

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM MAY 27, 2020
OPEN SESSION

MINUTES OF MAY 27, 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 May Business and Executive Session will be conducted via videoconference, specifically Zoom. Therefore, the Open Session on May 27, 2020 convened at 10:07 a.m., and adjourned at 12:05 p.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 Francis asked Staff to review the Commission's current Do Not Call Order (General Order dated October 26, 2006, Docket No. R-29617) for inconsistencies with federal law, and to possibly revise the Commission's Order to mirror federal law. Executive Secretary Frey indicated Staff has been working on a draft and will put the draft out for comments.
Ex. 2	Undocketed , Louisiana Public Service Commission, ex parte, In re: Special Order 22-2020, 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. In re: Discussion and Possible Vote to Reconsider Special Order 22-2020. At the request of Vice Chairman Greene. Vice Chairman Greene made a motion to reconsider Special Order 22-2020, which was seconded by Commissioner Boissiere. Commissioner Campbell made a substitute motion to: 1) defer re-consideration; 2) defer Vice Chairman Greene's amendments for one month; and 3) clarify the suspension of disconnect, which was seconded by Commissioner Skrmetta, and unanimously adopted.
Ex. 3	T-35463 , Louisiana Public Service Commission vs. Haz-Mat Services, Inc. (Texarkana, Arkansas). In re: Alleged violation of La. R.S. 45:161 through 180.1 and General Order 9901 as amended for failure to comply with leasing rules on fifty-four (54) counts while operating under Common Carrier Certificate 8015-A; Allegedly occurring on or about September 01, 2018 through September 30, 2018. In re: Discussion and Possible Vote pursuant to Rule 57 to accept the Affidavit and Stipulation executed by the Carrier. On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57. On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed by the Carrier.
Ex. 4	T-35484 , Louisiana Public Service Commission vs. Moving On A Budget LLC (Shreveport, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household

	<p>goods prior to complying with the requirements of La. R.S. 45:164 (E) and General Order dated May 04, 2017 and for failure to comply with the requirements of General Order dated April 3, 2008 as amended.</p> <p>In re: Discussion and Possible Vote pursuant to Rule 57 to accept Affidavit and Stipulation executed by the Carrier.</p> <p>On motion of Commissioner Campbell, seconded by Chairman Francis, 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 Campbell, seconded by Chairman Francis, and unanimously adopted, the Commission voted to accept Affidavit and Stipulation executed by the Carrier.</p>
Ex. 5	<p>I-34715 – Southwestern Electric Power Company, ex parte, In re: Request to Initiate Integrated Resource Plan process pursuant to the General Order R-30021 issued April 20, 2012.</p> <p>In re: Discussion and Possible Vote on Staff Recommendation on Final IRP Report.</p> <p>Public comments were received from Ms. Cherelle Blazer, on behalf of the Sierra Club. After receiving comments, Commissioner Campbell made a motion, seconded by Chairman Francis, and unanimously adopted, the Commission voted to acknowledge SWEPCO’s Final IRP Report filed into the record August 29, 2019.</p>
Ex. 6	<p>S-35433 – Global Connection Inc. of America, ex parte. In re: Notice of Service Disconnection and Request to Cancel its Telecommunications Authority for Intrastate Wireline Service and to Relinquish its Wireline Eligible Telecommunications Carrier Designation.</p> <p>In re: Discussion and Possible Vote on Staff’s Report and Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to adopt Staff’s Report and Recommendation.</p>
Ex. 7	<p>U-34445- Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Recover Gas Storm Deferred Operation and Maintenance Expense Resulting from the August 2016 Flood.</p> <p>And</p> <p>U-34744 – Entergy Louisiana, LLC, ex parte. In re: 2017 Test Year Rate Stabilization Plan filing.</p> <p>In re: Discussion and Possible Vote on Joint Report and Draft Order Pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, 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 Boissiere, and unanimously adopted, the Commission voted to adopt the Draft Orders filed into the records on May 5, 2020.</p>
Ex. 8	<p>U-34447 – Entergy Louisiana, LLC, ex parte. In re: Application regarding continued participation in the Midcontinent Independent System Operator, Inc. Regional Transmission Organization.</p> <p>In re: Discussion and Possible Vote on Stipulated Settlement pursuant to Rule 57.</p>

