

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM AUGUST 26, 2015
OPEN SESSION

MINUTES OF AUGUST 26, 2015 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN CLYDE HOLLOWAY, VICE CHAIRMAN SCOTT ANGELLE, COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ.

Open Session of August 26, 2015, convening at 9:21A.M., and adjourning at 12:37 P.M., Natchez Room, 602 N. 5th Street, 1st Floor, Baton Rouge, Louisiana, with the above-named members of the Commission and Executive Secretary Eve Kahao Gonzalez.

Ex. 1	<p>Commissioner Skrmetta announced October B&E will be held at the Kenner City Council Chambers at 10:00am.</p> <p>Commissioner Holloway announced that the Final Staff Report in Docket X-33192 (net metering “cost benefit analysis”) will be heard at the September B & E and that the ALJ Recommendation in Docket U-32913 et al. (consolidated cases relating to the net metering cap) will be heard at the October B & E.</p> <p>Commissioner Holloway thanked Secretary Gonzalez for her efforts with the Gulf Coast Power Association Conference.</p> <p>Commissioner Holloway announced that the Cleco Merger Hearings in Docket U-33434, scheduled for the week of November 9, 2015, will be held in Pineville, Louisiana.</p>
Ex. 2	<p>T-33589 - Louisiana Public Service Commission vs. Charles Jacob dba Jake's (Boutte, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45:164 through 180.1, and General Order dated April 17, 2014 while operating under LPSC authority 7386, for incomplete tow invoice and exceeding state prescribed rates allegedly having occurred on or about March 17, 2015.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>(Ex. 2 on the July 22, 2015 B&E Agenda)</p> <p>Commissioner Skrmetta made a motion, seconded by Commissioner Angelle to remand the case back to the ALJ for review of paragraph 4 only of the General Order dated April 17, 2014.</p> <p>Commissioner Campbell objected and made a substitute motion, seconded by Commissioner Holloway, to approve the ALJ recommendation. Commissioner Boissiere concurred and Commissioner Angelle and Skrmetta opposed; therefore the substitute motion passed by a 3-2 vote.</p>
Ex. 3	<p>S-33470 - Louisiana State University and Agricultural and Mechanical College (LSU), ex parte. In re: Petition of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College for Partial Waiver from April 17, 2014 General Order (Docket No. R-33105) for Establishment of Rates for Towing Services on Baton Rouge Campus.</p> <p>In re: Discussion and possible vote on Staff's Recommendation.</p> <p>(Ex. 8 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>
Ex. 4	<p>T-33640 - Louisiana Public Service Commission vs. Debrynnt McDuffie d/b/a S & S Services (Mandeville, Louisiana) In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:164.E(1) and General Order dated May17, 2004 allegedly having occurred on or about June 11, 2015.</p> <p>T-33641 - Louisiana Public Service Commission vs. Fast Affordable College Student Movers, Inc. (Madisonville, Louisiana) In re: Alleged violation of La. R.S. 45:167, for failure to display the name, address and/or certificate number of the operator on vehicle while operating under Common Carrier Certificate Number 7823 allegedly having occurred on or about June 11, 2015.</p>

	<p>T-33642 - Louisiana Public Service Commission vs. Gonzales Movers (Gonzales, Louisiana) In re: Alleged violation of La. R.S. 45:161 through 180.1, by engaging in activities related to moving household goods prior to complying with the requirements of La. R.S. 45:164.E(1) and General Order dated May 17, 2004 allegedly having occurred on or about June 11, 2015.</p> <p>In Re: Discussion and possible vote on guilty plea pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to approve the Affidavit and Stipulation and payment plan for fines and fees totaling \$6,275.00.</p>
Ex. 5	<p>S-33554 - Southwest Ouachita Waterworks, Inc., ex parte. In re: Request for an increase in water rates (non-profit system).</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>(Ex. 9 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>
Ex. 6	<p>S-33155 - Beekman Water System, Inc., ex parte. In re: Request for an increase in water rates (non-profit system)</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>(Ex. 22 on the July 22, 2015 B&E Agenda)</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Holloway, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Campbell temporarily absent, the Commission voted to approve Staff's recommendation as read into the record.</p>
Ex. 7	<p>S-33549 - Claiborne Electric Cooperative, Inc., ex parte. In re: 2014 Formula Rate Plan Annual Report filing.</p> <p>In re: Discussion and possible vote to expand budget for J. Kennedy and Associates due to change in scope of docket.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to accept the proposed budget expansion submitted by J. Kennedy and Associates to assist Staff with the additional scope of work for a budget of \$14,000 in fees, \$900 in expenses, for a total not to exceed budget of \$14,900.</p>
Ex. 8	<p>S-33600 - L&R Utilities, Inc., ex parte. In re: Request for a Letter of Non Opposition to the Proposed Issuance of Taxable Municipal Bonds to Fund Improvements Pursuant to Order U-33203.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>PASSED</p>
Ex. 9	<p>S-33606 - Total Environmental Solutions, Inc. (TESI), ex parte. In re: Request for a Letter of Approval for Non Opposition Concerning the transfer of the sewer system in L. O. Peck/East Bayou Oaks Subdivision, Lafayette Parish to Lafayette Consolidated Government Lafayette Parish.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept Staff's recommendation.</p>

