

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JUNE 24, 2020
OPEN SESSION

MINUTES OF JUNE 24, 2020 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD VIA VIDEOCONFERENCE FROM BATON ROUGE, LOUISIANA. PRESENT IN BATON ROUGE WERE CHAIRMAN MIKE FRANCIS AND EXECUTIVE SECRETARY BRANDON FREY. 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 June Business and Executive Session will be conducted via videoconference, specifically Zoom. Therefore, the Open Session on June 24, 2020, convened at 9:16 a.m., and adjourned at 11:42 a.m., via videoconferencing from the Galvez Building, 602 North 5th Street, Baton Rouge, Louisiana, with Chairman Francis and Executive Secretary Brandon Frey present and the remaining above-named members of the Commission participating remotely.

Ex. 1	Chairman Mike Francis recognized all five Commissioners for Father’s Day.
Ex. 2	<p>Undocketed – Louisiana Public Service Commission, ex parte. In re: Special Orders 22-2020 and 28-2020, ratification and termination of Executive Order dated March 13, 2020 regarding utilities prohibited from disconnecting customers during the statewide public health emergency associated with COVID-19.</p> <p>In re: Discussion and Possible Vote to reconsider Special Orders 22-2020 and 28-2020.</p> <p>Commissioner Skrmetta made a motion, seconded by Vice Chairman Greene to reconsider Special Order Nos. 22-2020 and 28-2020, which was unanimously adopted.</p> <p>After discussion and public comments from Jessica Hendricks, on behalf of the Alliance for Affordable Energy and Monique Harden, on behalf of DeepSouth Center for Environmental Justice, Commissioner Skrmetta made a motion, seconded by Vice Chairman Greene, and unanimously adopted, that the Commission lift the suspension on disconnections and late fees included in Special Order Nos. 22-2020 and 28-2020 effective July 16, 2020, and require all jurisdictional utilities to temporarily provide payment plans or leveled billing as well as provide a report to Commission Staff identifying the payment plans.</p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Campbell, with Commissioner Boissiere concurring, Chairman Francis opposed, and Commissioner Skrmetta opposed specific to Section D, the Commission voted to adopt Vice Chairman Greene’s May 27, 2020 proposed amendments.</p>

<p>Ex. 3</p>	<p>T-34959 – Pecten Midstream, LLC (Houston, Texas), ex parte. In re: Application to i) Increase Rates for Transportation Service of Petroleum on its Delta Pipeline System, ii) Revise LPSC Tariff 2.2.0, iii) Reserve Right for Interim Rate Relief, and iv) Expedited Consideration.</p> <p>In re: Discussion and Possible Vote on Stipulated Settlement pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman 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 Chairman Francis, seconded by Commissioner Skrmetta, with Vice Chairman Greene and Commissioner Boissiere concurring and Commissioner Campbell opposing, the Commission voted to accept Stipulated Settlement.</p>
<p>Ex. 4</p>	<p>T-35367 – Louisiana Public Service Commission vs. Louisiana Towing & Recovery, LLC (New Roads, Louisiana). In re: Alleged violation of General Order dated August 5, 2016 while operating under LPSC authority 8073, for exceeding state prescribed rates, allegedly having occurred on or about February 19, 2019 pursuant to La. R.S. 45:161 through 180.1.</p> <p>In re: Discussion and Possible Vote pursuant to Rule 57 to accept Affidavit and Stipulation executed by Carrier.</p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Skrmetta, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Francis temporarily absent, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.</p> <p>Commissioner Skrmetta made a motion to accept Staff’s recommendation.</p> <p>Vice Chairman Greene made a substitute motion to accept the Affidavit and Stipulation executed by the Carrier with the modification that the Carrier refund all overcharges in twelve equal monthly payments. Commissioner Skrmetta withdrew his original motion and seconded Vice Chairman Greene’s substitute motion, which was unanimously adopted.</p>
<p>Ex. 5</p>	<p>S-35489 – Washington-St. Tammany Electric Cooperative, Inc., ex parte. In re: Petition for Letter of Non-Opposition to Borrow Funds from Rural Utilities Service.</p> <p>In re: Discussion and Possible Vote on Staff Report and Recommendation.</p> <p>On motion of Chairman Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to accept the Staff Report and Recommendation with an amendment requiring Washington-St. Tammany Electric Cooperative, Inc. to report to the Commission, at a subsequent Business and Executive Session, whenever funds are drawn and the interest rate is set.</p>
<p>Ex. 6</p>	<p>U-35130 – Entergy Louisiana, LLC, ex parte. In re: Request to Terminate, or in the alternative modify, the Fuel Tracking Mechanism – a Request Initially Included in an April 2, 2018 Compliance Filing in Docket No. U-33244 Pursuant to Order No. U-33244-A.</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 adopt the Final Recommendation of the Administrative Law Judge.</p>

