

**LOUISIANA PUBLIC SERVICE COMMISSION**  
**MINUTES FROM SEPTEMBER 11, 2019**  
**OPEN SESSION**

**MINUTES OF SEPTEMBER 11, 2019 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN MIKE FRANCIS, VICE CHAIRMAN FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, COMMISSIONER CRAIG GREENE, AND EXECUTIVE SECRETARY BRANDON FREY.**

**Open Session of September 11, 2019, convening at 9:26A.M., and adjourning at 1:59P.M., the Galvez Building, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Brandon Frey.**

<p><b>Ex. 1</b></p>	<p>Commissioner Greene directed Staff to officially open a docket to look into all options as it pertains to pole viability, pole attachments, and all areas that may affect the reliability and sustainability of Louisiana’s utility distribution grid.</p> <p>Executive Counsel Kathryn Bowman announced that next Month’s B&amp;E Meeting will be held in Lake Charles, LA. at L’Auberge Casino Resort on Thursday, October 10, 2019, at 10:00A.M. The attire for the meeting will be casual.</p> <p>Deputy General Counsel Melissa Watson, announced that the Public Utility Section of the Louisiana State Bar Association will be hosting a CLE event on December 5, 2019, at the Baton Rouge City Club.</p> <p>Chairman Francis announced that the Commission is in the process of preparing resolutions posthumously honoring Governor Kathleen Babineaux Blanco, a former Public Service Commissioner and Chairman, Ted L. Jones, an attorney and lobbyist who practiced before the Commission, and Bill Olivier former Bell South and AT&amp;T State President.</p> <p>Commissioner Boissiere announced the passing of Cesily Roberts’ mother and asked that Cesily and her family be kept in prayer. Cesily is Commissioner Boissiere’s Executive Assistant.</p>
<p><b>Ex. 2</b></p>	<p><b>U-29203</b> - Entergy Gulf States, Inc. and Entergy Louisiana, Inc., ex parte. In re: Joint Application of Entergy Gulf States, Inc. and Entergy Louisiana, Inc. for Interim and Permanent Recovery in Rates of Costs Related to Hurricanes Katrina and Rita.</p> <p><b>U-30981</b> - Entergy Gulf States Louisiana, L.L.C. and Entergy Louisiana, LLC, ex parte. In re: Joint Application for Recovery in Rates of Costs Related to Hurricanes Gustav and Ike.</p> <p><b>U-32764</b> - Entergy Louisiana, LLC and Entergy Gulf States Louisiana, LLC., ex parte. In re: Joint Application for Recovery in Rates of Costs Related to Hurricane Isaac, Determination of Appropriate Storm Reserve Escrow Amounts and Related Relief.</p> <p><b>In Re: Discussion and possible vote to accept and approve the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission for the fiscal year 2019 dated August 21, 2019, including the annual Operating Budget for fiscal year 2020 and the interim and annual Compiled Financial Statements for fiscal year 2019, as attached thereto.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept and approve the Fiscal Year 2019 Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission dated August 21, 2019, including the Annual Operating Budget for the fiscal year ending June 30, 2020, and interim and compiled annual financial statements for the fiscal year ending June 30, 2019, submitted therewith.</p>
<p><b>Ex. 3</b></p>	<p><b>U-34796</b> - South Alexander Development I, LLC, et al., ex parte. In re: Petition for Reservation of Capacity on an Expedited Basis. This is being republished to provide notice of the Request for Extension of time and Capacity Reservations filed by South Alexander Development I, LLC et al. on June 28, 2019, in accordance with Order No. U-34796-A dated February 14, 2019.</p> <p><b>In re: Discussion and possible vote on Second Request for Extension of Time and Capacity Reservation filed by South Alexander Development I, et al.</b></p>

