

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM OCTOBER 1, 2014**  
**OPEN SESSION**

**MINUTES OF OCTOBER 1, 2014 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN NEW ORLEANS, LOUISIANA. PRESENT WERE CHAIRMAN ERIC SKRMETTA, VICE CHAIR CLYDE HOLLOWAY, COMMISSIONERS FOSTER CAMPBELL, LAMBERT BOISSIERE, SCOTT ANGELLE and EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.**

Open Session of October 1, 2014, convening at 10:29 A.M. and adjourning at 1:18 P.M., at the Supreme Court Building, 400 Royal Street New Orleans, Louisiana, with the above-named members of the Commission and Executive Secretary Eve Kahao Gonzalez.

<b>Ex. 1</b>	<p><b>Announcements</b></p> <p>Deputy General Counsel, Melissa Watson, introduced new Staff Attorney Lauren Temento.</p>
<b>Ex. 2</b>	<p><b>T-33177</b> - Louisiana Public Service Commission vs. Florida Parishes Environmental Management, LLC dba McKnight's (Hammond, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the years 2010, 2011, 2012 and 2013 for the inspection, control, and supervision of its business service and rates as outlined in Common Carrier Certificate Number 6298-A, pursuant to General Order dated November 11, 2011.</p> <p><b>In re: Discussion and possible vote on ALJ Recommendation.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve the ALJ recommendation.</p>
<b>Ex. 3</b>	<p><b>T-33183</b> - Louisiana Public Service Commission vs. Louisiana Coaches, Inc. (Marrero, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the years 2012 and 2013 for the inspection, control, and supervision of its business service and rates as outlined in Common Carrier Certificate Number 5934, pursuant to General Order dated November 11, 2011.</p> <p><b>In re: Discussion and possible vote on ALJ Recommendation.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve the ALJ recommendation.</p>
<b>Ex. 4</b>	<p><b>T-33327</b> - Louisiana Public Service Commission vs. Kenneth W Crawford dba Kenny's Towing (Bossier City, Louisiana) . In re: Alleged violation of Louisiana Revised Statutes Title 45:161 through 180.1 as amended, by operating Intrastate without LPSC authority; allegedly occurring on or about May 08, 2014.</p> <p><b>In re: Discussion and possible vote on stipulated agreement pursuant to Rule 57.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the carrier.</p>
<b>Ex. 5</b>	<p><b>T-33388</b> - Louisiana Public Service Commission vs. Joseph Juhasz Jr. dba Touches of Class Auto Care &amp; Body Towing and Recovery (Albany, Louisiana) . In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority and General Order dated April 17, 2014 for exceeding state prescribed rates, allegedly having occurred on or about August 20, 2014.</p> <p><b>In re: Discussion and possible vote on stipulated agreement pursuant to Rule 57.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the carrier.</p>

<p><b>Ex. 6</b></p>	<p><b>U-33033</b> - Entergy Louisiana, LLC and Entergy Gulf States Louisiana, LLC, ex parte. In re: Joint Application for Certification of First Year Revenue Requirement Associated with Construction of Ninemile 6 and Related Power Purchase Agreement and Request for Timely Relief for Entergy.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve and adopt the Revised Stipulation that was executed by the parties and filed into the docket on August 14, 2014.</p>
<p><b>Ex. 7</b></p>	<p><b>U-33122</b> - South Louisiana Electric Cooperative Association (SLECA), ex parte. In re: 2014 Annual Report for Test Year ending November 2013.</p> <p><b>In re: Discussion and possible vote on Motion for Entry of Order.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to adopt the draft order as filed into the record on September 17, 2014.</p>
<p><b>Ex. 8</b></p>	<p><b>U-33191</b> - South Louisiana Electric Cooperative Association (SLECA), ex parte. In re: Petition for Approval of Storm Rate Rider Relative to Regulatory Assets.</p> <p><b>In re: Discussion and possible vote on Staff's recommendation pursuant to Rule 57.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to approve Staff's recommendation that all adjustments be applied to the balance of the regulatory asset, which would make the regulatory asset basis amount \$2,087,251.71. Staff further recommends that the monthly rider be \$2.49 for a SLECA residential customer with usage of 1,400kWh per month with a recovery period of 24 months; however, it is likely that SLECA will recover the Staff adjusted balance over a shorter time frame. Therefore, SLECA should report to the Commission the status of the SRR in the month before it appears that the deferred balance of the regulatory asset will be fully recovered.</p>
<p><b>Ex. 9</b></p>	<p><b>U-33163</b> - Twin Oaks Service Corporation, ex parte. In re: Request for an increase in sewerage rates.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Agreement.</b></p> <p>Commissioner Skrmetta made motion to adopt the unopposed stipulated settlement agreement filed into the record on the August 29, 2014 and entered into the record at the September 4, 2014 hearing of this matter. Commissioner Angelle seconded.</p> <p>Commissioner Holloway offered a substitute motion to approve a flat rate of \$15.00.</p> <p>After further discussion, the matter was PASSED until November.</p>
<p><b>Ex. 10</b></p>	<p><b>S-33053</b> - Sage Telecom Communications, LLC, ex parte. In re: Application for Designation as an Eligible Telecommunications Carrier in Louisiana for the Limited Purpose of Offering Wireless Lifeline Service.</p> <p><b>In re: Discussion and possible vote on Staff's recommendation.</b></p> <p><b>(Ex. 5 on September 10, 2014 B&amp;E Agenda)</b></p> <p><b>PASSED</b></p>

