

# APPENDIX B

LA PSC EMAILS:  
Regulatory Assistance  
Project-provided policy  
advisors  
RMI Offer of Donor-  
financed Consulting  
Services to “to orchestrate  
Louisiana’s transition”

**Jay Griffin**

To: Davante (PSC Internal), Damali Harding, Charlotte Cravins, Edward Yeilding  
Intros

Apr 4, 2023 at 3:50:43 PM EDT  
Results-1/19/2024 3:39:27 PM

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi Charlotte and Edward,

I would like to introduce both of you to Damali Harding who is the Acting U.S. Program Director for RAP. In our initial call, we did not get a chance to talk about the broader network of energy/regulatory experts at RAP. As you have questions about specific topics in your work, we can identify other folks on the team who are the experts in that field. I'm here to help with that process and work with Damali on how to find you the help that you need.

I know Davante and Damali both had a chance to meet while we were in DC but hopefully you can all meet in person soon. Thanks and hope you're all doing well!

Jay

OBTAINED BY GOVERNMENT ACCOUNTABILITY & OVERSIGHT

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**From:** Davante (PSC Internal)  
**Subject:** Re: [External]Re: Intros  
**Date:** April 10, 2023 at 9:02:52 AM EDT  
**To:** Damali Harding <dharding@raponline.org> , Charlotte Cravins <Charlotte.Cravins@la.gov> , Edward Yeilding <Edward.Yeilding@la.gov> , Jay Griffin <jaypgriffin5@gmail.com>

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We can't wait to welcome you here. I am trying my hardest to make it to AABE. NAURC New Commissioner Gathering is May 1-3 so I will have to catch the ending if I can.

**Davante Lewis** (*he/him/his*)  
Commissioner for the 3rd District  
Louisiana Public Service Commission  
[@davantelewis](mailto:davantelewis@dps.louisiana.gov) | [davante.lewis.gov|225-266-6475](tel:225-266-6475)

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**From:** Damali Harding <dharding@raponline.org>  
**Sent:** Wednesday, April 5, 2023 12:43:30 PM  
**To:** Charlotte Cravins <Charlotte.Cravins@la.gov>; Edward Yeilding <Edward.Yeilding@la.gov>; Jay Griffin <jaypgriffin5@gmail.com>; Davante (PSC Internal) <Davante@la.gov>  
**Subject:** Re: [External]Re: Intros

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi Charlotte and Edward,

It's good to meet you as well! I am thrilled to continue to be able to support Davante this way! I am hoping to make it down that way soon, but I will also offer a plug for the AABE conference in Houston in May 😊 <https://www.aabe2023.com/>

Best,

-Damali  
Damali Harding  
202.215.4618 - cell

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**From:** Charlotte Cravins <Charlotte.Cravins@la.gov>  
**Date:** Wednesday, April 5, 2023 at 12:25 PM  
**To:** Edward Yeilding <Edward.Yeilding@la.gov>, Jay Griffin

<jaypgriffin5@gmail.com>, Davante (PSC Internal) <Davante@la.gov>, Damali Harding <dharding@raponline.org>

**Subject:** [External]Re: Intros

Thank you, Jay!

Yes, it is great to meet you Damali. I look forward to working with you as we move forward with our initiatives!

Best,

Charlotte Cravins

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**From:** Edward Yeilding

**Sent:** Wednesday, April 5, 2023 9:45:58 AM

**To:** Jay Griffin; Davante (PSC Internal); Damali Harding; Charlotte Cravins

**Subject:** RE: Intros

Thanks, Jay!

Nice to virtually meet you, Damali! We'll be sure to keep you in mind and in the loop as we advance our priorities. I'm a big fan of RAP's materials already, so it's great to have a connection with y'all.

