

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JULY 27, 2016
OPEN SESSION

MINUTES OF JULY 27, 2016 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE COMMISSIONER FOSTER CAMPBELL, COMMISSIONER LAMBERT BOISSIERE, COMMISSIONER ERIC SKRMETTA, COMMISSIONER SCOTT ANGELLE AND EXECUTIVE SECRETARY EVE KAHAO GONZALEZ. CHAIRMAN CLYDE HOLLOWAY WAS ABSENT.

Open Session of July 27, 2016, convening at 10:14A.M., and adjourning at 12:40P.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. Chairman Clyde Holloway was absent.

<p>Ex. 1</p>	<p>Vice Chairman Angelle conducted the meeting in Chairman Holloway's absence.</p> <p>In acknowledging Chairman Holloway's absence from the meeting, the Commission thanked Chairman Holloway for his service as a Commissioner and wished him back soon.</p> <p>Vice Chairman Angelle congratulated Commissioner Boissiere on his re-election as Commissioner of District 3.</p> <p>Commissioner Campbell introduced District 4 PSC candidates Mary Warner and Reldon Owens.</p>
<p>Ex. 2</p>	<p>T-33866 - Louisiana Public Service Commission vs. Stevens Body & Fender, Inc. (New Orleans, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45:1177 for failure to pay to the state a fee for the years 2012, 2013 & 2014 for the inspection, control, and supervision of its business service and rates authorized in Common Carrier Certificate Number 7393.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Commissioner Campbell and Vice Chairman Angelle concurring, and Commissioner Holloway absent, the Commission voted to adopt the ALJ recommendation.</p>
<p>Ex. 3</p>	<p>T-34046 - Louisiana Public Service Commission vs. Rice City Trucking, Inc. (Crowley, Louisiana). In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority on four counts; allegedly occurring on or about October 20, 2015 through October 22, 2015.</p> <p>In re: Discussion and possible vote on Stipulated Agreement pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Commissioner Campbell and Vice Chairman Angelle concurring, and Chairman Holloway 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 Boissiere, with Commissioner Campbell and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to approve the Affidavit and Stipulation.</p>
<p>Ex. 4</p>	<p>T-34047 - Louisiana Public Service Commission vs. Southern Specialties Transportation, LLC (Estherwood, Louisiana). In re: Alleged violation pursuant to La. R.S. 45:171, by knowingly assisting Rice City Trucking, Inc. in violating La. R.S. 45:161 through 180.1 and in operating beyond the scope of authority granted in LPSC 7341; as alleged in Docket T-34046.</p> <p>In re: Discussion and possible vote on Stipulated Agreement pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway 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 Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to approve the Affidavit and Stipulation executed June 14, 2016 for fines and fees totaling \$4,025.00.</p>

