

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM DECEMBER 19, 2018
OPEN SESSION

MINUTES OF DECEMBER 19, 2018 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN NEW ORLEANS, LOUISIANA. PRESENT WERE CHAIRMAN ERIC SKRMETTA, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER CRAIG GREENE AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of December 19, 2018 convening at 10:13A.M., and adjourning at 12:14P.M., at the Supreme Court Building, 400 Royal Street New Orleans, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.

Ex. 1	No announcements.
Ex. 2	<p>2019 Proposed B&E Schedule</p> <p>In re: Discussion and possible vote to accept the proposed 2019 schedule.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to adopt the following 2019 Open Session Dates:</p> <p>January 16 February 20 March 20 April 24 May 15 June 19 July 10 ***No Meeting*** September 18 October 16 November 13 December 18</p>
Ex. 3	<p>T-34626 - Louisiana Public Service Commission vs. Charles Jacob dba Jake's (Boutte, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, and General Order dated August 05, 2016 while operating under LPSC authority 7386, for exceeding state prescribed rates, allegedly having occurred on or about July 18, 2017.</p> <p>In re: Discussion and possible vote on ALJ Recommendation on Remand and Rehearing.</p> <p>Chairman Skrmetta made the following motion, seconded by Vice Chairman Francis:</p> <p>After review of the record in this matter, I move to reject the ALJ's recommendation dated December 4, 2018. I further move that 1) the services at issue in this docket conducted by Charles Jacob dba Jake's be determined to be nonconsensual towing and recovery services consistent with the conclusions of law set forth in the initial ALJ recommendation dated December 20, 2017; 2) Charles Jacob dba Jake's be found guilty of violating the Commission's General Order dated August 5, 2016 for exceeding state-prescribed rates; 3) that Charles Jacob dba Jake's be fined in the amount of \$1,000 pursuant to La. R.S. 45:180.1 as a result of this violation; 4) that a \$25 citation fee be assessed to Charles Jacob dba Jakes pursuant to the Commission's General Order dated June 7, 2006; and 5) that Jake's be ordered to refund overcharges in the amount of \$807.69.</p> <p>Commissioner Boissiere made a substitute motion to accept the ALJ Recommendation; the motion failed due to lack of a second.</p> <p>Commissioner Campbell made a substitute motion requiring Charles Jacob dba Jake's to refund the customer its money and fines against Charles Jacob dba Jake's would be dropped; the motion failed due to lack of a second.</p> <p>After further discussions, Chairman Skrmetta called a roll call vote for his original motion. Chairman Skrmetta, Vice Chairman Francis and Commissioner Greene concurred, Commissioner Campbell opposed, and Commissioner Boissiere abstained. The motion carries.</p>

<p>Ex. 4</p>	<p>T-34809 - Louisiana Public Service Commission vs. Charles Jacob dba Jake's (Boutte, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, and General Order dated August 05, 2016 while operating under LPSC authority 7386, for exceeding state prescribed rates, allegedly having occurred on or about October 27, 2017.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the ALJ recommendation.</p>
<p>Ex. 5</p>	<p>T-34994 - Louisiana Public Service Commission vs. Bricor, LLC (Belle Chasse, Louisiana). In re: Cancellation of Common Carrier Certificate Number 7764 for failure to obtain 2018 vehicle identification stamps, as required by La. R.S. 45:161 through 180.1 and to pay a citation fee of \$25.00.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the ALJ recommendation.</p>
<p>Ex. 6</p>	<p>T-34997 - Louisiana Public Service Commission vs. Crescent City Moving and Storage, New Orleans, LLC (Kenner, Louisiana). In re: Cancellation of Common Carrier Certificate Number 7466 for failure to obtain 2017 & 2018 vehicle identification stamps, as required by La. R.S. 45:161 through 180.1 and to pay a citation fee of \$25.00.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the ALJ recommendation.</p>
<p>Ex. 7</p>	<p>T-35002 - Louisiana Public Service Commission vs. J & T Limousine, LLC (Lake Providence, Louisiana). In re: Cancellation of Common Carrier Certificate Number 7916 for failure to obtain 2018 vehicle identification stamps and register vehicles and drivers for 2018 as required by General Order dated April 25, 2012 and La. R.S. 45:161 through 180.1 and to pay a citation fee of \$25.00.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the ALJ recommendation.</p>
<p>Ex. 8</p>	<p>U-33011 - Mo-Dad Utilities, LLC ("Mo-Dad"), ex parte. In re: Application for Rate Increase and Request for Letter of Non-Opposition to Borrowing Funds.</p> <p>In re: Update and Report from Mo-Dad on Status of Loan and Improvements at the request of Chairman Skrmetta.</p> <p>In re: Discussion and possible vote to Rehear Order No. U-33011-B.</p> <p>(Ex. 5 on the November 16, 2018 B&E Agenda)</p> <p>Chairman Skrmetta made the following motion:</p> <p>Order No. U-33011-B authorized Mo-Dad to increase its flat sewer rates in order to cover the debt service requirements of a lending agreement with CoBank. The loan was needed to fund mandatory improvements required by LDEQ. Mo-Dad was unable to finalize the lending agreement with Co-Bank, and is now pursuing an alternative financing method. Since the rates authorized in Order No. U-33011-B were specifically set to accommodate the loan agreement with CoBank, they are no longer accurate or applicable.</p> <p>Therefore, I move that we reconsider Order No. U-33011-B.</p> <p>I further move that the Commission rescind Order No. U-33011-B and approve the following:</p> <ol style="list-style-type: none"> 1. As the rates approved in Order No. U-33011-B are rescinded, the rates previously allowed for residential customers in Order No. U-33011-A and commercial customers in Order No. U-33011 shall go into effect immediately and shall remain effective until an order is issued changing the rates. 2. Within 30 days of the issuance of this Order, Mo-Dad must file a revised tariff into

