay. Thank you. I believe that's the right  
3 answer for most of the voting public in Louisiana. Thank you for those 30 lawsuits.  
4 We may need a couple more. Okay. Thank you.

5 **MS. MURRILL:** Thank you.

6 **CHAIRMAN BOISSIERE:** Thank you. Wait. Wait. I have a -- I want to  
7 conclude if you don't mind. I was conducting a meeting otherwise. First of all, I  
8 want to thank you for coming by and giving us your position on this. And again,  
9 it's a case I want to know more about. I think that's why Ms. Bowman was asked  
10 to come up here, but I'd like to know more about the case and know more about  
11 what's going on. But overall, I have to admit, it seems very political, but legally  
12 substantive questions need to be answered. But I completely think that something  
13 has to be done either at the state level, federal level, or everywhere in between to  
14 protect, not only our environment, and to diversify our fuel mix. As a state  
15 regulator, not a federal employee of any type, I have fought and fought and fought  
16 from my first day at this Commission to diversify our fuel mix with not only use of  
17 natural gas and fossil fuels but to ask everyone in this room who has anything to do  
18 with energy at any level to find ways to bring in solar, to find ways to bring in wind,  
19 to find ways -- we even have hydro in this state. And to find more ways for us to  
20 evolve and diversify because I think every portfolio needs diversification. And in  
21 doing so, not only do we protect the energy of our customer base and the residents  
22 and the businesses of Louisiana, we're less likely to the swings of the market which  
23 goes to the price and expenses. At the same time, I don't think that's a political

1 stand, that's a Louisiana economic regulatory stand. And as you heard earlier,  
2 Entergy's bringing in more solar and even in my comments, I expressed how long  
3 I've fought for this day that we can do these things. I'm not going to into the merits  
4 of your particular case, obviously, but the fact is that I am supportive of more  
5 diversified fuel mix outside of natural gas but I do recognize the people of  
6 Louisiana -- but at the same time, we're here to also bring leadership as well. I  
7 thank you and I thank Ms. Bowman for your comments, and what we'll do is at the  
8 appropriate time, I think our Commissioners, myself and the Commissioners will  
9 have a more in depth discussion about the merits of your case and maybe at the  
10 October or November executive sessions. And I ask that Kathryn be our point  
11 person to work with the attorney general's office to decide whatever we determine  
12 to do. I will side with Commissioner Campbell and say at this point, I'm less likely,  
13 just to tip the scales a little bit, but we will have, I'm sure a very, very, very lively  
14 discussion about it going forward.

15 **MS. MURRILL:** And Mr. Chairman, I'll just say that there -- that with these  
16 policies right now at FERC, there's no pending lawsuit yet. That's peculiar to just  
17 the --

18 **CHAIRMAN BOISSIERE:** Yes.

19 **MS. MURRILL:** -- procedures at FERC and it takes a while for these things to  
20 percolate. FERC has time to evaluate. They can take policies back. They did that  
21 with the GHG policy, they retracted it, and then they submitted it for notice and  
22 comment. And then there was a time period for interventions and just like here, for

1 litigating, so it's a longer runway before this would actually result in litigation and  
2 they might modify their position.

3 **CHAIRMAN BOISSIERE:** Of course.

4 **MS. MURRILL:** That's why we engage early and we want to let them know what  
5 we want to protect. And we may not have -- they don't have to take the same  
6 position through our office and your office. We want to make sure that we're  
7 together protecting your ability to regulate, and I don't -- we won't dictate how you  
8 vote on any matter. We do want to protect your right to do it.

9 **CHAIRMAN BOISSIERE:** Once again, I completely understand that. As I said,  
10 I didn't want to get too much into the merits of the case at this point in time. But I  
11 recognize that it has an authority component to it as well. And that will be carefully  
12 discussed as well as any political ramifications, any thoughts, feelings, or leanings  
13 we may have will all come out in executive session but not in a public forum, but I  
14 thank you very much for your comments. Thank you for coming here and giving  
15 us an opportunity to consider this case -- or consider this action.

16 **MS. MURRILL:** Thank you for having me.

17 **CHAIRMAN BOISSIERE:** Thank you so much. Wait. Are there any further  
18 questions? Thank you very much.

19 **MS. MURRILL:** Okay. Thank you.

20 **COMMISSIONER SKRMETTA:** Next on the agenda.

21 **SECRETARY FREY:** I'll say it, Exhibit 2. I can start reading it.

22 **COMMISSIONER SKRMETTA:** There you go. Go ahead.

1     **SECRETARY FREY:** I'll read the in re. I hadn't done that in a while. Exhibit  
2     2, Docket T-36354, LPSC versus Louisiana Oilfield Logistics, LLC. In re: Alleged  
3     violation of the revised statutes for failure to pay the state proper fees for the years  
4     2018, '19, and '20 for the inspection, control, and supervision of its business service  
5     and rates authorized in Common Carrier Certificate Numbers 8193 and 8194  
6     pursuant to the General Order dated November 22, 2011.

7     **MS. BOWMAN:** This is a discussion and possible vote pursuant to Rule 57 on a  
8     affidavit and stipulation executed by the carrier. So this will need two votes. As a  
9     result of a routine review of the Louisiana Department of Revenue inspection and  
10    supervision fee logs by Audit Staff, a citation was issued to Louisiana Oilfield  
11    Logistics on May 12, 2022 based on the aforementioned allegations and violations.  
12    In response to the citation, the owner of Louisiana Oilfield Logistics executed an  
13    affidavit and stipulation on behalf of the company admitting to all violations alleged  
14    in the citation in this docket. In the affidavit and stipulation, the carrier agreed to  
15    the imposition of a \$1,000 fine with \$500 being suspended contingent on the  
16    following conditions: That the carrier not violate Revised Statute 45:1177 as  
17    amended for three years, that they pay all outstanding inspection and supervision  
18    fees for the years 2018, '19, '20, '21, and Quarters 1 and 2 of 2022 to the Louisiana  
19    Department of Revenue and copies showing proof of said payments to the  
20    Commission no later than August 31, 2022; and failure to comply with any of the  
21    above will result in the \$500 suspended portion of the fine be due immediately.  
22    Staff recommends that: 1) The Commission exercise its original and primary  
23    jurisdiction under Rule 57 to consider the affidavit and stipulation; and 2) Accept

1 the affidavit and stipulation executed on August 2, 2022 for fines and fees totaling  
2 \$525.

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

5 **COMMISSIONER GREENE:** Second.

6 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
7 Commissioner Greene to bring the item up under Rule 57. Any objection? [NONE  
8 HEARD] Hearing none, so ordered. Next.

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

10 **COMMISSIONER GREENE:** Second.

11 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
12 Commissioner Greene to accept Staff recommendation. Any opposition? [NONE  
13 HEARD] Hearing none, so ordered.

14 **MS. BOWMAN:** Moving on to Exhibit Number 3, it's Docket Number T-36356.  
15 This is the Commission versus K & D Movers, LLC doing business as Skinny  
16 Wimp Moving Company Baton Rouge. It's alleged violation of Revised Statutes  
17 Title 45:1177 and 1179 for failure to pay to the state proper fees for the years 2019  
18 and 2020 for the inspection, control, and supervision of its business service and  
19 rates authorized in Common Carrier Certificate Number 8236 pursuant to General  
20 Order dated November 22, 2011. It's a discussion and possible vote on  
21 recommendation of the Administrative Law Judge. The Staff issued a citation to K  
22 & D Movers doing business as Skinny Wimp Moving Company Baton Rouge  
23 directing K & D to appear at a hearing. The citation was docketed as a instant



1 proceeding which was noticed in the Commission's Official Bulletin and a hearing  
2 was convened on July 7, 2022. Staff appeared and presented evidence in support  
3 of the allegations. The carrier did not appear and present a defense. In the citation  
4 and at the hearing, Staff alleged that K & D failed to file its quarterly ISF fee reports  
5 and pay the properly calculated ISF fees for '19 -- 2019 and 2020. Staff requested  
6 that K & D be found guilty for failing to pay the properly calculated ISF fees for  
7 '19 and '20; that it be required to pay the properly calculated ISF fees and file its  
8 ISF reports for said years with the Department of Revenue and file proof with the  
9 Commission of doing so; and that it be fined \$1,000 and required to pay a \$25  
10 citation fee, with fine and fee paid in certified funds. In support of its allegations,  
11 Staff presented the testimonies of Auditor David Anding and Transportation  
12 Administrator, Tammy Burl. Mr. Anding and Ms. Burl both described the audit  
13 process in which they determined K & D failed to pay properly calculated ISF fees  
14 for the years and the steps they took to make K & D aware of the Commission's  
15 audit conclusions and the Commission's ultimate issuance of the citation as well as  
16 the outcome -- as well as the outcome that Staff sought in the matter. Louisiana  
17 Revised Statute 45:1177 requires that each Commission-regulated motor carrier  
18 pay to the state, through the Department of Revenue, ISF fees which are to be paid  
19 quarterly and are measured by the carrier's gross receipts derived from activities  
20 that are subject to control and jurisdiction of the Commission. Revised Statute  
21 45:1177 provides that the annual reports filed with the Commission shall be used  
22 to determine the amount of gross revenues upon which the fee is to be computed.  
23 K & D filed sworn annual reports for calendar years 2019 and 2020, however, did

1 not file quarterly ISF fee reports with the Department of Revenue for either years  
2 and did not pay fees based upon these sworn annual reports filed with the  
3 Commission in accordance with law. K & D was provided notice of the audit  
4 findings and the hearing in this matter, but as of the date of the hearing was not in  
5 compliance and did not appear at the hearing and present any defense. Based on  
6 the testimony and documents admitted into the evidence of the -- at the hearing, the  
7 ALJ recommends that: 1) K & D Movers dba Skinny Wimp Moving Company  
8 Baton Rouge be found guilty of violating Revised Statute 45:1177 by failing to file  
9 quarterly ISF fee reports and pay the properly calculated quarterly ISF fees to the  
10 state for calendar years 2019 and 2020; that the carrier is required to file its  
11 delinquent ISF fee reports and pay the properly calculated ISF fees for years 2019  
12 and 2020 with the Department of Revenue within 60 days of the date of issuance  
13 of this order, and submit proof of same to the Commission within 10 days of  
14 submitting the reports and payments to the Department of Revenue; that, pursuant  
15 to the Commission's General Order dated November 22, 2011 and Revised Statute  
16 45:171(C), a fine of \$1,000 is hereby imposed upon K & D Movers and that this  
17 amount must be paid to the Commission in certified funds within 60 days of the  
18 date of issuance of this order; and 4) That, pursuant to the Commission's General  
19 Order dated June 7, 2006, a citation fee of \$25 is hereby imposed upon K & D and  
20 that this amount must be paid to the Commission in certified funds within 60 days  
21 of the date of issuance of this order. And we will entertain a motion and a second.  
22 **COMMISSIONER SKRMETTA:** Move to approve and adopt the  
23 recommendation of the Administrative Law Judge.

1 **COMMISSIONER GREENE:** Second.

2 **CHAIRMAN BOISSIERE:** Commissioner Francis.

3 **COMMISSIONER FRANCIS:** Tammy Burl.

4 **MS. BOWMAN:** Your -- I think -- can you turn his mic on, please?

5 **CHAIRMAN BOISSIERE:** Oh, I'm sorry. Go right ahead, Commissioner.

6 **COMMISSIONER FRANCIS:** Tammy, no show by Skinny Wimp?

7 **MS. TAMMY BURL:** No, sir. They did not appear at the hearing.

8 **COMMISSIONER FRANCIS:** Skinny Wimp didn't show up. Okay. All right.

9 Thank you. Just wondering.

10 **CHAIRMAN BOISSIERE:** We have a motion by Commissioner Skrmetta, a  
11 second by Commissioner Greene to accept Staff's recommendation. Any  
12 opposition? [NONE HEARD] Hearing none, so ordered. Next item, please.