<p>Ex. 5</p>	<p>R-33916 - Louisiana Public Service Commission, ex parte. In re: Amendments and revisions to the General Order dated April 17, 2014 (Schedule of Prescribed Rates and Requirements for Towing and Recovery) and biennial rate review.</p> <p>In re: Discussion and possible vote to accept Staff recommendation and Proposed Order.</p> <p>(Ex. 4 on the May 18, 2016 B&E Agenda)</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to accept Staff recommendation with the following provisions:</p> <ol style="list-style-type: none"> 1. That the Order be interim in nature, pending retention of an outside consultant to review rates and fees and the potential further revision of the Order upon receipt of the consultant's report;, and 2. That effective immediately the presently authorized respective storage rates for "Outside Storage", "Covered/Inside Storage", and "Oversize Storage" each be increased by \$5.00 per day.
<p>Ex. 6</p>	<p>R-34172 - Louisiana Public Service Commission, ex parte In re: In re: Study and possible implementation of rules related to the physical security of electric utility infrastructure, including electromagnetic pulse ("EMP").</p> <p>In re: Discussion and possible vote to hire outside consultant to assist with EMP issues.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to hire Dr. Pry to assist Staff through completion of the docket for a not-to-exceed budget of \$120,000 in fees, \$24,000 in expenses, for a total budget of \$144,000.</p>
<p>Ex. 7</p>	<p>LPSC, ex parte., In re: Investigation of the retail load assignment between Entergy Gulf States, LLC, Vinton Public Power Authority, and Sam Rayburn Municipal Power Agency and certain interstate contracted electric power supply agreements.</p> <p>In re: Discussion and possible vote to hire outside counsel.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to hire Patrick Miller, LLC to assist Staff. They proposed a two-phased budget, in accordance with the parameters of the RFP, with Phase I contemplating a review of the terms of the current and prior contracts and Phase II contemplating formal proceedings, if necessary, before the Commission. For Phase I, the firm proposes a budget of \$22,000 in fees, \$3,000 in expenses, for a total Phase I budget of \$25,000. For Phase II, the firm proposes a total budget of \$25,000 in fees, \$5,000 in expenses, for a total Phase II budget of \$30,000. The total proposed budget for both phases is \$47,000 in fees, \$8,000 in expenses, for a total not-to-exceed budget of \$55,000.</p>
<p>Ex. 8</p>	<p>Solicitation for under \$50K bids to assist Staff in conducting a financial audit of a cross-section of towing companies as part of the rulemaking in R-33916.</p> <p>In re: Discussion and possible vote to hire technical consultant.</p> <p>(Ex. 19 on the May 18, 2016 B&E Agenda)</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to hire Johnson, Yacoubian & Paysse for a not-to-exceed budget of \$50,000 in fees, with expenses not to exceed 20% (\$10,000), for a total not to exceed budget of \$60,000, with the provision that Staff review the revised statutes to determine if the costs of the consultant may be charged to the members of the industry so being examined, as opposed to being borne by only those that intervene.</p>

<p>Ex. 9</p>	<p>Louisiana Public Service Commission, ex parte. In re: Exemption of non-profit water systems from Commission regulations</p> <p>In re: Discussion and possible vote on the draft General Order.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Skrmetta, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to reestablish the exemption for those wholly owned non-profit water systems from the Commission’s Regulations, consistent with the passage of Act 444.</p>
<p>Ex. 10</p>	<p>LPSC, ex parte</p> <p>In re: Discussion and possible vote regarding, 1) the BREMCO scholarship fund, established by Order U-20315-A, and 2). the establishment of a VEMCO scholarship fund.</p> <p>On motion of Commissioner Campbell, unanimously seconded, and Chairman Holloway absent, the Commission, consistent with the public interest, voted to authorize the BREMCO/SWEPCO Electric Scholarship Fund, established by Order U-20315-A dated August 22, 2007, be continued and established at Bossier Parish Community College (BPCC) into the BPCC/BREMCO/SWEPCO scholarship fund, subject to the conditions contained in the draft order.</p> <p>On motion of Commissioner Campbell, unanimously seconded, and Chairman Holloway absent, the Commission, consistent with the public interest, voted to authorize the creation of the Valley/SWEPCO Scholarship Fund in accordance with applicable law, to be established at Northwestern State University as the Valley/SWEPCO Scholarship Fund, subject to the conditions contained in the draft order.</p>
<p>Ex. 11</p>	<p>U-32812 - Entergy Louisiana, LLC, ex parte. In re: Prudence review, including project costs, of the Waterford 3 Steam Generator Replacement Project conducted in compliance with Orders No. U-30670 and U-31944-A.</p> <p>In re: Discussion and possible vote on ALJ recommendation.</p> <p>PASSED</p>
<p>Ex. 12</p>	<p>U-33437 - CenterPoint Energy-Arkla, ex parte. In re: Rider RSP-R4 compliance filing for the period ending June 30, 2014.</p> <p>In re: Discussion and Possible Vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to adopt the Uncontested Stipulated Settlement.</p>
<p>Ex. 13</p>	<p>U-33438 - CenterPoint Energy-Entex, ex parte. In re: Rider RSP-R4 Compliance filing for the period ending June 30, 2014.</p> <p>In re: Discussion and Possible Vote on Uncontested Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to adopt the Uncontested Stipulated Settlement.</p>
<p>Ex. 14</p>	<p>U-33471 - Washington-St.Tammany Electric Cooperative, Inc., ex parte. In re: Petition for Declaratory Ruling Regarding Proposal by Washington-St. Tammany Electric Cooperative, Inc. to Serve the Tamanend Development in St. Tammany Parish, LA and Request for Expedited Consideration.</p> <p>In re: Discussion and possible vote on Motion for Review of Interlocutory Ruling.</p> <p>Washington-St. Tammany Electric Cooperative, Inc.’s Motion for Reconsideration and for Immediate Review of Interlocutory Ruling under Rule 57 failed for lack of a motion thus the ALJ ruling stands.</p>

