

TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION BUSINESS AND EXECUTIVE OPEN SESSION HELD ON JUNE 7, 2023 IN NEW ORLEANS, LOUISIANA. PRESENT WERE: CHAIRMAN FOSTER CAMPBELL, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND COMMISSIONER DAVANTE LEWIS.

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1 **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**
2 **BUSINESS AND EXECUTIVE OPEN SESSION HELD ON JUNE 7, 2023 IN**
3 **NEW ORLEANS, LOUISIANA. PRESENT WERE: CHAIRMAN FOSTER**
4 **CAMPBELL, VICE CHAIRMAN MIKE FRANCIS, COMMISSIONER**
5 **ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND**
6 **COMMISSIONER DAVANTE LEWIS.**

7 **CHAIRMAN FOSTER CAMPBELL:** Good morning. Is this on? It is, isn't it?
8 Is everybody on? Okay. Okay. Good morning. It's a really super nice hotel here,
9 very luxurious. Where we stayed last night, I don't know who made our rooms,
10 but we've got to have a little prayer meeting. The TV only lasts for three hours and
11 then it shuts off. And the -- if you want to call room service, the telephone doesn't
12 work. Other than that, it was 68 degrees and I slept well. But glad to be in New
13 Orleans. This is something that we've been doing now for a while. It's a good,
14 good deal, moving around the state. People, if they want to come see what we're
15 doing, they have a chance and we get a chance to see other parts of the state.
16 Brandon, I want to -- where are you, Brandon? There you are.

17 **SECRETARY BRANDON FREY:** They switched sides on us, Foster, so they
18 could film us. I told Jerry, everybody's going to have to look this way, they're used
19 to looking that way.

20 **CHAIRMAN CAMPBELL:** I want to have the December meeting in
21 Natchitoches.

22 **SECRETARY FREY:** Got it. We'll put it on the schedule.

1 **CHAIRMAN CAMPBELL:** They have the lights and all, it's a nice place to visit
2 at Christmas time. We need to have the pledge and a prayer.

3 **COMMISSIONER ERIC SKRMETTA:** Mike has the flag?

4 **VICE CHAIRMAN MIKE FRANCIS:** Absolutely. I'm ready.

5 **CHAIRMAN CAMPBELL:** Okay. Well, we need to -- Davante, you want to say
6 the prayer?

7 **[COMMISSIONER DAVANTE LEWIS LEADS IN PRAYER]**

8 **[COMMISSIONER FRANCIS LEADS IN THE PLEDGE]**

9 **CHAIRMAN CAMPBELL:** I don't know if y'all made it down last night, but
10 Mr. Skrmetta outdid himself. We had a nice visit at the museum, plus dinner was
11 great, and so Mr. Skrmetta, thank you. You're a gracious host. I don't know that
12 we've ever had a nicer venue. The meal was great, and I appreciate what you did
13 for everybody. Everybody was welcome and as far as I know, it didn't cost you to
14 eat. We were able to eat. All right.

15 **COMMISSIONER LEWIS:** Mr. Chairman, I want to say I also want to give
16 thanks to Commissioner Skrmetta for being the chair of SEARUC and hosting a
17 great conference over the last three days. I think we have seen earlier from our
18 Commissioner colleagues across the Southeast region who appreciated his service,
19 his leadership, and so I wanted to make sure on our meeting that we also thanked
20 him for his service as SEARUC's president this year and hosting a great conference
21 here in New Orleans, so thank you, Commissioner.

22 **COMMISSIONER SKRMETTA:** And I want to thank you for the kind words
23 and I do want to thank all the sponsors, again, and all the support for everyone who

1 attended. It was great to do. We had great seminars, great educational components
2 in the conference, and I want to definitely thank the SEARUC organization for
3 allowing us to use this room as the continuing part of their contract, which allows
4 us to utilize something that would have been under-utilized and didn't -- afforded
5 the Commission to use the facilities, and since most of the Commissioners were
6 here, it was an opportunity to take advantage of. And we look forward to
7 participating in SEARUC at a continuing basis under the leadership of
8 Commissioner McKissick of North Carolina. So, thank you very much.

9 **CHAIRMAN CAMPBELL:** I was looking at -- is it on? I was looking at these
10 sheets that I asked to be printed up every month. It tells us how high electricity is.
11 It's a good little schedule for you to look at. My good friends at SWEPCO, they're
12 sitting over there, they're not doing too good, Bobby. Y'all are the highest in the
13 state. And we talked about -- you're at about 14 cents. We talked about that when
14 I first came here, everybody was about 8 cents, 7 cents. I said, wow, we're going
15 to get to 10 cents one day. Now everybody's about -- Beauregard Electric is 13.5,
16 Claiborne is 10.8, Cleco is 13, Concordia is 12. Everybody's over 10 -- well,
17 DEMCO, they're at 9.52. Entergy's at 12.2, Jeff Davis is at 13. So, I mean, this is
18 not good news. It's hot summertime. SWEPCO is at 14 cents. Y'all get the trophy
19 this time. It's not good. Summertime's here and people are paying 14 cents a
20 kilowatt hour and no longer can we stop the bragging now. We've done a lot of
21 bragging about having the cheapest utility in the United States. Y'all ought to take
22 that sentence out of your vocabulary because that's not true, or you're lying,
23 whatever it is. We're struggling and hopefully we can watch these rates. I know

1 we've got some big rate increases coming and all. We've got to scrutinize them
2 closely because summertime in Louisiana is hell. Its 100 degrees humid, especially
3 around this way. But anyway, I know y'all are aware of it, you don't need a sermon
4 from me. Mr. Francis.

5 **VICE CHAIRMAN FRANCIS:** On rounds of another announcement, just for
6 your information, this hotel is owned by the World War II Museum, just like the
7 museum across the street, and this is operated by Hilton. This room here is called
8 the Hilliard Conference Room, and it's named after a good friend of mine, Paul
9 Hilliard, who was an oil and gas wildcatter. He's still living today. He's over 90
10 years old, and he's one of the reasons that the World War II Museum is here today
11 because of his contributions and support. And he was one of my first customers
12 when I started my oil and gas service business, and very good friend of mine. I
13 wish he could be here to hear my compliments of him, but I'm sure some of you
14 may know him, and just when you see him, tell him I was giving him some
15 accolades. So thank you, Chairman.

16 **CHAIRMAN CAMPBELL:** You ready to go? Where -- I'm looking for you.

17 **MS. KATHRYN BOWMAN:** Yes, we're ready.

18 **CHAIRMAN CAMPBELL:** You're usually to the right.

19 **MS. BOWMAN:** We are ready to go. I will ask Commissioners, I've gotten notice
20 that -- if you need to speak a little closer into the mic because it's not projecting
21 through the video, so just -- when y'all speak, if y'all would speak a little closer to
22 the mics, please.

23 **CHAIRMAN CAMPBELL:** Is that better?

1 **MS. BOWMAN:** Yes, sir.

2 **CHAIRMAN CAMPBELL:** Everybody, if you would talk a little loud.

3 **MS. BOWMAN:** Good. So moving on to Exhibit Number 2, it's Docket Number
4 T-36557. This is the Commission versus Raymond LaCombe doing business as
5 LaCombe's Wrecker Service. It's an alleged violation of Louisiana Revised Statute
6 Title 45:1177 and 1179 for failure to pay to the state proper fees for the years '18, '19
7 and '20 for inspection, control, and supervision of its business service and rates
8 authorized in Common Carrier Certificate Number 6631 pursuant to General Order
9 dated November 22, 2011. It's a discussion and possible vote on a recommendation of
10 the ALJ. Staff conducted an ISF compliance audit of LaCombe's and determined that
11 LaCombe's was not in compliance, provided notice to LaCombe's of its audit findings
12 and the various methods by which LaCombe could get into compliance. Staff issued a
13 citation to LaCombe's on October 25, 2022 directing LaCombe's to appear at a hearing
14 on January 5, 2023. Staff appeared and presented evidence in support of the
15 allegations. LaCombe's did not appear and present a defense. The recommendation
16 of the ALJ was issued on May 10, 2023. Staff requested that the carrier be found guilty
17 for failing to pay the properly calculated ISF fees for '18, '19 and '20; pay the properly
18 calculated ISF fees and file the amended reports with the Department of Revenue and
19 file proof of same with the Commission; and be fined \$1,000 along with a \$25 citation
20 fee. Based on the testimony and documents admitted into the evidence at the hearing
21 in this matter, the ALJ recommends that the Commission issue an order finding that
22 LaCombe's Wrecker Service is guilty of violating Revised Statute 45:1177 by failing
23 to file the quarterly inspection and supervision fee reports and pay the properly
24 calculated fees for '18, '19, and '20; that LaCombe's is required to file its delinquent

1 inspection and supervision fee reports and pay those properly calculated fees for '18,
2 '19, and '20 to the Department of Revenue and submit proof of same to the
3 Commission; that LaCombe's is fined \$1000 and a citation fee of \$25.

4 **CHAIRMAN CAMPBELL:** Is there a motion?

5 **COMMISSIONER CRAIG GREENE:** Motion to accept Staff recommendation.

6 **COMMISSIONER LEWIS:** I'll second.

7 **CHAIRMAN CAMPBELL:** There's a motion by Mr. Greene, second by Mr. --

8 **MS. BOWMAN:** Lewis.

9 **CHAIRMAN CAMPBELL:** -- by Davante Lewis. By Mr. Lewis. No objections?

10 [NONE HEARD] It's passed, motion's passed. All right.

11 **MS. BOWMAN:** Exhibit Number 3 is Docket Number T-36575. This is the
12 Commission versus Netterville Towing. It's also an alleged violation of Revised
13 Statute 45:1177 and 1179 for failure to pay the state for '18, '19, and '20 the ISF fees.
14 Discussion and possible vote on the recommendation of the Administrative Law Judge.
15 Staff conducted a compliance audit of Netterville, determined that they were not in
16 compliance, and provided notice to Netterville of the same and methods of which to
17 get into compliance. Staff then issued a citation to Netterville on November 10, 2022
18 directing Netterville to appear at a hearing on January 5, 2023. Staff appeared and
19 presented evidence in support of the allegations, but Netterville did not appear and
20 present a defense. The recommendation of the ALJ was issued on May 11, 2023. Staff
21 requested that Netterville be found guilty for failing to properly pay the ISF fees for
22 '18 through '20, required to properly submit its ISF reports and payment for the same
23 years to the Department of Revenue with proof of same to the Commission, be fined
24 \$1,000, along with a \$25 citation fee. Based on the testimony and the documents
25 submitted into the evidence at the hearing in this matter, the ALJ recommends that the

1 Commission issue an order finding that Netterville is found guilty of violating Revised
2 Statute 45:177 by failing to properly file its quarterly inspection and supervision fee
3 reports and pay the properly calculated fees for '18, '19, and '20; that Netterville is
4 required to properly file its inspection and supervision fee reports and pay those fees
5 for '18, '19, and '20 to the Department of Revenue with proof of same to the
6 Commission; that Netterville is fined \$1,000 and is assessed a citation fee of \$25.

