

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM FEBRUARY 19, 2020
OPEN SESSION

MINUTES OF FEBRUARY 19, 2020 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN CRAIG GREENE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of February 19, 2020, convening at 9:23 A.M., and adjourning at 12:04 P.M., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.

<p>Ex. 1</p>	<p>Secretary Frey introduced new employees La Tonya Brown and Cathy Haines.</p> <p>Secretary Frey announced a minor change to our in-person filing procedure. Upon arrival, the front desk will direct you to the Records Division for acceptance of filings, instead of acceptance at the front desk.would start with the Records Division.</p> <p>Chairman Francis reminded everyone in attendance about the importance of the 2020 Census and that everyone should participate. Commissioner Skrmetta echoed the importance of the 2020 Census and stated that the Census would be conducted by telephone and through a federal website.</p> <p>Executive Counsel Kathryn Bowman read a Resolution commending David Frey for his 32 years of service as Executive Director of Louisiana One Call/811 organization and congratulating him upon his retirement.</p>
<p>Ex. 2</p>	<p>U-35372 - Right Way Properties, LLC, ex parte. In re: Petition for Change of Rates.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adopt the Uncontested Stipulated Settlement filed into the record on January 3, 2020, subject to conditions.</p>
<p>Ex. 3</p>	<p>U-35351 - Beauregard Electric Cooperative, Inc., ex parte. In re: Application for Approval of Initial Revenue Adjustment and Extension and Modification of Formula Rate Plan</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement</p> <p>After discussion, Chairman Francis made a motion, seconded by Vice Chairman Greene, to adopt the Uncontested Stipulated Settlement filed into the record on January 24, 2020, which allows for an initial revenue adjustment of \$2,769,462.00 and the extension and modification of BECi's Formula Rate Plan. Commissioner Campbell objected.</p> <p>Commissioner Skrmetta made a substitute motion, seconded by Commissioner Boissiere, and unanimously adopted, that the Commission delay action on the matter for 60 days for the Company to review and potentially modify its request related increases in costs associated with new connections.</p>
<p>Ex. 4</p>	<p>U-33322 - Louisiana Public Service Commission, ex parte, In re: Audit of Southwestern Electric Power Company's charges flowed through its Fuel Adjustment Charge, pursuant to Commission General Order U-21497 dated November 6, 1997 from the period January 1, 2005 through December 31, 2013.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to accept the Joint Report and Draft Order filed into the record on January 29, 2020.</p>

<p>Ex. 5</p>	<p>U-34110 - Louisiana Public Service Commission, ex parte, In re: Audit of Fuel Adjustment Clause Filings for Southwestern Electric Power Company for the period January 2014 through December 2015.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Joint Report and Draft Order filed into the record on January 29, 2020.</p>
<p>Ex. 6</p>	<p>Docket TBD - Atmos Energy Corporation, ex parte, In re: Application for Review of Rate Stabilization Clause of the Consolidated Divisions pursuant to Order No. U-35122.</p> <p>In re: Discussion and possible vote to retain Henderson Ridge Consulting, Inc.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept the bid of Henderson Ridge Consulting, Inc. for a total not to exceed budget of \$72,150.</p>
<p>Ex. 7</p>	<p>U-34687 - Cleco Power LLC, ex parte. In re: Annual Cost of Service and Formula Rate Plan annual earnings monitoring report, for year ended June 30, 2017.</p> <p>In re: Discussion and possible vote on Proposed Uncontested Stipulated Settlement.</p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the Proposed Uncontested Proposed Settlement filed on January 27, 2020.</p>
<p>Ex. 8</p>	<p>U-35374 - Louisiana Public Service Commission vs. Micro-Comm, Inc. of Alabama (Mobile, Alabama). In re: Possible Revocation of Certificate of Authority to Operate Number TSP00566 and/or imposition of a fine of not greater than \$10,000 for alleged failure to maintain and provide proof of a performance bond, irrevocable letter of credit, or other approved form of security, as required by Section 301(F)(1)-(2) of Attachment A of General Order No. R-31839 dated March 11, 2014.</p> <p>In re: Discussion and possible vote on Final Recommendation of the Administrative Law Judge.</p> <p>On motion of Chairman Francis, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept the ALJ recommendation as follows:</p> <ol style="list-style-type: none"> 1. Micro-Comm be found GUILTY of failing to comply with the requirement of Section 301(F)(1)-(2) of the Local Competition Regulations, requiring Commission-certified telecommunication service providers to maintain and provide proof of a performance bond, irrevocable letter of credit, or other approved form of security; 2. Micro-Comm’s Certificate of Authority to Operate be revoked; and 3. A fine in the amount of \$1,000.00 be assessed against Micro-Comm.