<p>Ex. 15</p>	<p>U-33480 - Louisiana Public Service Commission, ex parte. In re: Audit of Purchased Gas Adjustment Filings of Trans Louisiana Gas Company and Louisiana Gas Service Company Rate Divisions of Atmos Energy Corporation from April 2012 through March 2014.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to accept the Joint Report and Draft Order filed on July 15, 2016.</p>
<p>Ex. 16</p>	<p>U-33740 - Saunders, Ltd. vs The Baton Rouge Water Works Company. In re: Formal complaint alleging overcharges for water service.</p> <p>In re: Discussion and possible vote on Final Recommendation of the Administrative Law Judge.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere concurring, Vice Chairman Angelle objecting, and Chairman Holloway absent, the Commission voted to accept the ALJ recommendation.</p>
<p>Ex. 17</p>	<p>U-33848 - Cleco Power LLC, ex parte. In re: Formula Rate Plan - June 2015 Monitoring Report</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to accept the Joint Report and Draft Order filed on July 11, 2016 ordering a refund of \$246,364 to Cleco Power's eligible customers to be made on their September 2016 bills.</p>
<p>Ex. 18</p>	<p>U-33849 - Curtis Environmental Utilities, Inc., ex parte. In re: Request for an Increase in Sewerage Rates for Timber Ridge Subdivision in Slidell, LA.</p> <p>In re: Discussion and possible vote on Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to adopt the Proposed Uncontested Stipulated Settlement filed July 18, 2016 into the record.</p>
<p>Ex. 19</p>	<p>U-33892 - Entergy Louisiana, LLC, ex parte. In re: Notification Pursuant to Section 5.02 of the LPSC's Net Metering General Order R-31417, dated July 26, 2013.</p> <p>In re: Discussion and possible vote on Commission Staff's Unopposed Motion for Commission Adoption of Staff's Recommendation Pursuant to Rule 57.</p> <p>(Ex. 28 on the May 18, 2016 B&E Agenda)</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.</p> <p>Commissioner Campbell made a motion to pass the item until August.</p> <p>Commissioner Skrmetta made a substitute motion to accept Staff's recommendation, with Vice Chairman Angelle concurring, and Commissioner Campbell and Commissioner Boissiere objecting, and Chairman Holloway absent. The motion failed for lack of majority vote.</p> <p>Commissioner Campbell's motion to pass the item was re-urged and seconded by Commissioner Boissiere. Vice Chairman Angelle and Commissioner Skrmetta objected. The motion failed for lack of majority vote.</p>