Talk soon,

Edward

---

Edward Yeilding

Technical Assistant

Commissioner Davante Lewis, District 3

Louisiana Public Service Commission

205-540-6629

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**From:** Jay Griffin <jaypgriffin5@gmail.com>

**Sent:** Tuesday, April 4, 2023 2:51 PM

**To:** Davante (PSC Internal) <Davante@la.gov>; Damali Harding

<dharding@raponline.org>; Charlotte Cravins <Charlotte.Cravins@la.gov>; Edward

Yeilding <Edward.Yeilding@la.gov>

**Subject:** Intros

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi Charlotte and Edward,

I would like to introduce both of you to Damali Harding who is the Acting U.S. Program Director for RAP. In our initial call, we did not get a chance to talk about the broader network of energy/regulatory experts at RAP. As you have questions about specific topics in your work, we can identify other folks on the team who are the experts in that field. I'm here to help with that process and work with Damali on how to find you the help that you need.

I know Davante and Damali both had a chance to meet while we were in DC but hopefully you can all meet in person soon. Thanks and hope you're all doing well!

Jay

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**McCabe, Ann**

To: Davante Lewis

Cc: Jay Griffin

RE: [External] IL/LA connection

Apr 19, 2023 at 6:35:30 PM EDT

Results-1/19/2024 3:39:27 PM

[Hide Details](#)

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Davante and Jay, going through my inbox and circling back in case I can be of assistance. Hope all's going well in your new endeavors. Davante, hope you have a NARUC Commissioner "ambassador."

Ann

**From:** Mandy Mahoney <mmahoney@raponline.org>  
**Sent:** Thursday, February 2, 2023 9:51 AM  
**To:** McCabe, Ann <Ann.McCabe@Illinois.gov>; davante.lewis@la.gov  
**Cc:** Jay Griffin <jaypgriffin5@gmail.com>  
**Subject:** Re: [External]IL/LA connection

Davante,

I am so excited for you to meet Ann. She will be such a good friend and ally on this journey. She knows Jay well. He will be able to ensure you meet each other in the sea of people at NARUC.

Mandy

**From:** McCabe, Ann <[Ann.McCabe@Illinois.gov](mailto:Ann.McCabe@Illinois.gov)>  
**Sent:** Thursday, February 2, 2023 9:41:07 AM  
**To:** [davante.lewis@la.gov](mailto:davante.lewis@la.gov) <[davante.lewis@la.gov](mailto:davante.lewis@la.gov)>  
**Cc:** Mandy Mahoney <[mmahoney@raponline.org](mailto:mmahoney@raponline.org)>  
**Subject:** [External]IL/LA connection

Commissioner Lewis,

Mandy and I had lunch yesterday. Congrats on being elected to the Commission!  
Let's try to meet during NARUC.

I was at RAP two years before returning to the ICC for a second term a year ago. My prior term was 2012-Jan 2017. I've worked on energy, environment and climate issues a long time.

Ann

**Ann McCabe**  
**Commissioner | Illinois Commerce Commission**  
o: 312.814.2856  
[Ann McCabe | LinkedIn](#)

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**Jay Griffin**

To: Davante (PSC Internal), Charlotte Cravins  
DOE Fellowship Application

Apr 22, 2023 at 1:02:05 AM EDT

Results-1/19/2024 3:39:27 PM

Attachments (1) ▾

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi Davante and Charlotte,

Please see attached for the draft info for the application. The DOE requires this to be submitted on their online platform from within the office so I tried to draft this so you can cut and paste.

Notably, you should double check the info on your office contacts. I took this from the website but please verify that it's correct.

I left the mentorship section blank as it's best if Davante provides this information on this portion.

The application is due on 4/27 (next Thursday). I think there will be strong interest from DOE and prospective fellows in applying so just let me know if there's anything else I can do to help.

Have a great weekend!

Jay

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**From:** Jay Griffin <jaypgriffin5@gmail.com>  
**Subject:** Re: Notes on items for April B&E meeting  
**Date:** April 26, 2023 at 11:58:47 PM EDT  
**To:** Davante (PSC Internal) <Davante@la.gov>  
**Cc:** Charlotte Cravins <Charlotte.Cravins@la.gov> , Edward Yeilding <Edward.Yeilding@la.gov>

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**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Not sure. I saw the drafts in the docket record. If a new one then have not.