13 **MS. BOWMAN:** Exhibit Number 4 is Docket Number T-36467. This is the  
14 Commission versus Uncle Sam's Moving Corps regarding an alleged violation of  
15 Revised Statute 45:161 through 180.1, by engaging in activities related to moving  
16 household goods prior to complying with the requirements of 45:164(E) and  
17 General Order dated March 16, 2021 for failure to comply with the requirements of  
18 General Order dated April 3, 2008 as amended. It's a discussion and possible vote  
19 pursuant to Rule 57 on an affidavit and stipulation executed by the carrier, so this  
20 will need two votes. As a result of an investigation in response to a complaint  
21 submitted to the Commission, a citation was issued to Uncle Sam's Moving Corps  
22 on July 1, 2022 based on the aforementioned allegations and violations. In response  
23 to the citation, the president of Uncle Sam's executed an affidavit and stipulation

1 on behalf of the company admitting to all violations alleged in the citation. In the  
2 affidavit and stipulation, the carrier agreed to the following: An imposition of a  
3 \$2,000 fine with \$1,000 being suspended contingent upon not being found guilty,  
4 entering a plea of guilty, or entering a plea of no contest to any of the rules and  
5 regulations of the Commission for a period of one year from the date of this  
6 executed affidavit and stipulation and with the \$1,000 together with \$25 citation  
7 fee to be paid by certified funds no later than August 31, 2022; Uncle Sam's file an  
8 application with the Commission and obtain a certificate of authority to transport  
9 household goods no later than September 30, 2022; provide the notarized affidavit  
10 and stipulation to the Transportation Staff by August 31<sup>st</sup>; and failure to comply  
11 with any of the above requirements would result in the \$1,000 suspended portion  
12 of the fine becoming immediately due. Staff recommends that the Commission: 1)  
13 Exercise its original and primary jurisdiction under Rule 57 to consider the affidavit  
14 and stipulation; and 2) Accept the affidavit and stipulation executed on August 25,  
15 2022 for fines and fees totaling \$1,025.

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

17 **COMMISSIONER GREENE:** Second.

18 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
19 Commissioner Greene to take the item under Rule 57. Any opposition? [NONE  
20 HEARD] Hearing none, so ordered.

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

22 **COMMISSIONER GREENE:** Second.

1 **CHAIRMAN BOISSIERE:** Once again, moved by Commissioner Skrmetta,  
2 second by Commissioner Greene to accept the Staff recommendation. Any  
3 opposition?

4 **COMMISSIONER FRANCIS:** Have a question.

5 **CHAIRMAN BOISSIERE:** Question, Commissioner Francis.

6 **COMMISSIONER FRANCIS:** Another question for Tammy. We suspended a  
7 1,000 of the 2,000. Why did we do that?

8 **MS. BURL:** Part of us suspending the fine is when the carriers do come forward  
9 and try to work with the Commission. We suspend it in the hopes that the terms  
10 will be met.

11 **COMMISSIONER FRANCIS:** Okay.

12 **MS. BURL:** It's kind of an incentive for them to meet the terms of the stipulation.

13 **COMMISSIONER FRANCIS:** So kind of your experience and background --  
14 you've been doing this quite a while, haven't you?

15 **MS. BURL:** Yes, sir, 20 plus years.

16 **COMMISSIONER FRANCIS:** Not your first time, okay. All right. So, good.  
17 Thank you.

18 **MS. BURL:** You're welcome.

19 **CHAIRMAN BOISSIERE:** Also, I want to thank Staff for working on this one  
20 and making the right decision on that one. We've already concluded it. All right.  
21 Let's move on to the next one.

22 **MS. BOWMAN:** Exhibit Number 5 is Docket Number I-36503. This is 1803  
23 Electric Cooperative's 2022 request to initiate the Integrated Resource Planning

1 process pursuant to the General Order (Corrected) dated April 18, 2012. It's a  
2 discussion and possible vote to retain an outside consultant. Staff issued an RFP  
3 seeking the assistance of a consultant and two bids were received. The first is from  
4 Mitsubishi Electric Power Products for 48,800 in fees and 2,500 in expenses for a  
5 total budget not to exceed of 51,300. And the second is from United Professionals  
6 Company of 69,000 in fees and 1,000 in expenses for a total budget not to exceed  
7 of 70,000. Staff makes no recommendation as both bidders are qualified.

8 **COMMISSIONER GREENE:** Motion to accept Mitsubishi Power.

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

10 **CHAIRMAN BOISSIERE:** Moved by Commissioner Greene and second by  
11 Commissioner Foster Campbell to accept Mitsubishi. Any opposition? [NONE  
12 HEARD] Hearing none, so ordered.

13 **COMMISSIONER CAMPBELL:** You used to do me like they did in the Senate,  
14 Senator Foster. I said whoa, whoa, whoa, hold on. I'm Senator Campbell. Senator  
15 Foster has no hair, I got a lot of hair. He's rich and I'm poor [INAUDIBLE].

16 **MS. BOWMAN:** Exhibit Number 6 is Docket Number R-35568. This is the  
17 Commission's analysis of viability and potential development of rate schedules for  
18 inclusion of 5G cellular telephone and broadband equipment onto existing  
19 infrastructure of all electrical distribution poles. This is a discussion and possible  
20 vote on a budget increase for McQ Group due to an expansion of scope. At the July  
21 15, 2022 -- excuse me -- 2020 Business and Executive Session, the McQ Group  
22 was retained to assist the Commission with the previously referenced docket. At  
23 the June 2022 B&E, the Commission issued a directive to expand the scope of the

1 docket to include investigating and proposing solutions, issues discovered during  
2 this docket that were previously contemplated, including potential modifications to  
3 the Commission's General Order dated September 4, 2014 regarding pole  
4 attachments. And based on this scope expansion, Staff requested an additional  
5 budget from the McQ Group. Based on that request, the following proposed  
6 additional budget was provided: 96,500 in fees and 1,850 in expenses for a total  
7 additional budget for \$98,350. Based on the scope expansion, Staff recommends  
8 the Commission approve the additional budget for McQ Group in the amount of  
9 96,500 in fees and 1,850 in expenses for a total budget not to exceed of \$98,350.  
10 And we will entertain a motion.

11 **COMMISSIONER FRANCIS:** You got a motion.

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

13 **COMMISSIONER SKRMETTA:** Second.

14 **MS. BOWMAN:** Motion by Commissioner Francis --

15 **CHAIRMAN BOISSIERE:** All right. I -- I got it. I'm just, you know -- moved  
16 by Commissioner Francis. I think it was seconded by Commissioner Skrmetta and  
17 to accept, what is it, Staff recommendation?

18 **COMMISSIONER SKRMETTA:** Yes.

19 **CHAIRMAN BOISSIERE:** Any opposition? [NONE HEARD] Any questions?

20 **COMMISSIONER CAMPBELL:** Yeah, I got a question.

21 **MS. BOWMAN:** Use your mic, please, Commissioner.

22 **CHAIRMAN BOISSIERE:** I got it.

23 **COMMISSIONER CAMPBELL:** Is Mr. DeMint still involved?

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

2 **COMMISSIONER CAMPBELL:** Thank you.

3 **CHAIRMAN BOISSIERE:** Any further questions or opposition? [NONE  
4 HEARD] Hearing none, so ordered. Next item, please.

5 **MS. BOWMAN:** Exhibit Number 7 is Docket Number S-36188. It's Windham  
6 Well Service. It's an application to increase tariff rates for Common Carrier  
7 Certificate Number 7242. It's a discussion and possible vote pursuant to Rule 57  
8 on an uncontested stipulated settlement, so this will need two votes. On November  
9 8, 2021, Windham Well Service filed an application with the Commission  
10 requesting authorization to increase its tariff rates pursuant to Commission General  
11 Order dated October 2, 2012. Notice of the application was published in the  
12 Commission's Official Bulletin with no interventions received. Following  
13 discovery on Windham Well's application, Commission Staff filed its report and  
14 recommendation on July 25, 2022. Subsequently, Windham Well and Commission  
15 Staff reached an agreement and executed an uncontested stipulated settlement  
16 which was filed into the record on September 7, 2022. The major terms of the  
17 settlement are as follows: Windham Well is authorized an increase in revenue by  
18 approximately \$34,500 in order to earn a Operating Margin Ratio of 21.14 percent;  
19 the recommended rate increase and language will be applied at \$95 per hour for the  
20 hauling of saltwater waste when classified as "01" on the UIC-28 Manifest;  
21 Windham Well is ordered to file into the record of this proceeding a new or revised  
22 tariff reflecting the Commission's action; and any newly approved rates charged to  
23 the customers prior to satisfying the above stated conditions shall be considered a



1 direct violation. Staff recommends that the Commission: 1) Exercise its original  
2 and primary jurisdiction under Rule 57 to consider the uncontested stipulated  
3 settlement; and 2) Accept the uncontested stipulated settlement filed into the record  
4 on September 7, 2022. So we will entertain a motion and a second.

5 **COMMISSIONER SKRMETTA:** Vice Chairman.

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

7 **MS. BOWMAN:** Yes, sir. Use your mic, please.

8 **COMMISSIONER CAMPBELL:** What?

9 **MS. BOWMAN:** Use your mic.

10 **COMMISSIONER SKRMETTA:** Got to hit the switch.

11 **COMMISSIONER CAMPBELL:** Where are these people located?

12 **MS. BOWMAN:** I'm going to ask Ms. Burl or Ms. Starks if they know where  
13 they're located at.

14 **MS. TANIKA STARKS:** Tanika Starks on behalf of Staff. Commissioner, I'm  
15 not sure where exactly they are. I know it's in northern Louisiana though.

16 **COMMISSIONER CAMPBELL:** They're not in Louisiana?

17 **MS. STARKS:** Northern Louisiana.

18 **COMMISSIONER FRANCIS:** In your area.

19 **COMMISSIONER CAMPBELL:** What is the rate -- going rate? Is this about  
20 what the going rate is for these people hauling saltwater and stuff now, about \$95?

21 **MS. STARKS:** I'm not sure of that answer, Commissioner, but I can get that to  
22 you as soon as I can.

1 **COMMISSIONER CAMPBELL:** Not that -- not that it's any big deal, but I  
2 hadn't heard from these folks, so I don't -- you say they're in my area?

3 **COMMISSIONER FRANCIS:** Yeah, it's north Louisiana.

4 **MS. STARKS:** They are -- they are very --

5 **SECRETARY FREY:** Actually, I was looking at the stip. It looks like Jena.

6 **MS. BOWMAN:** It looks like it's actually in your area, Commissioner Francis.

7 **SECRETARY FREY:** They're in Jena.

8 **COMMISSIONER CAMPBELL:** Jena?

9 **SECRETARY FREY:** Jena.

10 **COMMISSIONER CAMPBELL:** That's in your area. I've never heard from  
11 them. Not that that's a big deal, but I'd like to know what the rate is. Is it about --  
12 they want to make it 21 percent, you know, on their net return, but I can understand  
13 that. But I just -- I had just -- I hadn't heard from them, that's all I'm saying. I  
14 hadn't heard from them.

15 **COMMISSIONER FRANCIS:** I think I'm guilty. It's in my area. I should have  
16 known, but I've never heard of them either, you know. They haven't contacted me  
17 or anything. The Staff has -- Staff has checked them out and you're okay? Sounds  
18 okay [INAUDIBLE].

19 **MS. STARKS:** Yes, Commissioner. They are a easy going company. They  
20 worked really well with us and we kept them updated the whole process.

21 **COMMISSIONER FRANCIS:** And where are they from, again, Jena?

22 **MS. STARKS:** Jena. Yes, sir.

23 **COMMISSIONER SKRMETTA:** Where were you born, Commissioner?

1 **COMMISSIONER FRANCIS:** Good Jena people.

2 **COMMISSIONER SKRMETTA:** Okay.

3 **COMMISSIONER FRANCIS:** Okay. Jena. I hope the rest of the Commission  
4 would support the Jena folks. It sounds like the Staff's okay with it. The  
5 Chairman's back so he's back in charge.

6 **CHAIRMAN BOISSIERE:** Yes, yes, sir. Go right ahead.

7 **COMMISSIONER FRANCIS:** All right. Well, we got a motion for 57. I'll make  
8 a motion for 57.

9 **CHAIRMAN BOISSIERE:** All right. So we have 57. Was it moved by  
10 Commissioner Francis? And who did our second?

11 **COMMISSIONER SKRMETTA:** Second.

12 **CHAIRMAN BOISSIERE:** Commissioner Skrmetta second. So we're in 57?  
13 Any opposition? [NONE HEARD] Okay. We moved to 57.

14 **COMMISSIONER FRANCIS:** I move to approve the Staff's recommendation.

15 **COMMISSIONER SKRMETTA:** Second. Yeah, second.

16 **CHAIRMAN BOISSIERE:** Once again, moved by Commissioner Francis,  
17 second by Commissioner Skrmetta. Any opposition? [NONE HEARD] Hearing  
18 none, so ordered. Next item.

