

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JUNE 16, 2021
OPEN SESSION

MINUTES OF JUNE 16, 2021 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN CRAIG GREENE, VICE CHAIRMAN ERIC SKRMETTA, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER MIKE FRANCIS, AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of June 16, 2021, convening at 9:10 a.m., and adjourning at 10:58 a.m., the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with the above-name members of the Commission and Executive Secretary Brandon Frey present.

<p>Ex. 1</p>	<p>Chairman Greene welcomed Jim Solomon, Associate Pastor at First Presbyterian, to lead us in prayer, and Trooper Taylor Scrantz of Louisiana State Police to lead us in the pledge.</p> <p>Executive Counsel Kathryn Bowman reintroduced new employees, Staff Attorney Noah Hoggatt and Law Clerk Hannah Greer.</p> <p>Executive Secretary Brandon Frey announced the Legislative Session has ended and Staff would be sending a letter to Commissioners regarding the outcome of relevant legislative issues.</p> <p>Executive Secretary Brandon Frey announced Governor Edwards will host Louisiana Wind Week via Zoom from June 21st – 25th at 9:00 a.m. to 11:00 a.m. each day.</p> <p>Vice Chairman Skrmetta and Executive Secretary Brandon Frey will host a Technical Conference/Presentation with Mike McAnelly, LSU Faculty, that is anticipated to occur during the week of June 28th.</p>
<p>Ex. 2</p>	<p>S-35709 – 1803 Electric Cooperative, Inc., ex parte. In re: Application for Recognition as a Regulated Public Utility.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>After discussion, on motion of Chairman Greene, seconded by Commissioner Campbell, with Commissioner Boissiere and Commissioner Francis concurring, and Vice Chairman Skrmetta opposing, the Commission voted to accept Staff’s Report and Recommendation filed into the record on June 3, 2021.</p>
<p>Ex. 3</p>	<p>S-35851 – Charter Fiberlink LA-CCO, LLC, ex parte. In re: Application for Designation as an Eligible Telecommunications Carrier.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>(Exhibit 8 on May 19, 2021 Business and Executive Session).</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept Staff’s Report and Recommendation filed into the record on April 1, 2021, with one clerical amendment: that the provision of the Code of Federal Regulations cited in Condition No. 3 be amended to read “47 C.F.R. § 54.422(c).”</p>

	<p>Vice Chairman Skrmetta directed Staff to open a rulemaking docket to consider amending the Commission’s General Order No. R-27841 dated May 20, 2004. Under federal law, this Commission has the authority to review and act upon petitions for Eligible Telecommunications Carrier designations to enable jurisdictional telecommunications service providers to receive federal funding and provide service to unserved and underserved communities in Louisiana. In 2004, the Commission adopted a general order to establish public interest criteria applicable to providers seeking Eligible Telecommunications Carrier designations. Given significant changes in the telecommunications industry and regulatory landscape in the past 17 years, there is a growing need to consider modernizing the Commission’s processes for review and compliance related to petitions for Eligible Telecommunications Carrier designation, while also preserving the Commission’s jurisdiction.</p> <p>There was no opposition to Vice Chairman Skrmetta’s Proposed Directive.</p>
Ex. 4	<p>U-35862 – Entergy Louisiana, LLC, ex parte. In re: Test Year 2020 Gas Rate Stabilization Filing.</p> <p>In re: Discussion and possible vote on Unopposed Joint Report of Proceedings and Draft Order.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Unopposed Joint Report of Proceedings and Draft Order filed into the record on April 23, 2021.</p>
Ex. 5	<p>U-35936 – Southwestern Electric Power Company, ex parte. In re: Application for Certification of the Trinity Solar Project and Related Advanced Metering Pilot.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>(Exhibit 13 on May 19, 2021 Business and Executive Session).</p> <p>On motion of Commissioner Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to retain United Professionals Company for a budget of \$56,000 in fees and \$1,500 in expenses for a total budget not to exceed \$57,500.</p>
Ex. 6	<p>U-35991 – Entergy Louisiana, LLC, ex parte. In re: Application for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta and Winter Storm Uri and for Related Relief.</p> <p>In re: Discussion and possible vote to hire outside securitization consultant.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to retain Estrada Hinojosa & Company, Inc. for a budget of \$275,000 in fees and \$15,000 in expenses for a total budget not to exceed \$290,000.</p>
Ex. 7	<p>X-35937 – Louisiana Public Service Commission, ex parte. In re: Prudence Investigation of Atmos Energy Corporation’s System Integrity Improvement Program, including an analysis of Reasonable Cost Recovery Mechanism.</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>Chairman Greene made a motion to retain Stone Pigman, which was seconded by Commissioner Boissiere.</p> <p>Vice Chairman Skrmetta made a substitute motion to retain Patrick Miller, LLC, which was seconded by Commissioner Francis, with Chairman Greene, Commissioner Campbell and Commissioner Boissiere opposing, the substitute motion failed.</p>

