

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM SEPTEMBER 20, 2017**  
**OPEN SESSION**

**MINUTES OF SEPTEMBER 20, 2017 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN ERIC SKRMETTA, VICE CHAIRMAN COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER MIKE FRANCIS, COMMISSIONER DAMON J. BALDONE AND EXECUTIVE COUNSEL BRANDON FREY. COMMISSIONER FOSTER CAMPBELL AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ WERE ABSENT.**

**Open Session of September 20, 2017, convening at 9:30A.M., and adjourning at 11:00A.M., Natchez Room, 602 N. 5<sup>th</sup> Street, 1<sup>st</sup> Floor, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Counsel Brandon Frey.**

<b>Ex. 1</b>	<p>Executive Counsel Brandon Frey announced that the October B&amp;E will be held at the Buras Auditorium 35619 Highway 11 Buras, Louisiana on Thursday October 19, 2017 at 10:00am.</p> <p>Deputy General Counsel, Melissa Watson, introduced new Staff Attorney Daniel Alcanzare to the Legal Division.</p> <p>Commissioner Francis made the following statement regarding transportation matters:</p> <p>As you are probably aware, during my time on the Commission I have abstained from voting on items dealing with waste hauling and the waste hauling industry, as my son owns a regulated waste hauling business. I abstained on voting on these items in an abundance of caution- however, in order to have a clear idea on what I could and could not vote on, I asked Secretary Gonzalez to seek an advisory opinion from the Louisiana Board of Ethics. The Board rendered its decision on Friday, September 15, 2017 in Docket No. 2017-864. As outlined in the opinion, I am not prohibited from voting on issues involving other waste hauling carriers or applicants such as fines, applications, and transfers, nor am I prohibited from voting on matters involving the industry as a whole. Given this opinion, I will be able to vote on matters in the future on which I previously have abstained.</p> <p>Chairman Skrmetta congratulated all utilities that participated in mutual aid to Texas and Florida affected by the recent storms.</p> <p>Executive Counsel Brandon Frey acknowledged Executive Secretary Eve Gonzalez in her absence and wished her a speedy recovery.</p> <p>Commissioner Campbell was absent.</p>
<b>Ex. 2</b>	<p><b>T-33658</b> - Sprint Waste Services, LP (St. Gabriel, Louisiana), ex parte. In re: Application to amend Common Carrier Certificate No. 7752-A to allow transportation of non-hazardous oilfield waste, non-hazardous industrial solid waste and hazardous waste, statewide, without limitation as to type or number of trucks and other equipment.</p> <p><b>In re: Discussion and possible vote on Sprint Waste Services, LP's Motion for Review of Interlocutory Ruling.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>After hearing argument of counsel, on motion of Vice Chairman Boissiere, seconded by Commissioner Francis, with Commissioner Baldone concurring and Chairman Skrmetta opposing, and Commissioner Campbell absent, the Commission voted to lift the stay issued in Docket No. T-33658 and allow Sprint's application for expansion of authority to move forward and be considered on the merits.</p>