	<p>On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell with amendments to the Stipulated Settlement, and unanimously adopted, the Commission voted to accept the Stipulated Settlement with the amendment as detailed below.</p> <p>Commissioner Campbell proposed an amendment to Section III(D)(5) of the Stipulated Settlement. After the sentence which reads “All such Monitoring Plan information shall be publicly provided in the Annual Reports, with the possible exception of items (d), (e) and (g), which shall also be publicly provided to the greatest extent possible,” additional language is to be added as follows:</p> <p style="padding-left: 40px;">“The Monitoring Plan and Annual Reports shall also include: (i) the administrative costs paid by Entergy Louisiana annually to MISO; (ii) a comparison of the most recent annual administrative costs paid by ELL to MISO to the costs paid for the prior two calendar years; (iii) the monthly bill impact on an average residential customer of those MISO administrative costs; (iv) the total overall salaries and compensation paid to the MISO executives and Board of Directors and a breakdown by position; (v) a comparison of the most recent annual salaries and compensation paid by MISO to that paid for the prior two calendar years; and (vi) justification for those administrative costs and compensation.”</p> <p>It was represented during this vote that all parties to the Stipulated Settlement either support, or have no objection to Commissioner Campbell’s amendment.</p>
<p>Ex. 9</p>	<p>U-34501 – Cleco Power LLC, ex parte. In re: Application regarding the costs and benefits of continued participation in the Midcontinent Independent Systems Operator, Inc. Regional Transmission Organization.</p> <p>In re: Discussion and Possible Vote on Stipulated Settlement pursuant to Rule 57.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Chairman Francis, seconded by Commissioner Campbell with amendments to the Stipulated Settlement, and unanimously adopted, the Commission voted to accept the Stipulated Settlement with the amendment as detailed below.</p> <p>Commissioner Campbell proposed an amendment to Section III(D)(4) of the Stipulated Settlement. After the sentence which reads “All such Monitoring Plan information shall be publicly provided in the Annual Reports, with the possible exception of items (d), (e) and (g), which shall also be publicly provided to the greatest extent possible,” additional language is to be added as follows:</p> <p style="padding-left: 40px;">"The Monitoring Plan and Annual Reports shall also include: (i) the administrative costs paid by Cleco Power annually to MISO; (ii) a comparison of the most recent annual administrative costs paid by Cleco Power to MISO to the costs paid for the prior two calendar years; (iii) the monthly bill impact on an average residential customer of those MISO administrative costs; (iv) the total overall salaries and compensation paid to the MISO executives and Board of Directors and a breakdown by position; (v) a comparison of the most recent annual salaries and compensation paid by MISO to that paid for the prior two calendar years; and (vi) justification for those administrative costs and compensation."</p> <p>It was represented during this vote that all parties to the Stipulated Settlement either support, or have no objection to Commissioner Campbell’s amendment.</p>
<p>Ex. 10</p>	<p>U-35049 – 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>In re: Discussion and Possible Vote on Joint Report and Draft Order.</p>