19 **MS. BOWMAN:** Exhibit Number 8 is Docket Number S-36342. It's AmeriMex  
20 Communications Corp. d/b/a SafetyNet Wireless Lifeline-Only. It's a petition for  
21 designation as a Lifeline-Only Eligible Telecommunications Carrier within  
22 Louisiana. It's a discussion and possible vote on a 2<sup>nd</sup> Amended Staff Report and  
23 Recommendation. On April 27, 2022, AmeriMex Communication d/b/a SafetyNet

1 Wireless Lifeline-Only filed a petition seeking designation as an ETC pursuant to  
2 Section 214(e) of the Communications Act of 1934, as amended; 47 C.F.R. Part 54;  
3 and Louisiana Public Service Commission’s General Order Number R-27841 dated  
4 May 20, 2004. The application seeks designation solely to provide Lifeline services  
5 to qualifying Louisiana consumers. Notice of the application was published in the  
6 Commission’s Bulletin with no interventions or protests. SafetyNet is a Georgia  
7 corporation which has been authorized to operate as a commercial mobile radio  
8 services within Louisiana and is currently designated as an ETC in nine other states.  
9 Pursuant to Section 214(e) of the Act, State commissions are given the authority to  
10 designate as ETCs those common carriers that meet certain federal service  
11 requirements and whose designation would be consistent with the public interest,  
12 convenience, and necessity. Consistent with its authority under federal law, the  
13 Commission issued its ETC General Order, which created a list of public interest  
14 criteria to be applied on a case-specific basis to all requests for ETC designations  
15 in areas served by rural telephone carriers. The company plans to offer all of the  
16 supported services required by the Act through resale of another carrier’s services.  
17 The company has provided Staff with a copy of the FCC’s approval of a compliance  
18 plan, and the company certifies that it has met the requirements for conditional  
19 forbearance from the facilities requirement as evidenced by the FCC-approved  
20 Compliance plan. The company also adequately addressed all of the public interest  
21 factors enumerated in the Commission’s ETC General Order. On August 31, 2022,  
22 Staff filed its 2<sup>nd</sup> Amended Staff Report and Recommendation into the record and  
23 in that report found that the company had demonstrated, consistent with the

1 requirements of the Act, applicable FCC regulations, and the ETC General Order,  
2 that it will make available to its customers universal service offerings that provide  
3 all of the services supported by the federal universal service program and that it  
4 will appropriately advertise the availability of those services. Therein, Staff also  
5 found that the designation of the company as an ETC in the designated services  
6 areas for the purpose of receiving Lifeline support is in the public interest.  
7 Therefore, Staff recommends that the Commission accept the 2nd Amended Staff  
8 Report and Recommendation filed into the record on August 31, 2022, granting the  
9 company's petition to be designated as an ETC in the designated service areas for  
10 the limited purpose of obtaining low-income Lifeline support, subject to the  
11 conditions contained in the Staff's amended report and recommendation.

12 **CHAIRMAN BOISSIERE:** Gentlemen.

13 **COMMISSIONER GREENE:** Move to accept Staff's recommendation.

14 **CHAIRMAN BOISSIERE:** Moved by Commissioner Greene. Second by  
15 Commissioner Campbell. Any opposition? [NONE HEARD] Hearing none, so  
16 ordered. Next.

17 **MS. BOWMAN:** Exhibit Number 9 is Docket Number S-36343. This is Northeast  
18 Telephone Services' petition for designation as a Lifeline-Only Eligible  
19 Telecommunications Carrier within Louisiana. It's a discussion and possible vote  
20 on Staff report and recommendation. On April 26, 2022, Northeast Telephone  
21 Services filed a petition seeking designation as an ETC pursuant to Section 214(e)  
22 of the Communications Act of 1934, as amended; 47 C.F.R. Part 54; and the  
23 Commission's ETC General Order. The application seeks the designation solely to

1 provide Lifeline services to qualifying Louisiana consumers, and notice of the  
2 application was published in the Commission's Official Bulletin with no  
3 interventions filed. NTS was formed in 1986 as a wholly owned subsidiary of  
4 Northeast Louisiana Telephone Company, which has been a rural Incumbent Local  
5 Exchange Carrier since 1946. Currently, NTC operates a Competitive Local  
6 Exchange Carrier and internet service provider. Pursuant to Section 214(e) of the  
7 Act, State commissions are given authority to designate as ETCs those common  
8 carriers that meet certain federal service requirements and whose designation would  
9 be consistent with the public interest, convenience, and necessity and consistent  
10 with the federal authority. The Commission issued its ETC General Order, which  
11 created a list of public interest criteria to be applied on a case-specific basis to all  
12 requests for ETC designations in areas served by the rural telephone carriers. On  
13 August 24, 2022, Staff filed its report and recommendation on the company's  
14 petition into the record wherein Staff found that the company demonstrated its  
15 compliance with requirements of the Act, applicable FCC regulations, and the ETC  
16 General Order. This -- Staff also found that the designation of the company as an  
17 ETC in the designated services areas for the purpose of receiving Lifeline support  
18 is in the public interest. Staff recommends that the Commission accept the Staff  
19 Report and Recommendation filed into the record on August 24, 2022, and grant  
20 the company's petition to be designated as an ETC in the designated service areas  
21 for the limited purpose of obtaining low-income Lifeline support, subject to the  
22 conditions contained in Staff's report and recommendation.

23 **COMMISSIONER GREENE:** Motion to accept Staff report.

1 **CHAIRMAN BOISSIERE:** Hold on.

2 **COMMISSIONER CAMPBELL:** Churchwell.

3 **CHAIRMAN BOISSIERE:** Can I get Mr. Churchwell to come up, please?

4 Representative of the company -- yes.

5 **MR. JEFF CHURCHWELL:** I can come up there.

6 **SECRETARY FREY:** Yeah. This is Northeast Electric.

7 **CHAIRMAN BOISSIERE:** This is a different one. Different Northeast. He's

8 not representing -- Mr. Churchwell's -- is someone representing this --

9 **COMMISSIONER CAMPBELL:** I was a little ahead of myself but I'm thinking

10 about you.

11 **MR. CHURCHWELL:** We're the other internet provider, Commissioner.

12 **COMMISSIONER CAMPBELL:** I've got you on my mind.

13 **MR. CHURCHWELL:** Thank you, Commissioner. I appreciate it. You're

14 always on mine.

15 **COMMISSIONER CAMPBELL:** Well, you wouldn't be happy.

16 **CHAIRMAN BOISSIERE:** Did you want someone else to come up? All right.

17 So do we have a motion, Commission?

18 **COMMISSIONER FRANCIS:** Motion for --

19 **CHAIRMAN BOISSIERE:** Moved by Commissioner Francis -- moved by

20 Commissioner Campbell. Second by Commissioner Greene. Any opposition?

21 [NONE HEARD] Hearing none, so ordered. Next one, please.

22 **MS. BOWMAN:** Exhibit Number 10 is Docket Number S-36348. This is Cleco

23 Power's application for renewal of Cleco Power's blanket financing authorization,

1 approved by the Commission in Order Number S-34866. This is a discussion and  
2 possible vote on Staff's report and recommendation. On April 29, 2022, Cleco  
3 Power filed its application seeking renewal of its current four-year blanket  
4 financing authorization set to expire on December 31, 2022. The application was  
5 published in the Commission's Official Bulletin and no interventions were filed.  
6 The Commission retained J. Kennedy and Associates at its June 22, 2022 Business  
7 and Executive Session to assist the Commission Staff with determining whether the  
8 blanket financing authorization should be extended, and if so, with the approval  
9 process for each applicable debt issues authorization request over the period of the  
10 blanket financed authorization. Cleco's application seeks to extend the company's  
11 blanket financing authorization through the end of 2026, and reiterates that the  
12 program has now worked well from the standpoint of all parties for a period of  
13 nearly 16 years. The application states that the procedures authorized by the 2010  
14 Blanket Financing Order, the 2014 Order, and the 2018 Order have operated as  
15 designed, allowing Cleco to respond timely to changes in the capital markets, while  
16 ensuring extensive and active LPSC Staff oversight and review of Cleco Power's  
17 proposed financing transactions. Cleco's application to extend the program  
18 requests blanket financing authorization for an amount not to exceed of \$640  
19 million. This amount includes specifically identified projected financing needs,  
20 together with a contingency of approximately 10 percent for less forecasted needs.  
21 Cleco's application also seeks authorization from the Commission to increase the  
22 amount of its revolving credit facility by \$100 million up to \$400 million under the  
23 blanket financing authorization procedures. In its review, Staff found that the



1 current blanket financing authorization has operated as intended. There were six  
2 requests for financing authority filed by the Commission -- excuse me -- filed by  
3 the company subject to the 2018 authorization. And in all cases, Cleco provided  
4 the necessary documents in order for Staff to review the requests completely and  
5 timely. As such, Staff issued letters of non-opposition related to those requests. No  
6 problems with the operation of the blanket authority were noted by Staff or the  
7 company in the investigation of the company's request in this proceeding. On  
8 August 31, 2022, Staff filed its report and recommendation concluding that  
9 authorization should be renewed. Staff reviewed the stipulated terms in effect  
10 under the current blanket authority and found that the same terms, with only a few  
11 minor modifications, should be carried forward to regulate the operation of the  
12 current blanket authority. Staff also found that the requested increase of Cleco's  
13 revolving credit facility is reasonable due to the increased level of recent storm  
14 restoration costs, current and expected inflationary pressures, and the fact that the  
15 maximum amount has not been increased since 2010. Therefore, Staff recommends  
16 that Cleco's blanket financing authority for long-term and short-term financings be  
17 renewed for an additional four-year term through December 31, 2026, subject to  
18 the terms filed in Staff's report and recommendation on August 31, 2022.

19 **CHAIRMAN BOISSIERE:** Okay. First of all, does anyone have any questions  
20 on this one before we call the roll?

21 **COMMISSIONER FRANCIS:** I got a question.

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

23 **COMMISSIONER FRANCIS:** Who on the staff --

1 **MS. BOWMAN:** Can you turn his mic on, please?

2 **CHAIRMAN BOISSIERE:** It's on. It's on.

3 **COMMISSIONER FRANCIS:** Kennedy work with the Staff on this?

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

5 **COMMISSIONER FRANCIS:** And who do we have on Staff that worked?

6 **MS. BOWMAN:** Ms. Evans.

7 **COMMISSIONER FRANCIS:** Oh, good, Lauren. Okay. Good for you. Looks  
8 like it's been 12 years since they had an extension on their money, right, their line  
9 of credit?

10 **MS. LAUREN EVANS:** So we've actually been -- sorry. Lauren Evans on behalf  
11 of Staff. We've actually been extending it every four years since about 2010, but  
12 it's been working very well for both the company and for Staff.

13 **COMMISSIONER FRANCIS:** And the reason for this extension basically is  
14 because of these two hurricanes and all of the --

15 **MS. EVANS:** Well, actually, these storms securitization doesn't fall under the  
16 blanket financing. They do have to come in for a separate filing for that. This is  
17 just for their long-term and short-term --

18 **COMMISSIONER FRANCIS:** Wait, wait. Hold up. Wait till they get through  
19 over here first.

20 **CHAIRMAN BOISSIERE:** All right. All right. Commissioner Francis, you have  
21 floor, please, go ahead.

22 **COMMISSIONER FRANCIS:** We got the floor again, thank you very much,  
23 Chairman. Okay. Ms. Evans, I'm sorry about that. Go ahead.

1 **MS. EVANS:** No. That's okay. So for any storm securitization filings, they have  
2 to come in separately. They're not allowed to seek authority under blanket  
3 financing for that. This is just for their short-term and long-term debt, and it  
4 provides a cap and they come in and seek issuances separately and it just provides  
5 Staff with an expedited more direct way to approve it. They have to come in for a  
6 non-opp. This just gives us a cap.

7 **COMMISSIONER FRANCIS:** Well, they better increase their service or they  
8 won't be getting another vote from me on this stuff. Thank you. All right.

9 **MS. EVANS:** Thanks.

10 **MS. BOWMAN:** So we'll entertain a motion and a second if there is any.

11 **COMMISSIONER FRANCIS:** I'll make a motion.

12 **COMMISSIONER SKRMETTA:** Second.

13 **CHAIRMAN BOISSIERE:** Moved by Commissioner Francis, second by  
14 Commissioner Skrmetta. Any opposition? [NONE HEARD] Thank you. It  
15 passes. Next item, please.