<p><b>Ex. 3</b></p>	<p><b>T-33658</b> - Sprint Waste Services, LP (St. Gabriel, Louisiana), ex parte. In re: Application to amend Common Carrier Certificate No. 7752-A to allow transportation of non-hazardous oilfield waste, non-hazardous industrial solid waste and hazardous waste, statewide, without limitation as to type or number of trucks and other equipment.</p> <p><b>In re: Discussion and possible vote on Application for amendment to expand authority pursuant to Rule 57.</b></p> <p>On motion of Vice Chairman Boissiere, seconded by Commissioner Francis, with Chairman Skrmetta and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>After hearing argument of counsel, Vice Chairman Boissiere made the following motion, seconded by Commissioner Francis, with Chairman Skrmetta and Commissioner Baldone concurring and Commissioner Campbell absent.</p> <p>I move that, in consideration of the testimony and evidence presented at the hearing, we find that Sprint has met its burden of proving public convenience and necessity under Rule 33 of the Commission's Rules of Practice and Procedure and that Sprint's authority under Common Carrier Certificate No. 7752-A be expanded to allow transportation of all three types of waste statewide without any restriction.</p> <p>Chairman Skrmetta directed Staff to have an enforcement agent begin an investigation into the underlying cause of the complaint in Docket No. T-34214 in order to have the Commission's viewpoint on the matter.</p>
<p><b>Ex. 4</b></p>	<p><b>U-29203</b> - Entergy Gulf States, Inc. and Entergy Louisiana, Inc., Ex Parte. In re: Joint Application of Entergy Gulf States, Inc. and Entergy Louisiana, Inc. for Interim and Permanent Recovery in Rates of Costs Related to Hurricanes Katrina and Rita;</p> <p><b>U-30981</b> - Joint Application of Entergy Gulf States Louisiana, L.L.C. and Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricanes Gustav and Ike; and</p> <p><b>U-32764</b> - Joint Application of Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. for Recovery in Rates of Costs Related to Hurricane Isaac, Determination of Appropriate Storm Reserve Escrow Amounts and Related Relief.</p> <p><b>In re: Discussion and possible vote to accept and approve the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission for the fiscal year 2017 dated September 5, 2017, including the annual Operating Budget for fiscal year 2018 and the interim and annual Compiled Financial Statements for fiscal year 2017, as attached thereto.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Baldone, with Vice Chairman Boissiere and Commissioner Francis concurring and Commissioner Campbell absent, the Commission voted to accept and approve the Louisiana Utilities Restoration Corporation's Annual Report for the fiscal year ending June 30, 2017, including the annual Operating Budget for fiscal year 2018 and the interim and annual Compiled Financial Statements for fiscal year 2017, as attached thereto.</p>
<p><b>Ex. 5</b></p>	<p><b>U-32159</b> - AccessCom, Inc. v. BellSouth Telecommunications, LLC f/k/a BellSouth Telecommunications a/k/a AT&amp;T Louisiana ("AT&amp;T Louisiana). In re: Petition for Arbitration Pursuant to Section 252 of the Telecommunications Act of 1996.</p> <p><b>In re: Discussion and possible vote on ALJ recommendation.</b></p> <p><b>PASSED</b></p>

<p><b>Ex. 6</b></p>	<p><b>U-34298</b> - Louisiana Public Service Commission, ex parte. In re: Proceeding to determine the method of recovery (fuel adjustment clause or base rates) for dry cask storage expense, an issue arising out of Docket Nos. U-32245 and U-32676.</p> <p><b>In re: Discussion and possible vote on uncontested stipulated settlement.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to adopt the uncontested stipulated settlement filed into the record on August 7, 2017 resolving all issues in this proceeding.</p> <p>Chairman Skrmetta requested that Executive Counsel, Brandon Frey, meet with him in the next few weeks to develop a resolution to the Department of Energy and Secretary Perry outlining the years of payment of the ratepayers into the system for permanent storage of spent nuclear fuel rods and the importance of implementing a permanent storage solution.</p>
<p><b>Ex. 7</b></p>	<p><b>U-34343</b> - Atmos Energy Corporation. In re: 2016 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 Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to issue an Order (i) accepting the Joint Report and Draft Order; (ii) authorizing Atmos Energy to increase its base revenues, for the Trans Louisiana division, by 2.16%, or \$844,725; and (iii) authorizing Atmos Energy to implement the proposed depreciation rates as provided in the depreciation study filed with the Company's 2016 RSC Filing.</p>
<p><b>Ex. 8</b></p>	<p><b>U-34424</b> - Atmos Energy Corporation, ex parte. In re: 2016 Rate Stabilization Clause filing ending December 31, 2016 for LGS rate division.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Baldone, with Vice Chairman Boissiere and Commissioner Francis concurring and Commissioner Campbell absent, the Commission voted to issue an Order (i) accepting the Joint Report and Draft Order; (ii) authorizing Atmos Energy to increase its base revenues, for the LGS division, in the amount of \$6,236,809 in order to achieve a ROE of 9.8%; (iii) require Atmos Energy to include a bill impact analysis for a typical residential and general service customer in each future RSC filing, and (iv) require Atmos Energy to include a bill impact analysis directly related to the bill impacts attributable to the SIIP in each future RSC filing.</p>
<p><b>Ex. 9</b></p>	<p><b>U-34448</b> - Beauregard Electric Cooperative, Inc., ex parte. In re: 2016 Formula Rate Plan Report.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Francis, seconded by Commissioner Baldone, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Campbell absent, the Commission voted to accept the Joint Report and Draft Order filed August 16, 2017 authorizing a revenue decrease of \$3,525,600.00 in order to implement a rate reset to the midpoint MDSC ratio of 1.60.</p>
<p><b>Ex. 10</b></p>	<p><b>U-34452</b> - Pointe Coupee Electric Membership Corporation, ex parte. In re: Test Year 2017 Formula Rate Plan Review filing.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Baldone, seconded by Commissioner Francis, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Campbell absent, the Commission voted to accept the Joint Report and Draft Order filed August 18, 2017 recommending no reset of rates is needed as Pointe Coupee's calculated DSC is within the Commission authorized bandwidth.</p>