<p>Ex. 7</p>	<p>U-33244- Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC, ex parte. In re: Potential Business Combination of Entergy Louisiana, LLC and Entergy Gulf States, LLC.</p> <p>In re: Discussion and Possible Vote pursuant to Rule 57 to terminate the fuel tracking mechanism authorized by Order No. U-33244-A.</p> <p>PULLED</p>
<p>Ex. 8</p>	<p>U-35544 – Louisiana Public Service Commission, ex parte. In re: Prudence Review of the Cleco Power LLC, St. Mary Clean Energy Center.</p> <p>In re: Discussion and Possible Vote to hire Henderson Ridge Consulting, Inc.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting, Inc. for a budget of up to \$140,970 in fees and \$3,600 in expenses for a total not to exceed budget of \$144,570.</p>
<p>Ex. 9</p>	<p>X-35522 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Cleco Power LLC for the period of January 2018 through December 2019.</p> <p>In re: Discussion and Possible Vote to hire Consultant.</p> <p>On motion of Commissioner Campbell, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to hire London Economics, International for a budget of up to \$29,345 in fees and \$2,956 in expenses for a total not to exceed budget of \$32,301.</p>
<p>Ex. 10</p>	<p>X-35523 – Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Adjustment Clause Filings for Entergy Louisiana, LLC for the period of January 1, 2016 through December 31, 2019.</p> <p>In re: Discussion and Possible Vote to hire Consultant.</p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to hire London Economics, International for a budget of up to \$39,155 in fees and \$2,956 in expenses for a total not to exceed budget of \$42,111.</p>
<p>Ex. 11</p>	<p>R-35568 – 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.</p> <p>In re: Discussion and Possible Vote to hire Consultant.</p> <p>DEFERRED</p>
<p>Ex. 12</p>	<p>Docket TBD – Louisiana Public Service Commission, ex parte. In re: Prudence Review of Entergy Louisiana’s J. Wayne Leonard Power Station (formerly known as the St. Charles Power Station).</p> <p>In re: Discussion and possible vote to hire Henderson Ridge Consulting, Inc.</p> <p>On motion of Vice Chairman Greene, seconded by Commissioner Boissiere, with Chairman Francis and Commissioner Campbell concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to hire Henderson Ridge Consulting, Inc. for a budget of up to \$144,525 in fees and \$3,600 in expenses for a total not to exceed budget of \$148,125.</p>

<p>Ex. 13</p>	<p>Docket TBD – Cleco Power LLC Request for Proposals for Renewable Resources.</p> <p>In re: Discussion and Possible Vote to hire Consultant.</p> <p>PULLED</p>
<p>Ex. 14</p>	<p>1) <u>Reports</u> -Staff status report regarding robocalls. No Report.</p> <p>-Report from utilities on potential financial impacts from the Commission’s Disconnection Orders. Given the discussion had in conjunction with Exhibit 2, there were no additional reports provided by the utilities.</p> <p>2) <u>Resolutions</u></p> <p>3) <u>Discussions</u></p> <p>4) <u>ERSC/SPP/OMS</u></p> <p>OMS Vote Ratification</p> <p>On motion of Chairman Francis, seconded by Commissioner Boissiere, with Vice Chairman Greene and Commissioner Campbell concurring and Commissioner Skrmetta abstaining, the Commission voted to ratify Commissioner Skrmetta’s votes taken on June 11, 2020, as the Commission’s representative to the OMS Board of Directors.</p> <p>SPP Vote Ratification</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, with Commissioner Campbell and Commissioner Boissiere concurring and Chairman Francis abstaining, the Commission voted to ratify Chairman Francis’ vote taken on June 5, 2020, as the Commission’s representative to the SPP RSC.</p> <p>5) <u>Directives</u></p> <p>Directive to Staff to begin a feasibility study for replacement of Dolet Hills with new solar/natural gas combination technology in anticipation of the facility being decommissioned by AEP SWEPCO and Cleco Power LLC in the near future.</p> <p>At the request of Commissioner Skrmetta.</p> <p>Understanding the existing coal fired electric generating facility, known as Dolet Hills, will be closed and decommissioned in the future, Commissioner Skrmetta directed Staff to take whatever action they deem appropriate, including issuing a request for proposal for technical and legal assistance-if deemed necessary, to begin a study to determine the technical and economic feasibility of converting the facility to an industrial scale solar energy power plant, backed up by an appropriate capacity combined cycle gas turbine natural gas fired electric power plant, including an analysis to determine the impact on the Dolet site’s participation in SPP and MISO.</p> <p>There was no opposition.</p>