16 **MS. BOWMAN:** Exhibit Number 11 is Docket S-36398. This is REV  
17 Broadband's request for a letter of non-opposition for approval of a senior  
18 revolving credit facility. It's a discussion and possible vote on Staff report and  
19 recommendation. On June 21, 2022, Reserve Communications and Computer,  
20 LLC, RTC Interco, EATELCORP, Advanced Tel, East Ascension Telephone  
21 Company, Lafourche Telephone Company, Reserve Telephone Company, Reserve  
22 Long Distance Company, SJI, and TLC Communications together with Advanced  
23 Tel, EATEL, Lafourche, Reserve, Reserve LD, and SJI, jointly filed the above-

1 captioned request pursuant to the Commission's General Order dated March 18,  
2 1994, as amended, seeking approval and/or non-opposition to the regulated  
3 subsidiaries incurrence of senior secured credit facilities by RCC the regulated  
4 subsidiaries granting security interests in and mortgages of their respective assets,  
5 including RCC and EATELCORP's ownership interests in the regulated  
6 subsidiaries, in connection with financing to be obtained by the regulated  
7 subsidiaries' indirect parent RCC, as the borrower, and RTC Interco and RCC's  
8 direct and indirect subsidiaries, as the guarantors. The request was published in the  
9 Commission's Official Bulletin and there were no interventions received. RCC  
10 intends to incur a senior secured five-year revolving credit facility with an initial  
11 aggregate principal amount of up to \$300 million through JP Morgan Chase. The  
12 proceeds from this transaction would be used by RCC and its subsidiaries to replace  
13 and repay in full previously existing indebtedness of RCC and its subsidiaries and  
14 to repay in full the subordinated debt held by RTC Holdings, all of which the  
15 regulated subsidiaries have previously granted security interests and issued  
16 guarantees as previously approved by the Commission, to fund general corporate  
17 activities including without limitation, working capital needs, capital expenditures  
18 and permitted acquisitions, and pay fee expenses and other transaction costs  
19 associated with the credit facility. On September 1, 2022, Staff filed its Staff report  
20 and recommendation on the request. Staff reviewed the request and the exhibits  
21 included thereof, including the detailed information regarding the credit facility,  
22 responses to data requests provided by the applicants, responses to the 18 factors  
23 set forth in the General Order dated March 18, 1994, and Order Number S-35105.

1 Staff recommends that the Commission express its non-opposition to the proposed  
2 transaction including the credit facilities and the pledge and mortgage of security  
3 and issuance of guarantees by the regulated subsidiaries in connection with the  
4 credit facility administered by JPMorgan subject to the conditions contained in  
5 Staff's September 1, 2022 report and recommendation.

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

7 **COMMISSIONER SKRMETTA:** Second.

8 **CHAIRMAN BOISSIERE:** Moved by Commissioner Greene, second  
9 Commissioner Skrmetta to accept Staff recommendation. Any opposition?

10 [NONE HEARD] Hearing none, so ordered.

11 **MS. BOWMAN:** Exhibit Number 12 is Docket Numbers U-29203, U-30981, U-  
12 32764, and U-35991. These are the joint application of Entergy Gulf States and  
13 Entergy Louisiana for interim and permanent recovery in rates of costs related to  
14 Hurricanes Katrina and Rita; the joint application of Entergy Gulf States and  
15 Entergy Louisiana for recovery in rates of costs related to Hurricanes Gustav and  
16 Ike; the joint application of Entergy Louisiana and Entergy Gulf States for recovery  
17 in rates of costs related to Hurricane Isaac, determination of appropriate storm  
18 reserve escrow amounts and related relief; and the application of Entergy Louisiana  
19 for recovery in rates of costs related to Hurricanes Laura, Delta, Zeta, Winter Storm  
20 Uri, and related relief. This is a discussion and possible vote to accept and approve  
21 the annual report of the Louisiana Utilities Restoration Corporation to the  
22 Commission for the fiscal year 2022 dated August 30, 2022, including the annual  
23 operating budget for fiscal year 2023 and the interim and annual compiled financial  
24 statements for fiscal year 2022, as attached. As required by Order Numbers U-29203,

1 U-30981, U-32764, and U-35991, as well as the Restoration Law which is Act 55  
2 of the 2007 Louisiana Regular Legislative Session, as amended by Act 293 of the  
3 2021 Regular Legislative Session, now codified as Revised Statutes 45:1311  
4 through 1343, the Board of Directors of the Louisiana Utilities Restoration  
5 Corporation submitted its fiscal year 2022 Annual Report to the Commission on  
6 August 30, 2022. Therein, the LURC Board reported on the following topics:  
7 Status of and ongoing compliance activities related to the Entergy  
8 Louisiana/Entergy Gulf States Louisiana Katrina/Rita, Gustav/Ike, and Isaac bond  
9 securitizations, including status of bond maturity and continued flow-back of  
10 credits to customers; the status of and ongoing compliance activities related to the  
11 Entergy Louisiana's Laura, Delta, Zeta, and Winter Storm Uri bond securitization;  
12 status of Entergy New Orleans' pending request for securitization associated with  
13 replenishment of funds for storm reserves; status of Entergy Louisiana's pending  
14 request for securitization associated with Hurricane Ida; status of reports from and  
15 submissions to the Louisiana Legislative Auditor and the Division of  
16 Administration's Office of Statewide Reporting and Accounting Policy; ongoing  
17 activities required to maintain LURC's corporate status; and matters reported to the  
18 LURC Board of Directors during Fiscal Year ending June 30, 2022. The LURC is  
19 required to make this annual filing to the Commission for the Commission to  
20 approve LURC's operating budget and provide oversight on LURC's activities.  
21 Any action taken today does not approve any storm cost or charges of Entergy.  
22 Commission Staff recommends acceptance and approval of the Fiscal Year 2022  
23 Annual Report of the Louisiana Utilities Restoration Corporation to the

1 Commission, including the annual operating budget for fiscal year ending June 30,  
2 2023 and interim and compiled annual financial statements for the fiscal year  
3 ending June 30, 2022 submitted therewith.

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

5 **COMMISSIONER SKRMETTA:** Second.

6 **CHAIRMAN BOISSIERE:** Moved by Commissioner Greene, second by  
7 Commissioner Skrmetta. Any opposition? [NONE HEARD] Hearing none, so  
8 ordered. Next item, please.

9 **MS. BOWMAN:** Exhibit Number 13 is Docket Number U-35986. This is the  
10 Commission's audit of fuel costs of Atmos Energy-Louisiana's Division, which is  
11 a Regulatory Division of Atmos Energy Corporation for the associated February  
12 2021 Winter Storm. It's a discussion and possible vote on a joint report, and this  
13 was Exhibit 10 on the July 2022 Business and Executive Session. On May 11,  
14 2021, the Commission filed a Notice of Audit initiating this docket in order to audit  
15 and review the actions taken and decisions made that impacted the fuel costs  
16 incurred during the February 2021 Winter Storm. After multiple rounds of  
17 discovery, Staff filed its report and recommendation on March 11, 2022, finding  
18 the following: The Louisiana Division of Atmos serves as a gas local distribution  
19 company and public utility that's been authorized by the Commission to provide  
20 natural gas utility services in Louisiana. Atmos has an emergency response plan in  
21 place and followed those procedures in preparation for the winter storm event. And  
22 prior to the arrival of the storm, Atmos took preventive measures to ensure its  
23 facilities would remain functional despite the severe weather conditions and

1 stationed personnel, including contractors, throughout its service areas in the event  
2 an emergency did arise. Atmos was also in constant communication with pipeline,  
3 gas supply, and storage representatives prior to and throughout the storm event. As  
4 a result of the planning by Atmos, potentially severe effects were mitigated as the  
5 customers of the Louisiana Division fared well relative to the customers of other  
6 jurisdictional utilities and customers in neighboring states. Outside of the  
7 emergency response plan, the on-going gas supply planning and practices of Atmos  
8 help limit the impact of a winter weather event for customers by diversifying  
9 supply, managing storage injections, ensuring sufficient upstream capacity, and  
10 using storage withdrawals to mitigate intra-month price spikes. The storage  
11 capacity contracted by and available to the company resulted in significantly higher  
12 gas purchase costs being avoided to the benefit of its customers. Atmos estimates  
13 that additional gas costs incurred as a result of the winter storm event was  
14 approximately \$4,706,301. Atmos proposed to recover the estimated additional gas  
15 costs through the monthly Purchased Gas Adjustment over/(under) collection  
16 factor, which is divided by the rolling twelve months of actual sales volume to  
17 develop the annual amortization factor. The recovery of the estimated additional  
18 gas costs through the over/(under) collection factor would increase the average  
19 monthly bill for a residential customer by \$0.75. These estimated bill impacts will  
20 remain in effect until the calculation of the annual over/(under) collection factor is  
21 updated in October of this year and will be first applied in the November 2022  
22 estimates. In its report filed, Staff found that Atmos took reasonable and prudent  
23 steps to mitigate the effects of the February '21 Winter Storm Event and found



1 Atmos' proposal to recover the winter storm costs through the over/(under)  
2 mechanism reasonable. On September 7, 2022, Atmos and Staff filed their joint  
3 report, indicating agreement with the Staff's report and recommendation, which  
4 was filed on March 11, 2022. Therefore, Staff recommends that the Commission  
5 accept the Joint Report filed into the record on September 7, 2022.

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

7 **COMMISSIONER SKRMETTA:** Second.

8 **CHAIRMAN BOISSIERE:** Moved by Commissioner Greene, second by  
9 Commissioner Skrmetta. Any opposition? [NONE HEARD] Hearing none, so  
10 ordered. Next item, please.

11 **MS. BOWMAN:** Exhibit Number 14 is Docket Number U-35988. It's the  
12 Commission's audit of fuel costs of Entergy Louisiana for provision of its natural  
13 gas associated with the February of 2021 winter storm event. This is a discussion  
14 and vote on a joint report, and it's Exhibit 11 on July's B&E. On May 11, 2021,  
15 the Commission filed a Notice of Audit initiating this docket in order to audit and  
16 review the actions taken and decisions made that impacted the fuel costs incurred  
17 during the February 2021 Winter Storm. After multiple rounds of discovery, Staff  
18 filed its Staff Report and Recommendation on May 10, 2022, finding the following:  
19 Entergy provides natural gas service to approximately 95,000 customers in East  
20 Baton Rouge Parish and receives its natural gas supply service under a full  
21 requirements contract. Entergy is not directly involved in the acquisition of gas  
22 supplies and production regions or arranging for the delivery of the acquired  
23 supplies to its distributive facilities. Entergy reports that during the winter storm,

1 it was slightly more difficult to procure gas for its LDC operations than on a typical  
2 day. Notwithstanding this difficulty, Entergy was able to procure adequate supply  
3 to serve its LDC customers and reported that there were no other adverse impacts  
4 affecting its ability to serve its customers and no customers were curtailed. ELL  
5 was not significantly affected by the winter storm and the resulting increase in  
6 natural gas prices. It estimated that the additional costs incurred and subsequently  
7 to its -- and subsequently billed to its customers was approximately \$4,400,000, or  
8 an average of just under 70 cents per Mcf per year per customer. Although there  
9 was a Special Order Number 21-2021 dated April 5, 2021 providing the  
10 establishment of a regulatory asset for costs associated with the winter storm, the  
11 provision was not invoked by this company in this case. Instead, Entergy proposed  
12 to recover the estimated additional gas costs through the monthly PGA over/(under)  
13 collection factor, as approved in the March 24, 1999 General Order. Staff is of the  
14 opinion that this was a reasonable approach, and indicated so in its report filed in  
15 the record on May 10, 2022. On September 7, 2022, Entergy and Staff filed a joint  
16 report into the record indicating agreement with the Staff report and  
17 recommendation filed on May 10, 2022. Therefore, Staff recommends that the  
18 Commission accept the joint report filed into the record on September 7, 2022.

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

20 **CHAIRMAN BOISSIERE:** Yeah. Okay. We have a motion by Commissioner  
21 Skrmetta and we have a question by Commissioner Campbell.

22 **COMMISSIONER CAMPBELL:** It's just for storm damages?

23 **MS. BOWMAN:** So this is just the natural gas component of Entergy Louisiana.

1 **COMMISSIONER CAMPBELL:** Of the Entergy, right.

2 **MS. BOWMAN:** It's only for the winter storm and it's their fuel cost only.

3 **COMMISSIONER CAMPBELL:** Oh, so it's negligible, nothing. They get it

4 and spread it.

5 **MS. BOWMAN:** Correct.

6 **COMMISSIONER CAMPBELL:** I got it, I got it. Thank you. I'll second it.

7 **CHAIRMAN BOISSIERE:** Oh, great. Second by Commissioner Campbell so

8 I'll reread that. Moved by Commissioner Skrmetta, second by Commissioner

9 Campbell. Any opposition? [NONE HEARD] Hearing none, so ordered. Next

10 item, please.