7 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

8 **COMMISSIONER LEWIS:** I'll second.

9 **CHAIRMAN CAMPBELL:** There's a motion by Mr. Greene, second by Mr. Lewis.

10 No objections? [NONE HEARD] Next. It's passed.

11 **MS. BOWMAN:** Exhibit Number 4 is Docket Number T-36655. This is the
12 Commission versus HJ Doles Wrecker Service. It's an alleged violation Revised --

13 **CHAIRMAN CAMPBELL:** Ma'am, speak into the microphone.

14 **MS. BOWMAN:** Yes, sir.

15 **CHAIRMAN CAMPBELL:** I can't hear you up here.

16 **MS. BOWMAN:** It's an alleged violation of Louisiana Revised Statutes Title 45:1177
17 and 1179 for failure to pay the state proper fees for the year of 2020, and it's a
18 discussion and possible vote on a recommendation of the Administrative Law Judge.
19 Staff conducted an inspection and supervision fee compliance audit of HJ Doles,
20 determined that they were not in compliance, and provided notice of the same to Doles
21 and the various methods by which Doles could get into compliance. Staff issued a
22 citation to HJ Doles on February 1, 2023 directing the company to appear at a hearing
23 on April 5, 2023. Staff appeared and presented evidence in support of the allegations,
24 however HJ Doles did not appear and present a defense. The recommendation of the
25 ALJ was issued on May 15, 2023. Staff requested that the carrier be found guilty for

1 failing to pay the properly calculated ISF fees for 2020; be ordered to amend its reports
2 and make the properly calculated payments, be assessed a fine of \$500 and be required
3 to pay a \$25 citation fee. Based on the testimony and documents admitted into the
4 evidence at the hearing in the matter, the ALJ recommended that the Commission issue
5 an order finding that: HJ Doles is guilty of violating Revised Statute 45:1177 by failing
6 to properly file its quarterly inspection and supervision fee reports and pay the properly
7 calculated fees to the state for year 2020; that the company be required to properly file
8 its inspection and supervision fee reports and pay the properly calculated fee for the
9 year 2020 to the Department of Revenue with proof of same to the Commission; that
10 HJ Doles be fined \$500 and assessed a citation fee of \$25.

11 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

12 **CHAIRMAN CAMPBELL:** There's a motion by Mr. Greene, second by Mr.
13 Campbell. No objection? [NONE HEARD] Passed.

14 **MS. BOWMAN:** Exhibit Number 5 is Docket Number T-36705. This is the
15 Commission versus Tyler Dirtworkz LLC regarding an alleged violation of Revised
16 Statute 45:161 through 180.1, by operating intrastate without Commission authority to
17 transport non-hazardous waste on five counts allegedly occurring on or between
18 February 1, 2022 and February 23, 2023. It's a discussion and possible vote pursuant
19 to Rule 57 on an affidavit and stipulation executed by the carrier, so this will need two
20 votes. As a result of a routine review of the Department of Revenue's ISF logs by
21 Audit Staff, a citation was issued to Tyler Dirtworkz on March 31, 2023 based on the
22 aforementioned allegations and violations. In response to that citation, the owner of
23 Tyler Dirtworkz executed an affidavit and stipulation on behalf of the company
24 admitting to the violations alleged and agreed to the following: The imposition of a
25 \$2,000 fine per count of violation and a \$25 citation fee with \$1,000 being suspended

1 contingent on the company not being found guilty, entering a plea of guilty, or entering
2 a plea of no contest to any of the rules and regulations of the Commission for a period
3 of one year; agree to cease transporting LPSC regulated waste for disposal intrastate
4 until such time that the company obtains a common carrier certificate from the
5 Commission; and implement changes to the company's training policy which provides
6 that all employees receive orientation on Commission-related statutes, rules, and
7 orders. Staff recommended that the Commission: 1) Exercise its original and primary
8 jurisdiction under Rule 57 to consider the affidavit and stipulation; and 2) Accept the
9 affidavit and stipulation executed on May 9, 2023 for fines and fees totaling \$5,025.

10 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

11 **MS. BOWMAN:** Well, we need a motion for Rule 57 first.

12 **COMMISSIONER GREENE:** Motion to take it up under 57.

13 **COMMISSIONER SKRMETTA:** Second.

14 **CHAIRMAN CAMPBELL:** There's a motion to take this item up under Rule 57 by
15 Mr. Greene, second by Mr. Skrmetta. No objections? [NONE HEARD] You have a
16 motion now?

17 **COMMISSIONER GREENE:** Motion to accept Staff recommendation.

18 **CHAIRMAN CAMPBELL:** There's a motion to accept Staff recommendation,
19 second by Mr. Francis.

20 **VICE CHAIRMAN FRANCIS:** Second.

21 **CHAIRMAN CAMPBELL:** No objections? [NONE HEARD] Item passes.

22 **MS. BOWMAN:** Exhibit Number 6 is Docket Number R-36131. This is the
23 Commission's determination of Commission jurisdiction over the various methods of
24 providing electricity to electric vehicles and the infrastructure associated therewith.
25 It's a discussion and possible vote on a budget increase for David Williams due to the

1 scope expansion. At the Commission's February 2022 B&E, David Williams was
2 retained to assist the Commission with the above referenced docket. At the
3 Commission's April 26, 2023 B&E, the Commission declined to exert jurisdiction over
4 electric vehicle charging stations, as defined in Staff's recommendation, and agreed to
5 a Phase II to address issues during the determination of the jurisdiction. Given Mr.
6 Williams' engagement for the jurisdictional determination of the docket, and the
7 Commission's expansion to consider ancillary issues raised therein, a scope expansion
8 is necessary to allow Mr. Williams to continue assisting with Phase II and additional
9 potential draft rules associated with those ancillary issues. Given the scope expansion,
10 Mr. Williams submitted a proposed budget increase of \$87,500 in fees and \$1,600 in
11 expenses. Staff recommends that the Commission grant the budget increase of Mr.
12 Williams for \$87,500 in fees and \$1,600 in expenses for a total budget not to exceed
13 of \$89,100.

14 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

15 **CHAIRMAN CAMPBELL:** There's a motion to accept Staff recommendation. Any
16 other recommendation?

17 **COMMISSIONER LEWIS:** Yes, I would like to --

18 **CHAIRMAN CAMPBELL:** Mr. Lewis.

19 **COMMISSIONER LEWIS:** Mr. Chairman. Can Staff -- I know we have put the
20 jurisdiction of EVs in the CCO docket and that there is recommendations, I believe,
21 coming in July; is that correct?

22 **MS. LAUREN EVANS:** Lauren Evans on behalf of Staff. That is correct,
23 Commissioner.

24 **COMMISSIONER LEWIS:** And so we are -- I guess I'm trying to figure out should
25 we pause on this hire until we know exactly what we're looking for in Phase II?

1 **MS. EVANS:** To be honest, I think that's a good idea. I think once we have an
2 estimate on how that Phase II is going to go -- actually, I think that's a good idea, if we
3 defer.

4 **COMMISSIONER LEWIS:** Okay. Yeah. This has nothing to do with -- I think Mr.
5 Williams, and I know Commissioner Francis has some questions for him. I just wanted
6 to see the process because I knew we were having two different kind of competing
7 items right there.

8 **MS. EVANS:** Correct. And I do believe that our assessment in the CCO docket will
9 be complete by July, so it would be right in August.

10 **COMMISSIONER LEWIS:** Okay. So, Mr. Chairman, I think at the appropriate
11 time, I would like to make a substitute motion to defer until August.

12 **COMMISSIONER SKRMETTA:** I just have a quick question, Mr. Chairman.

13 **CHAIRMAN CAMPBELL:** Go ahead.

14 **COMMISSIONER SKRMETTA:** My questions is, and I'm okay to defer it, but why
15 was it recommended for acceptance by the Staff recommended the approval of the
16 expansion of the docket if now they're recommending [INAUDIBLE]?

17 **CHAIRMAN CAMPBELL:** Commissioner Francis.

18 **COMMISSIONER SKRMETTA:** I mean, I'm --

19 **CHAIRMAN CAMPBELL:** Excuse me. Excuse me. I interrupted you.

20 **COMMISSIONER SKRMETTA:** Oh, that's fine.

21 **CHAIRMAN CAMPBELL:** Okay.

22 **COMMISSIONER SKRMETTA:** I was asking her [INAUDIBLE].

23 **CHAIRMAN CAMPBELL:** You're speaking?

24 **COMMISSIONER SKRMETTA:** Yeah, I was speaking.

25 **CHAIRMAN CAMPBELL:** Okay. Go ahead. I didn't --

1 **COMMISSIONER SKRMETTA:** I was in the middle of a sentence.

2 **CHAIRMAN CAMPBELL:** All right.

3 **COMMISSIONER SKRMETTA:** So I'm just trying to figure out if, you know, if

4 the recommendation is in the record and now the Staff is shifting gears --

5 **MS. EVANS:** No, I understand. I think --

6 **COMMISSIONER SKRMETTA:** I just want to understand.

7 **MS. EVANS:** That is a little confusing and I apologize for that. I didn't -- I can take

8 it, you know. I didn't think about the fact that we're going to issue those

9 recommendations in July, and I just think this would probably be better posture than -

10 -

11 **COMMISSIONER SKRMETTA:** Well, then I'll withdraw the recommendation and

12 we don't need to go to a substitute motion, we can go to a request for a deferral until

13 July, and we can review it for -- July we don't have a meeting, so we can review this

14 by August to see what the performance action is.