If you're preferred direction is 3rd party have lots of experience with that. Managing that contract was responsibility on staff and had to renegotiate terms as chair. It has worked well here but transition is big lift.

On Wed, Apr 26, 2023 at 5:54 PM Davante (PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)> wrote:  
Thanks Jay! Did we send you the current proposed draft by staff yet?

**Davante Lewis** (*he/him/his*)  
Commissioner, 3rd District  
Louisiana Public Service Commission  
[@davantelewis](mailto:@davantelewis) | [davante.lewis@la.gov](mailto:davante.lewis@la.gov) | 225-266-6475

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**From:** Jay Griffin <jaypgriffin5@gmail.com>  
**Sent:** Tuesday, April 25, 2023 3:51:29 PM  
**To:** Edward Yeilding <[Edward.Yeilding@la.gov](mailto:Edward.Yeilding@la.gov)>  
**Cc:** Davante (PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)>; Charlotte Cravins <[Charlotte.Cravins@la.gov](mailto:Charlotte.Cravins@la.gov)>  
**Subject:** Re: Notes on items for April B&E meeting

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi,



I spent some time reviewing the EE docket - R-31106. I am surprised anyone can still use the term "Quick Start" in referring to the current programs. The extension makes sense but the description on timing for Phase II should be concerning. I read it to say "maybe this could happen in 2023 but more likely 2024." Given the years of work and voluminous comments, this should be in reach.

Edward - I agree with your recommendation that the Commission should provide a directive on finalizing the rules but I would also offer that feedback should include direction on the differing models in drafts 2 and 3.

It looks like there was a significant change in the Phase II proposal from drafts 2 to 3. I'm not sure what the history is there. Our current programs in Hawaii use the third party model that is proposed in draft 3. I believe we have been successful and doing better than when EE was run by our IOU but it's been a long road to get there. From reading the comments, it looks like draft 3 may be the path of greatest resistance and ultimately result in further multi-year delays. The transition to a Commission-run program in Hawaii was the singular focus of a Commissioner for the two years of start up and remains a full-time job for several employees plus a small army of contractors.

It seems to me that a near-term option that can deliver benefits faster is a revised Draft 2 proposal that looks similar to the efficiency programs in Arkansas. Entergy cannot fight something that they're already doing (successfully) somewhere else. If the IOUs drag feet or implement this poorly, you can pull back their incentives and look to transfer the administration.

Happy to talk further when folks are available. Also, very possible I have missed key items in the docket record. It was challenging to figure out what has happened on this topic.

Jay

On Tue, Apr 25, 2023 at 6:42AM Edward Yeilding <[Edward.Yeilding@la.gov](mailto:Edward.Yeilding@la.gov)> wrote:

My briefing materials for the main agenda are attached. Happy to further discuss and/or provide any clarification.

Edward

**From:** Jay Griffin <[jaypgriffin5@gmail.com](mailto:jaypgriffin5@gmail.com)>  
**Sent:** Monday, April 24, 2023 7:14 PM  
**To:** Davante (PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)>; Edward Yeilding <[Edward.Yeilding@la.gov](mailto:Edward.Yeilding@la.gov)>; Charlotte Cravins <[Charlotte.Cravins@la.gov](mailto:Charlotte.Cravins@la.gov)>  
**Subject:** Notes on items for April B&E meeting

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi all,

See my notes from review of the agenda and certain priority items. I still need to spend some more time on the energy efficiency program filing.

Of these, the SWEPCO Hurricane storm recovery settlement is at least deserving of further questions to clarify their treatment of certain costs and set up future clean up of these mechanisms. The underlying concepts to address significant, irregular costs are valid. However, without an opportunity to do a real deep dive on their storm response and accounting, there is a lot of gray area in how the costs are attributed.

Please let me know if you have any questions.