11 **MS. BOWMAN:** Exhibit Number 15 is Docket Number U-36017. It's the

12 Commission's Audit of Energy Efficiency Rate Rider of SWEPCO for the Energy

13 Efficiency Quick Start Program Years Ending December 31, 2019 and December

14 31, 2020. It's a discussion and possible vote on joint report. It's Exhibit 12 on

15 July's B&E. On June 9, 2021, Commission Staff filed a Notice of Audit initiating

16 this docket pursuant to Section VIII of the Commission's Energy Efficiency Rules.

17 After multiple rounds of discovery, Staff filed its audit report on June 14, 2022

18 which was published in the Commission's Official Bulletin with no interventions.

19 The Commission's energy efficiency rules require bi-annual audits forming the

20 basis of this docket and the primary purpose of this audit was to determine whether

21 the costs passed through SWEPCO's energy efficiency rider were reasonable and

22 prudent and whether to costs were appropriate and eligible for recovery through

23 SWEPCO's energy efficiency rider consistent with the Commission's rules. Staff

1 compared SWEPCO's budgeted projected costs to the level of costs actually  
2 incurred as reported in SWEPCO's SARP reports for Plan Years 5 and 6. Overall,  
3 the residential and non-residential implementation costs were over budget slightly  
4 in both years. The fact that the actual implementation costs were higher than  
5 budgeted was not a cause for concern, however, as the company's programs were  
6 all cost effective and the company's actual implementation cost were slightly lower  
7 than the maximum of 0.5 percent of 2012 company revenue requirements. Staff  
8 considered this result to be reasonable as SWEPCO's programs were cost effective,  
9 and its programs yielded better overall than anticipated energy savings results.  
10 Staff also looked at the actual expenditures for Plan Years 5 and 6 and combining  
11 all customer classes, these expenditures amounted to 0.49 percent each year relative  
12 to the 2012 total revenues. Both of these percentages are above the 0.25 percent of  
13 2012 revenue minimums and below the 0.50 percent of 2012 revenue maximum as  
14 stipulated in energy efficient rules. Thus, Staff deemed the level of actual  
15 expenditures for Plan Years 5 and 6 to be reasonable and appropriate for Rider  
16 recovery, and indicated so in its report filed into the record on June 14, 2022. A  
17 joint report indicating Staff and SWEPCO's agreement was filed into the record on  
18 September 2, 2022. Staff recommends that that the Commission accept the Joint  
19 Report filed into the record on September 2, 2022.

20 **COMMISSIONER SKRMETTA:** Move to accept the Staff's recommendation  
21 and accept the joint report.

22 **COMMISSIONER GREENE:** Second.

23 **MS. BOWMAN:** And Commissioner, can you pull your mic closer, please.

1 **COMMISSIONER SKRMETTA:** I would if it was on.

2 **CHAIRMAN BOISSIERE:** Oh.

3 **MS. BOWMAN:** Oh. Thank you.

4 **CHAIRMAN BOISSIERE:** Yeah, I didn't hear.

5 **COMMISSIONER SKRMETTA:** So it doesn't matter.

6 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
7 Commissioner Greene. Any opposition? [NONE HEARD] Hearing none, so  
8 ordered. Next item.

9 **MS. BOWMAN:** Exhibit Number 16 is Docket U-36018 - This is the  
10 Commission's audit of Energy Efficiency Rate Rider of Cleco Power for the Energy  
11 Efficiency Quick Start Program Years Ending December 31, 2019 and December  
12 31, 2020. It's a discussion and possible vote on a joint report. This is Exhibit 13  
13 from July's B&E. On June 9, 2021, the Commission filed a Notice of Audit  
14 initiating this docket pursuant to the Commission's Energy Efficiency Rules and  
15 after multiple rounds of discovery, Staff filed its audit report on June 9, 2022 which  
16 was published in the Commission's Official Bulletin with no interventions. The  
17 Commission's rules require bi-annual reports forming the basis of this docket and  
18 the primary purpose is to determine whether the costs passed through Cleco's  
19 energy efficiency Rider were reasonable and prudent; and whether the costs were  
20 appropriate and eligible for recovery through Cleco's Rider consistent with the  
21 Commission's rules. Staff compared Cleco's budgeted projected costs to the level  
22 of costs actually incurred as reported in Cleco's reports for Plan Years 5 and 6.  
23 Overall, the Residential and Non-Residential implementation costs were under

1 budget respective -- actual costs -- actual LCFC costs were higher than originally  
2 budgeted for Plan Year 5 but lower than budgeted for Plan Year 6. The fact that  
3 the LCFC costs are higher than budgeted generally means that the company had  
4 more verified energy savings than what was projected prior to the start of the  
5 year. The increase in the LCFC for Plan Year 5 caused overall costs recovered  
6 through the rider to be higher than original projection. The opposite was true for  
7 Plan Year 6 due primarily to the effects of Covid-19 during the 2020 on the Non-  
8 Residential programs. Implementation costs and energy savings were both lower  
9 than anticipated in 2020 causing overall costs recovered through the rider to be  
10 lower than original projection. Staff considers these results to be reasonable as  
11 expensed implementation program costs were lower than budgeted for both years  
12 and the program yielded better overall than anticipated energy savings results, at  
13 least in Plan Year 5. The diminished focus on the Non-Residential programs in  
14 Plan Year 6 due to COVID-19 could not have been anticipated. Two exceptions  
15 were noted by Staff in its audit report. First, Staff found a small discrepancy in  
16 Plan Year 5 between the actual costs incurred and those that had been reported in  
17 its report and the annual True-Up Adjustments. When asked in discovery about  
18 this discrepancy, the company explained that it had included too much in allocated  
19 Cleco Support Group costs in the two reports amounting to a small over-collection.  
20 The company agreed that its correction of this small discrepancy would be  
21 appropriate for rate redetermination purposes. Second, Staff found that the two  
22 invoices that were accrued in Plan Year 6 that had already been paid during Plan  
23 Year 6 and this amounted to a double count of costs. The company removed those

1 costs associated with both plan years as part of its next rate redetermination filing.  
2 And in addition, applicable carrying charges on the over-reported costs should be  
3 included in the adjusted amount. Combining all customer classes, actual  
4 expenditures amounted to 0.5 percent and 0.46 percent for each year respectively,  
5 of the 2012 total revenues. Both of these percentages are above the 0.25 percent of  
6 2012 revenue minimums and either below or equal to the 0.50 percent of 2012  
7 revenue maximums as stipulated in the Commission's rules. Thus, Staff deems the  
8 level of actual expenditures to be reasonable and appropriate for Energy Efficiency  
9 Rider recovery, and indicated so in its report filed into the record on June 9, 2022.  
10 A joint report was filed into the record September 7, 2022 indicating Staff and  
11 Cleco's agreements with Staff's audit report. Therefore, Staff recommends that  
12 that the Commission accept the joint report filed into the record on September 7,  
13 2022.

14 **COMMISSIONER SKRMETTA:** I move to accept the joint report as  
15 recommended by the Staff.

16 **COMMISSIONER GREENE:** Second.

17 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
18 Commissioner Greene to accept the joint report or the Staff recommendation. Any  
19 opposition? [NONE HEARD] Hearing none, so ordered. Next item.

20 **MS. BOWMAN:** Exhibit Number 17 is Docket Number U-36105. This is  
21 Entergy's application for certification to deploy natural gas-fired distributed  
22 generation and authorization to implement Rider UODG. It's a discussion and  
23 possible vote on an uncontested stipulated settlement and this was Exhibit 14 in

1 July's B&E. On July 8, 2021, Entergy filed an application for certification to  
2 deploy Natural Gas-Fired Distributed Generation and authorization to implement  
3 Rider UODG. Notice of the application was published in the Commission's  
4 Official Bulletin with The Alliance, LEUG and Walmart intervening. Following  
5 discovery on Entergy's application and accompanying testimony, Entergy, Staff,  
6 and Intervenors reached an agreement, and executed an uncontested stipulated  
7 settlement which was filed into the record on June 24, 2022. The settlement was  
8 not opposed by the intervenors and a hearing on the stipulated settlement was held  
9 on July 8, 2022. The major terms are as follows: Pursuant to the terms and  
10 conditions of Entergy's proposal of deployment of up to and including 150  
11 megawatts of distributed generation is consistent with all applicable Commission  
12 orders, including the 1983 General Order, and is certified as serving the public  
13 convenience and necessity. Of the 150 megawatts allocated for the Power Through  
14 Program, 30 megawatts shall be reserved for a pilot program consisting of solar and  
15 battery distributed generation installations and the default initial UODG Agreement  
16 Term is 20 years; however, Entergy will have the ability to modify the initial  
17 agreement term to less than 20 years, provided that the Host Customer's selected  
18 Recovery Period is less than or equal to the modified initial UODG Agreement. As  
19 there are no unresolved issues, Staff recommends that the Commission accept the  
20 Uncontested Stipulated Settlement filed into the record on June 24, 2022.

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

22 **CHAIRMAN BOISSIERE:** I actually have a motion I would like to read in.

23 **COMMISSIONER SKRMETTA:** Okay. Go ahead.



1 **COMMISSIONER GREENE:** I'll second it.

2 **CHAIRMAN BOISSIERE:** Okay. First of all, is there any questions so far?

3 Okay. I'll read the motion. I move to approve the uncontested settlement. This

4 program supports several related objectives including providing long term needed

5 dispatchable generation for all customers at a discounted price while providing a

6 host customer and community resilience. In addition to long term capacity and

7 localized resilience benefits, the program also provides environmental benefits by

8 displacing potential diesel back up generation with natural gas, solar and battery

9 solutions. Additionally, dispatchable distributed generation will complement the

10 growing amount of renewable and intermittent generation that will be incorporated

11 into Louisiana's resource mix enhancing resource adequacy, reliability and

12 resiliency. That's my motion and I think -- and it was second by actually by several

13 of us, Commission Campbell, Commissioner Skrmetta or do we get all or can

14 everybody second. Okay. All right. Any opposition? [NONE HEARD] Hearing

15 none, so ordered. Thank you.

16 **MS. BOWMAN:** Exhibit Number 18 is Docket Number U-36337. This is

17 Concordia Electric Cooperative's formula rate plan annual report for the test year

18 ending December 31, 2021. It's a discussion and possible vote on a joint report.

19 Concordia filed its annual formula rate plan report for Test Year ending December

20 31, 2021 on April 20, 2022 in compliance with Commission Order Number U-

21 35800. Notice was published in the Commission's Official Bulletin and there were

22 no intervenors. On June 16, 2022, Concordia filed an amended FRP Annual Report

23 that corrected an internal audit error found by Concordia subsequent to the initial

1 filing. The Commission Order Number U-33779 originally authorized Concordia's  
2 formula rate plan which was extended in Order Number 35800 for an additional  
3 four years. Concordia's FRP provides for a midpoint TIER meaning should  
4 Concordia's TIER fall above or below the bandwidth, Concordia is permitted under  
5 the FRP to reset rates to the midpoint. In its 2021 FRP Amended annual report,  
6 Concordia's as-filed results reflected a Time Interest Earned Ratio of 1.30 and a  
7 Debt Service Coverage Ratio of 1.88 after adjusting the test year's per-books  
8 revenues and expenses according to the ratemaking adjustments set forth in the  
9 Cooperative's Rider Schedule. Concordia's as-filed adjusted TIER of 1.3 fell  
10 below the prescribed earnings bandwidth resulting in an increase in revenues of  
11 \$105,053. Staff conducted a review of the 2021 FRP Amended Annual Report  
12 including documentation provided in support of each of the prescribed pro forma  
13 adjustments, responses to data requests, and additional test year financial  
14 transactions. Staff filed its Staff Report and Recommendation on July 7, 2022  
15 setting forth its adjustments and findings. Staff's examination resulted in additional  
16 adjustments to remove scholarships that are typically not considered an operating  
17 expense, and therefore not recoverable under the FRP. The total Staff-  
18 recommended adjustments resulted in a TIER of 1.33, which still falls below the  
19 lower earnings bandwidth endpoint. And based upon its review, Staff's  
20 adjustments to the as-filed results reflect the need for a rate change of 0.98 percent  
21 in Concordia's Rider FRP Revenues to reset to the midpoint. This change  
22 constitutes an approximate revenue increase of \$89,295 for the test year. On  
23 August 16, 2022, Concordia filed their response and agreement, indicating no

1 issues with Staff's findings. And on September 1, 2022, Staff and Concordia filed  
2 their joint report, indicating that there are no unresolved issues in the docket.  
3 Therefore, Staff recommends that the Commission accept the joint report filed into  
4 the record on September 1, 2022.