<p>Ex. 10</p>	<p>Request for Proposal to Administer the State Universal Service Fund</p> <p>In re: Discussion and possible vote to hire a Certified Public Accountant.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to retain LaPorte CPA's & Business Advisors to assist Staff, throughout completion of the contract term, for a flat monthly fee of \$10,000. Hourly rates range from \$130-\$285 an hour. Commissioner Skrmetta requested that LaPorte provide a report of dispatch of monies at least 2 weeks prior to the next meeting.</p>
<p>Ex. 11</p>	<p>U-33244 - Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC, ex parte. In re: Potential Business Combination of Entergy Louisiana, LLC and Entergy Gulf States, L.L.C.</p> <p>In re: Discussion and possible vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Holloway, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Campbell objecting, the Commission voted to approve the Uncontested Stipulated Settlement filed on July 13, 2015.</p>
<p>Ex. 12</p>	<p>U-33615 - Beauregard Electric Cooperative, Inc., ex parte. In re: 2014 Formula Rate Plan Annual Report.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Campbell, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Skrmetta temporarily absent, the Commission voted to approve Staff's recommendation.</p>
<p>Ex. 13</p>	<p>S-33621 - Hosston-Mira Water System, Inc., ex parte. In re: Request for an increase in water rates (non-profit system).</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Holloway, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Skrmetta temporarily absent, the Commission voted to accept the Staff's recommendation.</p>
<p>Ex. 14</p>	<p>S-33622 - Bel-Di-Gil Water System, Inc., ex parte. In re: Request for an increase in water rates. (non-profit system).</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Holloway, with Commissioner Boissiere and Commissioner Skrmetta concurring and Commissioner Angelle objecting, the Commission voted to approve Staff's recommendation.</p>
<p>Ex. 15</p>	<p>U-32507 - Cleco Power LLC., ex parte.. In re: Application of Cleco Power LLC for: (i) Authorization to Install Emissions Control Equipment at certain of its Generating Facilities in order to comply with the Federal National Emissions Standards for Hazardous Air Pollutants from Coal and Oil-Fired Electric Utility Steam Generating Units Rule; and (ii) Authorization to Recover the Costs Associated with the Emissions Control Equipment in LPSC Jurisdictional Rates.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>(Ex. 10 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 16</p>	<p>Entergy Services Inc.'s Upcoming Request for Certification of St. Charles Power Station</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to retain Stone Pigman to assist Staff, throughout completion of the docket, for a proposed budget of \$329,000 in fees, \$18,000 in expenses, for a total not to exceed budget of \$347,000.</p>