Jay

## Feedback on B&E Meeting Agenda Items

### Ex. 5 – South Louisiana Electric Cooperative Association

- Request for interim increase for storm response appears necessary
- Not clear about staff recommendation to implement formula rate plan as a response
- An electric cooperative has different motives than an investor-owned utility and formula plan adjusts revenues to ensure the coop can pay their lenders
- However, formula plan also dilutes incentives to manage the utility's costs
- Without a cost-conscious board/management team, it can be an administratively expedient mechanism to pass on costs but someone still needs to be carefully reviewing the organization's expenses/cost structure. In a well-managed coop, that's the management/board. If they are not effective in these roles, the PSC needs to provide this oversight. Unclear that a formula plan puts PSC in best position to exercise that oversight.

### Ex. 12 – Determination on Commission Jurisdiction over EVs

- Recommend declining to assert jurisdiction – consistent with staff proposal
- Staff definition is a decent starting point
- If problems come up in the future the PSC can address them
- Some of the points made by the EV charging companies about on-site/self-generation may be valid
- Definition could be read very narrowly to limit EV stations to buying power from local utility
- On the whole, broader public interest is clarifying market rules so the range of interested parties can build EV infrastructure at scale
- Can tackle this question at a later time if there are situations where utilities are overly restrictive

### Ex. 14 – SWEPCO Hurricane settlement

There are several aspects of the settlement that differ from the direct/rebuttal testimonies and are not explained in the filing.

Notably, the settlement states, “the distribution and transmission O&M portion of SWEPCO’s LPSC-jurisdictional \$180,225,383 of costs associated with Hurricanes Laura and Delta, and Winter Storm Uri are reasonable and prudent and eligible for recovery.”

The \$180 million does not appear anywhere in the record for the O&M costs.

Commission witness provides the following table in direct testimony:

	Hurricane Laura	Hurricane Delta	Winter Storm Uri	Totals
Distribution O&M	\$82,096,815	\$17,645,906	\$44,817,735	\$144,560,456 <sup>6</sup>
Transmission O&M	\$4,148,208	\$239,258	\$0	\$4,387,466
Distribution Capital	\$26,366,109	\$2,306,645	\$6,635,689	\$35,308,443
Transmission Capital	\$13,782	\$379,293	\$0	\$393,075
<b>Totals</b>	<b>\$112,624,914</b>	<b>\$20,571,102</b>	<b>\$51,453,424</b>	<b>\$184,649,440</b>

See Direct Testimony of R. Lane Sisung at p.7.

In this table the Commission's witness attributes \$148 million of O&M costs to the storms.

SWEPCO Rebuttal testimony provides the following table:

	Hurricane Laura	Hurricane Delta	Winter Storm Uri	Total - Capital and O&M
Distribution O&M	82,464,386	17,754,741	48,207,274	148,426,401
Transmission O&M	4,164,847	243,135	-	4,407,982
Distribution Capital	25,958,285	2,197,810	1,807,807	29,963,901
Transmission Capital	353,655	9,905	-	363,560
<b>Totals</b>	<b>113,145,331</b>	<b>20,001,431</b>	<b>50,015,081</b>	<b>183,161,844</b>

Approximately \$152 million for T&D O&M costs.

The settlement does not explain where \$180 million comes from.

On the topic of double recovery of SWEPCO labor costs, the rebuttal testimony is weak. Instead of clearly explaining how costs were separated, the testimony appears to attempt justifying double recovery because their labor costs were based on a rate case several years prior. If SWEPCO is not fully recovering their current labor costs, there are different means to address that (a current rate case). Plugging a potential gap by including already recovered labor costs in the storm recovery regulatory asset is generally not considered appropriate use of these regulatory tools.

In the context of this global settlement, the \$ amounts for labor are likely low but highlight the more general concern about double recovery of existing costs in base rates. The Commission's witness brings this issue up in direct testimony. SWEPCO's rebuttal does not directly respond. It begs a question of

how much additional costs potentially overlaps with existing base rates. It is difficult to draw a clear line when staff departments have multiple overlapping roles and are then called on for storm response.