	<p>On Chairman Greene’s original motion, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to retain Stone Pigman for a budget of \$467,000 in fees and \$25,000 in expenses for a total budget not to exceed \$492,000.</p>
Ex. 8	<p>X-35981 – Louisiana Public Service Commission, ex parte. In re: Investigatory Audit of Total Environmental Solutions, Inc.’s Compliance and Management of all Drinking Water and Wastewater Systems, Including Compliance with a Modified Consent Decree.</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>After discussion by Commissioners and Commission Staff and from Kara Kantrow, counsel for Total Environmental Solutions, Inc., Chairman Greene made a motion, which was seconded by Commissioner Boissiere, with Commissioner Campbell and Commissioner Francis concurring and Vice Chairman Skrmetta opposing, that the Commission voted to Defer Exhibit 8 until July B&E Meeting.</p> <p>DEFERRED</p>
Ex. 9	<p>X-35981 – Louisiana Public Service Commission, ex parte. In re: Investigatory Audit of Total Environmental Solutions, Inc.’s Compliance and Management of all Drinking Water and Wastewater Systems, Including Compliance with a Modified Consent Decree.</p> <p>In re: Discussion and possible vote to hire outside consultant.</p> <p>After discussion by Commissioners and Commission Staff and from Kara Kantrow, counsel for Total Environmental Solutions, Inc., Chairman Greene made a motion, which was seconded by Commissioner Boissiere, with Commissioner Campbell and Commissioner Francis concurring and Vice Chairman Skrmetta opposing, that the Commission voted to Defer Exhibit 9 until July B&E Meeting.</p> <p>DEFERRED</p>
Ex. 10	<p>X-35985 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Arkla and CenterPoint Energy Entex Associated with the February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote to retain Exeter and Associates.</p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain Exeter and Associates, Inc. for a budget of \$24,050 in fees and \$2,450 in expenses for a total budget not to exceed \$26,500.</p>
Ex. 11	<p>X-35986 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Atmos Energy-Louisiana Division (a Regulatory Division of Atmos Energy Corporation) Associated with the February 2021 Winter Storm.</p> <p>In re: Discussion and possible vote pursuant to retain Henderson Ridge Consulting.</p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain Henderson Ridge Consulting for a budget of \$37,800 in fees and \$1,200 in expenses for a total budget not to exceed \$39,000.</p>