<p>Ex. 20</p>	<p>U-33906 - Dixie Electric Membership Corporation (DEMCO), ex parte. In re: 2015 Formula Rate Plan Annual Report.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Boissiere concurring, Commissioner Campbell objecting, and Chairman Holloway absent, the Commission voted to accept the Joint Report and Joint Stipulation Term Sheet filed July 11, 2016 reducing the as-filed FRP rate increase of 4.09 percent to 3.61 percent.</p>
<p>Ex. 21</p>	<p>U-33974 - Entergy Gulf States Louisiana, LLC, ex parte. In re: 2015 Rate Stabilization Plan Filing.</p> <p>In re: Discussion and possible vote on Joint Report and Draft Order.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to accept the Unopposed Joint Report filed July 14, 2016.</p>
<p>Ex. 22</p>	<p>U-33908 - Beauregard Electric Cooperative, Inc., ex parte. In re: Request for Extension of Formula Rate Plan and Modification Thereto.</p> <p>In re: Discussion and possible vote on Stipulated Settlement.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to adopt the Proposed Uncontested Stipulated Settlement filed April 21, 2016 and entered into the record at the June 2, 2016 hearing of this matter.</p>
<p>Ex. 23</p>	<p>U-34028 - Atmos Energy Corporation, ex parte. In re: 2015 Rate Stabilization Clause filing for Louisiana Gas Service (LGS) rate division.</p> <p>In re: Discussion and possible vote to expand budget of United Professionals to review 2015 Rate Stabilization Filing of LGS.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to approve the expanded scope of work and budget for United Professionals for a not to exceed budget of \$35,000 in expenses and \$3,500 in fees.</p>
<p>Ex. 24</p>	<p>U-34032 - S.D.U., LLC, ex parte. In re: Request for an increase in rates for wastewater utility service and fees for the Iberville Trace residents in Iberville Parish.</p> <p>In re: Discussion and possible vote on Stipulated Settlement.</p> <p>PASSED</p>
<p>Ex. 25</p>	<p>U-34081 - Entergy Louisiana, LLC, ex parte. In re: Test Year 2015 Formula Rate Plan filing.</p> <p>In re: Discussion and possible vote to expand the scope of work and budget for UPC and Stone Pigman.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to approve the expanded scopes of work and budgets for Stone Pigman and United Professionals Company for a not to exceed budget of \$225,000 in fees and \$12,000 in expenses for a not to exceed budget of \$165,000 in fees and \$10,000 in expenses to assist Staff with this proceeding.</p>
<p>Ex. 26</p>	<p>S-34068 - Beauregard Electric Cooperative, Inc. In re: Petition for Approval of Letter of Non Opposition to Borrow Funds from National Rural Utilities Cooperative Finance Corporation.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway</p>

	<p>absent, the Commission voted to approve the Letter of Non-Opposition subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The Company be required to file a comprehensive report detailing progress on the construction work plan listing completed projects, pending projects, project cost summaries, comparisons of actual and budgeted costs for each project at the close of each calendar year. The reports shall also include the dates, amounts and interest rates of each withdrawal/advance received from CFC. The comprehensive reports shall be filed in Docket S-34068 no later than January 31, 2017, January 31, 2018, January 31, 2019 and January 31, 2020. 2. The Company be required to file in Docket S-34068 notification including adequate supporting documentation to the Commission if the capital construction projects exceeds the total estimated amount of \$26,444,960.
Ex. 27	<p>S-34085 - Water and Wastewater Utilities, Inc., ex parte. In re: Request for a Letter of Non Opposition to the Acquisition and Operation of Schaefer Industrial Park (SR) by WWU.</p> <p>In re: Discussion and possible vote on Staff recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to approve the Letter of Non-Opposition subject to the following conditions as set forth in the Staff Recommendation filed July 6, 2016.</p>
Ex. 28	<p>S-34072 - Reserve Communications and Computer Corporation, RTC Holdings, LLC, Reserve Telephone Company, Inc. and Reserve Long Distance Company, Inc., ex parte. In re: Request for Approval or Non-Opposition to Pledge of Security in Connection with Debt Incurrence, Issuance of Guarantees and Pledge of Assets as Security.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to approve the Letter of Non-Opposition to the Companies' request as set forth in the Staff Recommendation filed July 15, 2016.</p>
Ex. 29	<p>FA-34118 - Henderson Ridge Consulting, Inc., ex parte. In re: Request for an increase in the authorized contract amount for services to be rendered and expenses to be incurred on behalf of the Commission in Docket No. U 33917 (Pointe Coupee Electric Cooperative Inc.) Application for Approval of a Formula Rate Plan and Application for Rate Increase.</p> <p>In re: Discussion and possible vote to expand the scope of work and budget for Henderson Ridge pursuant to Rule 57.</p> <p>On motion of Commissioner Skrmetta, seconded by Commissioner Campbell, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway 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 Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to approve the expanded scope of work and budget for Henderson Ridge Consulting, Inc.</p>
Ex. 30	<p>R-32786 - Louisiana Public Service Commission, ex parte. In re: Rulemaking to establish "Best Practices" protocols for disaster planning and response by all LPSC-jurisdictional utilities.</p> <p>In re: Discussion and possible vote on proposed rule.</p> <p>PASSED</p>