	<p>On motion of Chairman Francis, seconded by Commissioner Greene, with Vice Chairman Campbell concurring, and Commissioners Boissiere and Skrmetta temporarily absent, the Commission voted to grant the extension and adopt the corrected Staff Recommendation filed on September 4, 2019, and extend the deadline to commence construction to January 1, 2020, for Generation Projects IV, and XI, and extend the commercial operation deadline of Generation Projects I, II, III, IV, V, VII, X and XI to June 30, 2020, subject to conditions.</p>
<b>Ex. 4</b>	<p><b>U-34853</b> - Louisiana Public Service Commission, ex parte. In re: Audit of federal Environmental Adjustment Clause filings for Southwestern Electric Power Company for the period of January 2016 through December 2017.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, with Vice Chairman Campbell and Commissioner Greene concurring, and Commissioner Boissiere temporarily absent, the Commission voted to issue the Draft Order, which accepts the Joint Report filed on August 27, 2019, adopts Staff's Audit Report filed July 23, 2019, and resolves all issues in this matter.</p>
<b>Ex. 5</b>	<p><b>U-34855</b> - Louisiana Public Service Commission, ex parte. In re: Audit of federal Environmental Adjustment Clause filings of Cleco Power LLC for the period of January 2016 through December 2017.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to issue the Draft Order, which accepts the Joint Report filed on August 27, 2019, adopts Staff's Audit Report filed July 16, 2019, and resolves all issues in this matter.</p>
<b>Ex. 6</b>	<p><b>U-35019</b> - Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Make Available Experimental Renewable Option and Rate Schedule ERO.</p> <p><b>In re: Discussion and possible vote on Recommendation of the Administrative Law Judge on the Proposed Contested Stipulated Settlement</b></p> <p>Commissioner Skrmetta moved to adopt the ALJ Recommendation. Commissioner Greene made a substitute motion that the matter be deferred until the October B&amp;E, upon which Commissioner Skrmetta then withdrew his original motion. There was no opposition to the deferral.</p> <p><b>DEFERRED</b></p>
<b>Ex. 7</b>	<p><b>U-35178</b> - Pointe Coupee Electric Membership Corporation, ex parte. In re: 2019 Formula Rate Plan Annual Report Filing for the Test Year ending March 31, 2019.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Joint Report reflecting no percentage change in Rider FRP Revenues, and issue the proposed Draft Order filed on August 14, 2019, as Exhibit B attached to the Joint Report.</p>
<b>Ex. 8</b>	<p><b>U-35183</b> - Jefferson Davis Electric Cooperative, Inc., ex parte. In re: 2018 Formula Rate Plan Annual Report.</p> <p><b>In re: Discussion and possible vote on Joint Report and Draft Order.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, with Vice Chairman Campbell and Commissioner Greene concurring and Commissioner Boissiere temporarily absent, the Commission voted to accept the Joint Report reflecting that JDEC will implement a revenue reduction of \$556,191 in order to reset rates to the midpoint MDSC ratio of 1.45, and issue the proposed Draft Order filed into the record August 20, 2019.</p>

<p><b>Ex. 9</b></p>	<p><b>U-35194</b> - Concordia Electric Cooperative, Inc., ex parte. In re: Formula Rate Plan Annual Report for 2019.</p> <p><b>In re: Discussion and Possible Vote on Joint Report and Draft Order.</b></p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Skrmetta, with Chairman Francis and Commissioner Greene concurring, and Commissioner Boissiere temporarily absent, the Commission voted to issue the Draft Order accepting the Joint Report filed into the record on August 29, 2019, requiring Concordia to implement a revenue reduction of \$415,532 in order to reset rates to the midpoint TIER of 1.50, consistent with the parameters of Concordia’s FRP.</p>
<p><b>Ex. 10</b></p>	<p><b>U-35324</b> - Southwestern Electric Power Company, ex parte. In re: Application for Certification and Approval of the Acquisition of Certain Renewable Resources. (RFP19-11)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Counsel.</b></p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain Patrick Miller LLC to assist Staff and accept the proposal of \$128,600 in fees and \$8,500 in expenses for a total not to exceed budget of \$137,100.</p>
<p><b>Ex. 11</b></p>	<p><b>U-35350</b> - Entergy Louisiana, LLC, ex parte. In re: Application for Approval of a Change in Funding for Decommissioning Trusts for River Bend and Waterford 3 Nuclear Facilities. (RFP19-17)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to retain United Professionals Company to assist Staff and accept the proposal of \$96,000 in fees and \$2,000 in expenses for a total not to exceed budget of \$98,000.</p>
<p><b>Ex. 12</b></p>	<p><b>U-35351</b> - Beaugard Electric Cooperative, Inc., ex parte. In re: Application for Approval of Initial Revenue Adjustment and Extension and Modification of Formula Rate Plan. (RFP19-12)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to retain Henderson Ridge Consulting, Inc. to assist Staff and accept the proposal of \$38,850 in fees and \$2,400 in expenses for a total not to exceed budget of \$41,250.</p>
<p><b>Ex. 13</b></p>	<p><b>U-35359</b> - Dixie Electric Membership Corporation, ex parte. In re: Application for Rate Increase, Renewal of Formula Rate Plan, and Certification of Advanced Metering System Upgrade. (RFP19-13)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, with Vice Chairman Campbell and Commissioner Boissiere concurring, and Commissioner Greene temporarily absent, the Commission voted to retain Resolved Energy Consulting, LLC. to assist Staff and accept the proposal of \$139,400 in fees and \$5,400 in expenses for a total not to exceed budget of \$144,800.</p>
<p><b>Ex. 14</b></p>	<p>Docket TBD, Entergy Louisiana, LLC, ex parte, In re: Upcoming Motion for Extension of Gas Rate Stabilization Plan. (RFP19-15)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Chairman Francis, with Vice Chairman Campbell and Commissioner Boissiere concurring, and Commissioner Greene temporarily absent, the Commission voted to retain United Professionals Company to assist Staff and accept the proposal of \$62,000 in fees and \$3,000 in expenses for a total not to exceed budget of \$65,000.</p>