5 **COMMISSIONER CAMPBELL:** I make a motion that we --

6 **MS. BOWMAN:** Can you turn his mic on, please?

7 **COMMISSIONER CAMPBELL:** Do what?

8 **MS. BOWMAN:** Thank you.

9 **CHAIRMAN BOISSIERE:** Go ahead, Commissioner. Your mic -- I turned your  
10 mic on, go right ahead.

11 **COMMISSIONER CAMPBELL:** Okay. I make a motion we accept the joint  
12 report, Staff recommendation.

13 **COMMISSIONER GREENE:** Second.

14 **CHAIRMAN BOISSIERE:** Okay. Moved by Commissioner Campbell, second  
15 by Commissioner Greene. Question by Commissioner Francis.

16 **COMMISSIONER FRANCIS:** [INAUDIBLE] are not allowable; is that true?

17 **MS. BOWMAN:** I'm sorry, Chairman -- can you turn his mic --

18 **COMMISSIONER FRANCIS:** Did they discounted it -- took the scholarships  
19 out of the appropriations for the --

20 **MS. BOWMAN:** Correct. It's a policy of the Commission that if any company -  
21 - any regulated utility, if they provide any type of scholarships or charitable  
22 donations, that those are excluded from rate base, meaning the customers don't pay  
23 for that. It would be up to the company.

1 **COMMISSIONER FRANCIS:** So that's a non-profit co-op scholarship money,  
2 where's it coming from?

3 **MS. BOWMAN:** I don't --

4 **SECRETARY FREY:** I think typically -- the company can come up, but in  
5 working on some of these in the past, it's the capital credits -- I don't know if they  
6 call them capital credits -- member credits.

7 **COMMISSIONER FRANCIS:** Yeah, I'd like to -- we got ten co-ops, I see a lot  
8 scholarships added. I thought the ratepayers were paying for the folks' scholarships  
9 so --

10 **COMMISSIONER SKRMETTA:** [INAUDIBLE].

11 **COMMISSIONER FRANCIS:** So who --

12 **SECRETARY FREY:** I think it's the member credits where they can't find  
13 someone to refund the credits. I mean, somebody correct me if I'm wrong on that.

14 **COMMISSIONER FRANCIS:** I just want a simple answer.

15 **SECRETARY FREY:** Yeah, Jeff should --

16 **COMMISSIONER FRANCIS:** Where's the money coming from?

17 **SECRETARY FREY:** That's where it's coming from -- it's from -- so you know,  
18 someone who's a member has a capital credit, if they can't find that member after  
19 death or they move or whatever, those credits are held by the company, those are  
20 used by the scholarship and I've got a few thumbs up from the co-ops

21 **COMMISSIONER CAMPBELL:** We did that -- we've done that twice. I've  
22 done it twice for Bossier Electric and Valley Rural Electric.

23 **SECRETARY FREY:** Correct.

1 **COMMISSIONER CAMPBELL:** We had a pile of money. First of all, they look  
2 for everybody living and they do an extensive search.

3 **SECRETARY FREY:** Correct.

4 **COMMISSIONER CAMPBELL:** And there are few people who passed away or  
5 moved out and they can't find them then you decide where you want to put it. At  
6 Bossier, we put it in Bossier Community College and at Valley, we put it at  
7 Northwestern State University. All good places to put it and we gave it to people  
8 that their families had been on the co-op so it's -- they supervise the money, it's  
9 under scrutiny of CPAs and everything. They don't keep anything.

10 **COMMISSIONER FRANCIS:** All the -- every time I go to one of the annual  
11 meetings, they're giving out these scholarships. They usually giving them out to  
12 families of the members, some child going to college and so that money is from a -  
13 - from monies that people are deceased and didn't collect their money.

14 **SECRETARY FREY:** Essentially.

15 **COMMISSIONER FRANCIS:** And so you always have a positive balance I  
16 guess -- Attorney Purvis, you'd have a little bit of a -- always have a little balance  
17 there so you'd know how much to give out?

18 **MR. RUSSELL PURVIS:** [INAUDIBLE].

19 **MS. BOWMAN:** Can you come up? Thank you.

20 **COMMISSIONER FRANCIS:** This is Attorney Purvis from Catahoula Parish,  
21 Jonesville, Louisiana, Concordia, which is mostly Commissioner Campbell's  
22 district.

23 **SECRETARY FREY:** Just hit the button, Russell, when you get up there.

1 **MS. BOWMAN:** And introduce yourself for the record, please.

2 **MR. PURVIS:** Every member, you accumulate a credit for every payment you  
3 make for over the life -- your lifetime and at your death, your heirs can come in and  
4 claim those credits. It's our way -- we're non-profit but we're member owned and  
5 so it's a --

6 **COMMISSIONER FRANCIS:** Yes, okay.

7 **MR. PURVIS:** -- disbursement to the -- what the income is include. Now, it's  
8 been said by Mr. Frey and Commissioner Campbell, you're talking about 50, 60  
9 years sometimes and they're people that don't claim the capital credits and when  
10 that's the case, then we disperse the capital credits through scholarships through the  
11 members' children which is usually \$500 a year or something -- we have -- but it's  
12 based on the amount of money we have, if we've got \$1,000 -- say \$10,000 in  
13 capital credits, that we give out 20 scholarships so just basically \$500 a year and  
14 that's how we do it.

15 **COMMISSIONER FRANCIS:** So y'all have that in your report and they just  
16 took that back out of it to --

17 **MR. PURVIS:** Yes, sir.

18 **COMMISSIONER FRANCIS:** So that's good. It's a legitimate mistake. I know  
19 y'all didn't do that on purpose but some of the co-ops are pretty large. You know,  
20 DEMCO, SLEMCO, they must have a lot more money to hand out for scholarships  
21 accordingly, right?

22 **MR. PURVIS:** It's hard for me to speak for the other co-ops but you know, we  
23 are one of the smaller co-ops.

1 **COMMISSIONER FRANCIS:** Not putting y'all on the spot, but how much did  
2 y'all -- how many scholarships did y'all give out last year, do you remember the  
3 number, the dollar amount?

4 **MR. PURVIS:** I think it was 18 as I recall, we gave out 18 scholarships last year  
5 for this coming school year.

6 **COMMISSIONER FRANCIS:** Okay. How much money do you think, \$1,000  
7 or so a piece?

8 **MR. PURVIS:** No, it's \$500 a piece.

9 **COMMISSIONER FRANCIS:** Okay. Well, good. All right. Okay. Thank you.

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

11 **CHAIRMAN BOISSIERE:** Tell me again, where are we in the process of this  
12 meeting?

13 **SECRETARY FREY:** We had a motion from Commissioner Campbell, a second  
14 from Commissioner Greene.

15 **CHAIRMAN BOISSIERE:** Any opposition on this one?

16 **COMMISSIONER CAMPBELL:** Okay. All right.

17 **CHAIRMAN BOISSIERE:** I think we're on the same one. No opposition.  
18 [NONE HEARD] Hearing none, so ordered. Let's move on to the next one, please.

19 **MS. BOWMAN:** Exhibit Number 19 is Docket Number U-36383. This is National  
20 Water Infrastructure's application for adjustment in rates for current and acquired  
21 systems, including certification of regionalization project and construction work in  
22 progress recovery of capital expenditures and associated financing, and for Letter  
23 of Non-Opposition of acquisition of Ascension Parish Wastewater Assets. It's a

1 discussion and possible vote to retain outside consultant. Staff issued an RFP  
2 seeking the assistance of an outside consultant and one bid was received. That bid  
3 was from United Professionals Company of 188,000 in fees and 2,000 in expenses  
4 for a total budget not to exceed of 190,000. Staff makes no recommendation as the  
5 sole bidder is qualified.

6 **COMMISSIONER SKRMETTA:** Move to accept the bid of UPI.

7 **COMMISSIONER GREENE:** Second.

8 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
9 Commissioner Greene to accept the bid of United Professionals. Any opposition?  
10 [NONE HEARD] Hearing none, so ordered. Next, please.

11 **MS. BOWMAN:** Exhibit Number 20 is reports, resolutions, discussion and votes.  
12 There is one report this month from Cleco Power regarding the August billing error  
13 and this is at the request of Vice Chairman Francis. So I guess if Cleco could come  
14 up, please. And please introduce yourselves for the record and sign a yellow card  
15 if you're not an attorney.

16 **SECRETARY FREY:** John, I guess -- I'm telling you. I couldn't help it, sorry.

17 **MR. JOHN SHIRLEY:** I'm John Shirley on behalf of Cleco. With me today is  
18 Andre Guillory, vice president and chief customer officer of Cleco.

19 **MR. ANDRE GUILLORY:** Good morning.

20 **CHAIRMAN BOISSIERE:** Morning.

21 **MR. GUILLORY:** On August 14, 2022, Cleco Power experienced a timing issue  
22 within its billing processes that resulted in just under 18,000 of its customers being  
23 billed off of estimated usage rather than actual metered reading usage. Since 2013,



1 Cleco has utilized an advanced metering system to remotely receive meter reads  
2 and prepare them for billing. On the date in question on August the 14<sup>th</sup> which was  
3 a Sunday, the meter reading system was taken offline for regular quarterly  
4 scheduled maintenance and software thatching. Coincidentally, billing cycle  
5 number 9 of 16 was also scheduled to receive billing reads on that Sunday for  
6 billing on the 15<sup>th</sup> which was the following day. Because the system was offline,  
7 the billing system was unable to receive those reads and as it is programmed to do  
8 in the absence of reads, it produces estimates on the customer's usage for that  
9 billing period based on historical usage patterns for the customer and the premise.  
10 There are processes control reports that are in place to catch such a situation.  
11 Estimates are a normal course of business when a meter read is not available which  
12 is typically on a very small scale and when it is, there is an issue and we have a  
13 larger scale batch of customers that are due to be estimated before they are billed,  
14 the report would identify these customers and stop -- allow us the opportunity to  
15 stop those processes in order to get the situation corrected and rebuild those  
16 customers based on meter reads. Because of the timing of these -- the issue  
17 occurring on a Sunday and the billing occurring on a Monday, the report -- the  
18 reporting process missed and we did not identify the large batch of estimates that  
19 were going to feed into this billing cycle. Once the billing cycle had completed and  
20 customers were billed based on the estimates, our billing department identified the  
21 issue and began to discuss with management corrective actions. Decisions were  
22 made immediately to take the first step which was to cancel, rebill all 18,000 or so  
23 customers, which we did within a couple of days of identifying the issue once we

1 were able to figure out how to in batch stop those -- or cancel those original bills  
2 and create new bills based on the meter reads. Also, as a corrective action, we sent  
3 out communication in the form of letters to each of the affected customers  
4 explaining the situation and explaining the cancel rebill process. Because of the  
5 timing of the original bill, the corrected bill and the communication, there was some  
6 confusion amongst the customers who were effected and they did reach out to Cleco  
7 to express that confusion and get some questions answered and as long term  
8 corrective action, we have begun the process of implementing automation in the  
9 report and in the subsequent action taken by the system should this or a similar  
10 event occur again in the future. We are also in the process of implementing better  
11 communication methods to digitally communicate with our customers in a more  
12 timely fashion.

13 **COMMISSIONER FRANCIS:** Where are these 18,000 customers located?

14 **MR. GUILLORY:** Because we've been on our -- utilizing our automated meter  
15 reading system for a while now, the cycles are not necessarily based on routes and  
16 so not necessarily consolidated within a certain part of the state. It can be all over  
17 our service territory. I do believe the vast majority were in your areas.

18 **COMMISSIONER FRANCIS:** Yeah. I don't think Skrmetta missed this one.  
19 They all piled up on me. Where is Fontenot and Hilton? Where are they at today?

20 **CHAIRMAN BOISSIERE:** Yeah, that's a good question.

21 **MR. SHIRLEY:** Commissioner, Mr. Hilton, the president of Cleco Power was  
22 going to be here as part of this presentation last week. Unfortunately, both of them  
23 are at the board meeting of Cleco which was previously scheduled and had all of

1 the board members coming in. Even though most of the majority of those are  
2 Louisiana board members, they don't all live in the Alexandria area and so the  
3 board meeting couldn't be moved and because of that, Mr. Hilton asked me to  
4 please extend his apologies because -- and frankly, I'd be more than happy for him  
5 to be sitting here right now.

6 **COMMISSIONER FRANCIS:** I know you would. He's your boss, so.