15 **MS. EVANS:** Okay. Thank you.

16 **COMMISSIONER LEWIS:** So I'll withdraw my substitute motion, Mr. Chairman.

17 **CHAIRMAN CAMPBELL:** You would what? Withdraw?

18 **COMMISSIONER LEWIS:** Based off of that, I'm going to withdraw my substitute

19 motion.

20 **CHAIRMAN CAMPBELL:** Okay. Fine. Mr. Skrmetta makes a -- not a motion, but

21 a suggestion that we defer this until August; is that right?

22 **MS. BOWMAN:** Yes. And Commissioner, to kind of address the confusion, you

23 know, it was me who requested in the scope expansion and solicitation, and generally

24 I try to do those as soon as possible after the original expansion just so, you know,

1 everyone is familiar and fresh, but the fact that we actually, you know, have something
2 coming out July, I mean, I think this, you know, a month I don't think makes an issue.

3 **COMMISSIONER SKRMETTA:** No explanation further is necessary, just defer.

4 **MS. BOWMAN:** Okay.

5 **CHAIRMAN CAMPBELL:** Mr. Francis.

6 **VICE CHAIRMAN FRANCIS:** Just for the sake of public information,
7 understanding what we're up against, I'd like for Mr. Williams to come up, just give
8 us a little two minute talk on where we're at and what's the scope expansion and explain
9 that, please.

10 **MR. DAVID WILLIAMS:** Commissioners, Mr. Chairman, I am totally fine with a
11 deferral until August. It's going to satisfy questions that the Commission has. When
12 we came up in the recommendation that we made on jurisdictional issues at the April
13 meeting in Crowley, it was unanimously voted that we would expand the docket so that
14 we could look at the ancillary issues. The argument that we made was that, with the
15 Staff, which I think the Public Service Commission has one of the best Staffs that I've
16 ever encountered, and I have developed some institutional knowledge about legal
17 issues. There is currently a consultant on a similar docket where they're going to look
18 at EVs, and I get along well with them, but there are going to be a lot of issues dealing
19 with other state entities, the legislature, the governor's office, the Department of
20 Transportation. This is an evolving field and I think there are going to be a lot of legal
21 issues that are going to pop up and that was why we did this. But I think that no one
22 loses anything by waiting until August. I would rather have you be happy with any
23 proposal I make than have people vote for something they're not certain of right now.
24 And that's, to me, even though I have been working for a few months pro bono, which
25 I'm honored to do, it's my fault that I don't know how to bid on things, not yours, but

1 I would be more comfortable doing that. I don't want to have anyone think that I would
2 be here and be an unnecessary impediment or expense to the Commission. So -- but
3 there are a lot of issues and I tell some people, I'm not the judge anymore, I'm basically
4 the Commission's law clerk. I'm here to do legal research to help on any issue and I'm
5 happy to do that and it was, you know, it's been an honor to be working with you all.
6 And so if you have any questions, I'm here to try and answer them.

7 **CHAIRMAN CAMPBELL:** Who do you have working with you on this?

8 **MR. WILLIAMS:** Well, Justin Bello, who has been really phenomenal, and the Staff
9 in the -- the general Staff of the Commission is, like I said, it's phenomenal. I mean,
10 you go in there and they're knowledgeable about things, they pick things up quickly.
11 I have been in every branch of government and I don't think I've come across any
12 entity that is more -- or better staffed than the entity that I'm working with right now,
13 so it's been a pleasure to work with these people.

14 **CHAIRMAN CAMPBELL:** Okay. Any other -- so there's no objections to put it off
15 until August? [NONE HEARD] Accepted. That's where we are, right?

16 **MS. BOWMAN:** Yes, sir.

17 **CHAIRMAN CAMPBELL:** Anybody have any questions?

18 **MR. WILLIAMS:** I appreciate you letting me speak today. Thank you.

19 **COMMISSIONER GREENE:** Thank you, Mr. Williams.

20 **MS. BOWMAN:** So Exhibit Number 7 is Docket Number U-36265. This is Entergy
21 Louisiana's test year 2021 gas rate stabilization plan filing. It's a discussion and
22 possible vote on a joint report and draft order. Entergy filed its test year 2021 filing on
23 January 31, 2022, with notice was published in the Commission's Official Bulletin,
24 with no interventions. On March 24, 2022, Staff filed its report which determined that
25 the as-filed results in Entergy's filing were accurate. On April 18, 2022, Entergy filed

1 its supplemental report, which included the effects of the state tax rate changes. Staff
2 -- in the supplemental report, Entergy included the changes to the state tax rates results,
3 which resulted in an earned ROE of 2.57 percent. The earned ROE is below the lower
4 boundary of allowed ROE, which is 9.3 percent. Applying the RSP provisions to the
5 as-filed results indicated a deficiency in base revenues of \$4,432,271 to achieve an
6 adjusted ROE of 8.55 percent. On January 4, 2023, Staff filed a supplemental staff
7 report, which found the changes resulting from the state tax changes in the test year of
8 2021 to be consistent with the gross up in the state tax rate. The as-filed rate change
9 increases a typical bill from \$44.25 to \$47.78. Staff recommends that the Commission
10 adopt the joint report filed into the record on May 10, 2023, and that the Commission
11 authorize the issuance of the draft order resolving all issues in this matter.

12 **CHAIRMAN CAMPBELL:** Phillip, you want to come up here?

13 **COMMISSIONER SKRMETTA:** And I'll put a motion on the floor to accept the
14 joint report and draft order.

15 **CHAIRMAN CAMPBELL:** Okay.

16 **COMMISSIONER GREENE:** Second.

17 **CHAIRMAN CAMPBELL:** Y'all were only making 2.63 percent?

18 **MR. LARRY HAND:** 2.57, that was for the test year 2021.

19 **CHAIRMAN CAMPBELL:** How long is that for?

20 **MR. HAND:** I'm sorry, for the record, Larry Hand on behalf of Entergy Louisiana.
21 That was the earnings based on test year 2021, and that was our gas LDC business in
22 Baton Rouge.

23 **CHAIRMAN CAMPBELL:** So you want to go up to 8.55; is that right?

24 **MR. HAND:** That's what the formula rate would suggest. Our authorized return on
25 equity is 9.8 percent, consistent with our peers.

1 **CHAIRMAN CAMPBELL:** Why are y'all being so kind? Why didn't you ask for 9
2 --

3 **MS. BOWMAN:** Commissioner, will you speak into your mic, please?

4 **CHAIRMAN CAMPBELL:** Why are you being so kind? Why did you ask -- if it
5 allows you to go to 9 point -- why are y'all so benevolent to go to 8.55 when you had
6 some space left?

7 **MR. HAND:** It is the formula that we agreed on and Staff and the Commission
8 approved. It's the mechanism, it only brings us up to 8.55 prospectively. It's not a
9 midpoint reset, it's a portion of the way to get back there, so we're honoring the
10 agreement we entered into and the Commission approved.

11 **CHAIRMAN CAMPBELL:** Can it only -- it affects people -- this is your natural gas
12 program in Baton Rouge, right?

13 **MR. HAND:** That's correct.

14 **CHAIRMAN CAMPBELL:** How many customers you have there?

15 **MR. HAND:** Roughly 95,000.

16 **MR. PHILLIP MAY:** That's right.

17 **CHAIRMAN CAMPBELL:** 95,000? So on average, they'll go up \$3 a month, right?
18 Is that right?

19 **MR. HAND:** Three dollars and some change.

20 **CHAIRMAN CAMPBELL:** I just wondered. That's the only natural gas facility you
21 have in the state, right? Is that right?

22 **MR. HAND:** That's the only one that Entergy Louisiana has.

23 **CHAIRMAN CAMPBELL:** Yeah.

24 **MR. HAND:** Our affiliate, Entergy New Orleans, has gas service here in New Orleans.

1 **CHAIRMAN CAMPBELL:** Yeah. Right, right, right. Okay. I don't have any
2 questions. There's a motion and a second.

3 **COMMISSIONER LEWIS:** Mr. Chairman.

4 **CHAIRMAN CAMPBELL:** Mr. Lewis.

5 **COMMISSIONER LEWIS:** Yes, just have a few questions. So if I'm reading
6 everything right, basically your revenues were flat in FY of '21, correct?

7 **MR. HAND:** Our weather adjusted sales were flat, yes.

8 **COMMISSIONER LEWIS:** And so this was -- but you did increase capital spending
9 in O&M in FY '21?

10 **MR. HAND:** Yeah, the drivers for the revenue deficiency, you know, the sales were
11 flat, but we did have an increase in rate base. We invested more, replaced more pipe,
12 which lead to an increase in depreciation expense. We also had some changes to ad
13 valorem taxes and also increased expenses associated with our underground conflict
14 program.

15 **COMMISSIONER LEWIS:** Yeah. And I want to say this: The recommendation to
16 approve is consistent, I think, with the currently approved plan and I don't have -- I
17 think you and Staff have done what is justified. I think where I am concerned is that
18 this is a big deviation, and that may imply that we -- there's something off track
19 because, I mean, we're looking normally about a 1 percent deviation. We're talking
20 here upwards to 7 percent, and so that's a significant gap for me between your earnings
21 and your authorized return on equity and so it's still concerning to me. I think we have
22 to start talking and thinking a little bit more about this RFP process because this is a
23 big deviation, but as I said before, it is consistent with the recommendation, so I won't
24 have any objections, but I did want to flag that I am concerned about this process and
25 how it is affecting ratepayers in the state of Louisiana.

1 **CHAIRMAN CAMPBELL:** Any other questions or comments? Well, there's a
2 motion to accept Staff recommendation, a second. Any objection? [NONE HEARD]
3 Hearing none, item is accepted.

4 **MR. HAND:** Thank you.