	<p>Docket No. U-33011 reflecting a flat residential sewer rate of \$35.56 per month and a flat commercial sewer rate of \$38.00 per month.</p> <p>3. No refunds are required at this time.</p> <p>4. As Order No. U-33011-B is rescinded, Mo-Dad is no longer authorized to fund a reserve fund. The Company shall file a report into this docket stating the total amount collected along with a bank statement reflecting the final balance amount. The money previously collected and separately accounted for will be maintained in an escrow account and held until further Commission action.</p> <p>Vice Chairman Francis seconded the motion and it was unanimously adopted.</p> <p><u>Directive:</u> Chairman Skrmetta also directed the company to file a letter of non-opposition so that Staff can review the alternative financing method.</p>
Ex. 9	<p>U-34863 - Livingston Gas & Utility Company, ex parte. In re: Application for an Increase in the Rates for Supplying Natural Gas to Customers and Related Services.</p> <p>In re: Discussion and Possible Vote on Stipulated Settlement.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt the uncontested Stipulated Settlement filed into the record on November 20, 2018.</p>
Ex. 10	<p>U-35024 - South Coast Gas Company, Inc., ex parte. In re: Rate Stabilization Plan filing for the year ended June 30, 2018.</p> <p>In re: Discussion and Possible vote on Joint Report of Proceedings and Proposed Draft Order Accepting Report.</p> <p>On motion of Commissioner Greene, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to approve the Proposed Order, accepting the Joint Report for the Test Year 2018 Rate Stabilization Plan filing submitted by Commission Staff and South Coast Gas, which states that no change in rates is necessary in accordance with the terms and provisions of the Rate Stabilization Plan.</p>
Ex. 11	<p>U-35078 - Entergy Louisiana, LLC, ex parte. In re: Application for Certification of the Waterford to Churchill Transmission Project in Accordance with Commission General Order dated October 10, 2013.</p> <p>In re: Discussion and Possible Vote to retain United Professionals Company ("UPC").</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain United Professionals Company in the amount of \$30,000 for consulting services and \$1,000 for expenses for a total not to exceed budget of \$31,000.</p>
Ex. 12	<p>S-35069 - CenterPoint Energy Resources Corp. (CenterPoint), ex parte. In re: Application for Approval of the Abandonment of a Portion of its Natural Gas Facilities Pursuant to General Order R-30301.</p> <p>In re: Discussion and possible vote on Proposed Order.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt the Proposed Order filed into the record December 7, 2018, granting the application for abandonment.</p>