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

8 **COMMISSIONER FRANCIS:** And I know -- I think Commissioner Skrmetta  
9 would agree with me that this board meeting's more important than the one they're  
10 at today and I'd expected them to be here. I apologize that this gentleman, Guillory,  
11 had to come up here and take this.

12 **MR. SHIRLEY:** Well, Mr. Guillory --

13 **COMMISSIONER FRANCIS:** I've got almost 18,000 calls in my office. They  
14 calling me instead of Cleco and we pay you guys a lot of money to get the job done  
15 and if -- a lot of my clients and customers, they say well this is a monopoly, we  
16 need another choice. If this would be in the real world, you'd be fired if you were  
17 working for me so I don't know what to do to emphasize what a poor job you've  
18 been doing with the service and it's got to get better. I'm not the kind of fellow to  
19 get all riled, I'm going to take action so just speaking for all of those constituents  
20 I've had, they need to know how disappointed I am in your service and just don't  
21 come back with this problem again. That's all I'm telling you. And please tell  
22 Fontenot and Hilton that I'm disappointed they're not here. This board meeting's  
23 important here, too. Okay. Thank you.

1 **MR. SHIRLEY:** Yes, sir.

2 **CHAIRMAN BOISSIERE:** Commissioner Skrmetta.

3 **COMMISSIONER SKRMETTA:** Yeah. I'd like to join Commissioner Francis  
4 and just talk to you a little bit about this issue. We also have a significant portion  
5 of Cleco Service in my area and we had a significant number of complaints and --  
6 but I also tell you that, you know, you're not the only company that has issues  
7 where we get problems with the computer service and unfortunately, in a modern  
8 world, these companies all rely on computer services, but even more so and a big  
9 problem I have with all the companies is that you do not have your customer  
10 complaint departments are not fully staffed in Louisiana. A lot of people have their  
11 consumer complaint companies, some are here, some are outside the state, some  
12 are even further out and there's a lack of understanding of community and this may  
13 not be fully directed at you but I think that the Commission really needs to start  
14 considering what we require of companies, what we require of training of consumer  
15 interactivity with your complaint departments. You know, we get some reports  
16 from our consumers about the things that are told to them and, you know, I always  
17 take it with a grain of salt because I know people get upset and you know when our  
18 folks, my direction to my staff is always you talk to people until they say they got  
19 to hang up. We don't like short call people, we don't do anything, we're going to  
20 talk to them until they have had every element of what they have to complain about  
21 understood. But what I do think is the Commission needs to look at this and the  
22 Commission needs to think about this and it might not be next month or a month  
23 down the road but we may need to look at requiring all regulated utilities to have

1 all of their consumer call in lines and complaint lines, have their personnel located  
2 inside the state of Louisiana. It benefits the state, it benefits the economy, it benefits  
3 the whole element and I understand that there's costs associated with it but there's  
4 also benefits associated for the state and the value to the public. And also, there  
5 needs to be better training for your people who are handling your calls and it's not  
6 just you and I'm not singularly picking on you but, you know, we do get some odd  
7 ball things and especially in sort of our peripheral communications land but  
8 particularly in communications land that I don't feel like the public gets the right  
9 treatment from a lot of the consumer specialists on the utility end. Some of them  
10 are great, but a lot of them aren't so we need to really look at how we beef up our  
11 game on getting you guys to -- I don't want to say send your people to charm school  
12 but I want to get your people trained to where, you know, to understand the sort of  
13 unhappiness and the impact whether it be economic or disruptive of life or whatever  
14 it is for the folks that are calling in and be more understanding of it because they're  
15 also Louisiana citizens and Louisiana residents and know how to say Ville Platte  
16 and know how to say another city in Louisiana without misspeaking and God help  
17 us if they're driving down 190 and they can't say a single town on 190 because it's  
18 an issue and so I appreciate y'all stepping up and correcting the game but we need  
19 to have real communications flowing from your company to your customers and  
20 we need to make sure we change that. And look, Entergy and other companies are  
21 not without fault. Entergy still has a mapping system which isn't great -- I'm not  
22 even sure you guys have even gotten to the point where your mapping system can  
23 be effectively working in any way possible. We talked about this years ago about

1 having every electric utility out there to have a same type of electrical, a purporting  
2 outage and I forget because look, I'm not a computer guy, but there's a certain file  
3 type that can be shared with the Public Service Commission so we can have a  
4 centralized place where you can send the data so you've got your own facility,  
5 they've got the state facility and we can have it to where people can see where the  
6 power's out and what's going on. Again, this just seems to be a lack of incentive  
7 to have y'all want to do this and I'm not going to go back and find the date on it  
8 because I think it's two terms ago, right, so you know, but that shows a willingness  
9 of not wanting to do it but it doesn't hurt you. I think it helps you. It shows a better  
10 interactivity with your customers and we want to -- we want that to be -- we want  
11 every one of the people in our districts, when they call our office, instead of  
12 complaining, we want them to say what a great experience they had working with  
13 your company while they had a problem, you know, and we're going to fix their  
14 problem but we want them to say how great it was and a lot of times, we do get  
15 compliments but a lot of times we don't so we want to fix that. We want y'all to  
16 work on it and we want to work with you on that so let's just -- let's try to see what  
17 we can do about it. So I thank you.

18 **CHAIRMAN BOISSIERE:** Any further questions or comments? Well, thank  
19 you Commissioner Skrmetta. Part of those comments were going to be similar to  
20 mine but I'll make a few points about this. First of all, with the -- it's important to  
21 know that the customers really rely on the companies especially when it comes to  
22 billing. And that is -- the core of the relationship is that document or that calculation  
23 that goes out to customers and how if this illustrates just how important it is because

1 of the response of perhaps a mis-billing or a miscalculation of some type. And that  
2 trickles right to our offices and other places, so we rely at the Commission on the  
3 companies doing the right thing and look, I understand errors. This by no means is  
4 a way to try to make it bigger than it is but you're the example right now and I hope  
5 the other companies are paying attention and go back into your own systems and  
6 think about these -- could this happen in your company, what would you do, how  
7 to respond and then try to make sure it doesn't happen at your company. But it's  
8 important that the companies and realize just how important the ratepayers and the  
9 customers are to them and just how important it is to us that all this works well  
10 because it reflects back on everybody, so thank you for the work you've done.  
11 Thank you for correcting it, thank you for resolving it, but I'm sure we all learned  
12 a lot from this one but I'm also -- I'm really actually speaking -- this is already over  
13 to the rest of the room to make sure that they understand the severity and the  
14 relationship and that we can make sure that the customer deserves really good  
15 customer service as well and I know there's a lot of computers involved and trust  
16 me, one of the things Commissioner Skrmetta said, I was going to add, it was the  
17 customer service element, the human element, they have to be extremely well  
18 trained and give our good information. If they're going to say anything, make it  
19 good information because the public relies on that. So not to use you as too much  
20 of an example, but I'm actually speaking to the whole room. I want to make that  
21 clear as well. So thank you for your report. Anyone else before they're dismissed  
22 on this item? Thank you very much, gentlemen.

23 **MS. BOWMAN:** Still on Exhibit Number 20. We do have two under ERSC/OMS

1 and SPP. The first is a discussion and possible vote to ratify the LPSC's  
2 interventions and RTO or ERSC related proceedings. This matter is on the agenda  
3 for ratification of interventions on behalf of the Commission pursuant to the scope  
4 of work approved in connection with the retention of Stone Pigman and UPC at the  
5 February 2021 B&E from MISO, SPP and ERSC participation. Due to the short  
6 deadlines allowed for these interventions, if advanced Commission approval is not  
7 possible, the executive secretary on the recommendation of UPC or Stone Pigman  
8 or on his own determination may authorize the initial interventions, comments or  
9 protests subject to ratification at the following B&E. Interventions were filed on  
10 behalf of the Commission in the following FERC dockets: RM22-10, RM22-14,  
11 RM22-16 and AD21-13 and EL220-78. These interventions were filed for the  
12 purpose of monitoring issues related to MISO and/or SPP. Staff recommends that  
13 the Commission ratify these actions.

14 **COMMISSIONER SKRMETTA:** Move to ratify the interventions into the RTO  
15 or ERSC related purposes.

16 **COMMISSIONER GREENE:** Second.

17 **CHAIRMAN BOISSIERE:** Okay. Moved by Commissioner Skrmetta, seconded  
18 by Commissioner Greene. Any opposition? [NONE HEARD] Hearing none, so  
19 ordered.

20 **MS. BOWMAN:** And on Exhibit 20 as well, there's a discussion and possible vote  
21 to ratify votes taken by Vice Chairman Francis acting as the Commission's  
22 representative on the Regional State Committee of the Southwest Power Pool. This  
23 matter is on the agenda for ratification for votes taken on July 25, 2022 by Vice



1 Chairman Francis. Staff followed the protocol set forth in Special Order 17-2019  
2 to consult with the executive secretary and the chairman and to make a  
3 recommendation to Vice Chairman Francis prior to the votes. The protocols also  
4 require that the votes be taken be ratified at a following B&E. There were four  
5 voting items before the RSC. The first vote involved a recommendation to establish  
6 performance basic accreditation standards for generating units in the SPP foot print  
7 which are based on actual historical performance of generating units and would  
8 more accurately reflect units variability to serve load and incentivize and increase  
9 reliability. The second vote involved SPP Staff's proposal to increase the planning  
10 reserve margin from the current level of 12 percent to a recommended 15 percent  
11 based on determination that the 12 percent reserve margin may not be sufficient to  
12 meet reliability targets. The third voting item sought approval to complete SPP's  
13 tariff revised study to analyze whether transmission upgrades have benefited all  
14 transmission based on operational results. The fourth voting item sought approval  
15 of a white paper outlining a method for addressing hedging across direct current  
16 ties that will connect the SPP system with the Western Interconnection to form one  
17 market to accommodate SPP's plan to westward expansion. Based on Staff's  
18 recommendation, Vice Chairman Francis voted in favor of these four items. Staff  
19 recommends that the Commission ratify Vice Chairman Francis' votes taken on  
20 July 25, 2022 as the Louisiana Public Service Commission's representative to the  
21 SPP RSC.

22 **COMMISSIONER SKRMETTA:** Move to affirm the vote of Commissioner  
23 Francis.

1 **COMMISSIONER GREENE:** Second.

2 **CHAIRMAN BOISSIERE:** Moved by Commissioner Skrmetta, second by  
3 Commissioner Greene. And any opposition, noted that there would be an  
4 abstention by Commissioner Francis.

5 **COMMISSIONER FRANCIS:** Abstain.

6 **CHAIRMAN BOISSIERE:** Yes. Commissioner Francis abstained. Any  
7 opposition? [NONE HEARD] Hearing none, so ordered. Next. Commissioner  
8 Francis, please.

9 **MS. BOWMAN:** And make sure the mic is on, please.

10 **COMMISSIONER FRANCIS:** I serve the board for Louisiana on the Southwest  
11 Power Pool RTO and my friend, Commissioner Greene serves on the MISO and  
12 just for public information, a lot of folks don't understand the -- a technical office  
13 it's about 30 days in America in these two RTOs and the reason I bring up the note  
14 is -- well, we had the attorney general here talking about how FERC may take away  
15 the rights of Louisiana as far as our work with these two RTOs in 30 states in  
16 America that are now being represented by local folks like us, like we have our  
17 states' rights on the transmission systems in Louisiana and we work together with  
18 Southwest Power Pool and the MISO states. These are some of the smartest people  
19 in the world on electricity and transmission and God help us if the FERC takes  
20 away our position here. In that one case where -- I don't agree with lawsuits and  
21 lawyers. I agree with the Commissioner Campbell on some of these lawsuits but  
22 these lawsuits that we're working together with others who -- and I think SPP and  
23 MISO are allies in this case because they've been very friendly and worked with

1 us. We have a good system here so there's some MISO folks here today and I don't  
2 know if there's any SPP here other than the Southwest Power Pool other than the  
3 SWEPCO. We need to communicate with the attorney general and just let him  
4 know as far as I can see it, MISO's an ally against working with the FERC to make  
5 sure they don't get in our business, okay, so Commissioner Greene, you agree with  
6 that?

7 **COMMISSIONER GREENE:** Yeah, I agree with that.

8 **COMMISSIONER FRANCIS:** Okay. I just wanted to clear the air there on how  
9 I feel about that.

10 **COMMISSIONER GREENE:** Well said.

11 **CHAIRMAN BOISSIERE:** Thank you very much. Next item, please.