5 **MS. BOWMAN:** Exhibit Number 8 is Docket Number U-36579. This is South Coast
6 Gas Company's rate stabilization plan filing for the year ended June 30, 2022.
7 Discussion and possible vote on a joint report and draft order. On November 2, 2022,
8 South Coast filed its rate stabilization plan filing which was published in the
9 Commission's Official Bulletin with no interventions. In that filing, the company
10 reported an ROE of 19.309 percent, which would have required a rate decrease and
11 would have resulted in a downward adjustment in the revenue requirement of
12 \$326,620.49. Staff conducted a review of the RSP filing and determined that the
13 company's ROE earned for the test year was 20.068 percent, which is still above the
14 established bandwidth. As South Coast's earned ROE fell above that established
15 bandwidth, Staff found that South Coast was authorized, in accordance with its RSP,
16 to have a decrease in revenue of \$578,225.84. Staff filed that report and
17 recommendation into the record on January 11, 2023. Upon review, South Coast
18 indicated that the company accepted that and on May 22, 2023 Staff and South Coast
19 filed a joint report and draft order into the record acknowledging the resolution of all
20 issues. As there are no unresolved issues, Staff and South Coast want to ask that the
21 Commission accept the joint report filed into the record on May 22, 2023, subject to
22 the conditions contained therein.

23 **COMMISSIONER SKRMETTA:** Move to accept the joint report and draft order.

24 **COMMISSIONER GREENE:** Second.

25 **CHAIRMAN CAMPBELL:** There's a motion on the --

1 **COMMISSIONER LEWIS:** Mr. Chairman, I just have a few questions after that.

2 **COMMISSIONER LEWIS:** Mr. Lewis.

3 **COMMISSIONER LEWIS:** Can Staff -- I know this is consistent with the one-time
4 impact of SPP COVID -- I mean PPP COVID loans, but I know we had some dockets
5 higher that was addressing this topic, but I wasn't clear. Have we made any final
6 determinations in those dockets?

7 **MR. ARVIND VISWANATHAN:** Arvind Viswanathan with Commission Staff.
8 Commissioner, I don't believe we have made any final recommendations in those
9 dockets, as they are not my dockets. However, in negotiating with South Coast Gas, I
10 believe that we found, in this manner, to resolve that docket as well as the test year
11 filed at the same time.

12 **COMMISSIONER LEWIS:** Great. Yeah, because I was just trying to see if
13 primarily if this was a one-time adjustment or a kind of more of a structural problem
14 because if this is a one-time adjustment, this is a place where I see RFP's working, but
15 that's where I'm -- I'm just trying to make sure I'm following along, so that was just -
16 - I just wanted to check and make sure that its showcasing it. So I'll get with Staff after
17 this, but thank you.

18 **MS. BOWMAN:** Yeah. And Commissioner, if I could clarify a little bit. So we talked
19 about having one docket to look at all of the PPPs that were taken out during COVID
20 and we determined that it was probably best and easier to do it individually by each
21 utility. And so just as they're coming in for that test year, that's when we're looking
22 at them and resolving those issues.

23 **COMMISSIONER LEWIS:** Thank you so much.

24 **CHAIRMAN CAMPBELL:** There's a motion and a second. Any objections?

25 [NONE HEARD] Hearing no objection, item passes.

1 **MS. BOWMAN:** Exhibit Number 9 is Docket Number --

2 **CHAIRMAN CAMPBELL:** Exhibit Number 9?

3 **MS. BOWMAN:** Yes, sir. Is Docket Number U-35927 and a docket to be determined.

4 This is 1803 Electric Cooperative's application for approval of power purchase

5 agreements and for cost recovery. It's a discussion and possible vote on a budget

6 increase for J. Kennedy and Associates due to a scope expansion. At the September

7 2019 B&E, J. Kennedy was retained to assist in the RFP process, as well as any

8 certification proceedings arising therefrom, for 1803. And in January 2022, the

9 Commission found 1803's portfolio was prudent. On April 17, 2023, 1803 filed a

10 "Notice of Significant Development" into the docket stating that the 1803 Board of

11 Directors voted to accept a negotiated termination agreement for the Bayou Galion

12 PPA and anticipated filing a request for proposal to find suitable replacement. On May

13 19, 2023, 1803 provided notice to the Commission of its intent to conduct an RFP for

14 long-term power purchase contracts and/or generating capacity. Given J. Kennedy's

15 assistance on the initial RFP and the certification proceedings for 1803, and that the

16 upcoming RFP results from a termination of a piece of the portfolio certified in Docket

17 Number U-35927, it is Staff's opinion that a budget increase due to scope expansion is

18 necessary for J. Kennedy to assist Staff in the upcoming RFP. Based on Staff's

19 solicitation, J. Kennedy provided a proposed budget to the Commission for

20 consideration to assist 1803 in the upcoming RFP for 160,000 in fees and 5,000 in

21 expenses. Staff recommends the Commission grant the budget increase of J. Kennedy

22 and Associates for 160,000 in fees and 5,000 in expenses, for a total budget not to

23 exceed of \$165,000. I will clarify it's both for the RFP as well as any certifications

24 that come out of it, so it's for both dockets.

25 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

1 **CHAIRMAN CAMPBELL:** Could I ask a -- just -- there's a motion to accept Staff
2 recommendation. I'm going to ask, who's representing 1803 here? Who does that?
3 **SECRETARY FREY:** I think Kyle's here. Yeah.
4 **CHAIRMAN CAMPBELL:** Come on up here, please. Mr. Marionneaux.
5 **MR. KYLE MARIONNEAUX:** Commissioners, Kyle Marionneaux on behalf of
6 1803 Electric Cooperative.
7 **CHAIRMAN CAMPBELL:** Mr. Marionneaux, what -- you know, we took a big
8 gamble on co-ops. Five of them. Let's see. Claiborne, Beauregard, Northeast, St.
9 Tammany, and SLECA; is that right? Five of y'all?
10 **MR. MARIONNEAUX:** That's right.
11 **CHAIRMAN CAMPBELL:** And you call yourself 1803?
12 **MR. MARIONNEAUX:** That's correct.
13 **CHAIRMAN CAMPBELL:** What's so special about 1803, besides the Louisiana
14 Purchase?
15 **MR. MARIONNEAUX:** 1803 was the year of the Louisiana Purchase --
16 **CHAIRMAN CAMPBELL:** Yeah, I know.
17 **MR. MARIONNEAUX:** -- so that was how they came up with the name, purchase
18 power in Louisiana.
19 **CHAIRMAN CAMPBELL:** Yeah. Okay. But anyway, so y'all have lost one
20 supplier. Is that what you've done here? Are you worried about it?
21 **MR. MARIONNEAUX:** There's a -- as we reported at the B&E in Crowley, one of
22 the solar contracts, that has been terminated, so --
23 **CHAIRMAN CAMPBELL:** A solar contract?
24 **MR. MARIONNEAUX:** Yeah, a solar farm, solar PPA, and as you may recall, Mr.
25 Hobbs reported on some additional things. There was already 100 megawatt shortfall.

1 And then with some of the MISO accreditation changes since the certification, there's
2 some needs as well, so it's a variety of things, not just that, you know, one solar power
3 purchase agreement.

4 **CHAIRMAN CAMPBELL:** Yeah, we took a -- well, the investor owned companies
5 didn't like it because they said that y'all couldn't supply gas or whatever, and I know
6 SWEPCO was against it, Cleco, I think, was against it. I know Entergy was against
7 the 1803 deal. But anyway, we're betting on you guys to come through with cheaper
8 electricity for a lot of people out in the country, and if you look at all these rates, they
9 certainly need it. So y'all are online. You think you're going to be able to produce
10 what you said you were going to be able to do? Everything's okay?

11 **MR. MARIONNEAUX:** Yes, Commissioner.

12 **CHAIRMAN CAMPBELL:** Big step because y'all had some big promises, you
13 know. Twenty percent cheaper and things, like that, so. Okay. That's all I wanted to
14 know. Mr. Skrmetta.

15 **COMMISSIONER SKRMETTA:** Mr. Marionneaux, what's the status of the other
16 two solar contractors? I know you were going to meet with them and kind of -- where
17 has that progressed?

18 **MR. MARIONNEAUX:** It's in a situation where kind of -- as you may recall from
19 the other meeting, that contract that was terminated kind of had some critical dates
20 where decisions need to be made. These two remaining ones don't have that and so
21 we're kind of in an end-of-the-year standby, you know, to see if some of the costs
22 increases will be the same there. So we're in a standby mode on that.

23 **COMMISSIONER SKRMETTA:** Well, I mean, y'all were going to meet with your
24 board of directors on that, as I remember. And so when you say end-of-the-year

1 standby, does that mean that they're going to maintain the contract, cancel the contract,
2 increase the cost of the contract? I mean, where do y'all see it going?

3 **MR. MARIONNEAUX:** The contract's the contract right now, and they're required
4 to provide power for the price that they agreed upon -- that we agreed upon and that
5 you guys certified.

6 **COMMISSIONER SKRMETTA:** Or cancel it or -- I mean, the other people, they
7 canceled it. And y'all skated on what's a questionable amount of money, so my
8 question is what happens if these other two solar contracts decide that --

9 **MS. BOWMAN:** Commissioner, I have --

10 **COMMISSIONER SKRMETTA:** I'm sorry.

11 **MS. BOWMAN:** Thank you.

12 **COMMISSIONER SKRMETTA:** Here we go.

13 **MS. BOWMAN:** Thank you very much.

14 **COMMISSIONER SKRMETTA:** I'm going to do a Kathryn Bowman with the
15 microphone, so I'm going to get closer to it. So the -- my questions is what we're
16 seeing right now is an increase in the cost of these solar facilities and the cost as they
17 go. It's not getting any cheaper, we know that. We know that their costs are going up,
18 which is what happened to your first solar contract. So I'm trying to get to the inquiry,
19 and I guess J. Kennedy will get to it, is the impact on the cost -- rising cost of solar on
20 these remaining two contracts. And there must be some mechanism in these contracts
21 for maintenance or termination of the contract. When you say the contract's the
22 contract, I'm not particularly clear that they can't cancel it. So what are the cancellation
23 provisions in these contracts?

24 **MR. MARIONNEAUX:** I mean, I think the key triggering factor would be that they
25 -- if the cost increases, you know, or sustained to a degree to where they basically on

1 what they agreed to provide power to 1803 for, they won't make a profit. They're not
2 going to be able to get financing on them, so that's kind of going to be the critical factor
3 in it. And if they can't get financing --

4 **COMMISSIONER SKRMETTA:** It seems rather nebulous, you as an attorney and
5 representative of the company, would know the exact stipulations and elements in the
6 contract associated with a potential termination of the contract. Are you telling me you
7 don't know what they are or?

8 **MR. MARIONNEAUX:** There's many factors in there and I'm telling you one of
9 them.

