

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JULY 22, 2015
OPEN SESSION

MINUTES OF JULY 22, 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 July 22, 2015, convening at 10:18A.M., and adjourning at 12:00P.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.

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| Ex. 1 | October B&E will be in the District I area. Location to be announced. |
| 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>PASSED</p> |
| Ex. 3 | <p>T-33583 - Louisiana Public Service Commission vs. Gator Services, LLC (Marshall, Texas) . In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the years 2012 and 2013 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 7696, pursuant to General Order dated November 22, 2011.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>On motion of Commissioner Holloway, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to adopt the ALJ's recommendation.</p> |
| Ex. 4 | <p>T-33585 - Louisiana Public Service Commission vs. Unicorn 1 Transportation, LLC (Slidell, Louisiana) . In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the year 2013 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 7638, pursuant to General Order dated November 22, 2011.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to adopt the ALJ's recommendation.</p> |
| Ex. 5 | <p>T-33609 - Louisiana Public Service Commission vs. Kraemer-Shows Environmental Services, Inc. (Lafayette, Louisiana). In re: Cancellation of Common Carrier Certificate Number 7167-A for failure to maintain the required insurance coverage on file with the Commission pursuant to Commission's General Order dated January 12, 1976.</p> <p>In re: Discussion and possible vote on ALJ Recommendation.</p> <p>Commissioner Angelle made a motion to accept the ALJ's Recommendation. The motion was seconded by Commissioner Campbell, but was subsequently withdrawn.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to reject the ALJ's recommendation and cancel the Common Carrier Certificate Number 7167-A.</p> |

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| <p>Ex. 6</p> | <p>Entergy Services, Inc.'s Request for Proposals for Long-Term Louisiana Combined-Cycle Gas Turbine Developmental Capacity and Energy Resources and Request for Modification of the MBM Order.</p> <p>In re: Discussion and possible vote to hire technical consultant.</p> <p>Commissioner Campbell offered a motion, seconded by Commissioner Angelle, to hire J. Kennedy and Associates, Inc. to assist Staff, through completion of any certification filing, for a not to exceed budget of \$32,000 in fees, \$5,000 in expenses, for a total not to exceed budget of \$37,000.</p> <p>On substitute motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Commissioner Holloway concurring, and Commissioners Campbell and Commissioner Angelle opposing, the Commission voted to hire Henderson Ridge Consulting, Inc. for a budget of \$42,120 in fees, \$2,500 in expenses, for a total not to exceed budget of \$44,620.</p> |
| <p>Ex. 7</p> | <p>Entergy Services, Inc.'s Potential Request for Proposals for Long-Term Louisiana Combined-Cycle Gas Turbine Developmental Capacity and Energy Resources and Request for Modification of the MBM Order.</p> <p>In re: Request by ESI to shorten the 60-day review period between draft and final requests for proposals as required by the Commission's General Order dated October 29, 2008.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to reject the request by ESI to shorten the 60-day review period between draft and final requests for proposals as required by the Commission's General Order dated October 29, 2008.</p> |
| <p>Ex. 8</p> | <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. 2 on the June 24, 2015 B&E Agenda)</p> <p>PASSED</p> |
| <p>Ex. 9</p> | <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>PASSED</p> |
| <p>Ex. 10</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. 5 on the June 24, 2015 B&E Agenda)</p> <p>PASSED</p> |

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| <p>Ex. 11</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>PASSED</p> |
| <p>Ex. 12</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. 6 on the June 24, 2015 B&E Agenda)</p> <p>PASSED</p> |
| <p>Ex. 13</p> | <p>R-29380 Subdocket A - Louisiana Public Service Commission, ex parte. In re: An Investigation Into the Ratemaking and Generation Planning Implications of the U.S. EPA Clean Air Interstate Rule.</p> <p>In re: Discussion and Possible Vote on Staff Recommendation Regarding Clarification of FEAC.</p> <p>(Ex. 12 on the June 24, 2015 B&E Agenda)</p> <p>Commissioner Campbell moved to accept Staff's recommendation. The motion was seconded by Commissioner Boissiere. Commissioner Skrmetta objected. Therefore, a roll call vote was taken, with Chairman Holloway, Commissioner Skrmetta, and Vice Chairman Angelle opposing the motion. The motion failed by a 2:3 vote.</p> |
| <p>Ex. 14</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. 20 on the June 24, 2015 B&E Agenda)</p> <p>At the request of Commissioner Boissiere.</p> <p>PASSED</p> |
| <p>Ex. 15</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. 20 on the June 24, 2015 B&E Agenda)</p> <p>At the request of Commissioner Campbell.</p> <p>PASSED</p> |

