

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM JULY 15, 2020**  
**OPEN SESSION**

***MINUTES OF JULY 15, 2020 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WAS EXECUTIVE SECRETARY BRANDON FREY. CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN CRAIG GREENE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, AND COMMISSIONER ERIC SKRMETTA PARTICIPATED REMOTELY.***

In accordance with Executive Proclamations 58 JBE 2020 and 59 JBE 2020 issued by Governor John Bel Edwards, the Commission gave notice certifying its inability to otherwise operate in accordance with the Louisiana Open Meetings Law due to a lack of quorum, and due to the restriction on large gatherings as a result of the COVID-19 public health emergency. Given this inability, the Commission provided notice, and an opportunity for public participation, that its July Business and Executive Session will be conducted via videoconference, specifically Zoom. Therefore, the Open Session on July 15, 2020, convened at 9:35 a.m., and adjourned at 10:24 a.m., via videoconferencing from the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with Executive Secretary Brandon Frey present and the remaining above-named members of the Commission participating remotely.

<b>Ex. 1</b>	Executive Secretary Frey reminded everyone that there will not be an August B & E meeting. The next B & E meeting will be held on September 16, 2020.
<b>Ex. 2</b>	<b>R-32702</b> – Louisiana Public Service Commission, ex parte. In re: Study of and possible implementation of rules regarding the security of jurisdictional utility generation, transmission and distribution assets and the cyber security of utility computer systems.  <b>In re: Discussion and Possible Vote on Staff’s Final Report.</b>  On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to accept Staff’s Final Report.
<b>Ex. 3</b>	<b>R-35568</b> – Louisiana Public Service Commission, ex parte. In re: Analysis of viability and potential development of rate schedules for inclusion of 5G cellular telephone/broadband equipment onto existing infrastructure of all electric distribution poles.  <b>In re: Discussion and Possible Vote to hire an Outside Consultant.</b> <b>(Exhibit 11 on June 24, 2020 B &amp; E)</b>  On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain McQ Group, LLC for a budget of up to \$119,000 in fees and \$9,500 in expenses for a total not to exceed budget of \$128,500.
<b>Ex. 4</b>	<b>Undocketed</b> -Request for Proposal to Administer the State Universal Service Fund.  <b>In re: Discussion and Possible Vote to hire an Outside Consultant.</b>  On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to retain LaPorte, CPA & Business Advisors for a total not to exceed budget of \$10,000/month for the three year term of the contract.

<p><b>Ex. 5</b></p>	<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 to Reconsider Order No. T-35175 Approving Affidavit and Stipulation executed by the Carrier.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to reconsider Order No. T-35175.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, the Commission voted to modify order No. T-35175 to extend the deadline for the payment of both the March 31, 2020 and April 30, 2020 fine installment payments to July 15, 2020.</p>
<p><b>Ex. 6</b></p>	<p><b>U-34796</b> – Docket No. U-34796, South Alexander Development I, LLC, et al, ex parte. In re: Petition for Reservation of Capacity on an Expedited Basis.</p> <p><b>In re: Discussion and Possible Vote on Staff Recommendation on Petition for Third Extension and Petition for Renewals of Capacity Reservations filed by South Alexander Development I, et al.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept Staff’s Recommendation.</p>
<p><b>Ex. 7</b></p>	<p>1) <b><u>Reports</u></b></p> <p>Executive Secretary Brandon Frey gave an update on Commission’s Do Not Call Order as it relates to a recent United States Supreme Court decision.</p> <p>2) <b><u>Resolutions</u></b></p> <p>3) <b><u>Discussion</u></b></p> <p>Commissioner Boissiere discussed how the Commission’s recent Orders related to lifting the suspension of disconnects during the COVID-19 pandemic would be affected if the Governor kept extending various phases of the Gubernatorial Declared Emergency.</p> <p>4) <b><u>ERSC/SPP/OMS</u></b></p> <p>5) <b><u>Directives</u></b></p> <p><b>Directive to Staff to request information from all owners of electric generation that uses coal as a fuel and to provide a report to the Commission regarding the findings.</b></p> <p><b>At the Request of Commissioner Skrmetta.</b></p> <p>Commissioner Skrmetta directed Staff to request information from all owners of electric generation that uses coal as a fuel and to provide a report to the Commission regarding the findings. <u>The report shall include the following information:</u></p>