10 **COMMISSIONER SKRMETTA:** No, I mean, I'm serious about this. There's got
11 to be a critical factor because we're looking at one of them has canceled and you're
12 telling me end of the year type stuff, like -- so we're looking at this like December is
13 what you're talking about, before they decide what they're going to do.

14 **MR. MARIONNEAUX:** Before --

15 **COMMISSIONER SKRMETTA:** I mean, before December, end of December?

16 **MR. MARIONNEAUX:** No, around December is the time period.

17 **COMMISSIONER SKRMETTA:** Oh, around December. Okay.

18 **MR. MARIONNEAUX:** They have critical points, each of these solar companies, on
19 their side of things as to when they have to pay certain amounts of money into MISO,
20 things like that, and so they don't have any of those between here and December is
21 what I'm telling you.

22 **COMMISSIONER SKRMETTA:** Things like that are a checklist in a contract,
23 right? Okay. Is the Staff informed of what these elements are?

24 **MR. MARIONNEAUX:** The Staff has the entire contract.

1 **COMMISSIONER SKRMETTA:** Okay. Well, I'm going to -- instead of, like,
2 beleaguering this and stretching this out, I would like you to meet with Staff
3 appropriately and provide them with all of the critical requirements that are -- I'd like
4 this by the August meeting, okay, because you've got time to do it -- to -- what are the,
5 basically, the checkpoints that are by the last two solar contractors on the targets they
6 have to meet and what are the, basically the elements that allow them to cancel the
7 contract if they don't meet them and where we are on that, and we will get with the
8 Commission contractor on this because we want to watch closely because we don't
9 want to have any more surprises on this because as we do see the cost of solar going
10 up, we want to follow this very, very closely so the people in this co-op association
11 don't get a big surprise from two more solar developers who may or may not be riding
12 the razor's edge on this. Okay. So we don't want to wait until the bitter end to find
13 out when you get further away from this, as you're approaching the termination of your
14 regular service contract, we don't want to get you too close to the end where you can't
15 make a better decision on providing electrical service as you get to the termination of
16 your current power contract. So please engage with Staff counsel on this and with
17 contract counsel on this and provide a report pre-August B&E to Staff and the Staff
18 will share it with me and the other Commissioners, but I'd like to have a public report
19 from you on that at the August B&E.

20 **MR. MARIONNEAUX:** Will do, Commissioner.

21 **COMMISSIONER SKRMETTA:** Thank you, very much.

22 **MR. MARIONNEAUX:** Thank you.

23 **VICE CHAIRMAN FRANCIS:** Mr. Chairman.

24 **CHAIRMAN CAMPBELL:** Mr. Francis.

1 **VICE CHAIRMAN FRANCIS:** Ms. Evans, you're working on this project? Ms.
2 Evans, you're assigned to this project?

3 **MS. EVANS:** Yes, sir.

4 **VICE CHAIRMAN FRANCIS:** And you're -- we're -- we've hired Kennedy to help
5 you, right?

6 **MS. EVANS:** Correct.

7 **VICE CHAIRMAN FRANCIS:** And is it because we've had some problems with
8 the solar project, is that why we're having to add on more money to this project; is that
9 right?

10 **MS. EVANS:** There's multiple reasons. You know, I do think that the MISO
11 accreditation impacted -- I mean, that happened after the certification, so it's not
12 something we could have worked around, so I -- there's multiple reasons, but I think
13 that this is very justified.

14 **VICE CHAIRMAN FRANCIS:** Okay. What I'm interested in getting to, so we're
15 adding on to this project with the cost, \$160,000. A simple question I think the voting
16 public would want to know is, is that coming out of a general fund or is that -- is the
17 five co-ops paying that 160,000? Whose monies is that coming, is that everybody
18 that's paying for that?

19 **MS. EVANS:** No. I'm going to actually defer that one to Kathryn. She has a better
20 understanding of our billing process.

21 **SECRETARY FREY:** I was going to say, I'll jump in. That's a -- Commissioner,
22 under the statutes that authorize us to hire outside assistance to investigate utility
23 business, those costs can be passed on to the utility being examined, so in the sense
24 that the utility is 1803, so all those costs would be passed on to 1803.

25 **VICE CHAIRMAN FRANCIS:** So just the five co-ops --

1 **SECRETARY FREY:** Correct

2 **VICE CHAIRMAN FRANCIS:** -- ratepayers are paying this bill, right? Not

3 [INAUDIBLE].

4 **SECRETARY FREY:** I mean, it all depends on -- yes. The ratepayers, and we've

5 kind of had that issue come about back and forth. It's really going to depend on how

6 much that rate is whether it actually impacts rates or not. I mean, it's going to be a

7 category of expenses.

8 **VICE CHAIRMAN FRANCIS:** The SLEMCO customers are not paying for it? I'm

9 a SLEMCO customer. We're not paying this 160,000?

10 **SECRETARY FREY:** They're not.

11 **MS. BOWMAN:** No.

12 **VICE CHAIRMAN FRANCIS:** Okay. So -- but we need to -- the public needs to

13 understand, those five co-ops that are in 1803. They're the -- those ratepayers are

14 paying another 160,000 working on the project, right?

15 **MS. BOWMAN:** Yes.

16 **SECRETARY FREY:** Or up to.

17 **MS. BOWMAN:** Or -- yes.

18 **SECRETARY FREY:** Yes. You know, it's a budget cap. It's not a guarantee. It's

19 based on how much they spend, and we audit those bills as well.

20 **VICE CHAIRMAN FRANCIS:** Okay. So one of the last questions, not associated

21 with this point. Ms. Evans, you've got right here -- by the way, I don't know who put

22 this out but the type print on my page is about half the size of the exhibit before there.

23 **MS. BOWMAN:** It must have been --

24 **VICE CHAIRMAN FRANCIS:** It almost makes me have to get out my glasses to

25 read the thing.

1 **MS. BOWMAN:** I know, Commissioner. And that's my fault, but I think it's just
2 formatting, so we'll try to be better about that.

3 **VICE CHAIRMAN FRANCIS:** Okay. Well, why don't you --

4 **MS. BOWMAN:** But I agree, it is small type.

5 **VICE CHAIRMAN FRANCIS:** We know where to put the blame. Okay. I know
6 that won't happen again. All right. One last thing, Ms. Evans. This says right here
7 RFP very soon, possibly within 30 days, you know. \$160,000, you know, in the real
8 world we don't allow that. We have a timeline, say it's going to be done in so and so.
9 You think it'll be done in 30 days?

10 **MS. EVANS:** So the 30 days, 1803 gave notice of the RFP. We have a general order
11 that requires 30 days' notice on this, so that's the 30 days. The evaluation will not -- I
12 mean, that's going to take a year at least.

13 **VICE CHAIRMAN FRANCIS:** All right. Well I just --

14 **MR. MARIONNEAUX:** Commissioner, if I could add in. That time period is talking
15 about when 1803 would issue a draft request for proposal, RFP, for power supply. And
16 I did want to point out, too, not have it be lost that 1803 with, again, the MISO
17 accreditation changes, 1803 would have been coming forward with the RFP that we're
18 doing whether that solar contract survived or not because the solar -- in my
19 understanding, the solar contracts get zero accreditation in the winter, so there's a
20 shortfall because of that.

21 **VICE CHAIRMAN FRANCIS:** Okay. Thank you.

22 **CHAIRMAN CAMPBELL:** Any further questions? So bottom line, y'all are still
23 okay with this? 1803 is still sound and solid?

24 **MR. MARIONNEAUX:** Yes, Commissioner.

1 **CHAIRMAN CAMPBELL:** You're going to be able to get this electricity to people
2 20 percent cheaper like you promised? Boy, y'all better not screw that up. Y'all going
3 to have some people hot. Just for the record, it's about a million people in Louisiana
4 on co-ops. Used to be, maybe not like that, about 800 or 900,000, so it's not a little
5 bitty number of people. It's a lot of people get their electricity from one of the co-ops
6 in the state, you know, a lot. And as people move to -- a lot of people moving to the
7 rural areas more and more, so we all know how important it is, and y'all made some
8 big promises, so you better be able to keep it up. Thank you. That's it.

9 **MR. MARIONNEAUX:** Thank you.

10 **CHAIRMAN CAMPBELL:** Anybody else have a question?

11 **MS. BOWMAN:** So we have a motion by Commissioner Skrmetta on the floor.

12 **COMMISSIONER LEWIS:** Second. I'll second.

13 **CHAIRMAN CAMPBELL:** No objections? [NONE HEARD] Passes. Item passes.

14 **MS. BOWMAN:** Exhibit Number 10 is Docket Number U-36580. It's Pierre Part
15 Natural Gas Company's rate stabilization plan filing for the year ending June 30, 2022.
16 It's a discussion and possible vote on a joint report and draft order. On November 2,
17 2022, Pierre Part filed its rate stabilization plan filing which was published in the
18 Commission's Official Bulletin with no interventions. In Pierre Part's filing, the
19 company reported an ROE of 18.769 percent, which would have required a rate
20 decrease and would have resulted in a downward adjustment in the revenue
21 requirement of \$72,708. Staff conducted a review of Pierre Part's filing and
22 determined that the earned ROE for the test year was 21.73 percent, which is still above
23 the established bandwidth. As Pierre Part's earned ROE fell above the established
24 bandwidth, Staff found that Pierre Part was authorized, in accordance with the
25 provisions of the RSP, to adjust its rates to generate a decrease of \$84,364.73. Staff

1 filed its report on January 11, 2023. Upon review of that report, Pierre Part indicated
2 that the company accepted the report and on May 22, 2023, both parties filed a joint
3 report and draft order into the record acknowledging the resolution of all issues. As
4 there are no unresolved issues, Staff respectfully requests that the Commission accept
5 the joint report filed into the record on May 22, 2023, subject to conditions contained
6 therein and authorize the issuance of a draft order.

7 **COMMISSIONER SKRMETTA:** Motion to accept the joint report and draft order.

8 **COMMISSIONER GREENE:** Second.

9 **CHAIRMAN CAMPBELL:** There's a motion by Mr. Skrmetta, second by Mr.
10 Greene. Any objection? [NONE HEARD] No objection. Next item.