<p><b>Ex. 11</b></p>	<p><b>U-34595</b> - Eco Services Operations Corp., ex parte. In re: Petition for Reservation of Capacity under Entergy Louisiana, LLC's Rate for Renewable Energy Pilot Purchases on an Expedited Basis.</p> <p><b>In re: Discussion and possible vote to approve the request by Eco Services Operations Corp.</b></p> <p>On motion of Vice Chairman Boissiere, seconded by Chairman Skrmetta, with Commissioner Francis and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>Vice Chairman Boissiere made the following motion, which was seconded by Chairman Skrmetta, with Commissioner Francis and Commissioner Baldone concurring and Commissioner Campbell absent,.</p> <p>I move that we approve the request by Eco Services Operations Corp. for a reservation of six (6) megawatts of the capacity authorized for the Entergy Louisiana, LLC Standard Offer Tariff Option for New Renewable Resources under §3.1.2 of the Commission’s Renewable Energy Pilot Program Implementation Plan subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(a) If construction of the generation project has not commenced within six (6) months of the anticipated date of May 15, 2018 as provided for in the petition (or not later than November 15, 2018), the reserved capacity shall be released unless Eco Services has submitted a request for an extension of the capacity reservation for good cause shown prior to November 15, 2018, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.</li> <li>(b) If the generation project has not reached commercial operation within six (6) months of the anticipated date of November 30, 2018 as provided for in the petition (or not later than May 31, 2019), the reserved capacity shall be released unless Eco Services has submitted a request for an extension of the capacity reservation for good cause shown prior to May 31, 2019, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.</li> <li>(c) The generation project meets the requirements of the Schedule REP - Rate For Renewable Energy Pilot Purchases by Entergy Louisiana, LLC.</li> </ul> <p>This reservation to Eco Services Operations Corp. shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$.03/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Energy Pilot Implementation Plan; (b) waive the requirement that Eco Services’ generation project meet the requirements for “new” renewable generation pursuant to the Renewable Energy Pilot Implementation Plan; or (c) alter Entergy Louisiana, LLC’s obligation to accept a maximum of thirty (30) megawatts of qualifying renewable resources located in the Entergy Gulf States Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.</p>
<p><b>Ex. 12</b></p>	<p><b>U-34631</b> (RFP17-08) - Entergy Louisiana, LLC, ex parte. In re: Application for extension and modification of Formula Rate Plan.</p> <p><b>In re: Discussion and possible vote to hire outside consultant.</b></p> <p>On motion of Vice Chairman Boissiere, seconded by Commissioner Francis, with Chairman Skrmetta and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to retain United Professionals Company (“UPC”) to assist Staff for a proposed budget not to exceed –\$60,000 in fees and \$5,000 in expenses for a total not to exceed budget of \$65,000.</p> <p>Chairman Skrmetta requested a status report at the November B&amp;E.</p>