	<ol style="list-style-type: none"> <li>1. <u>Total acreage of each facility.</u></li> <li>2. <u>Potential solar megawatt passive production from that acreage if fully converted from coal.</u></li> <li>3. <u>Potential megawatt production for each site if utilizing solar and backup CCGT generation.</u></li> <li>4. <u>Potential total quantifiable renewable megawatt output under each scenario.</u></li> <li>5. <u>Advise proportionate contribution to SPP/MISO renewable goals if all coal plants are fully converted.</u></li> <li>6. <u>Report back to the Commission as soon as possible.</u></li> </ol> <p>There was no opposition.</p>
<p><b>Ex. 8</b></p>	<p><b>Directive to Staff regarding the recent decision by the United States Supreme Court and the Commission’s current Do Not Call Order (General Order dated October 26, 2006, Docket No. R-29617).</b></p> <p><b>At the Request of Commissioner Skrmetta.</b></p> <p>Commissioner Skrmetta directed Staff to review the recent decision and recommend any changes that may be necessary to the Commission’s Do Not Call Order (General Order dated October 26, 2006, Docket No. R-29617) based on the Supreme Court decision.</p> <p>There was no opposition.</p>
<p><b>Ex. 9</b></p>	<p><b>U-35049</b> – Cleco Power LLC, ex parte. In re: Formula Rate Plan – June 2018 Monitoring Report and Application for Authorization to Implement Rate Reductions Resulting from the Tax Cuts and Jobs Act of 2017 and Related Rate Changes and Refunds.</p> <p><b>In re: Discussion and Possible Vote on Cleco Power’s Request for Authorization to Continue Bill Credits Resulting from the TCJA of 2017 as Authorized in Commission Order No. U-35049.</b></p> <p><b>At the Request of Commissioner Skrmetta.</b></p> <p><u>Commissioner Skrmetta made the following motion:</u>  <u>Having considered Cleco Power’s request, as described in its July 9, 2020 filing to extend the TCJA bill credit that the Company’s customers are currently receiving under our Order No. U-35049, which bill credit would otherwise expire as of July 31, 2020, and given the substantial public interest in mitigating the bill impacts of higher summertime usage and alleviating the hardships that many of the Company’s customers are experiencing due to the COVID-19 pandemic and that the Company’s filing is uncontested. I hereby move to approve Cleco Power’s request to continue the TCJA bill credit through November 30, 2020 and to modify our existing Order No. U-35049 as requested by Cleco Power. Cleco Power shall utilize the allocation methodology described in Order No. U-35049 for allocation of the credit among and within its various rate classes, and may make customer-specific adjustments as-needed to ensure compliance with the allocation methodology. Cleco Power further shall true-up the bill credit among the rate classes in September and again once the bill credit finally expires. The Commission’s direct consideration and approval of Cleco’s application, pursuant to this motion, is based upon the specific facts and circumstances described herein and shall not be precedential for future filings requesting the Commission to directly consider filings.</u></p> <p><u>The motion was seconded by Vice Chairman Greene and unanimously adopted.</u></p>
<p><b>Ex. 10</b></p>	<p><b>U-34806</b> –Southwestern Electric Power Company, ex parte. In re: 2017 Test Year Formula Rate Plan Report.</p>

	<p><b>In re: Discussion and Possible Vote on Unopposed Joint Report of Proceedings for Southwestern Electric Power Company's Test Year 2017 Formula Rate Plan Proceedings, Joint Stipulation Term Sheet, and Motion for Entry of Order Accepting the Report and Term Sheet.</b></p>
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**At the Request of Commissioner Campbell.**

On motion of Commissioner Campbell, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept the Unopposed Joint Report of Proceedings for Southwestern Electric Power Company's Test Year 2017 Formula Rate Plan Proceedings, Joint Stipulation Term Sheet, and Motion for Entry of Order Accepting the Report and Term Sheet.

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, September 16, 2020, at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.