11 **MS. BOWMAN:** Exhibit Number 11 is undocketed. It's the State Universal Service
12 Fund administrator. It's a discussion and possible vote to renew LaPorte, CPA &
13 Business Advisors' services. At the July 2020 B&E, LaPorte was retained to
14 administer the Universal Service Fund for a three-year period with annual reviews
15 thereafter subject to Commission approval. LaPorte's current retention expires July
16 31, 2023. In light of this expiration, and the option for an annual renewal, Staff
17 requested confirmation from LaPorte whether it agreed to continue handling the
18 administrative services for the State Universal Service Fund. LaPorte has handled the
19 fund for over 20 years and has continued to demonstrate their technical capabilities,
20 competence, and resources in the fields of accounting, investment management,
21 computer system administration, and debt collection practices. LaPorte indicated its
22 willingness to continue providing the administrative services for the fund and maintain
23 the same billing structure that is currently in place, which a \$10,000 a month to
24 manage/administer the USF fund. The structure has worked well over the years and
25 Staff does not see a reason to alter that structure. Therefore, Staff recommends that the

1 Commission renew LaPorte’s services for an additional year, with the option to renew
2 thereafter, under the same billing structure previously approved, which is \$10,000 a
3 month.

4 **COMMISSIONER SKRMETTA:** Move to accept Staff recommendation.

5 **COMMISSIONER GREENE:** Second.

6 **CHAIRMAN CAMPBELL:** Mr. Skrmetta makes a motion to accept Staff
7 recondition, Mr. Greene seconds it. No objections? [NONE HEARD] So ordered.
8 Next issue.

9 **MS. BOWMAN:** Exhibit Number 12 is a docket to be determined. It’s Entergy
10 Louisiana’s upcoming request for formula rate plan extension and/or request for a rate
11 increase. It’s a discussion and possible vote to retain an outside consultant, and this
12 was Exhibit 12 last month. RFP 23-17 was issued in response to Entergy’s notice of
13 an upcoming request for extension of either its formula rate plan or a request for
14 increase in rates. And we received three qualifying bids. The first was Emrydia
15 Consulting Corporation for 132,000 in fees and 1,850 in expenses for a total budget
16 not to exceed of \$133,850. London Economics of \$223,250 in fees and 2,704 in
17 expenses for a total budget not to exceed of \$225,954. And United Professionals
18 Company of 675,000 in fees and 22,500 in expenses for a total budget not to exceed of
19 \$697,500. Staff makes no formal recommendation as all three bidders are qualified.

20 **COMMISSIONER GREENE:** Motion to accept United Professionals.

21 **COMMISSIONER SKRMETTA:** Second.

22 **CHAIRMAN CAMPBELL:** Mr. Greene makes a motion to accept Item 3, United
23 Professionals. Second by Mr. Skrmetta. No objections? Is there any objections?
24 [NONE HEARD] No objection. United Professionals is awarded.

1 **MS. BOWMAN:** Exhibit Number 13 is also a docket to be determined. It's the same
2 docket, Entergy's upcoming request for formula rate plan and extension and/or rate
3 increase. It's a discussion and possible vote to retain an outside counsel. This was also
4 Exhibit 13 on last month's agenda. We issued an RFP and received two qualifying
5 bids. The first is from Patrick Miller, 337,000 in fees and 5,950 in expenses for a total
6 budget not to exceed of \$342,950. And the second is from Stone Pigman for 660,000
7 in fees and \$24,500 in expenses for a total budget not to exceed of \$684,500. And Staff
8 makes no formal recommendation as both bidders are qualified.

9 **COMMISSIONER GREENE:** Motion to accept Stone Pigman.

10 **COMMISSIONER SKRMETTA:** Second.

11 **CHAIRMAN CAMPBELL:** there's a motion to accept Stone Pigman, second by Mr.
12 Skrmetta. Is there any objections? [NONE HEARD] No objections. So ordered.

13 **MS. BOWMAN:** Yes, sir?

14 **CHAIRMAN CAMPBELL:** I need to say something. Brandon, don't forget to talk
15 to us about the June meeting.

16 **SECRETARY FREY:** Yes.

17 **CHAIRMAN CAMPBELL:** We hadn't talked about that yet.

18 **SECRETARY FREY:** I will bring that up at the end because when Kathryn was going
19 to announce the next meeting, I was --

20 **CHAIRMAN CAMPBELL:** Before we get out of here, we need to set that meeting.

21 **SECRETARY FREY:** Yes.

22 **CHAIRMAN CAMPBELL:** For SWEPCO and for all of us.

23 **SECRETARY FREY:** Yes.

24 **CHAIRMAN CAMPBELL:** Okay.

1 **SECRETARY FREY:** Yeah, we'll -- when we get to last item, we go over the next
2 meeting, I was going to bring those dates up.

3 **CHAIRMAN CAMPBELL:** It just crossed my mind.

4 **SECRETARY FREY:** It was on mine, though, but thanks for the reminder.

5 **CHAIRMAN CAMPBELL:** Okay. All right.

6 **MS. BOWMAN:** Exhibit number 14 is undocketed. Its reports, resolutions,
7 discussions. We do have a vote ratification and one directive this month. The first
8 being the discussion and possible vote to ratify a vote taken by Commissioner Greene
9 acting as the Commission's representative on the Board of Directors of the
10 Organization of MISO States. This matter is on the agenda for ratification of a vote
11 taken May 12, 2023 by Commissioner Greene. Staff followed the protocols set forth
12 in Special Order 17-2019 to consult with the Executive Secretary and the Chairman
13 and to make a recommendation to Commissioner Greene prior to the vote. The
14 protocols also require that the vote be ratified at a following B&E. The OMS sought
15 approval to file comments in FERC Docket Number AD22-3, an administrative docket
16 to gather input on whether and how it should establish a minimum requirement for
17 interregional transfer capacity. Based on the Staff recommendation, Commissioner
18 Greene voted in support of the OMS pleading via email vote. Staff recommends that
19 the Commission ratify Commissioner Greene's vote taken on May 12, 2023 as the
20 Commission's representative to the OMS Board of Directors.

21 **COMMISSIONER SKRMETTA:** Move to ratify the vote.

22 **COMMISSIONER LEWIS:** Second.

23 **CHAIRMAN CAMPBELL:** There's a motion by Mr. Skrmetta, second by Mr.
24 Lewis.

25 **COMMISSIONER GREENE:** Please note I'm abstaining.

1 **CHAIRMAN CAMPBELL:** And Mr. Greene abstains. Is there any objection?

2 [NONE HEARD] There's none. So ordered.

3 **MS. BOWMAN:** We also have a directive this month. It's a directive to Staff to open
4 a docket investigating jurisdictional utilities' use of ratepayer funds on political
5 spending, and this is at the request of Commissioner Lewis.

6 **COMMISSIONER LEWIS:** Thank you, Mr. Chairman. In recent years, issues have
7 arisen across the country regarding the use of ratepayer money by utilities for lobbying
8 expenses, membership dues in trade associations, political advertisement. And while
9 regulations exist to thwart these actions, their vagueness and lack of enforcement
10 means that ratepayers could be footing the bill for activities working against consumer
11 interest. At the wholesale level, this Commission has emphatically expressed its
12 support of FERC's inquiry into similar matters of utilities' spending to benefit
13 shareholders rather than customers. Given the LPSC's duty to ensure the
14 reasonableness and prudence of utility expenditures recoverable from retail customers,
15 it is imperative that we protect our constituents from bearing any undue costs related
16 to political influence activities. Therefore, I direct Staff to open a rulemaking docket
17 investigating jurisdictional electric, NARUC's Class A water and wastewater, and
18 Group 1 and 2 gas utilities' use of ratepayer funds on political spending. This inquiry
19 should include but not be limited to the examination of said jurisdictional utilities
20 charging Louisiana ratepayers for: 1) Activities meant to influence the outcome of any
21 local, state, or federal legislation, ordinance, resolution, rule, measure, or other
22 regulatory decisions; 2) Advertising, marketing, and public relations expenses that do
23 not directly relate to a purpose or a program that is required or authorized under the
24 statute of the Commission's rule or order; and/or 3) Organizations or membership dues
25 or other contributions to any organization, association, institution, corporation, or other

1 entity that engages in lobbying or other similar activities meant to influence the
2 outcome of any local, state, or federal legislation, ordinance, resolution, rule, measure,
3 or other regulatory decision. And then based off of these findings, Staff shall
4 recommend Commission actions to protect against improper use and/or recovery of
5 ratepayer funds, such as: 1) Updating or clarifying rules; 2) Requiring for regular
6 disclosure of relevant utility spending; and 3) Promulgating of related enforcement
7 mechanisms. Best efforts should be made to present these topics to the Commission
8 in a timely manner. And I further ask Staff to open a request for proposal for
9 consultants and counsel in order to begin this necessary and important work for the
10 people of Louisiana.

11 **COMMISSIONER SKRMETTA:** Mr. Chairman.

12 **CHAIRMAN CAMPBELL:** Just a second, Mr. Skrmetta. Hold on just a second.
13 Mr. Francis, then Mr. Skrmetta.

14 **VICE CHAIRMAN FRANCIS:** Let me ask Secretary Frey. I would assume we
15 already have a checks and balances, this written document that is policing use of funds
16 for this?

17 **SECRETARY FREY:** So, Commissioner, I know Ms. Evans was working with
18 Commissioner Lewis and he and I have had some discussion on this as well. There's
19 no blanket rule of the Commission. That is typically the practice, as Commissioner
20 Lewis alluded to, particularly at FERC, that we've had these costs and argued they
21 should be excluded. We do have a rule that requires all outside spending. Now, that's
22 not necessarily restricted to the type of stuff we're looking at here. So we've got a rule
23 that says, and those reports are filed with us and they're available where, you know,
24 what the utilities spend on their outside attorneys, consultants, engineering firms,

1 etcetera. That's a rule right now. There's no hard and fast rule directly on point on
2 this issue.

3 **VICE CHAIRMAN FRANCIS:** Well, I would have thought the -- you know, we
4 audit these companies.

5 **SECRETARY FREY:** Yes, and that's -- well --

6 **VICE CHAIRMAN FRANCIS:** You know, all line item expenses and I appreciate
7 what the Commissioner's asking for, but I would have to assume that the first day that
8 I came on that this was already being done and [INAUDIBLE].

