

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM JUNE 19, 2019**  
**OPEN SESSION**

**MINUTES OF JUNE 19, 2019 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND EXECUTIVE SECRETARY BRANDON FREY.**

**Open Session of June 19, 2019, convening at 9:07A.M., and adjourning at 10:39A.M., the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.**

<b>Ex. 1</b>	<p>Vice Chairman Campbell announced that Emile Cordaro, Government Affairs Manager for AEP SWEPCO, lost his brother suddenly and asked that he be remembered in prayer.</p> <p>Chairman Francis wished all fathers a Happy Belated Father’s Day and shared a poem.</p> <p>Executive Secretary Brandon Frey announced that the Louisiana Chapter of the Energy Bar Association will be hosting a Happy Hour event on July 9, 2019, with the location TBA, and that everyone is welcome.</p>
<b>Ex. 2</b>	<p><b>T-34810</b> - Louisiana Public Service Commission vs. Moon's Towing Service, Inc. (Jefferson, 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 6519, for exceeding state prescribed rates, allegedly having occurred on or about November 17, 2017.</p> <p><b>In re: Discussion and possible vote on ALJ recommendation.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt the ALJ recommendation.</p>
<b>Ex. 3</b>	<p><b>T-35175</b> - Louisiana Public Service Commission vs. Aces Towing Enterprises, LLC (Chalmette, Louisiana). In re: Alleged violation of La. R.S. 45: 171 and 180.1, by operating Intrastate without LPSC authority on three hundred forty-two (342) counts, and General Order dated August 05, 2016 for exceeding state prescribed rates on seventeen (17) counts, occurring on or about October 07, 2016 through April 29, 2019.</p> <p><b>In re: Discussion and possible vote pursuant to Rule 57 to accept Affidavit and Stipulation executed by the Carrier.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation executed on May 14, 2019 for fines and fees totaling \$17,125.00.</p>
<b>Ex. 4</b>	<p><b>U-34729</b> - Louisiana Public Service Commission, ex parte. In re: Audit of the Energy Efficiency Rate Rider of Cleco Power LLC for the Energy Efficiency Quick Start Program Years ending October 31, 2015 and October 31, 2016.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report and issue the proposed Draft Order filed into the record as an exhibit to the Joint Report on June 6, 2019.</p>
<b>Ex. 5</b>	<p><b>U-34730</b> - Louisiana Public Service Commission, ex parte. In re: Audit of the Energy Efficiency Rate Rider of Entergy Louisiana, LLC for the Energy Efficiency Quick Start Program Years ending October 31, 2015 and October 31, 2016.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously</p>

	<p>adopted, the Commission voted to accept the Joint Report and issue the proposed Draft Order filed into the record as an exhibit to the Joint Report on June 5, 2019.</p>
<b>Ex. 6</b>	<p><b>U-35092</b> - Parish Water Company, Inc., ex parte. In re: Request for a Rate Increase.</p> <p><b>In re: Discussion and possible vote on uncontested stipulated settlement.</b></p> <p>On motion of Commissioner Greene, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adopt the uncontested stipulated settlement filed into the record on May 10, 2019, subject to the clarification that the Parties agree that the fee to be billed to Parish Water Company, Inc., for the outside consultant's review of this filing for compliance with the Tax Cuts and Jobs Act shall be taken from the one-time excess tax refund, consistent with the Commission's action in similar dockets.</p>
<b>Ex. 7</b>	<p><b>U-35106</b> - Atmos Energy Corporation, ex parte. In re: 2018 Rate Stabilization Clause filing for Trans Louisiana Gas rate division.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report and issue the proposed Draft Order filed into the record on June 6, 2019, as an exhibit to the Joint Report.</p>
<b>Ex. 8</b>	<p><b>U-35153</b> - Atmos Energy Corporation, ex parte. In re: Rate Stabilization Clause filing for Louisiana Gas Service rate division.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report and issue the proposed Draft Order filed into the record on June 6, 2019, as an exhibit to the Joint Report.</p>
<b>Ex. 9</b>	<p><b>U-35201</b> - Cleco Power LLC, ex parte. In re: Request for: (i) Authorization of Agreement for Purchased Power from a Qualifying Cogeneration Facility Between International Paper Company, as Seller, and Cleco Power LLC, as Purchaser, dated as of May 30, 2019; (ii) Authorization of Service Agreement for Standby Electrical Service Between Cleco Power LLC, as Seller, and International Paper Company, as Buyer, dated as of May 30, 2019; and (iii) Expedited Treatment.</p> <p><b>In Re: Discussion and possible vote on Staff Recommendation regarding Motion of Cleco Power LLC for Rule 57 Consideration on an Expedited Basis.</b></p> <p><b>At the request of Vice Chairman Campbell.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, 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 Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to approve the Draft Proposed Order, as modified by Staff, filed into the record on June 10, 2019.</p>
<b>Ex. 10</b>	<p><b>X-35173</b> - Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Southwestern Electric Power Company for the period of January 2016 through December 2018.</p> <p><b>In re: Discussion and possible vote to hire outside consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to retain Resolved Energy Consulting to assist Staff for \$27,000 in fees and \$900 in expenses for a total not to exceed budget of \$27,900.</p>