<p>Ex. 17</p>	<p>U-32913 - Northeast Louisiana Power Cooperative, Inc., ex parte, Panola-Harrison Electric Cooperative, Inc., ex parte, Washington-St. Tammany Electric Cooperative, Inc., ex parte. In re: Notification pursuant to the LPSC's 2011 Net Metering Order (R-31417).</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>(Ex. 12 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 18</p>	<p>U-32741 - Louisiana Public Service Commission versus Securus Technologies, Inc. In re: Alleged violations of Louisiana Public Service Commission General Order, dated September 19, 1998 and Order R-31891.</p> <p>In re: Discussion and possible vote on Final Recommendation of Administrative Law Judge.</p> <p>This matter was initially passed, however before conclusion of the meeting, on motion of Commissioner Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to bring Ex. 18 back up out of order.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Holloway, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Campbell objecting, the Commission voted to approve the ALJ recommendation.</p>
<p>Ex. 19</p>	<p>Louisiana Public Service Commission ex parte.</p> <p>In re: Discussion and possible vote to order refund of fees and surcharges not authorized by Commission orders, but collected by customer owned coin operated telephone service providers and alternate service providers.</p> <p>At the request of Commissioner Campbell.</p> <p>(Ex. 11 on the July 22, 2015 B&E Agenda)</p> <p>Commissioner Campbell made a motion, seconded by Commissioner Boissiere, to order City Tele-Coin Company, Inc. to refund all revenues derived from the unauthorized "Administrative," "Transfer" and "Refund" fees charged on customer bills as detailed in the company's response to data requests contained in Commission Docket No. U-32740, LPSC vs. City Tele-Coin Company, Inc.</p> <p>On substitute motion of Commissioner Skrmetta, seconded by Commissioner Holloway with Commissioner Angelle concurring and Commissioners Campbell and Boissiere opposing, the Commission voted to table the item until the completion of the rulemaking proceeding in Docket No. R-32777.</p>
<p>Ex. 20</p>	<p>R-31891-A - Louisiana Public Service Commission, ex parte. In re: Review and Update of the Regulations and Guidelines of the Louisiana Public Service Commission Applicable to Customer Owned Coin Operated Telephone Service Providers and Alternate Operator Service Providers.</p> <p>In re: Discussion and possible vote to lift stay imposed at the March 20, 2013 Business and Executive Session.</p> <p>(Ex. 14 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>
<p>Ex. 21</p>	<p>R-31891-A - Louisiana Public Service Commission, ex parte. In re: Review and Update of the Regulations and Guidelines of the Louisiana Public Service Commission Applicable to Customer Owned Coin Operated Telephone Service Providers and Alternate Operator Service Providers.</p> <p>In re: Discussion and possible vote to lift stay imposed at the March 20, 2013 Business and Executive Session.</p> <p>(Ex. 15 on the July 22, 2015 B&E Agenda)</p> <p>PASSED</p>

<p>Ex. 22</p>	<p>1) Reports</p> <p>Report from Special Counsel, Scott McQuaig, on the status of Docket No. R-32777 at the request of Commissioner Holloway.</p> <p>2) Resolutions 3) Discussions 4) ERSC/OMS Business</p> <p>Discussion and possible vote to ratify the vote taken by Commissioner Skrmetta acting as the Commission's representative on the Board of Directors of the Organization of MISO States.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Holloway and unanimously adopted, the Commission voted to ratify Commissioner Skrmetta's vote taken on August 13, 2015, as the Louisiana Public Service Commission's representative to the OMS Board of Directors.</p> <p>5) Directives</p> <p><u>Directive for Staff to issue an RFP for outside counsel to assist the Staff with all legal challenges to the Clean Power Plan at the request of Commissioner Skrmetta.</u></p> <p><u>Commission Skrmetta directed Staff to take all steps necessary to join in the Amicus Brief filed by the North Carolina Utilities Commission in <i>Federal Energy Regulatory Commission v. Electric Power Supply Association</i></u></p>
<p>Ex. 23</p>	<p>U-29203 - 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>U-30981 - Entergy Gulf States Louisiana, L.L.C. and Entergy Louisiana, LLC, ex parte. In re: Joint Application of Entergy Gulf States Louisiana, L.L.C. and Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricanes Gustav and Ike.</p> <p>U-32764 - 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>In re: Acceptance and approval of the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission for the fiscal year 2015 dated August 19, 2015, including the annual Operating Budget for fiscal year 2016 and the interim and annual Compiled Financial Statements for fiscal year 2015, as attached thereto.</p> <p>At the request of Commissioner Skrmetta.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, with Commissioner Holloway and Commissioner Boissiere concurring and Commissioner Campbell temporarily absent, the Commission voted to approve the Annual Report of the Louisiana Utilities Restoration Corporation to the Louisiana Public Service Commission for the fiscal year 2015 dated August 19, 2015, including the annual Operating Budget for fiscal year 2016 and the interim and annual Compiled Financial Statements for fiscal year 2015, as attached thereto.</p>
<p>Ex. 24</p>	<p><u>Directive to Staff to issue an RFP for outside consultants in the matter of the continuation (on an hourly basis) of Docket R-32975 regarding the Long-term Natural Gas Hedging Pilot Program for Louisiana.</u></p> <p>At the request of Commissioner Holloway.</p>
<p>Ex. 25</p>	<p><u>Directive to Staff to issue an RFP for outside consultants to assist in the investigation of the retail load assignment between Entergy Gulf States Louisiana, Vinton Public Power Authority and Sam Rayburn Municipal Power Agency and certain interstate contracted electric power supply arrangements.</u></p> <p>At the request of Commissioner Holloway.</p>

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, September 23, 2015 at 9:00 a.m. in Baton Rouge, Louisiana.