9 **SECRETARY FREY:** And I think that is generally going to be the case, but you
10 know, if you do recall --

11 **VICE CHAIRMAN FRANCIS:** Are nay of the utilities want to come up here and
12 defend yourself on ratepayer money being spent on lobbying? I see Mr. Hand there.
13 Are you illegally using our ratepayer's money to hustle business?

14 **MR. HAND:** No, Commissioner, I am not.

15 **VICE CHAIRMAN FRANCIS:** All right. Well, that's the accusation, so defend
16 yourself.

17 **MR. HAND:** So, yeah, thank you. Again, Larry Hand on behalf of Entergy Louisiana.
18 You know, this issue, while there is no formal rule on it, our practice for many decades
19 has been to remove all political spending, lobbying expenses, advertising that's more
20 brand promotion, we removed all of that from rates. We have specific adjustments in
21 the FRP that require those removals. As a Commission -- I think this Commission first
22 looked at this issue in the late '70s, early '80s, the recoverability of lobbying expenses,
23 and so we exclude it, but I do want to point out that a lot of our lobbying efforts at the
24 state level and the federal level benefit customers. So think about securitization
25 legislation that was passed. Securitization has saved customers in Louisiana, at least

1 ELL's customers, \$3 billion at least, and that number is growing. The securitization
2 legislation we helped get enacted and amended several times to continue those benefits
3 for customers, so I don't think lobbying expenses de facto would have to be excluded.
4 I think you need to look at the purpose of those, but we do, as a practice, exclude all
5 lobbying expenses at the state and federal level. We're actively lobbying our federal
6 government for additional funding for Louisiana for storm reimbursement restoration
7 resilience projects, low income initiatives such as LIHEAP, so we spend a lot of our
8 shareholder money doing that because it's the right thing to do for our customers. But
9 in terms of our rates, we do not include any of those costs in customer rates.

10 **VICE CHAIRMAN FRANCIS:** Well, let me ask Secretary Frey again. Secretary
11 Frey, which one of our Staff members would have this put on their plate to do?

12 **SECRETARY FREY:** We'll have one of the attorneys assigned to it because a lot of
13 its going to be --

14 **VICE CHAIRMAN FRANCIS:** One of the attorneys?

15 **SECRETARY FREY:** Yes.

16 **VICE CHAIRMAN FRANCIS:** Would we have to hire outside counsel?

17 **SECRETARY FREY:** Well, we've got the option in there. That's the way I
18 appreciate the directive, it gives us the option to hire outside -- or request -- issue an
19 RFP to assist us if we feel we need to. I mean, that typically what we'll do and that's
20 the way we bring these to y'all is we'll look at it internally and see if it's something we
21 think we can handle internally, but if we believe we need outside assistance to either
22 bring some expertise level in or to give us additional help because of our smaller staff,
23 we will do that, bring that to y'all.

1 **VICE CHAIRMAN FRANCIS:** Bobby Gilliam, want to get up here and defend
2 SWEPCO on any of these expenses or tell us -- we need to write some more rules to
3 watch you guys?

4 **COMMISSIONER GREENE:** I'm grateful the future Secretary of State's looking
5 into this.

6 **MR. BOBBY GILLIAM:** Thank you, Commissioner. I'm Bobby Gilliam
7 representing SWEPCO and this is Mr. Tom Brice to my right, who's appeared before
8 you many times before. Yeah, I think it's pretty simple with SWEPCO. SWEPCO,
9 you know, political contributions has a PAC and that's contributed to by employees
10 and that's how the -- that's where the funds originate, from the PAC, not from the
11 company. Same as far as advertising. In terms of advertising, that's something that's
12 paid by the shareholders, not by ratepayers and it's not recovered through rates and
13 that's, you know, we're subject to. We just finished a rate case and went through all
14 of that, all the books and records and all of that is reviewed and it should be reviewed
15 in any rate case or RFP proceeding, I would think. And anything else? Any other
16 questions on those two points?

17 **MR. TOM BRICE:** The only thing I would add, Mr. Chairman and fellow
18 Commissioners, is that all lobbying costs are below the line and that's paid for by
19 shareholders. We don't ask the ratepayers to pay for those costs as well.

20 **VICE CHAIRMAN FRANCIS:** I just want to make sure. I know in the real world,
21 that's shareholder -- you're doing work try to, you know, reach the profits at work, but
22 the shareholder is paying for it, not the ratepayers?

23 **MR. GILLIAM:** Correct.

24 **VICE CHAIRMAN FRANCIS:** Okay. All right. Thank you.

25 **CHAIRMAN CAMPBELL:** Mr. Skrmetta.

1 **COMMISSIONER SKRMETTA:** Yeah. Look, I appreciate the sentiment, but we
2 already do it. We do it through audit and we've been doing it through audit like I
3 believe Mr. Hand said and I've kind of looked at it since the '70s. Not only do we not
4 allow that, we don't allow senior executor compensation through stock shares. We do
5 a lot of things beyond this, and just to make work for the purpose to make work is, I
6 think, an extra burden on Staff. It's an extra hire. And look, I think I've demonstrated
7 I'll hire people to do anything necessary for a purpose, but I just can't see the purpose
8 in this when we know we're going to audit these companies. We already know we're
9 going to exclude any of this automatically. In fact, Mr. Frey, I would assume that if
10 you saw a utility expense for using ratepayer money for political action or any of the
11 things that have been demonstrated in Commissioner Lewis' statement, that it would
12 be excluded anyway.

13 **SECRETARY FREY:** And I would agree with that and I think, you know, that it has
14 been the typical practice, but to the point, too, there is no specific rule saying it.

15 **COMMISSIONER SKRMETTA:** Right.

16 **SECRETARY FREY:** It has been the practice of the Commission, and there is,
17 though --

18 **COMMISSIONER SKRMETTA:** The word audit --

19 **SECRETARY FREY:** Correct.

20 **COMMISSIONER SKRMETTA:** -- covers all bases.

21 **SECRETARY FREY:** If you've got someone who's on a formula rate plan, it should
22 be captured there, but I did want to mention if y'all remember a couple of years ago,
23 and I don't want to get into too many specifics because it was a contentious issue, but
24 there were certain costs that a certain group of utilities were including in rates that the

1 Commission had concerns with that we didn't know were being included in rates and
2 I think y'all know where I'm going with that.

3 **COMMISSIONER SKRMETTA:** Right. Because my thing is, when we have people
4 who are auditing the formula rate plan, monitoring that, monitoring the actual when
5 we're doing rate cases, when we're doing all these things, that's the point of which the
6 Commission intercepts the actions of -- questionable actions, actions of intention or
7 [INAUDIBLE]. You know, the creation of a rulemaking is a unnecessary redundancy,
8 the potential hiring of someone is an unnecessary redundancy since, I mean, we just
9 hired somebody -- we just hired United Professionals and Stone Pigman at a total of a
10 -- north of a million dollars to do an action that if we were going to hire somebody else
11 to do another action that it's going to be a redundant move because they're already
12 going to do the work. So -- and while I appreciate the sentiment, I don't see the need
13 because we're already doing it, and we -- and I've seen the Commission take action,
14 say look, we're going to box, you know, airplane seats, we're going to box, you know,
15 executive compensation, we're going to box these things. We already took care of all
16 of this when I was still in high school, right, and probably before Commissioner Lewis
17 was born, you know. So, you know, I just think that we've got better things to spend
18 ratepayer money on than doing things that are redundant and already taken care of, so
19 I'm going to oppose the directive.

20 **CHAIRMAN CAMPBELL:** Mr. Greene.

21 **COMMISSIONER GREENE:** Yeah, I just want to say to all the IOUs, I appreciate
22 you trying to save money, but please don't ask the residents and the businesses to thank
23 y'all for lobbyists and attorneys, especially when we're trying to fight y'all at FERC.
24 It just gets, like, a very dysfunctional family there. So yeah, I support this, I want to
25 look into it, so.

1 **COMMISSIONER LEWIS:** Mr. Chairman.

2 **CHAIRMAN CAMPBELL:** Mr. Lewis.

3 **COMMISSIONER LEWIS:** Thank you. Thank you, Commissioner Greene. I also
4 would say that. I mean, I think to define lobbying solely in the eyes of ratepayers,
5 especially the session when we had multiple tax bills to lower your taxes, I would not
6 argue is in the best interest of ratepayers because they weren't necessarily getting a tax
7 cut. I respect that we have an audit process, but we also have no clear rules and we
8 have no clear definitions of what we are defining lobbying, I think, to Commissioner
9 Greene's point. This is about transparency and I'm getting the sense from the IOUs
10 you don't want transparency. And if it is not happening, as you keep saying it is, and
11 we -- then what's the point of looking at it? And having a strong rule, as we have done
12 on multiple rules, to ensure that, as we change, as Staff changes, there is a consistent
13 policy that in Louisiana the ratepayers of this state will not be spending, using their
14 dollars that they pay in these electric bills and water bills, to fund your own priorities.
15 I appreciate that we've been looking at this since before I was born, but there's a
16 significant problem in this country and I think there's a problem here in Louisiana and
17 I think we deserve the right to have our people of Louisiana know that we are looking
18 into this and we are deciding whether or not there needs to be stronger rules and I think
19 this is a three-legged stool. It is clear rules, it is reporting so we can make sure that we
20 are displaying this, and then it is enforcement in case you don't because I don't think
21 we have an enforcement policy right now. And so this is something that I've heard our
22 people talk about for years and so I'm going to continue to push this.

23 **VICE CHAIRMAN FRANCIS:** Okay. Bobby, just want to talk to you a minute.
24 The money we're talking about is stockholder money, isn't it? Okay. Go ahead.

25 **CHAIRMAN CAMPBELL:** I apologize. Mr. Skrmetta, then Mr. --

1 **VICE CHAIRMAN FRANCIS:** Oh, okay. All right. Okay.

