

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM APRIL 26, 2023**  
**OPEN SESSION**

***MINUTES OF APRIL 26, 2023 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN CROWLEY, LOUISIANA. PRESENT WERE CHAIRMAN FOSTER CAMPBELL, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, COMMISSIONER DAVANTE LEWIS AND EXECUTIVE SECRETARY BRANDON FREY.***

**Open Session of April 26, 2023, convening at 10:04 a.m., and adjourning at 1:33 p.m., at the Grand Opera House of the South in Crowley, Louisiana, with the above-name members of the Commission and Executive Secretary Brandon Frey present.**

<b>Ex. 1</b>	<p>Reverend Bishop James Proctor led the meeting in prayer and Chad Monceaux, the Mayor of Crowley, led the Pledge of Allegiance. Mayor Monceaux also welcomed everyone to Crowley.</p> <p>Vice Chairman Francis thanked the Grand Opera House of the South for hosting the meeting and Acadia Parish for their accommodations. He also recognized various local elected officials and the Jefferson Davis Electric Cooperative Board.</p> <p>Chairman Campbell welcomed SWEPCO’s new president, Brett Mattison, to the meeting, and requested that he invite AEP’s CEO, Nick Akins, to the May Business &amp; Executive Session. Chairman Campbell also requested that William Fontenot, CEO of Cleco Power, attend an upcoming Business and Executive Session.</p> <p>Commissioner Greene welcomed a new employee to the District II office, Mary-Alizabeth Beaulieu.</p> <p>Commissioner Skrmetta reminded everyone about the SEARUC meeting in New Orleans on June 4-7 at the Higgins Hotel. Details can be found at <a href="http://www.searuc.org">www.searuc.org</a>.</p> <p>Commissioner Lewis requested that the Commission look into providing closed captions or an ALS interpreter for recordings of future Business &amp; Executive Meetings. He also reminded jurisdictional water and natural gas companies of his March 27<sup>th</sup> letter requesting data on disconnections, and requested that all responses be submitted by May 11th. Commissioner Lewis additionally requested that members of the Governor’s Climate Taskforce attend and present information at an upcoming Business and Executive Session.</p> <p>Executive Counsel Kathryn Bowman announced the new procedures regarding parking validation at the Galvez Parking Garage. Parking validation must be made within 30 minutes of arrival and requires license plate numbers. More information is located on the Commission’s website at <a href="http://www.lpsc.louisiana.gov">www.lpsc.louisiana.gov</a>.</p>
<b>Ex. 2</b>	<p><b>R-31106</b> - Louisiana Public Service Commission, 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 to retain an engineer for District III.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to approve Commissioner Lewis’ nomination of Bonton Associates to assist District III with the political subdivision energy efficiency program for a total budget not to exceed of \$26,251.74.</p>

<p><b>Ex. 3</b></p>	<p><b>R-31106</b> - Louisiana Public Service Commission, ex parte. 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 to: 1) amend General Order dated December 2, 2021 related to the public entity program; and 2) maintain the Quick Start Program pending consideration of Phase II.</b></p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to eliminate the application deadline for the Public Entity program located in ordering paragraph 5 of General Order dated December 2, 2021 and maintain the Quick Start program for an additional two-year period beginning January 1, 2024.</p> <p>Present for Questions/Comments: Jessica Hendricks, State Policy Director of The Alliance of Affordable Energy</p>
<p><b>Ex. 4</b></p>	<p><b>S-35903</b> - Lafayette City-Parish Government, City of Lafayette d/b/a LUS Fiber, ex parte. In re: Application for Designation as an Eligible Telecommunications Carrier.</p> <p><b>In re: Discussion and possible vote on Staff Report and Recommendation.</b></p> <p><b>Exhibit 5 on March 15, 2023 B&amp;E agenda.</b></p> <p>After discussion, on motion of Commissioner Greene, seconded by Chairman Campbell, with Commissioner Lewis and Vice Chairman Francis concurring, and Commissioner Skrmetta abstaining, the Commission voted to accept the Staff Report and Recommendation filed into the record on February 23, 2023.</p> <p>Present for Questions/Comments: Michael Hebert, Counsel for Lafayette Utilities System Ryan Meche, Director of Lafayette Utilities System</p>
<p><b>Ex. 5</b></p>	<p><b>U-36339</b> - South Louisiana Electric Cooperative Association, ex parte. In re: Request for interim and final emergency rate relief.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p>After discussion, on motion of Commissioner Greene, seconded by Chairman Campbell, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on March 23, 2023.</p>