<p><b>Ex. 11</b></p>	<p><b>S-33206</b> - Environmental Safety &amp; Health Consulting Services, Inc. (Houma, Louisiana), ex parte. In re: Application to increase the tariff rates for LPSC Nos. 7713 &amp; 7352.</p> <p><b>In re: Discussion and possible vote on Staff's recommendation.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to approve a rate of \$80 - \$120 per hour for services provided under the waste certificate and a rate of \$75 - \$95 per hour for services provided under the saltwater certificate.</p>
<p><b>Ex. 12</b></p>	<p><b>R-31106</b> - LPSC, ex parte. In re: Rulemaking to study the possible development of financial incentives for the promotion of energy efficiency by jurisdictional electric and gas utilities.</p> <p><b>In re: Discussion and possible vote to approve the proposed budget of J. Kennedy &amp; Associates.</b></p> <p><b>(Ex. 16 on the September 10, 2014 B&amp;E Agenda)</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, with Commissioner Campbell and Commissioner Angelle concurring and Commissioner Holloway opposing, the Commission voted to approve J. Kennedy &amp; Associates' proposed budget for the period of October 1, 2014 through September 30, 2015 in the amount \$36,000 for consulting services and \$6,000 for expenses, for a total budget of \$42,000.</p>
<p><b>Ex. 13</b></p>	<p><b>1) Reports</b>  Staff report on the amounts anticipated to be collected through EE riders beginning in October 2014.</p> <ul style="list-style-type: none"> <li>- Report was given by Melanie Verzwyvelt.</li> </ul> <p>Staff report on service quality standards in other states.</p> <ul style="list-style-type: none"> <li>- Report was given by Adrienne Henderson.</li> </ul> <p>Staff report from LPSC special counsel regarding refunds to be issued pursuant to FERC Order on Entergy 2007, 2008, and 2009 Rough Equalization Bandwidth Cases.</p> <ul style="list-style-type: none"> <li>- Report was given by Michael Fontham.</li> </ul> <p><b>2) Resolutions</b>  See Exhibit No. 19</p> <p><b>3) Discussions</b>  <b>4) ERSC/OMS Business</b>  <b>5) Directives</b></p> <p>Commissioner Skrmetta requested reports from Investor Owned Electric Utilities, in particular EGSL, ELL, Cleco, and Swepco, on how they plan to meet the load growth in their area. EGSL, ELL, Cleco, and Swepco were also asked to attend the November B&amp;E. Finally, Commissioner Skrmetta, at the request of Commissioner Angelle, asked that Secretary Gonzalez invite the Secretary of the Department of Economic Development to attend the November meeting.</p>
<p><b>Ex. 14</b></p>	<p>Discussion and possible vote to open a docket on expanding the deposit waiver of domestic violence victims to include residents of nursing homes, individuals with developmental disabilities and similar individuals returning to home-based care.</p> <p><b>At the request of Commissioner Campbell.</b></p> <p>The directive to open a docket on expanding the deposit waiver moves forward without opposition.</p>

<p><b>Ex. 15</b></p>	<p><b>S-32804</b> - Archibald Water System, Inc., ex parte. In re: Request for an Increase in Water Rates (Non-Profit System).</p> <p><b>In re: Discussion and possible vote to modify Order No. S-32804 to substitute lender of record from Government Capital to CoBank.</b></p> <p><b>At the request of Commissioner Campbell.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to authorize CoBank to replace Government Capital Corporation as the lender of record and that Order No. S-32804-A be issued to reflect this limited modification.</p>
<p><b>Ex. 16</b></p>	<p>LPSC Docket No. U-29764, Louisiana Public Service Commission, ex parte. In re: Entergy Louisiana, LLC and Entergy Gulf States, Inc. Retail Proceeding to Estimate and Implement in Retail Rates in 2007 the Rough Equalization Impact of FERC Opinions No. 480 and 480-A, FERC Docket EL01-88-000, LPSC v. Entergy Corp.</p> <p>Entergy Services, Inc., Docket Nos. EL07-52, ER07-682, ER07-956, EL08-51, ER08-1056, and ER09-1224 before the Federal Energy Regulatory Commission.</p> <p>Louisiana Public Service Commission v. Entergy Corp., Docket No. EL01-88 before the Federal Energy Regulatory Commission.</p> <p><b>In re: Report from Special Counsel on refunds and possible vote on how such refunds are to be made.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to approve a one-time refund to be implemented immediately.</p>
<p><b>Ex. 17</b></p>	<p>Louisiana Public Service Commission, et al. v. Louisiana State Legislature, Docket No. 592,231, Section 26, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana.</p> <p><b>In re: Possible executive session pursuant to La. R.S. 42:17 to discuss litigation strategy.</b></p> <p><b>At the request of Commissioner Holloway.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to enter executive session.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to exit executive session.</p>
<p><b>Ex. 18</b></p>	<p><b>R-33409</b> - Louisiana Public Service Commission, ex parte. In re: Possible modifications to the Regulations for Competition in the Local Telecommunications Market and General Order dated July 26, 2013 (Retail Service Quality Measures)</p> <p><b>Commissioner Holloway directs Staff to issue an RFP to retain outside consultants to assist Staff.</b></p> <p><b>At the request of Commissioner Holloway.</b></p> <p>The directive moves forward without opposition.</p>

<b>Ex. 19</b>	<p>LPSC ex parte. In re: Texting and Driving -"It Can Wait"</p> <p><b>In re: Discussion and possible vote to adopt a resolution regarding texting and driving and the "#X" program.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Holloway, and Commissioner Angelle requesting a unanimous second vote, the Commission unanimously voted to adopt the No Texting While Driving resolution.</p>
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On motion of Chairman Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adjourn.

**MEETING ADJOURNED**

The next Business and Executive Session will be held Thursday November 6, 2014 at 9:00 a.m. in Baton Rouge, Louisiana.