2 **COMMISSIONER SKRMETTA:** Orient this. Just a quick question, actually to
3 Commissioner Lewis. You know, you said that you know there's a problem, but we've
4 been monitoring these things, and if you know there's a problem, I'd appreciate you
5 telling me what you've identified the problem as because if there is a problem I'd like
6 to know what it is because I think through audit, which, you know, I think from the
7 credits of the billions of dollars of credits this Commission has recovered, these
8 companies don't escape recovery from the ratepayers. You know, and I've said it's a
9 constant war between the Commission's accountants and economists versus the
10 utilities' accountants and economists. But if you've identified something, I think you
11 owe it to the Commission and I think you owe it to the public to tell us what it is versus
12 a fishing expedition because, you know, government make work for make work is just
13 something that I find unnecessary, but government work for a necessary purpose is
14 perfectly acceptable. But, I mean, it really touches home for me that we have already
15 established rules to achieve the exact purpose of what you're trying to do, but I just
16 don't see the need to layer up and particularly establish unnecessary mechanist to do a
17 hiring of outside counsel and experts for what we already do and did today already and
18 demonstrated the use of these people for what the exact purpose of what you're trying
19 to achieve, so I think that instead of being a non-specific statement of what you're
20 looking for, if there is a specific thing you know that is happening, I'd really appreciate
21 it to educate me on what it is.

22 **CHAIRMAN CAMPBELL:** You got anything to say?

23 **VICE CHAIRMAN FRANCIS:** Yeah, I was waiting [INAUDIBLE] to respond to
24 what Skrmetta just said.

25 **CHAIRMAN CAMPBELL:** Oh, okay.

1 **VICE CHAIRMAN FRANCIS:** Was that a question?

2 **COMMISSIONER SKRMETTA:** [INAUDIBLE].

3 **VICE CHAIRMAN FRANCIS:** You just asked him a question?

4 **COMMISSIONER SKRMETTA:** Yes, sir, I did.

5 **COMMISSIONER LEWIS:** And I think to answer the Commissioner, my answer is

6 in the directive and that's why I'm proposing it so we can definitively get answers.

7 **CHAIRMAN CAMPBELL:** Okay. Listen, we have a motion --

8 **MS. BOWMAN:** Well, Commissioner, before we -- well, it's a directive, but

9 Commissioner Skrmetta has opposed, so we do need a roll call vote.

10 **CHAIRMAN CAMPBELL:** We're going to have to vote on the directive?

11 **MS. BOWMAN:** Yes, sir.

12 **CHAIRMAN CAMPBELL:** Okay.

13 **MS. BOWMAN:** But before we do that, we do have a Ms. Manale in the audience

14 who would like to speak on this issue.

15 **CHAIRMAN CAMPBELL:** Let me say this. I want to say something. Okay. The

16 lady. I do remember when I first got elected, I went to Chris' one time right after a

17 meeting, and the whole staff was at Chris'. Wow. Man, who's paying for this? Three

18 guesses you need to know who paid for it. But anyway, so I passed a rule, some people

19 didn't like the rule but it's been a good rule. Now if you go out to eat with SWEPCO,

20 SWEPCO can't buy you lunch. They can't buy you dinner. People say, well, that

21 didn't make any difference. It does make a big difference. It does make a big

22 difference. I know the legislature needs to do that worse than anybody. The legislature,

23 there's been more bills killed at Chris' Steakhouse than any place in Louisiana. You

24 come there, you bring your wife, you bring your kids, they tell you to get what you

25 want to eat, and you're a good fella, how smart you are, you know. You keep doing

1 that, they're going to ask you to vote for something that's pretty tough and you go
2 ahead and do it because you're obligated. Oh, you can't buy me with a steak. Might
3 not buy you with one steak but 25 or 30 of them sort of makes you look a little favorable
4 towards some of these people. So what Mr. Lewis is doing is not bad, it's just a
5 checkup. And I remember one time -- Brandon, tell me about this. Don't sit there,
6 Brandon, you know about this. We had a hell of a bad audit, terrible. You remember
7 that, Brandon?

8 **SECRETARY FREY:** Yes.

9 **CHAIRMAN CAMPBELL:** Where we had some people going to eat four out of five
10 days a week with the companies we regulate. You hear what I said? People working
11 for the Public Service Commission was going to eat four out of five days a week with
12 the companies we regulated. Well, that's sickening. I mean, you can't do that kind of
13 stuff.

14 **SECRETARY FREY:** It was actually 20 -- it was '03 it was audited, I think. Yeah.

15 **CHAIRMAN CAMPBELL:** I know it was 15 years ago, but that's what was
16 happening. As I anticipate here or what I'm thinking, all this man is trying to do is
17 have a little checkup, that's all. Like you go to the doctor, you have a checkup, you go
18 here, you have a little checkup. And if we pass, we pass; if we don't pass, we fix it.
19 So I'm going to support Mr. Lewis. It might be a little bit overboard, but it's sort of
20 hard to get government checkups overboard. Yes, ma'am. Go ahead.

21 **MS. JODIE MANALE:** I'm Jodie Manale with the Public Service Citizens Brigade.
22 We're a statewide organization of ratepayers who are -- have not been happy with some
23 of the decisions you all have made and we are working to educate ourselves about what
24 you regulate and how we might become involved with you to encourage you to do --
25 create more support for renewable energy and resilience and all that kind of stuff. I'm

1 here in support of Commissioner Lewis' directive to open a docket on this matter and
2 the reason is because, as you -- based on things you just said, Commissioner Campbell.
3 Ratepayers across this state do not have a lot of confidence in this Commission that our
4 interests are represented or that they're represented often, and we would like to change
5 that because we feel that you are in place to help protect us. And so we strongly support
6 you all opening a docket on this and as Commissioner Lewis has said, without specific
7 definitions for what is in place now, it's likely that you would not be picking up on
8 some of the things that are going on. And as ratepayers, we need to know that
9 everything is on the up and up and it's being done in a fair and unbiased way. The
10 other thing is, Commissioner Skrmetta has as one of his arguments not wanting to pay
11 outside consultants. That hasn't even been established yet that you would have to hire
12 outside consultants. Staff said that they would look into it and, you know, they would
13 have to let you know if they will need additional help. So for all those reasons, I'm
14 asking you to look out for us ratepayers and support Commissioner Lewis' directive to
15 open this docket. Thank you.

16 **CHAIRMAN CAMPBELL:** Thank you. Okay. Mr. Lewis, are you -- we need to
17 vote on this.

18 **SECRETARY FREY:** That's correct. So we have a directive with an opposition, so
19 we need a majority vote for the directive to go forward.

20 **CHAIRMAN CAMPBELL:** Well, now -- this is to accept Mr. Lewis' --

21 **SECRETARY FREY:** Correct. Just to go forward with the directive, that's correct.

22 **CHAIRMAN CAMPBELL:** All right. Well, call the roll.

23 **SECRETARY FREY:** Sure, I'll call the roll. Commissioner Skrmetta.

24 **COMMISSIONER SKRMETTA:** No.

25 **SECRETARY FREY:** Commissioner Greene.

1 **COMMISSIONER GREENE:** Yes.

2 **SECRETARY FREY:** Commissioner Francis.

3 **VICE CHAIRMAN FRANCIS:** No.

4 **SECRETARY FREY:** Commissioner Lewis.

5 **COMMISSIONER LEWIS:** Yes.

6 **SECRETARY FREY:** And Chair Campbell.

7 **CHAIRMAN CAMPBELL:** Yes.

8 **SECRETARY FREY:** All right. So 3-2, the directive goes forward.

9 **COMMISSIONER SKRMETTA:** Move to adjourn.

10 **CHAIRMAN CAMPBELL:** Wait a minute. We've got to do our --

11 **SECRETARY FREY:** Yeah, so, our next regularly scheduled meeting, if y'all recall

12 we typically wouldn't meet in August. We switched that to July because of all the

13 conflicts in July. However, if you'll recall last month, dealing with the SWEPCO issue

14 that we deferred --

15 **CHAIRMAN CAMPBELL:** Right.

16 **SECRETARY FREY:** SWEPCO is actively looking at PPAs, without getting into

17 too much specifics, and it's my appreciation that they will have something to Staff to

18 review very shortly, with a target goal of our Staff having a report ready the last week

19 of June. So look at your availability the last week of June, but we're looking

20 Wednesday through Friday.

21 **COMMISSIONER SKRMETTA:** When is NARUC?

22 **SECRETARY FREY:** NARUC will be in the middle of July, so this will be a good

23 two to three weeks before NARUC. It will be the week before the 4th week, so we're

24 looking at, I think Thursday was the preference I've heard, but Wednesday, Thursday,

25 Friday. So just start looking at your calendars to the public. It will be in Baton Rouge.

1 We will get notice out within the next two weeks or so hopefully, so we'll still have a
2 full week or so notice. It likely will just be on that one item. However, if there's
3 something that needs timely consideration, we'll take advantage of having a call to
4 open meeting and handle that as well. So that will be the next meeting, date to be
5 determined, but likely the --

6 **CHAIRMAN CAMPBELL:** Thursday?

7 **SECRETARY FREY:** I think Thursday is what we're looking at.

8 **CHAIRMAN CAMPBELL:** That's a good deal.

9 **SECRETARY FREY:** Okay. And we'll -- 29th. June 29th, we'll start at 9:00.

10 **CHAIRMAN CAMPBELL:** What day in June is it?

11 **SECRETARY FREY:** June -- Thursday, June 29th. Yes. Correct.

12 **CHAIRMAN CAMPBELL:** Okay.

13 **COMMISSIONER SKRMETTA:** Move to adjourn.

14 **CHAIRMAN CAMPBELL:** There's a motion that we adjourn and we accept that.

15 **MS. BOWMAN:** We need a second.

16 **CHAIRMAN CAMPBELL:** Thanks again to Commissioner Skrmetta.

17 **COMMISSIONER LEWIS:** Second.

18 **CHAIRMAN CAMPBELL:** [INAUDIBLE]. Go home.

19

20

21 **(WHEREUPON THE MEETING WAS ADJOURNED)**

22

1 I certify that the forgoing pages 1 through 47 are true and correct to the best
2 of my knowledge of the Open Session of the Business and Executive Meeting
3 held on June 7, 2023 in New Orleans, Louisiana.

4 *****

5 **Rough Draft prepared by:**

6 *Kayla Fiorenza* June 13, 2023
7 Kayla Fiorenza, Date
8 Court Reporter

9 *****

10 **Proofed by:**

11 *Lisa Stevenson* June 14, 2023
12 Lisa Stevenson, Date
13 Court Reporter (ad hoc)

14 **Finalized by:**

15 *Kayla Fiorenza* June 14, 2023
16 Kayla Fiorenza, Date
17 Court Reporter