<p><b>Ex. 15</b></p>	<p><b>X-35131</b> - Louisiana Public Service Commission, ex parte. In re: Investigative Audit into the Managerial and Financial Activities of Dixie Electric Membership Corporation. (RFP19-16)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to retain Resolved Energy Consulting, LLC to assist Staff and accept the proposal of \$42,000 in fees and \$1,800 in expenses for a total not to exceed budget of \$43,800.</p>
<p><b>Ex. 16</b></p>	<p><b>X-35283</b> - 1803 Electric Cooperative, Inc. (“1803”), ex parte. In re: Notice of Intent to Conduct 2019 Request for Proposals for Long-Term Power Purchase Contracts and/or Generating Capacity Pursuant to the LPSC's Market Based Mechanism General Order. (RFP19-14)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to retain J. Kennedy and Associates, Inc. to assist Staff and accept the proposal of \$57,500 in fees and \$1,700 in expenses for a total not to exceed budget of \$59,200.</p>
<p><b>Ex. 17</b></p>	<p><b>R-33929</b> - Louisiana Public Service Commission, ex parte. In re: Review of policies related to customer-owned solar generation and possible modification of the Commission’s current net metering rules.</p> <p><b>In re: Discussion and possible vote on Final Proposed Rule.</b></p> <p><b>(Ex. 10 on the July 10, 2019 B&amp;E Agenda)</b></p> <p>After discussion and hearing from numerous individuals, Commissioner Boissiere made a motion, seconded by Vice Chairman Campbell, to maintain Staff’s recommendation except to remove 2-Channel Billing and to extend the deadline for grandfathering eligibility to December 31, 2020. This motion was opposed by Chairman Francis, Commissioner Skrmetta, and Commissioner Greene. The motion failed 3:2.</p> <p>Chairman Francis then made the following motion: I want to thank all who provided comments today. After months of constituent and stakeholder meetings as well as discussions with Staff on what is a reasonable balance between solar customers and non-solar customers and the costs and benefits associated with solar production by electric ratepayers, I believe the Staff’s Settlement Proposal strikes that reasonable balance. Solar customers will continue to enjoy full retail price benefits for all solar energy they consume. All solar customers with solar facilities completed and a complete interconnection request submitted by December 31, 2019, will be paid full retail price for all energy in excess of that consumed that is sold back to the utility until December 31, 2034. This includes all customers who had facilities installed after the 0.5 percent cap, under the current rules, was reached. Therefore, all of those solar customers will have at least 15 years, and most will have more than 15 years, to help recover their investment in their solar arrays. Those customers who install solar after the deadline, and all customers after December 31, 2034, will enjoy full retail price benefits for solar energy they consume, and will be paid the utility’s avoided cost, which is the wholesale value, of that excess production. This will provide a fair but limited fixed period and a fixed number of solar customers that will require subsidies for excess energy sold back to the grid. Therefore, I move that we accept Staff’s recommendation to adopt Staff’s Settlement Proposal filed into the record on September 4, 2019. Commissioner Greene seconded the motion, with Commissioner Skrmetta concurring, and Vice Chairman Campbell and Commissioner Boissiere opposing, the motion passed.</p>
<p><b>Ex. 18</b></p>	<p><b>R-35150</b> - Louisiana Public Service Commission, ex parte. In re: Disconnection of Utility Service to Federal Government Employees During Government Shutdowns.</p> <p><b>In re: Discussion and possible vote on Staff’s recommendation.</b></p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt the final rule as set out in Staff’s Final Recommendation, filed into the record on August 16, 2019.</p>