<p><b>Ex. 13</b></p>	<p><b>U-34631</b> (RFP 17-09) - Entergy Louisiana, LLC, ex parte. In re: Application for extension and modification of Formula Rate Plan.</p> <p><b>In re: Discussion and possible vote to hire outside counsel.</b></p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Boissiere, with Chairman Skrmetta and Vice Chairman Boissiere concurring and Commissioner Campbell absent, the Commission voted to retain Stone Pigman Walther Wittman L.L.C. (“Stone Pigman”) to assist Staff for a proposed budget not to exceed \$269,000 in fees and \$19,000 in expenses for a total not to exceed budget of \$288,000.</p> <p>Chairman Skrmetta requested a status report at the November B&amp;E.</p>
<p><b>Ex. 14</b></p>	<p><b>U-34369</b> (RFP 17-10) - Southwestern Electric Power Company, ex parte. In re: Application for Prudence determination of certain capital improvements at Welsh Units 1 and 3 and Flint Creek and associated cost recovery.</p> <p><b>In re: Discussion and possible vote to hire outside consultant.</b></p> <p>On motion of Commissioner Francis, seconded by Vice Chairman Boissiere, with Chairman Skrmetta and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to retain Henderson Ridge Consulting Inc. (“Henderson Ridge”) to assist Staff for a proposed not to exceed budget of \$30,420 in fees and \$1,500 in expenses for a total not to exceed budget of \$31,920.</p>
<p><b>Ex. 15</b></p>	<p><b>U-34619</b> (RFP 17-11) - Southwestern Electric Power Company (SWEPSCO), ex parte. In re: Application for Expedited Certification and Approval of the Acquisition of Certain Renewable Resources and the Construction of a Generation Tie Pursuant to the 1983 and/or 1994 General Orders.</p> <p><b>In re: Discussion and possible vote to hire outside consultant.</b></p> <p>On motion of Vice Chairman Boissiere, seconded by Chairman Skrmetta, and Commissioner Francis and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to retain United Professionals Company (“UPC”) to assist Staff for a proposed not to exceed budget of \$95,000 in fees and \$4,000 in expenses for a total not to exceed budget of \$99,000.</p>
<p><b>Ex. 16</b></p>	<p><b>U-34630</b> (RFP 17-12) - Southwestern Electric Power Company, ex parte. In re: Application for Certification of the Leaside Way Transmission Project.</p> <p><b>In re: Discussion and possible vote to hire outside consultant.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to retain J. Kennedy and Associates to assist Staff for a not to exceed budget of \$31,900 in fees and \$1,100 in expenses for a total not to exceed budget of \$33,000.</p>
<p><b>Ex. 17</b></p>	<p><b>X-34341</b> - Entergy Louisiana, LLC, ex parte. In re: Report and Request for Initial Findings Regarding Long-Term Natural Gas Hedging.</p> <p><b>In re: Discussion and possible vote on Staff recommendation.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to adopt Staff’s recommendation.</p>
<p><b>Ex. 18</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 regarding the Energy Efficiency Program.</b></p> <p><b>At the request of Commissioner Boissiere.</b></p> <p><b>(Ex. 17 on the July 26, 2017 B&amp;E Agenda)</b></p>