At the very least, the lack of clarity on these items should be called out and the Commission should look at improvements prior to the next round of storm recovery.

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## B&E Prep

April 26, 2023

Ex. 1. **Announce the Climate Action Task Force presentation to be held in May hopefully, possibly later**

Ex. 2. **Bonton Associates' EE Study: Aye!**

Ex. 3. Same EE docket as Ex. 2

1) An amendment to eliminate the deadline for Public Entity EE project proposals within the Quick Start program, allowing school districts, local governments, state agencies, higher education institutions, and other public entities more time to develop their EE programs. This should lead to more applications and more opportunities to review

2) An amendment to extend the Quick Start EE program while Phase II is developed this year and hopefully implemented next year

Context: This is year 14 of what was only supposed to be a 2-year program design.

Action item: We should consider pressing for passage of the draft proposal/rule. We would be the third vote (a simple directive to Kathryn), and that majority would allow the draft to be shared with stakeholders for feedback, not necessarily approval.

Year 14 when it was only supposed to last 2 years

Ex. 4. Lafayette's application to expand its telecom carrier designation to offer Federal Lifeline benefits

- This was Ex. 5 from last month, and no interventions or protests were received since
- This would allow **more affordable** plans for low-income customers, spur competition, and be in the public interest

Ex. 5. Uncontested Stipulated Settlement regarding SLECA's emergency rate relief

- **In District III** (mainly II and Greene has no big complaints)
- Related to significant Ida damage and 2022 interest rate increases
- \$6.4m rate increase; near doubling storm rider charge; schedule of FRP updates to Commission; accounting updates regarding the sale of TESI, their water operation
- **Rate increase** of 5.12%, \$6.40 per 1000 kWh; 5.24%, \$9.60 per 1500 kWh
- These terms were agreed to by AAE
- Commission's Audit Supervisor: the terms are fair, reasonable, and in the public interest

Ex. 6. Uncontested Stipulated Settlement regarding SWEPCO's certification of 999 MW of new wind and solar and of up to 350 MW of natural gas Capacity Purchase Agreements

- SPP increased SWEPCO's required planning reserve margin, so SWEPCO needs new capacity
- SWEPCO did not include PPAs in its RFPs, leading to **expensive** projects relative to average costs
- So Staff required conditions for settlement: the terms are fairly rigorous and meant to ensure that that the renewable projects would be a net economic benefit to customers
- Rate impact of renewables: \$6.86 per 1250 kWh. This will decrease over time, lowering rates in future years, and resulting in a **net savings** to customers over the life of the facilities
- Rate impact of gas contract: \$0.55 per 1250kWh
- United recommends approving the application

Ex. 7. Uncontested Stipulated Settlement regarding WST's FRP and modification of base rates

- WST has not increased rates in more than 10 years
- No interventions or protests received
- This would change a variety of customer charges – some up, some down – but ultimately in a revenue neutral manner
- Would decrease volatility in their receipts and allow them to obtain long term debt financing
- Commission's Audit Supervisor: the FRP will allow WST to meet their creditors' requirements. The terms are fair, reasonable, and in the public interest

Ex. 8. Proposed recommendation to approve the "overlay method" for 318 area code

- Rather than form a new area code as this service area grows, this proposal would mean that all 10 digits of a phone number must be dialed
- This is the preferred approach in recent years and has been employed in 504 and 225
- An overlay plan is **less costly** to customers than a geographic split
- Staff recommends directing NANPA to begin the process of conducting an overlay

Ex. 9. Deferred to next month

Ex. 10. Outside consultant to service ELL's proposal for 3,000 MW of solar, Geaux Green Option Rider expansion, and new renewable tariff