	<p>Directive to Staff to provide a full Staff analysis of regulated utilities offering unregulated repair services to customers.</p> <p>At the request of Commissioner Campbell.</p> <p>In the recent months, there have been a few utilities who have started offering an optional program for customers interested in maintaining a repair plan for customer owned components associated with a utility’s system. Commissioner Campbell directs Staff to look into these programs, analyze the cost versus the benefits, including how any revenue received by the utility is utilized, and provide a recommendation as to whether a jurisdictional utility should be allowed to engage in a home warranty business, assuming such activity does not violate any current Commission Orders.</p> <p>There was no opposition.</p>
<p>Ex. 15</p>	<p>Undocketed – Louisiana Public Service Commission v. System Energy Resources, Inc. and Entergy Services, Inc.</p> <p>In re: Possible Executive Session to discuss litigation strategy pursuant to La. R.S. 45:16, et seq. DEFERRED</p> <p>In re: Discussion and possible vote to approve budgets of Stone Pigman Walther Wittman, L.L.C. and United Professionals Company, L.L.C.</p> <p>Based upon Commission directive at the May 27, 2020 Business and Executive Session, Stone Pigman Walther Wittman, L.L.C. and United Professionals Company, L.L.C. submitted scopes of work and proposed budgets for representing the Commission in two upcoming FERC proceedings; a prudence review of Entergy’s Grand Gulf nuclear plant and a complaint against System Energy Resources, Inc. regarding its Unit Power Sales Agreement.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to approve Stone Pigman’s budget of up to \$142,500 in fees and \$4,500 in expenses for a total budget not to exceed of \$147,000 for the rest of the calendar year, and United Professionals’ budget of up to \$85,000 in fees and \$4,500 in expenses for a total budget not to exceed of \$89,500 for the rest of the calendar year associated with the prudence review of Grand Gulf.</p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to approve Stone Pigman’s budget of up to \$185,000 in fees and \$4,500 in expenses for a total budget not to exceed of \$189,500 for the rest of the calendar year, and United Professionals’ budget of up to \$145,000 in fees and \$4,500 in expenses for a total budget not to exceed of \$149,500 for the rest of the calendar year associated with a complaint against SERI regarding its Unit Power Sales Agreement.</p>
<p>Ex. 16</p>	<p>Directive to Staff to review and potentially revise the non-consensual towing and recovery services tariff.</p> <p>At the request of Commissioner Skrmetta.</p> <p>Commissioner Skrmetta directed Staff to review and potentially revise the non-consensual towing and recovery services tariff.</p> <p>There was no opposition.</p>

Ex. 17	<p>Directive to Staff to open a docket to monitor cybersecurity issues for Commission-jurisdictional utilities and to issue an RFP for outside consultant to assist Staff.</p> <p>At the request of Commissioner Skrmetta.</p> <p>Commissioner Skrmetta directed Staff to open a docket to monitor cybersecurity issues for Commission-jurisdictional utilities and to issue an RFP for outside consultant to assist Staff.</p> <p>There was no opposition.</p>
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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, July 15, 2020, at 9:30 a.m.