	<p>On motion of Vice Chairman Boissiere, seconded by Chairman Skrmetta, with Commissioner Francis and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to:</p> <ol style="list-style-type: none"> <li>1. Approve the energy efficiency proposals to the extent funding is available submitted by political subdivisions to the Commission on or about June 15, 2017 related to Quick Start Year 3 as part of the Phase I Quick Start Program per the General Order 04/13/2017 R-31106.</li> <li>2. Maintain the Phase I Quick Start process, for a term not to exceed one year ("Quick Start Year 4" starting January 1, 2018), pending the finalization of long term rules in Phase II.</li> <li>3. For Quick Start Year 4, maintain the existing program budget cap of 0.50% of 2012 retail revenues to benefit residential and commercial energy efficiency programs.</li> <li>4. For Quick Start Year 4, participating utilities shall allocate no less than 0.50% of 2012 retail revenues in addition to the amounts discussed above related to residential and commercial energy efficiency programs to exclusively benefit energy efficiency programs for which eligibility is limited to school districts, local governments, state agencies and higher education institutions, or any other public entity to be managed as outlined in General Order R-31106 dated 4/13/2017 and applicable rules.</li> <li>5. The deadline to submit potential projects for the political subdivision energy efficiency program for Quick Start Year 4 shall be November 1, 2017.</li> <li>6. Notwithstanding anything to the contrary, if the implementation of any of the above proposals would exceed any other energy efficiency program spending threshold, cross-allocation restriction or cap, the commission hereby waives such requirement.</li> </ol>
<p><b>Ex. 19</b></p>	<ol style="list-style-type: none"> <li>1) Reports</li> <li>2) Resolutions</li> <li>3) Discussions</li> <li>4) <b>ERSC/OMS Business</b></li> </ol> <p><b>Discussion and possible vote to ratify the vote taken by Commissioner Boissiere acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Commissioner Baldone concurring, Vice Chairman Boissiere abstaining and Commissioner Campbell absent the Commission voted to ratify Vice Chairman Boissiere's vote taken on September 14, 2017 as the Commission's OMS representative.</p> <p><b>5) Directives</b></p> <p><b><u>Directive from Commissioner Campbell directing Staff to solicit bids for less than \$50,000 from LPSC-qualified consultants to assist Staff in reviewing Claiborne Electric's proposed broadband deployment and/or any filings made by the company seeking Commission approval and/or non-opposition.</u></b></p> <p>No opposition.</p>
<p><b>Ex. 20</b></p>	<p><b>U-34433</b> - Concordia Electric Cooperative, Inc., ex parte. In re: 2017 FRP Annual Report filing for Test Year ending December 31, 2016.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p><b>At the request of Commissioner Francis.</b></p> <p>On motion of Chairman Skrmetta, seconded by Vice Chairman Boissiere, with Commissioner Francis and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to approve the Joint Report and Draft Order filed September 12, 2017.</p>

<p><b>Ex. 21</b></p>	<p><b>R-34054</b> - Rule Making for Louisiana Public Service Commission, ex parte. In re: Rulemaking to examine the Commission’s Rules of Practice and Procedure related to a motor carrier of waste proving public convenience and necessity when applying for a common carrier certificate or contract carrier permit, as well as possible adoption of rules and regulations specific to applications for common carrier certificates or contract carrier permits as it relates to hauling waste.</p> <p><b>In re: Discussion and possible vote to reconsider.</b></p> <p><b>At the request of Commissioner Francis.</b></p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to reconsider the matter.</p> <p>On motion of Chairman Skrmetta, seconded by Commissioner Francis, with Vice Chairman Boissiere and Commissioner Baldone concurring and Commissioner Campbell absent, the Commission voted to adopt Staff’s Amended Final Recommendation and Draft Rules and Regulations filed June 9, 2017</p>
<p><b>Ex. 22</b></p>	<p><b><u>Directive from Commissioner Skrmetta to Staff to open a docket to review the dispute between WST and Cleco and the City of Slidell regarding WST’s expired franchise agreement with the City of Slidell.</u></b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>No opposition.</p>

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Thursday, October 19, 2017 at 10:00am in Buras, Louisiana.