<p>Ex. 31</p>	<p>R-33929 - 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>In re: Discussion and possible vote on Staff's Phase I Recommendation.</p> <p>(Ex. 25 on the May 18, 2016 B&E Agenda)</p> <p>PASSED</p> <p>This item was listed as passed on the Agenda. Commissioner Campbell made a motion to vote on Exhibit 31 and pass it. Commissioner Boissiere concurred, Commissioner Skrmetta and Vice Chairman Angelle opposed. The motion failed for lack of majority vote, therefore the item was passed.</p>
<p>Ex. 32</p>	<p>R-34120 - Louisiana Public Service Commission, ex parte. In re: Possible modification to the rules and regulations for water and waste water utilities to adopt billing rules specific to flat-rate wastewater service in multi-tenant dwellings.</p> <p>In re: Discussion and possible vote on Staff Recommendation.</p> <p>On motion of Vice Chairman Angelle, seconded by Commissioner Skrmetta, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to accept Staff’s proposed recommendation with the following amendments:</p> <p>Under Section 601 Billing Subsection O(3) the amendment shall read as follows: Evidence of a vacant unit may be provided by submitting one of the following documentation to the wastewater provider:</p> <ul style="list-style-type: none"> a. Electric bill for the applicable billing period showing minimal usage, e.g. less than 200kwh of service, or electric service disconnect; b. Water bill for the applicable billing period showing minimal usage, e.g. less than 100 gallons. <p>All other recommendations as proposed by Staff shall remain unchanged.</p>
<p>Ex. 33</p>	<p>FERC Docket No. EL01-88-015 - LPSC v. Entergy Services, Inc., In re: Remand of FERC Docket No. EL01-88 to Determine Seven Months of Entergy Bandwidth Remedy Payments for 2005.</p> <p>In re: Possible executive session pursuant to La. R.S. 42:17 to discuss litigation strategy.</p> <p>In re: Discussion and possible vote on partial settlement and stipulation.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to enter executive session.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to exit executive session.</p> <p>On motion of Commissioner Skrmetta, seconded by Vice Chairman Angelle, with Commissioner Campbell and Commissioner Boissiere concurring, and Chairman Holloway absent, the Commission voted to 1) Approve the partial settlement agreement and stipulation in the 2005 test year bandwidth proceeding as filed in FERC Docket EL01-88-015; and 2) Authorize outside counsel to negotiate a favorable resolution with regard to the proceeds of the Central States Compact Settlement. Commissioner Skrmetta directed Staff to notify counsel in Washington immediately.</p>