<p><b>Ex. 6</b></p>	<p><b>U-36385</b> - Southwestern Electric Power Company, ex parte. In re: Application for certification of certain renewable resources and approval of natural gas Capacity Purchase Agreements.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, with Commissioner Greene objecting, the Commission held a roll call vote. Chairman Campbell, Commissioner Greene Commissioner Lewis, and Commissioner Skrmetta voted in opposition, and Vice Chairman Francis voted in support of the Uncontested Stipulated Settlement filed into the record on February 22, 2023. The motion failed 4:1.</p> <p>Present for Questions/Comments:  Lane Sisung, United Professionals Company, Staff Consultant  Jonathan Bourg, United Professionals Company, Staff Consultant  Bobby Gilliam, Outside Counsel for SWEPCO  Brett Mattison, CEO of SWEPCO  Thomas Brice, CFO of SWEPCO</p>
<p><b>Ex. 7</b></p>	<p><b>U-36399</b> - Washington - St. Tammany Electric Cooperative, Inc., ex parte. In re: Application for approval of Formula Rate Plan and modifications to base rates.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record of March 10, 2023.</p>
<p><b>Ex. 8</b></p>	<p><b>U-36659</b> - Louisiana Public Service Commission, ex parte. In re: Notification by the North American Numbering Plan Administrator of the need for the 318 Numbering Plan Area Code.</p> <p><b>In re: Discussion and possible vote on Staff Proposed Recommendation.</b></p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to adopt Staff’s Proposed Final Recommendation filed into the record April 13, 2023 and approve an overlay plan for 318 area code relief over the alternative of a geographical split plan and direct NANPA to begin the process to conduct an overlay.</p>
<p><b>Ex. 9</b></p>	<p><b>U-36660</b> - 1803 Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report based upon the test year ending December 31, 2022.</p> <p><b>In re: Discussion and possible vote to retain an outside consultant.</b></p> <p><b>DEFERRED</b></p>

<p><b>Ex. 10</b></p>	<p><b>U-36697 - Entergy Louisiana, LLC, ex parte.</b> In re: Application for approval of an alternative market-based mechanism process seeking to secure up to 3,000 MW of solar resources, including certification of those resources, expansion of the Geaux Green Option Rider, and approval of a new renewable tariff.</p> <p><b>In re: Discussion and possible vote to retain an outside consultant.</b></p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain United Professionals Company for \$79,200 in fees and \$750 in expenses for a total budget not to exceed of \$79,950.</p>
<p><b>Ex. 11</b></p> <p>N/A</p>	<p><b>1) Reports</b></p> <p><b>Report from Staff on the Martha Wright-Reed Just and Reasonable Communications Act of 2022.</b></p> <p>Deputy General Counsel, Lauren Evans, presented the report to the Commission.</p> <p><b>2) Resolutions</b></p> <p><b>Resolution in support of Entergy Louisiana, LLC’s grant application before the United States Department of Energy and requesting Department of Energy Secretary Jennifer M. Granholm to approve Entergy Louisiana, LLC’s grant application to assist in funding Entergy’s Line Hardening and Microgrid project in Baton Rouge, Louisiana.</b></p> <p>There was no opposition.</p> <p>3) Discussions</p> <p><b>4) ERSC/OMS/SPP</b></p> <p><b>Discussion and possible vote to ratify vote taken by Commissioner Greene acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</b></p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Lewis, with Chairman Campbell and Commissioner Skrmetta concurring, and Commissioner Greene abstaining, the Commission voted to ratify Commissioner Greene’s vote taken on March 23, 2023, as the Louisiana Public Service Commission’s representative to the OMS Board of Directors.</p> <p><b>Discussion and possible vote to ratify interventions of the Commission in RTO or ERSC related FERC proceedings.</b></p> <p>On motion of Vice Chairman Francis, seconded by Chairman Campbell, and unanimously adopted, the Commission voted to ratify the interventions taken in ER23-1216, ER23-1218, ER23-1223, ER23-1228, and EL23-46.</p> <p>5) Directives</p>