12 **MS. BOWMAN:** Exhibit Number 21 is Docket Number U-35544. It's the  
13 Commission's prudence review of the Cleco Power St. Mary Clean Energy Center.  
14 It's a discussion and possible vote pursuant to Rule 57 on an uncontested stipulated  
15 settlement at the request of Vice Chairman Francis. So this will need two votes.  
16 The docket was initiated by the Commission on April 30, 2020 for a prudence  
17 review of the St. Mary Clean Energy Center which was certified by the Commission  
18 in Order Number U-33593. The docket was published in the Commission's Official  
19 Bulletin with Cabot Corporation and International Paper Company intervening and  
20 The Alliance requesting to be an interested party. On January 13, 2022, Cleco filed  
21 it's testimony and supporting documentation requesting a prudence determination  
22 for the Clean Energy Center. The application requested that the Commission  
23 determine that Cleco's management and execution of the Clean Energy Center was

1 reasonable and prudent and authorize Cleco to recover the project's full and final  
2 costs through the company's LPSC-jurisdictional rates. The project is a waste heat  
3 recovery power generation facility in St. Mary Parish and was developed at the site  
4 of an existing carbon black facility owned and operated by Cabot Corporation. The  
5 project had an initial budget of \$89.1 million with a close out cost of \$139.1 million.  
6 Following Cleco's filing, Staff conducted extensive discovery and after filing direct  
7 testimony and rebuttal testimony, Cleco and Staff entered into extensive settlement  
8 negotiations resulting in a settlement which was filed into the record on September  
9 8, 2022. The intervenors do not oppose the settlement. Staff and Cleco agree that  
10 the settlement will avoid the need for further litigation, will serve the public interest  
11 and should be authorized subject to the terms and conditions thereof. The major  
12 terms of the settlement are as follows: There shall be a disallowance of the costs  
13 incurred by Cleco to construct the project in the amount of \$15 million. This  
14 disallowance shall be implemented as a reduction of Cleco's rate base and such  
15 reduction shall be made in Cleco's next base rate case. Cleco shall also make a  
16 \$10.4 million refund to its LPSC-jurisdictional customers with all retail customers  
17 participating in the refund. The refund shall be allocated to retail customers based  
18 on their usage for July of 2022 and shall appear on the customers' bills rendered in  
19 October of 2022. Staff recommends that the Commission accept the uncontested  
20 stipulated settlement by and between Cleco and Staff filed into the record of the  
21 docket on September 8, 2022.

22 **COMMISSIONER GREENE:** Motion to accept Staff's recommendation.

23 **MS. BOWMAN:** It's a Rule 57 so we're going to need two votes.

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

2 **COMMISSIONER GREENE:** Second.

3 **CHAIRMAN BOISSIERE:** Okay. Let's do that. So moved by Commissioner

4 Skrmetta, second by Commissioner Greene to take the item up under Rule 57 and

5 I think we have a motion by Commissioner Greene --

6 **COMMISSIONER GREENE:** To accept.

7 **COMMISSIONER SKRMETTA:** I think so.

8 **CHAIRMAN BOISSIERE:** And a second by Commissioner Skrmetta.

9 **COMMISSIONER SKRMETTA:** That's fine.

10 **CHAIRMAN BOISSIERE:** Okay. To approve the matter. Do we have any

11 discussion or questions? Okay. Great. Commissioner Francis, please.

12 **COMMISSIONER FRANCIS:** Brandon, you have any words about the -- this -

13 -

14 **SECRETARY FREY:** I just would want to point out in the remarks on there, this

15 is a pretty substantial refund to customers. We've got it broken down but it's about

16 two cents a kilowatt hour refund so that comes up -- actually, it's 2.2 cents so do

17 the math, it's about a \$45 refund for a 2,000 kilowatt customer so this will be a nice

18 relief on people's bills that are higher right now.

19 **COMMISSIONER FRANCIS:** This was a little prudent review where we found

20 a little hiccup in the deal?

21 **SECRETARY FREY:** Correct, correct. Reached a settlement on it so not only is

22 there the refund, but there's a reduction going forward so they'll continue to be

23 benefits to ratepayers going forward. And Noah, jump in too if you want on this.

1 Noah was our attorney on it. But it's also -- the project itself is providing benefits  
2 to the customers that Noah -- expand on that.

3 **MR. NOAH HOGGATT:** Sure.

4 **SECRETARY FREY:** Even without this refund, there's benefits.

5 **MR. HOGGATT:** So this is a waste heat recovery facility.

6 **MS. BOWMAN:** Noah, move --

7 **COMMISSIONER FRANCIS:** There you go. The public would like to know  
8 it's a waste heat recovery --

9 **MR. HOGGATT:** That's correct.

10 **COMMISSIONER FRANCIS:** -- facility that we approved several years ago  
11 working with Cabot and Cleco; is that right?

12 **MR. HOGGATT:** That's correct, Commissioner.

13 **COMMISSIONER FRANCIS:** Down around Garden City. That St. Mary  
14 Parish?

15 **MR. HOGGATT:** St. Mary.

16 **COMMISSIONER FRANCIS:** St. Mary, all right. Okay.

17 **MR. HOGGATT:** It actually is going to generate more power than initially  
18 anticipated. And in addition to this \$10.4 million refund, the disallowance going  
19 forward will save ratepayers approximately 30 million plus of the life span of the  
20 project.

21 **COMMISSIONER FRANCIS:** Okay. So just a minor hiccup in the whole  
22 scheme of things as far as the dollars. Nothing criminal or MR on it, just a little  
23 bit, okay, good.

1 **MR. HOGGATT:** Nothing like that.

2 **COMMISSIONER FRANCIS:** All right. Sounds like good news for the  
3 ratepayers.

4 **SECRETARY FREY:** It is. And with this being waste heat recovery generated  
5 power, there's no fuel cost which is another blessing. It's been online now for a  
6 couple of years. So they're getting benefits from it right now. It's -- you know,  
7 actually wish it was probably a little bit bigger. But --

8 **COMMISSIONER FRANCIS:** That's good. The waste heat recovery is a good  
9 deal if we know somebody else out there that's got a deal like that, come forward.  
10 We would like to take a look at it. Thank you.

11 **CHAIRMAN BOISSIERE:** All right. Do we -- I think we have a --

12 **MS. BOWMAN:** We have a motion and a second.

13 **CHAIRMAN BOISSIERE:** We have a motion and a second. Any opposition?  
14 [NONE HEARD] Hearing none, so ordered. Thank you so much. Next item,  
15 please.

16 **MS. BOWMAN:** So we have already considered Exhibit Number 22. So we will  
17 move on to Exhibit Number 23, which is Docket Number U-36259. This is  
18 Southwestern Electric Power Company's application for certification of a solar  
19 power purchase agreement with Rocking R Solar. It's a discussion and possible  
20 vote pursuant to Rule 57 on the joint stipulation term sheet at the request of  
21 Commissioner Campbell so this will need two votes. On January 28, 2022,  
22 SWEPCO filed its application for certification of a Solar PPA with Rocking R  
23 Solar. Notice of the application was published in the Commission's Official

1 Bulletin with no interventions filed. After discovery and filing of testimony,  
2 SWEPCO and Staff filed a joint stipulation term sheet on September 9, 2022. The  
3 settlement states that SWEPCO and Commission Staff agree to the following: The  
4 Solar PPA with Rocking R Solar is in the public interest consistent with the  
5 Commission's General Order dated September 20, 1983. The Solar PPA complies  
6 with the Commission's unsolicited offer order. The Solar PPA will provide  
7 SWEPCO's customers with renewable capacity and energy for 20 years at a fixed  
8 rate and a Solar PPA fulfills a portion of SWEPCO's commitment in the stipulated  
9 settlement approved in Order Number U-35324. The parties also agree that certain  
10 issues regarding cost recovery will be resolved in Docket Number U-36385 and  
11 future rate filings pursuant to the terms of the settlement. The settlement resolves  
12 all other issues in the docket as the Solar PPA serves the public convenience and  
13 necessity and is in the public interest as modified by the terms in the settlement.  
14 Staff recommends that the Commission accept the joint stipulation term sheet filed  
15 into the record on September 9, 2022.

16 **COMMISSIONER CAMPBELL:** This is a project that's been underway for a  
17 long time. We work with everybody possible. This is the first solar project for  
18 SWEPCO and north Louisiana. I-49 now, as you know, goes through Shreveport.  
19 If you ever have to go up there anymore. You don't go through Texarkana. You  
20 go around Texarkana but this is right before you get out of Louisiana line. This  
21 property joins I-49. It's going to be advertised. It makes the Public Service  
22 Commission look good. It's going to make me look good. No, it's going to make  
23 SWEPCO look good. It's progressive. They going to have about -- I think is it



1 about 600 acres of solar panels there. They're ready to go. Everybody looked at  
2 it. It's good for -- it's clean. It's good for our customers. It's good for the Public  
3 Service Commission and as we do these projects, we should be proud of it because  
4 Louisiana's moving forward and rapid process getting solar power. And that's  
5 good. So this thing is in line. Everybody's okay with it. They've been through it  
6 inside out for about three years so I would ask that you accept the Staff  
7 recommendation.

8 **MS. BOWMAN:** We need a --

9 **SECRETARY FREY:** And a first.

10 **COMMISSIONER CAMPBELL:** You need a Rule 57? I make a motion to enact  
11 Rule 57.

12 **COMMISSIONER GREENE:** Second.

13 **CHAIRMAN BOISSIERE:** Moved by Commissioner Campbell, second by  
14 Commissioner Greene to accept the --

15 **SECRETARY FREY:** The Rule 57.

16 **CHAIRMAN BOISSIERE:** Wait, Rule 57, to bring this in Rule 57 to hear the  
17 matter. Any opposition? [NONE HEARD] Hearing none, let's move on. Let's -  
18 - to the issue. Give me another one, Foster.

19 **COMMISSIONER CAMPBELL:** I made a Staff recommendation that we accept  
20 the joint stipulation.

21 **CHAIRMAN BOISSIERE:** Exactly.

22 **COMMISSIONER GREENE:** Second.

23 **CHAIRMAN BOISSIERE:** Moved by Commissioner Campbell, second by

1 Commissioner Greene to accept the stipulated agreement. Any opposition?

2 [NONE HEARD] Hearing none, so ordered.

3 **MS. BOWMAN:** We have also taken up Exhibit Number 24 so we will move to  
4 Exhibit Number 25 which is undocketed. It's a directive to jurisdictional electric  
5 utilities regarding their current or upcoming integrated resource planning processes  
6 and this is at the request of Commissioner Greene and I'm assuming,  
7 Commissioner, you'd like me to read this into the record?

8 **COMMISSIONER GREENE:** Yeah, you can.

9 **MS. BOWMAN:** So recently, the conversations regarding offshore wind resources  
10 have intensified. Our own governor has touted its alleged benefits and the  
11 Louisiana Legislature has resolved to explore offshore winds usefulness to the state.  
12 With so much discussion surrounding an electricity resource in Louisiana, it is  
13 imperative we begin to understand the true pros and cons, cost and benefits and  
14 overall feasibility if any, of offshore wind for Louisiana's coast. Therefore, I direct  
15 each electric utility within their integrated resource plans to provide an evidentiary  
16 record of all costs and benefits associated with power generation and resource  
17 supply from offshore wind for Louisiana utilities, including the utilities data  
18 assumptions in any customer impacts of offshore wind being utilized now or in the  
19 future for the utility resource portfolio. This analysis should include the indicative  
20 costs of transmission needed to connect any offshore wind resources to the power  
21 grid. My expectation is that this analysis will be incorporated to future filings and  
22 each IRP docket allowing all intervenors to review and to allow our consultant to  
23 review and report back to the Commission on said analysis.

1 **COMMISSIONER GREENE:** Thank you.

2 **CHAIRMAN BOISSIERE:** We don't need any action.

3 **MS. BOWMAN:** As long as there's no opposition.

4 **CHAIRMAN BOISSIERE:** Well, is there any opposition? [NONE HEARD]

5 Hearing none --

6 **COMMISSIONER CAMPBELL:** We don't need a vote.

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

8 **CHAIRMAN BOISSIERE:** There we go. We have a motion to adjourn by

9 Commissioner Skrmetta.

10 **COMMISSIONER GREENE:** Second.

11 **CHAIRMAN BOISSIERE:** Second by Commissioner Greene. Any opposition?

12 [NONE HEARD] Hearing none, so ordered.

13

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


15

1 I certify that the forgoing pages 1 through 96 are true and correct to the best  
2 of my knowledge of the Open Session of the Business and Executive Meeting  
3 held on September 21, 2022 in Shreveport, Louisiana.

4 \*\*\*\*\*

5 Rough Draft prepared by:

6  9/28/22  
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