

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM DECEMBER 15, 2022
OPEN SESSION

MINUTES OF DECEMBER 15, 2022 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN LAMBERT BOISSIERE, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND EXECUTIVE SECRETARY BRANDON FREY.

Open Session of December 15, 2022, convening at 9:05 a.m., and adjourning at 1:17 p.m., the Galvez Building, 602 North 5th Street, Baton Rouge, Metairie, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey present.

Ex. 1	<p>Deputy General Counsel Lauren Evans welcomed new Staff attorney, Paul Rachal, to the Legal Division.</p> <p>Executive Secretary Brandon Frey announced the LURC-ELL 2022A Securitization was selected as The Bond Buyer’s Southeast Deal of the Year award for the Entergy Louisiana-Laura/Delta/Zeta/Uri 2022 transaction and congratulated to all that contributed to the success of the transaction.</p> <p>All Commissioners shared kind words about Chairman Boissiere’s tenure as a Commissioner and wished him well on his future endeavors.</p> <p>Chairman Boissiere thanked the Staff, Commission, and his constituents for allowing him to serve as the Commissioner of District 3 for the past 18 years.</p> <p>Chairman Boissiere congratulated Jared Reese on the birth of his daughter.</p> <p>Commissioner Campbell thanked SWEPCO’s President and COO, Malcolm Smoak, for his service for the past 38 years and congratulated him on his retirement.</p>
Ex. 2	<p>2023 Proposed Business and Executive Session Schedule</p> <p>In re: Discussion and possible vote to accept the proposed 2023 schedule.</p> <p>On motion of Commissioner Greene, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the proposed 2023 Business and Executive Session Schedule.</p> <p>The 2023 Business and Executive Session Schedule is as follows:</p> <ul style="list-style-type: none"> January 18 February 16 March 15 April 19 May 17 June 28 July – No Meeting

	<p>August 16 September 20 October 18 November 16 December 20</p>
Ex. 3	<p>T-36550 - Louisiana Public Service Commission vs. Kenny's Towing, LLC. In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 and 1179 for failure to pay to the state proper fees for the years 2018, 2019 and 2020 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 7227 pursuant to General Order dated November 22, 2011.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Affidavit and Stipulation executed by the Carrier.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner 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 Commissioner Greene, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed on November 23, 2022 for fines and fees totaling \$525.</p>
Ex. 4	<p>S-35889 - WJMB Transport 2, LLC dba Two Men and A Truck ex parte. In re: Application to increase tariff rates for Common Carrier Certificate No. 7871.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the Staff Report and Recommendation filed into the record on June 14, 2022.</p>
Ex. 5	<p>S-36500 - Conexon Connect LLC, ex parte. In re: Petition for Expanded Designation as a Lifeline-Only Eligible Telecommunications Carrier.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the Staff Report and Recommendation filed into the record on November 14, 2022.</p> <p>Following the vote, Commissioner Skrmetta asked Staff to monitor FCC movement that would designate VOIP communications as a public utility.</p>
Ex. 6	<p>U-35987 - Louisiana Public Service Commission, ex parte. In re: Audit of Fuel Costs of Entergy Louisiana, LLC, for Provision of Electricity, Associated with February 2021 Winter Storm Event.</p>