<p><b>Ex. 12</b></p>	<p><b>R-36131</b> - Louisiana Public Service Commission, ex parte. In re: Determination of Commission Jurisdiction Over the Various Methods of Providing Electricity to Electric Vehicles, and the Infrastructure Associated Therewith.</p> <p><b>In re: Discussion and possible vote on Staff's Final Recommendation.</b></p> <p><b>At the request of Vice Chairman Francis.</b></p> <p>Vice Chairman Francis made the following motion: I move that the Commission adopt Staff’s Final Recommendation issued April 21, 2023 and further require: That Staff establish a procedural schedule in this docket for determination on Phase 2, including a best efforts deadline of July 31, 2023 for Staff to provide a report and proposed rules on Phase 2, as addressed by Staff in Docket No R-35462, including on “the circumstances under which a regulated electric utility can own, lease, operate, or control an EV charging station.” This best efforts deadline is consistent with Staff’s estimate provided in the Notice of Intent filed in Docket No. R-35462 regarding electric service to electric vehicles. Any changes made to the estimate deadline in that docket will apply to the deadline in this docket, with an update of the changes provided to Commissioners.</p> <p><sup>1</sup>After discussion, on motion of Vice Chairman Francis, seconded by Commissioner Skrmetta, with Chairman Campbell and Commissioner Lewis concurring, and Commissioner Green temporarily absent, the Commission voted to adopt the Final Recommendation filed on April 21, 2023, subject to Vice Chairman Francis’ modifications.</p>
<p><b>Ex. 13</b></p>	<p><b>U-35927</b> - 1803 Electric Cooperative, Inc., ex parte. In re: Application for Approval of Power Purchase Agreements and for Cost Recovery.</p> <p><b>In re: Update from 1803.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>An update on 1803 Electric Cooperative portfolio was given by CEO, Brian Hobbs and Kyle Marrison, Outside Counsel for 1803. Further, the Commission requested 1803 attend and provide an update at the Commission’s May Business and Executive Session.</p>
<p><b>Ex. 14</b></p>	<p><b>U-36174</b> - Southwestern Electric Power Company, ex parte. In re: Application for Recovery of Certain Storm Damage Costs Incurred as a Result of Hurricane Laura and Delta and the February 2021 Winter Storm Event.</p> <p><b>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</b></p> <p><b>At the request of Chairman Campbell.</b></p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Vice Chairman Francis concurring, and Chairman Campbell and Commissioner Lewis objecting, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on March 30, 2023.</p>

<sup>1</sup> Updated to reflect proper vote for Exhibit 12.

<p><b>Ex. 15</b></p>	<p><b>Undocketed</b> - Update from Jefferson Davis Electric Cooperative on transmission line.</p> <p><b>At the request of Vice Chairman Francis.</b></p> <p>An update was given on JDEC’s transmission project by Mike Heinen, CEO of JDEC, Kara Kantrow, Outside Counsel for JDEC, and Michael Pugh, President of Royal Engineers &amp; Consultants.</p>
<p><b>Ex. 16</b></p>	<p><b>FERC Docket No. ER22-736-000</b> - System Energy Resources, Inc.</p> <p>and</p> <p><b>FERC Docket No. EL21-56-000</b> - LPSC, APSC, CNO, vs. SERI, Entergy Services, LLC, Entergy Operations, Inc., and Entergy Corporation.</p> <p><b>In re: Possible Executive Session to discuss litigation strategy pursuant to La. R.S. 42:16, et seq.</b></p> <p><b>At the request of Commissioner Skrmetta.</b></p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Skrmetta, with Chairman Campbell and Commissioner Lewis concurring, and Commissioner Greene absent, the Commission voted to enter into Executive Session.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Lewis, with Chairman Campbell and Vice Chairman Francis concurring, and Commissioner Greene absent, the Commission voted to exit Executive Session.</p> <p>Commissioner Lewis made the following motion: I move that we approve the proposed settlement in principle in FERC Docket No. ER22-736, which will reduce depreciation rates filed by System Energy Resources for the Grand Gulf nuclear plant. The settlement will reduce depreciation rates from 2.99% to 2.29% and produce approximately \$37 million in refunds and \$32 million in going forward rate reductions for all impacted retail jurisdictions and save Louisiana ratepayers approximately \$60 million over four years. I further move that we authorize our outside counsel, consultants, and Executive Counsel to negotiate terms to effectuate this settlement consistent with the settlement in principle approved today.</p> <p>On motion of Commissioner Lewis, seconded by Chairman Campbell, with Vice Chairman Francis and Commissioner Skrmetta concurring, and Commissioner Greene absent, the Commission voted to approve the proposed settlement in principle in FERC Docket No. ER22-736 and authorize outside counsel, consultants, and Executive Counsel to negotiate terms to effectuate this settlement consistent with the settlement in principle.</p>

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

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Wednesday, May 17, 2023 at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.