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| <p>Ex. 16</p> | <p>1) Reports 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 Campbell and unanimously adopted, the Commission voted to ratify Commissioner Skrmetta's vote taken on July 1, 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 review the vegetation control practice of Entergy Gulf States in the Baton Rouge area at the request of Commissioner Angelle.</u></p> <p><i>As you are all aware, there have been an increased amount of outages these last few months on Entergy Gulf States, particularly in East Baton Rouge that seem excessive when considering the causes. It is my belief that these excessive outages are mainly due to poor vegetation control and maintenance by EGSL. Therefore I would like to direct staff to review our current general order and rules on vegetation maintenance, review the Line Clearing Program of EGSL and perhaps those of other electric utilities in the state and to determine (1) whether the Commission's general order needs to be updated and (2) whether EGSL is following proper procedure under both the Commission's Order and its own practices and procedures. I'd ask to have a Report back at August B&E.</i></p> <p>In making the above directive Commissioner Angelle suggested that staff, the utilities, the City Parish and HOA's pull together to work towards a solution.</p> |
| <p>Ex. 17</p> | <p>U-33595 - Utilities Inc. of Louisiana and Louisiana Water Service, Inc., ex parte. In re: Request for Consolidation, Application for an Increase and Adjustment in Retail Rates, and Request for Interim Rates.</p> <p>In re: Discussion and possible vote to consultant engineer.</p> <p>At the request of Commissioner Skrmetta.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell and unanimously adopted, the Commission voted to Robert J. Lambert, Professional Consortium, LLC, in the amount of \$30,050, including fees not to exceed \$28,550 and expenses not to exceed \$1,500.</p> |
| <p>Ex. 18</p> | <p>S-33604 - Rain CII Carbon, LLC and Entergy Louisiana, LLC ex parte. In re: Request for Approval Agreement for Interconnection and Purchased Power from a Qualifying New Renewable Resource, (Republished to correct company name from Entergy Gulf States, LLC to Entergy Louisiana, LLC)</p> <p>In re: Discussion and possible vote on Proposed Order.</p> <p>At the request of Commissioner Angelle.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell and unanimously adopted, the Commission voted to adopt the Proposed Order issued July 20, 2015.</p> |
| <p>Ex. 19</p> | <p>Resolution urging President Obama to include Monroe among Louisiana cities participating in the ConnectHome pilot program for high-speed Internet service to low-income communities.</p> <p>At the request of Commissioner Campbell.</p> <p>On motion of Commissioner Campbell, with Commissioner Boissiere and Commissioner Angelle concurring and Commissioner Holloway and Commissioner Skrmetta abstaining, the Commission adopted a resolution urging President Obama to include Monroe among Louisiana cities participating in the ConnectHome pilot program for high-speed Internet service to low-income communities.</p> |

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| <p>Ex. 20</p> | <p>T-32954 - Roy Bailey Construction, Inc. (Bell City, Louisiana), ex parte.. In re: Application to amend Common Carrier Certificate 5917-A to remove all restrictions and allow transportation of non-hazardous oilfield waste for disposal, statewide.</p> <p>T-33634 - LPSC v. Roy Bailey Construction, Inc. (Bell City, LA) In re: Alleged violation of La. R.S. 45:161 through 180.1, as amended, by operating beyond the scope of authority granted in Common Carrier Certificate Number 5917-A on two-hundred fifteen (215) counts; allegedly occurring on or about April 21, 2014 through September 30, 2014.</p> <p>In re: Discussion and possible vote on application and guilty plea pursuant to Rule 57.</p> <p>At the request of Commissioner Skrmetta.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Angelle, and unanimously adopted, 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 Holloway, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the carrier and to approve the carrier's application on the condition that if any scheduled payments are not made, all licenses will be suspended and the carrier will have to go through the ALJ process to be reinstated.</p> |
| <p>Ex. 21</p> | <p>U-32996 - CenterPoint Energy-Arkla, ex parte. In re: Report of Earnings and Return on Equity for the Louisiana Division for the twelve months ending June 30, 2013 for CenterPoint Energy-Arkla.</p> <p>U-32998 - CenterPoint Energy Entex, ex parte. In re: Report of Earnings and Return on Equity for the Louisiana Division for the twelve months ending June 30, 2013 for CenterPoint Energy Entex.</p> <p>In re: Discussion and possible vote to hire consultant.</p> <p>At the request of Commissioner Skrmetta.</p> <p>On motion of Commissioner Angelle, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to hire Henderson Ridge Consulting, Inc. to assist Staff through completion of the docket for a not to exceed budget of \$17,250 in fees, \$900 in expenses, for a total not to exceed budget of \$18,150.</p> |
| <p>Ex. 22</p> | <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>At the request of Commissioner Campbell.</p> <p>PASSED</p> |

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, August 26, 2015 at 9:00 a.m. in Baton Rouge, Louisiana.