<p>Ex. 12</p>	<p>X-35987 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Entergy Louisiana, LLC, for Provision of Electricity, Associated with February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote to retain United Professionals Company.</p> <p>On motion of Commissioner Francis, seconded by Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain United Professionals Company for a budget of \$44,000 in fees and \$1,000 in expenses for a total budget not to exceed \$45,000.</p>
<p>Ex. 13</p>	<p>X-35988 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Entergy Louisiana, LLC, for Provision of Natural Gas, Associated with the February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote to retain Exeter and Associates.</p> <p>On motion of Commissioner Greene, seconded by Commissioner Francis, with Commissioner Campbell and Commissioner Boissiere concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain Exeter and Associates, Inc. for a budget of \$7,300 in fees and \$1,200 in expenses for a total budget not to exceed \$8,500.</p>
<p>Ex. 14</p>	<p>X-35989 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Southwestern Electric Power Company Associated with the February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote to retain Resolved Energy Consulting.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Boissiere, with Chairman Greene and Commissioner Campbell concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain Resolved Energy Consulting for a budget of \$48,000 in fees and \$1,800 in expenses for a total budget not to exceed \$49,800.</p>
<p>Ex. 15</p>	<p>X-35990 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Cleco Power LLC Associated with the February 2021 Winter Storm Event.</p> <p>In re: Discussion and possible vote to retain London Economics International.</p> <p>On motion of Commissioner Francis, seconded by Commissioner Boissiere, with Chairman Greene and Commissioner Campbell concurring and Vice Chairman Skrmetta temporarily absent, the Commission voted to retain London Economics International for a budget of \$25,230 in fees and \$1,704 in expenses for a total budget not to exceed \$26,934.</p>
<p>Ex. 16</p>	<p>1) Reports</p> <p>- Report from Charter Spectrum regarding efforts to provide service to the Talisheek community.</p> <p>Mr. Rob Rieger, counsel for Charter Spectrum, and Mr. Brent Golleher, Senior Manager, Government Affairs at Charter Spectrum, provided a report to the Commission regarding efforts to provide service to the Talisheek community.</p> <p>(Exhibit 15 on May 19, 2021 Business and Executive Session).</p> <p>2) Resolutions</p>

	<p>3) Discussions</p> <p>- Presentation by NGA 911 on their E-911 services.</p> <p>Grant Guillot, from Adams and Reese, LLP, and Don Ferguson, CEO of NGA 911, gave a presentation to the Commission on their E-911 services.</p> <p>4) ERSC/OMS/SPP</p> <p>5) Directives</p>
Ex. 17	<p>Undocketed – FERC Docket No. RM21-14-000 <i>Participation of Aggregators of Retail Demand Response Customers in Markets Operated by Regional Transmission Organizations and Independent System Operators</i>, and FERC Docket No. RM18-9-002, FERC Order No. 2222-A.</p> <p>In re: Possible executive session to discuss litigation strategy pursuant of La. R.S. 45:16, et seq.</p> <p>On motion of Chairman Greene, seconded by Commissioner Boissiere, the Commission voted to enter executive session.</p> <p>On motion of Chairman Greene, seconded by Vice Chairman Skrmetta, with Commissioner Francis concurring and Commissioner Campbell and Commissioner Boissiere temporarily absent, the Commission voted to exit executive session.</p>
Ex. 18	<p>U-35299 – Cleco Power LLC, ex parte. In re: Application for Implementation of Changes in Rates to be Effective July 1, 2020 and Extension of Existing Formula Rate Plan.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>At the request of Commissioner Francis.</p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Skrmetta, with Chairman Greene and Commissioner Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>On motion of Vice Chairman Skrmetta, seconded by Chairman Greene, with Commissioner Francis and Commissioner Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to accept Uncontested Stipulated Settlement filed into the record on June 11, 2021.</p>
Ex. 19	<p>Undocketed – Directive to Staff to determine the quality of service for traditional telephone services in Louisiana.</p> <p>At the request of Vice Chairman Skrmetta.</p> <p>Vice Chairman Skrmetta directed Staff to take the following action. In light of recent mergers, reorganizations, divestitures and technological developments at several of the large telecommunications companies such as AT&T spinoff of DirecTV and proposal to do the same with Warner Media, CenturyLink merger with Level 3 and Sprint merger with T-Mobile for example, and as a result of complaints received in our office, there is a growing concern about the potential impact these changes could have with respect to legacy or traditional telephone services. While these services have been decreasing in number over the years, many consumers and some small businesses, particularly in the rural areas, still depend on traditional telephone service for 911 and other uses. I believe the Commission should ensure that adequate consumer protections are in place for these services.</p>

	<p>Accordingly, I direct staff to open a docket to determine the current status of all traditional telephone services within the state and determine the future plans the carriers have in terms of continued availability, customer service, pricing and transition to newer technologies over time. Staff shall take whatever action necessary to accomplish this task, including issuing requests for proposal for the hiring of any legal, or consultant, outside personnel necessary to assist the staff to accomplish the goals of the directive.</p> <p>There was no opposition.</p>
--	---

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, July 14, 2021, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.