<p>Ex. 34</p>	<p>1) Reports 2) Resolutions 3) Discussions 4) ERSC/OMS Business</p> <p>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.</p> <p>On motion of Vice Chairman Angelle, seconded by Commissioner Campbell, with Commissioner Boissiere concurring, Commissioner Skrmetta abstaining and Chairman Holloway absent, the Commission voted to ratify Commissioner Skrmetta's vote taken on May 23, July 14, and July 25, 2016, as the Louisiana Public Service Commission representative to the OMS Board of Directors.</p> <p>5) Directives</p>
<p>Ex. 35</p>	<p>S-34066 - Cleco Power LLC, ex parte. In re: Notification pursuant to Section 5.02 of the Commission's General Order dated July 26, 2013 regarding the net metering cap.</p> <p>In re: Discussion and possible vote on Staff Report and Recommendation.</p> <p>At the request of Chairman Holloway.</p> <p>Commissioner Skrmetta made a motion to accept Staff's Report and Recommendation, Vice Chairman Angelle concurred, Commissioner Campbell and Commissioner Boissiere opposed. The motion failed for lack of majority vote.</p>
<p>Ex. 36</p>	<p>U-32220 - Southwestern Electric Power Company, ex parte. In re: Application for extension of Formula Rate Plan.</p> <p>In re: Discussion and possible vote on 2013 Test Year Stipulated Settlement Agreement.</p> <p>At the request of Commissioner Campbell.</p> <p>On motion of Commissioner Campbell, seconded by Commissioner Skrmetta, with Commissioner Boissiere and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to adopt the Uncontested Proposed Stipulated Settlement Agreement for the 2013 FRP Test Year.</p>
<p>Ex. 37</p>	<p>U-32220 - Southwestern Electric Power Company, ex parte. In re: Application for extension of Formula Rate Plan.</p> <p>In re: Discussion and possible vote on extension of Formula Rate Plan.</p> <p>At the request of Commissioner Campbell.</p> <p>Commissioner Campbell made the following motion:</p> <p>SWEPSCO's current formula rate plan (FRP) was extended through test year 2014 at the Commission's 2013 B&E. The Order approving that extension provided that SWEPSCO would file a rate case by June 30, 2017, if the FRP was not further renewed by the Commission.</p> <p>I move that we approve an additional extension of the FRP through test year 2017, skipping test year 2016 to avoid multiple rate changes in the same year. No other changes should be made to the FRP until the Staff has reviewed the appropriateness of the terms of the current FRP and analyzed any necessary and appropriate modifications. All changes to the extended FRP recommended by Staff must be brought back to the Commission for its review and approval.</p> <p>I further move that we hire an outside consultant to perform this review and direct the Staff to solicit an under \$50k bid for consideration at the August 31, 2016, B&E. In addition, Staff will issue RFPs for outside counsel and consultants to conduct the annual reviews for test years 2014, which should begin immediately, and 2015 and 2017 as they are filed.</p> <p>Commissioner Campbell's motion was seconded by Commissioner Boissiere, with Commissioner Skrmetta and Vice Chairman Angelle concurring, and Chairman Holloway absent, the motion was approved and adopted.</p>

<p>Ex. 38</p>	<p>U-32245 - Louisiana Public Service Commission, ex parte. In re: Audit of Entergy Gulf States Louisiana, L.L.C.'s charges flowed through its Fuel Adjustment Charge, pursuant to Commission General Order U-21497 dated November 6, 1997, from the period beginning January 1, 2005 through December 31, 2009.</p> <p>In re: Directive at the request of Commissioner Skrmetta.</p> <p><u>Directive of Commissioner Skrmetta for Administrative Law Judge to schedule status conference as soon as practicable for purpose of working with the parties to develop a procedural schedule that would have this item ready for Commission vote no later than the February 2017 Business and Executive Session.</u></p> <p><u>Commissioner Skrmetta made the following directive:</u></p> <p>This matter has been pending for several years and could result in refunds to customers. The Staff Report was filed in March 2016, but the existing procedural schedule does not have hearings scheduled until July 2017. In an effort to bring this matter to a conclusion in a more expedited timeframe, I direct the Administrative Law Judge to schedule a status conference as soon as practicable after the B&E for the purpose of working with the parties to develop a procedural schedule that would have this item ready for a Commission vote no later than the February 2017 B&E.</p>
----------------------	---

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

MEETING ADJOURNED

The next Business and Executive Session will be held on Wednesday, August 31, 2016 at 9:00 a.m. in Baton Rouge, Louisiana.