	<p>In re: Discussion and possible vote on budget increase for United Professionals Company due to expansion of scope.</p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to retain UPC for an additional budget of \$142,500 in fees and \$5,000 in expenses for a total additional budget not to exceed \$147,500.</p>
Ex. 7	<p>U-36223 - The Baton Rouge Water Works Company d/b/a Baton Rouge Water Company. In re: Application for an Increase and Adjustment in Retail Rates, Request for Interim Rates, Approval for Hurricane Ida Recovery, and Request for Establishment of an Emergency Reserve Fund.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Greene, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the Joint Stipulation filed into the record on November 21, 2022.</p>
Ex. 8	<p>U-36312 - Evangeline Gas Company, Inc., ex parte. In re: Application for adjustment in gas service rates and the establishment of a compliance surcharge rider.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</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 on November 3, 2022.</p>
Ex. 9	<p>U-36318 - Louisiana Water Company, Inc., ex parte. In re: Application for an increase in Rates, including interim rates, Approval of Formula Rate Plan, Request for Establishment of Regulatory Asset, and Request for Establishment of an Emergency Reserve Fund.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>After discussion, on motion of Vice Chairman Francis, seconded by Commissioner Greene, with Chairman Boissiere and Commissioner Campbell concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to accept the Joint Stipulation filed into the record on October 7, 2022.</p>
Ex. 10	<p>U-36349 - Southwestern Electric Power Company, ex parte. In re: Application for approval of short-term natural gas Capacity Purchase Agreement.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>At the request of Commissioner Campbell.</p> <p>On motion of Commissioner Campbell, seconded by Vice Chairman Francis, with Chairman Boissiere and Commissioner Greene concurring, and Commissioner Skrmetta temporarily absent, 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 Boissiere, with Vice Chairman Francis and Commissioner Greene concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on November 30, 2022.</p>
Ex. 11	<p>U-36380 - Utilities, Inc. of Louisiana, ex parte. In re: 2021 Formula Rate Plan Annual Report.</p> <p>In re: Discussion and possible vote on Joint Report.</p> <p>On motion of Commissioner Greene, seconded by Chairman Boissiere, and unanimously adopted, the Commission voted to accept the Joint Report filed into the record on December 1, 2022.</p>
Ex. 12	<p>U-36581 - Dyno Nobel, Inc. and Duke Energy One, Inc. In re: Joint Petition for Jurisdictional Determination.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Staff Recommendation and Draft Order.</p> <p>After discussion, on motion of Vice Chairman Francis, seconded by Commissioner 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 Commissioner Greene, seconded by Chairman Boissiere, and with Vice Chairman Francis and Commissioner Campbell concurring, and Commissioner Skrmetta temporarily absent, the Commission voted to accept the Joint Report filed into the record on December 1, 2022.</p> <p>Present for Questions/Comments: Gordon Polozola, Counsel for Duke Energy Kim Weber, Duke Energy Chris Lesmes, Duke Energy Freddie Gardner, Duke Energy Peter Haverkamp, Dyno Nobel</p>
Ex. 13	<p>U-36582 - Cleco Power LLC, ex parte. In re: Formula Rate Plan Annual Earnings Monitoring Report for the twelve months ended June 30, 2022.</p> <p>In re: Discussion and possible vote to retain United Professionals Company.</p> <p>After discussion, on motion of Commissioner Greene, seconded by Chairman Boissiere, and unanimously adopted, the Commission voted to retain UPC for \$150,000 in fees and \$10,000 in expenses for a total not to exceed budget of \$160,000, recognizing the potential need to seek an additional budget should any or all of the three test years be contested.</p> <p>Present for Questions/Comments: Lane Sisung, Staff Consultant</p>

<p>Ex. 14</p>	<p>FERC Docket No. EL20-72 - Louisiana Public Service Commission, et al. v. System Energy Resources, Inc.</p> <p>In re: Discussion and possible vote on budget increase for Stone Pigman and United Professionals Company due to an expansion in scope.</p> <p>In re: Possible Executive Session to discuss litigation strategy pursuant to La. R.S. 42:16 et seq.</p> <p>After discussion, on motion of Commissioner Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted, the Commission voted to accept the additional budget for Stone Pigman in the amount of \$597,000 in fees and \$112,000 in expenses for a total additional budget not to exceed \$709,000 and for UPC in the amount of \$25,000 in fees and \$30,000 expenses for a total additional budget not to exceed of \$55,000.</p> <p>Present for Questions/Comments: Dana Shelton, Counsel for Stone Pigman Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy</p>
<p>Ex. 15</p>	<p>1) Reports 2) Resolutions 3) Discussions</p> <p>- Discussion with SWEPCO's President and COO, Malcolm Smoak.</p> <p>Secretary Frey read a resolution regarding Malcolm Smoak's retirement.</p> <p>- Update from JDEC on transmission line.</p> <p>At the request of Vice Chairman Francis.</p> <p>DEFERRED</p> <p>4) ERSC/OMS/SPP</p> <p>- Discussion and possible vote to ratify a vote taken by Commissioner Greene acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</p> <p>On motion of Vice Chairman Francis, seconded by Commissioner Skrmetta, with Chairman Boissiere and Commissioner Campbell concurring, and Commissioner Greene abstaining, the Commission voted to ratify Commissioner Greene's vote taken on November 14, 2022 as the Louisiana Public Service Commission representative to the OMS Board of Directors.</p>

<p>Ex. 16</p>	<p>U-36350 - Entergy Louisiana, LLC, ex parte. In re: Application for recovery in rates of costs related to Hurricane Ida and related relief.</p> <p>In re: Discussion and possible vote pursuant to Rule 57 on Uncontested Stipulated Settlement.</p> <p>At the request of Chairman Boissiere.</p> <p>After discussion, Vice Chairman Francis made a motion to take the matter up pursuant to Rule 57. The motion failed for lack of a second.</p> <p>Present for Questions/Comments: Pat Patrick, Counsel for Staff Larry Hand, Counsel for Entergy Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy Skylar Rosenbloom, Counsel for Entergy Phillip May, President and CEO of Entergy Louisiana</p> <p>Presentation by Commissioner Greene on the maintenance of Louisiana’s electric grid.</p>
<p>Ex. 17</p>	<p>Undocketed - Discussion with Entergy Louisiana, LLC regarding the company's resiliency plan(s).</p> <p>At the request of Commissioner Greene.</p> <p>Present for Questions/Comments: Phillip May, President and CEO of Entergy Louisiana Larry Hand, Counsel for Entergy Mark Kleehammer, Vice President, Regulatory and Public Affairs for Entergy</p> <p>Mark Kleehammer gave an update on outages for the weather event on December 14, 2022.</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, January 18, 2023 at 9:00 a.m. at the Galvez Building in Baton Rouge, Louisiana.