<p><b>Ex. 19</b></p>	<p><b>R-35298</b> - Rule Making for Louisiana Public Service Commission, ex parte. In re: Amendments to the General Order dated March 26, 2019 regarding Commission approval required for sales, mergers, stock or asset transfers, and other changes of ownership or control of motor carriers.</p> <p><b>In re: Discussion and possible vote on Staff’s Final Recommendation and Draft Rules and Regulations.</b></p> <p>On motion of Chairman Francis, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to adopt Staff’s Final Recommendation filed into the record on August 16, 2019.</p>
<p><b>Ex. 20</b></p>	<p><b>1) Reports</b>  <b>-Staff status report regarding robocalls.</b></p> <p>Executive Secretary Brandon Frey reported twelve of the largest telecommunication providers signed on with all States Attorney Generals to implement eight principles designed to prevent unwanted calls.</p> <p>2) Resolutions  3) Discussions  <b>4) ERSC/OMS/SPP</b></p> <p><b>Discussion and possible vote to ratify the votes taken by Commissioner Skrmetta acting as the Commission’s representative on the Board of Directors of the Organization of MISO States.</b></p> <p>On motion of Vice Chairman Campbell, seconded by Commissioner Greene, with Chairman Francis and Commissioner Boissiere concurring, and Commissioner Skrmetta abstaining, the Commission voted to ratify the votes of Commissioner Skrmetta taken on July 23, 2019, and August 22, 2019, as the LPSC representative to the OMS Board of Directors.</p> <p><b>Discussion and possible vote to ratify the votes Vice Chairman Campbell acting as the Commission’s representative on the Regional State Committee of the Southwest Power Pool.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, with Chairman Francis and Commissioner Boissiere concurring, and Vice Chairman Campbell abstaining, the Commission voted to ratify Vice Chairman Campbell’s votes taken July 29, 2019, August 5, 2019, and August 23, 2019, as the Louisiana Public Service Commission representative to the SPP Regional State Committee.</p> <p>5) Directives</p>
<p><b>Ex. 21</b></p>	<p>Docket TBD, Entergy Louisiana, LLC, ex parte, In re: Application for Approval to enter into unsolicited Purchase Power Agreement with Louisiana National Guard and Power Strategies, LLC.</p> <p><b>In re: Discussion and Possible Vote to hire Outside Consultant.</b></p> <p><b>At the request of Vice Chairman Campbell.</b></p> <p>On motion of Commissioner Greene, seconded by Chairman Francis, and unanimously adopted, the Commission voted to retain Exeter Associates, Inc. to assist Staff and accept the proposal of \$20,000 in fees and \$4,000 in expenses for a total not to exceed budget of \$24,000.</p>
<p><b>Ex. 22</b></p>	<p><b>U-35350</b> - Entergy Louisiana, LLC, ex parte. In re: Application for Approval of a Change in Funding for Decommissioning Trusts for River Bend and Waterford 3 Nuclear Facilities. (RFP19-18)</p> <p><b>In re: Discussion and Possible Vote to hire Outside Counsel.</b></p> <p><b>At the request of Chairman Francis.</b></p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Greene, and unanimously</p>

	adopted, the Commission voted to retain Stone Pigman, L.L.C. to assist Staff and accept the proposal of \$139,000 in fees and \$5,000 in expenses for a total not to exceed budget of \$144,000.
--	--

On motion of Commissioner Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to adjourn.

**MEETING ADJOURNED**

The next Business and Executive Session will be held on Thursday, October 10, 2019, at 10:00A.M. at the L'Auberge Hotel and Casino in Lake Charles, Louisiana.