<p>Ex. 13</p>	<p><u>Directive regarding ELL’s Advanced Metering System (“AMS”) opt-out policy and methodology.</u></p> <p>At the request of Chairman Skrmetta.</p> <p>On November 22, 2016, Entergy Louisiana, LLC (“ELL”) filed an Application for approval and certification of its implementation of a permanent advanced metering system (“AMS”), request for cost recovery, and related relief pursuant to Louisiana Public Service Commission General Order dated September 22, 2009.</p> <p>Through LPSC Order No. U-34320, dated August 25, 2017, the Commission approved ELL’s AMS Application, which will require the deployment of the advanced meters (that retain only the ability to report usage and to connect/disconnect) that will become the Company’s standard metering service. In that Order, the Commission also authorized ELL to implement an AMS opt-out policy and methodology for applicable residential customers who choose to opt out of the AMS rather than receiving an advanced meter. That Commission authorization, however, was subject to ELL making a compliance filing prior to meter deployment for approval of the opt-out fees.</p> <p>The ELL proposed opt-out fee included an up-front one-time fee derived from the customer billing set-up, meter locks, trip charge, and processing of opt-out paperwork be charged to the opt-out customer, which up-front fee varied based on whether an advanced meter had already been installed. The Company also proposed to charge opt-out customers a monthly fee associated with the ongoing monthly costs of manual meter reading and resulting customer service activities necessary to schedule, bill, and support these opt-out customers. The suggested total up-front fee for customers who completed the opt-out process prior to the installation of an advanced meter was \$75.94 and even more. In addition, ELL proposed the estimated monthly fee for opt out customers would be \$16.35 based on the costs expected to be incurred each month.</p> <p>Paying such up-front fees could be insurmountable for some Louisiana families who would seek to choose non-standard metering service from ELL. At the same time, the Commission understands that reducing the fees attributed to customers who choose to opt-out might result in an increase in the total number of customers on ELL’s non-standard metering service and could cause a reduction in the estimated customer savings described in ELL’s AMS Application. The Commission seeks to balance both of these concerns through this directive.</p> <p>Accordingly, the Commission directs ELL to eliminate any AMS opt-out charges other than a monthly fee of \$16.35 for customers who opt-out of receiving an advanced meter. The Commission directs the Company to not implement either up-front one-time fees noted above and described in its Application. The Company shall implement this modified opt-out policy contemporaneous with the AMS deployment schedule approved in that Order and through this directive, the Company’s compliance filing required by Paragraph 15 of Order No. U-34320 is considered satisfied. Any Commissioner retains the plenary authority to review any consumer request for appeal of the fee. The reviewing commissioner has the singular authority to approve or cancel the fee.</p> <p>Commissioner Boissiere requested a modification be made to the monthly fee, changing it from \$16.35 to \$14.35 per month with the rest of the directive language remaining unchanged. There was no opposition to the requested modification.</p> <p>Chairman Skrmetta made a motion for acceptance of the directive as modified. Vice Chairman Francis opposed; a roll call vote was taken with Chairman Skrmetta, Commissioner Campbell, Commissioner Boissiere, and Commissioner Greene concurring. Therefore, the directive will move forward.</p>
<p>Ex. 14</p>	<p>R-31106 - 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>In re: Discussion and Possible Vote to Maintain Phase I (Quick Start) pending Consideration of Phase II (Final Rules).</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt Option 1 extending the Quick Start program for another year beginning January 1, 2019.</p>

<p>Ex. 15</p>	<p>R-34754 - Louisiana Public Service Commission, ex parte. In re: Consideration of appropriate manner to flow through to ratepayers the benefits of the reduction in corporate income taxes as a result of the Tax Cuts and Jobs Act, treatment of the regulatory liability ordered by the Commission to be recorded by utilities pursuant to the Commission's Special Order 13-2018, and related matters.</p> <p>In re: Discussion and possible vote on Amendment to Section II B of the Commission's General Order dated November 30, 2018 to make it consistent with Section VII.</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to amend Section II B of the Commission's General Order dated November 30, 2018 to make it consistent with Section VII as set forth in the Notice of Staff's Request to Seek Amendment to General Order dated November 30, 2018 filed on December 4, 2018.</p>
<p>Ex. 16</p>	<p>1) Reports</p> <p>A. Follow-up Report from Staff regarding DEMCO Audit - DEFERRED</p> <p>(Ex. 12 on the November 16, 2018 B&E Agenda)</p> <p>B. Follow-up Report from Entergy regarding 10/19/2018 outage in downtown Baton Rouge. - DEFERRED</p> <p>(Ex. 12 on the November 16, 2018 B&E Agenda)</p> <p>2) Resolutions</p> <p>3) Discussions</p> <p>Commissioner Boissiere and Commissioner Campbell addressed railroad companies closing crossings without following the proper procedures and coming before the Commission prior to closing. Commissioner Boissiere asked Executive Secretary Frey to notify the railroad companies of the Commission's rules in order to address the issue and to review possible legislation.</p> <p>4) ERSC/OMS/SPP</p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, with Commissioner Campbell and Commissioner Greene concurring, and Commissioner Boissiere abstaining, the Commission voted to ratify Commissioner Boissiere's vote taken on December 13, 2018 as the Louisiana Public Service Commission's representative to the OMS Board of Directors.</p> <p>5) Directives</p> <p><u>Directive for Staff to open an audit of DEMCO and issue an RFP for outside consultant to assist with Staff. - DEFERRED</u></p> <p>At the request of Commissioner Greene.</p> <p>(Ex. 12 on the November 16, 2018 B&E Agenda)</p>

On motion of Vice Chairman Francis and unanimously seconded, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, January 16, 2019 at 9:00am at the Galvez Building in Baton Rouge, Louisiana.