<p><b>Ex. 11</b></p>	<p><b>S-35141</b> - CenterPoint Energy Arkla, ex parte. In re: Request for Approval or Non-Opposition to Restructuring and Extension of Restructuring and Extension of Upstream Transportation Service Agreements with Enable Gas Transmission, LLC.</p> <p><b>In re: Discussion and possible vote on Staff recommendation.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to approve CenterPoint Energy Arkla’s request regarding the proposed restructured and extended service agreements with Enable Gas Transmission, LLC, by expressing its non-opposition to the same.</p>
<p><b>Ex. 12</b></p>	<p><b>S-35182</b> - Eco Services Operations Corp. and Entergy Louisiana, LLC, ex parte. In re: Request for Approval of Agreement for Interconnection and Purchased Power from a Qualifying New Renewable Resource.</p> <p><b>In re: Discussion and possible vote on Proposed Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to adopt the Proposed Order filed into the record on June 5, 2019, approving the submitted agreement subject to the condition that any monetary benefit to the Company as a result of the receipt of renewable and/or environmental attributes, including Renewable Energy Credits (“RECs”) shall flow back to ratepayers via the Fuel Adjustment Clause.</p>
<p><b>Ex. 13</b></p>	<p><b>R-34738</b> - Louisiana Public Service Commission, ex parte. In re: Proceeding to establish rules regarding electric utility tariff filings and related review, including site specific rate filings.</p> <p><b>In re: Discussion and possible vote on Staff's Report and Recommendation of Final Rule.</b></p> <p><b>(Ex. 9 on May 15, 2019 B&amp;E Agenda)</b></p> <p>Commissioner Greene made a motion, seconded by Commissioner Skrmetta, that the Commission vote to accept Staff’s amended recommendation filed into the record on May 9, 2019, with Section 201-<i>Operating as a Regulated Utility without Authority; Filed Rate Doctrine</i> modified.</p> <p>Vice Chairman Campbell made a motion to amend the site specific section by adding a requirement that utilities to disclose whether potential customers under a site specific contract considered self-generation as an alternative to receiving a site specific rate.</p> <p>Commissioner Greene incorporated Vice Chairman Campbell’s amendment into his motion, with Commissioner Skrmetta reiterating his second, the motion was unanimously adopted as follows: the Commission voted to accept the Staff’s amended recommendation filed into the record on May 9, 2019 with Section 201 modified to read as follows: “Electric Utilities must provide Service at the exact rate described in, and in a manner not materially inconsistent with, their Tariffs and Commission approved Site-Specific Contracts. Following the effective date of these Rules, should an Electric Utility provide Service not materially inconsistent with, but in a manner that is altered from (including in a manner not addressed in), the Tariff, the Electric Utility shall provide written notice to the Executive Secretary of the Commission of such alteration, including the specific provision being altered and a brief description of why the alteration is needed. Such notification may be made pursuant to LPSC Rule 12.1.” Further, Section 601(C)(1) is modified to include the following sentence: The applicant shall disclose whether potential customers under a Site Specific Contract considered self-generation as an alternative to receiving a site specific rate.</p>
<p><b>Ex. 14</b></p>	<p><b>1) Reports</b>  <b>-Staff status report regarding robocalls.</b></p> <p>Executive Secretary Brandon Frey reported that the Federal Communications Commission (“FCC”) issued a Declaratory Ruling on June 6, 2019, which allows Mobile Carriers the right to block robocalls without being in violation of any FCC standing rules.</p> <p>2) Resolutions  3) Discussions</p>

	<p><b>4) ERSC/OMS/SPP</b></p> <p><b>Discussion and possible vote to ratify the vote taken by Commissioner Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</b></p> <p>On motion of Commissioner Greene, seconded by Chairman Francis, with Vice Chairman Campbell concurring, Commissioner Boissiere temporarily absent, and Commissioner Skrmetta abstaining, the Commission voted to ratify the vote of Commissioner Skrmetta taken on June 7, 2019, as the LPSC representative to the OMS Board of Directors.</p> <p>5) Directives</p>
<p><b>Ex. 15</b></p>	<p>Suit No. C638833, 19th Judicial District Court, Beauregard Cooperative, Inc., et al v. Louisiana Public Service Commission</p> <p><b>In re: Discussion and possible vote and possible executive session to discuss litigation strategy pursuant to La. R.S. 45:16 et seq.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to enter executive session.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to exit executive session.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to take a matter up out of order.</p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to stay the effects of Order No. R-35066.</p>

On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to adjourn.

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, July 10, 2019, at 9:00A.M. at the Galvez Building in Baton Rouge, Louisiana.