	<p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Greene, and unanimously adopted, the Commission voted to accept the Joint Report and Draft Order.</p>
Ex. 11	<p>U-35324– Southwestern Electric Power Company, ex parte. In re: Application for Certification and Approval of the Acquisition of Certain Renewable Resources.</p> <p>In re: Discussion and Possible Vote on Stipulated Settlement and determination with regard to Flex-Up Option pursuant to Rule 57.</p> <p>On motion of Commissioner Campbell, seconded by Chairman Francis, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the Stipulated Settlement, including the Flex-Up Option.</p>
Ex. 12	<p>X-35507 – Louisiana Public Service Commission, ex parte. In re: Audit of Federal Environmental Adjustment Clause Filings of Energy Louisiana, 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 Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to retain J. Kennedy and Associates, Inc. for \$25,500 in fees and \$700 in expenses for a total budget not to exceed \$26,200.</p>
Ex. 13	<p>X-35508 – Louisiana Public Service Commission, ex parte. In re: Audit of Federal Environmental Adjustment Clause Filings of Southwestern Electric Power Company 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 Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to retain United Professionals Company for \$25,000 in fees and \$1,500 in expenses for a total budget not to exceed \$26,500.</p>
Ex. 14	<p>X-35511- Louisiana Public Service Commission, ex parte. In re: Audit of Federal Environmental Adjustment Clause Filings of 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 Skrmetta, seconded by Commissioner Boissiere, and unanimously adopted, the Commission voted to retain United Professionals Company for \$25,000 in fees and \$1,500 in expenses for a total budget not to exceed \$26,500.</p>
Ex. 15	<p>1) Reports</p> <p>-Staff status report on Robocalls</p> <p>Executive Secretary Frey reported that there is no update this month but that Staff will have more to report on in June.</p> <p>2) Resolutions</p>

3) Votes

-OMS Vote Ratifications

Chairman Francis made a motion, seconded by Vice Chairman Greene, and Commissioner Boissiere and Commissioner Campbell concurring, and Commissioner Skrmetta abstaining, the Commission voted to ratify Commissioner Skrmetta's votes taken on March 24 and May 14, 2020 as the Louisiana Public Service Commission representative to the OMS Board of Directors.

-SPP Vote Ratifications

Commissioner Skrmetta made a motion, seconded by Vice Chairman Greene, and Commissioner Boissiere and Commissioner Campbell concurring, and Chairman Francis abstaining, the Commission voted to ratify Chairman Francis' vote taken on April 27, 2020 as the Louisiana Public Service Commission's representative to the SPP RSC.

4) Directives

-Directive to investigate the rates and performance of the Grand Gulf nuclear facility.

At the Request of Chairman Francis

Chairman Francis directed Stone Pigman and United Professionals to coordinate with Staff in preparing and filing complaints against System Energy Resources related to the Grand Gulf nuclear plant and its allocation of output to Entergy Louisiana, including performance indicators. After discussion, an amendment was made to Chairman Francis' directive to require Stone Pigman and United Professionals to submit a budget to the Commission for consideration at the June Business and Executive Session, there was no opposition.

-Directive to all regulated telecommunication service providers using technology from Huawei Technologies Company

At the Request of Commissioner Skrmetta

Commissioner Skrmetta directed Staff to look into whether telecommunication service providers can identify to the Commission if some, or all, of their technology is from Huawei Technologies Company, and further whether the providers will be compensated under the federal program to remove such technology. There was no opposition.

-Directive to Staff regarding low interest rates and potential impact(s) on utility long term debt.

At the Request of Commissioner Skrmetta

Commissioner Skrmetta directed Staff to monitor interest rates and notify the Commission if/when long-term debt becomes low, or negative, that may warrant utilities re-financing their long-term debt. There was no opposition.

-Directive to Staff to investigate Riverside Towing charging "out of state fee."

At the Request of Commissioner Skrmetta

Commissioner Skrmetta directed Staff to investigate "out of state" fees charged by towing companies for non-consensual tows and work with State Police, if necessary, to clarify. There was no opposition.

-Directive to Staff to inquire and review telecommunication carrier's cancellation of services policies.

At the Request of Commissioner Skrmetta

Commissioner Skrmetta directed Staff to look into measures to ensure that if bills are paid, that a telephone number will be available to be ported. There was no opposition.

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 in person, June 24, 2020 at the Galvez Building in Baton Rouge, LA with proper social distancing protocols in place. As there will be limited capacity, it is requested that utility representatives limit the number of individuals who will attend to only those necessary.