Ex. 9

1) Reports

- Staff status report on Robocalls

Executive Secretary Frey reported no new developments.

- Report from Entergy Louisiana, LLC on McDermott/CB&I

Larry Hand with Entergy Louisiana, LLC reported that construction of the Lake Charles Power Station is still scheduled to be completed within its cost and schedule commitments, despite the bankruptcy filing of McDermott International, Inc. and its subsidiaries. Mr. Hand stated there would be no additional cost to ratepayers as a result of the bankruptcy. Chairman Francis requested Mr. Hand provide another report at next month's Business & Executive Session.

2) Resolutions 3) Discussions

Commissioner Boissiere wants Staff to reach out to Exxon about the explosion at their Baton Rouge plant.

4) ERSC/OMS/SPP

Discussion and possible vote to ratify the vote of Chairman Francis acting as the Commission's representative on the Regional State Committee of the Southwest Power Pool.

On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, with Commissioner Boissiere and Commissioner Campbell concurring and Chairman Francis abstaining, the Commission voted to ratify Chairman Francis' vote taken on January 27, 2020, as the LPSC's representative to the SPP RSC.

Discussion and possible vote to ratify the votes taken by Commissioner Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.

On motion of Vice Chairman Greene, seconded by Commissioner Boissiere, with Chairman Francis and Commissioner Campbell concurring and Commissioner Skrmetta abstaining, the Commission voted to ratify Commissioner Skrmetta's votes taken on February 9, 2020, as the LPSC's representative to the OMS Board of Directors.

5) Directives

Directive regarding the "Rural Digital Opportunity Fund."

At the request of Commissioner Skrmetta.

Commissioner Skrmetta directed the LPSC staff to contact all potential broadband service providers in the State of Louisiana and request that they present to the Commission in writing and in person their detailed plans to participate in the federal auctions, which are anticipated to occur on October 22, 2020. Written reports shall be delivered to the Commission by May 1, 2020, and in person presentations shall be scheduled for all providers at the June 2020 Business and Executive meeting.

There was no opposition.

Directive regarding the attachment of 5G facilities on utility poles.

At the request of Commissioner Skrmetta.

Commissioner Skrmetta directed staff to issue a request for proposal, under the existing pole attachment docket, for the purpose of both legal and technical contract assistance, to assist the Commission in preparing analysis of viability as well as developing suggested rate levels for inclusion of 5G cellular telephone/broadband equipment onto existing infrastructure of all electric distribution poles.

There was no opposition.

<p>Ex. 10</p>	<p>Directive to Staff regarding LUS.</p> <p>At the request of Chairman Francis</p> <p>Chairman Francis directed Staff and the consultant hired in Docket No. U-34830 to review the document submitted by counsel for LUS and to request additional information from the Company regarding the self-reported issues. Chairman Francis also directed Staff to report to the Commission at a future B&E as to whether an additional audit docket should be opened to determine whether the self-reported issues violate the Local Government Fair Competition Act or the Commission’s Cost Allocation and Affiliate Transaction rules.</p> <p>There was no opposition.</p>
<p>Ex. 11</p>	<p>Suit No. C638833, 19th Judicial District Court, Beauregard Cooperative, Inc., et al v. Louisiana Public Service Commission</p> <p>In re: Possible executive session to discuss litigation strategy pursuant to La. R.S. 45:16, et seq.</p> <p>At the request of Chairman Francis</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to enter executive session.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Vice Chairman Greene and Chairman Francis concurring and Commissioner Campbell absent, the Commission voted to exit executive session.</p>

On motion of Chairman Francis, seconded by Commissioner Skrmetta, with Vice Chairman Greene and Commissioner Boissiere concurring and Commissioner Campbell absent, the Commission voted to adjourn.

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, March 18, 2020, at 9:00AM at the Galvez Building in Baton Rouge, Louisiana.