- ELL's proposal could threaten the Commission's jurisdiction, bypassing our RFP and MBM rules
- While the Commission has not received Phase II, the crux of ELL's proposal, preemptively hiring consultants is common for matters of this scope and import
- London Economics - \$56,826 - worked the renewable tariffs/green tariffs docket
- United Professionals Co - \$79,950 - worked on Entergy's FRPs since 2017; was the consultant on Entergy's IRP prior to the pending one; assisted in the EGS-ELL merger
- United emphasizes that their budget allows it to go to trial "so that (ELL) understand(s) that they have to deal in good faith in the negotiations and can't just run the process out of budget"
- United seems better equipped to service this matter

Ex. 11. Undocketed matters

1) Reports

- Report from Staff on the Martha Wright Reed Just and Reasonable Communications Act of 2022: FCC's update on prison pay phones

2) Resolutions

- Resolution in support of Entergy Louisiana, LLC's grant application before the United States Department of Energy and requesting Department of Energy Secretary Jennifer M. Granholm to approve Entergy Louisiana, LLC's grant application to assist in funding Entergy's Line Hardening and Microgrid project in Baton Rouge, Louisiana

3) Discussions

4) OMS:

- Discussion and possible vote to ratify vote taken by Commissioner Greene acting as the Commission's representative on the Board of Directors of OMS

- This would approve OMS' comments in a FERC docket about RTOs' transmission planning
- Comments identify a lack of oversight, transparency, and expertise on the local transmission bottom-up process that some states would need to effectively analyze and approve those projects
- Comments endorse a FERC proposal to create a new Independent Transmission Monitor if it is merely advisory and does not impinge on state authority

FERC/RTO:

- Discussion and possible vote to ratify interventions of the Commission in RTO or ERSC related FERC proceedings
- 5 interventions related to SPP and MISO were filed at FERC on the Commission's behalf
- Staff recommends ratification of these actions

5) Directives

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## April B&E - Supplemental Agenda Items

### Ex. 12. PSC Jurisdiction over EV Charging Stations

- Staff recommendation:
  - o to adopt a definition for EV charging stations
  - o Decline to exert jurisdiction over EV charging stations
  - o Phase II review for potential issuance of additional rules
- Issues identified by Staff:
  - o Cyber-security issues
  - o Volumetric vs time-based EV charging pricing structure
  - o Question of if there should be consistency between public utility pricing and EV charging pricing
  - o Issues regarding service complaints
  - o Regulatory treatment of EV charging station on-site generating units
  - o Circumstances under which a regulated electric utility can own, lease, operate, or control an EV charging station
- District III -

### Ex. 13. Update from 1803 Electric Coop

- Requested by Skrmetta
- Update on Application for Approval of Power Purchase Agreement and Cost Recovery

### Ex. 14. SWEPCO Storm Recovery Settlement

- Settlement for storm damage costs filed on March 30, 2023
- Distribution and Transmission portion of O&M deemed reasonable and prudent
  - o **\$180,225,383** in Louisiana-jurisdictional costs for Laura, Delta, and Uri, of which the distribution and transmission O&M portion has been determined to be reasonable and prudent and eligible for recovery
  - o If settlement is approved, SWEPCO is required to apply for Phase II to determine the prudence of the transmission and distribution capital costs in Louisiana
  - o Phase II application **must have analysis on securitization vs traditional rate recovery** for all Louisiana distribution and allocated transmission O&M expenses and capital costs
  - o If analysis shows securitization is best option, SWEPCO has to apply for securitization, target completion before December 31, 2023
  - o If traditional rate recovery is best option, parties must collaborate in good faith to develop permanent financing
  - o Carrying costs will be calculated at 3.125% (**SWEPCO was asking for 8.665%**; **Staff was recommending 1.65%**; 3.125% is roughly the Prime Rate when storms hit)
- Staff recommends approval of settlement

### Ex. 15. Undocketed

- Jeff Davis Electric Coop update on transmission line

- Requested by Francis

Ex. 16. System Energy Resources, Inc. - Statewide

- Requested by Skrmetta
- ER22-736: Docket on System Energy Resources, Inc.'s depreciation rates
  - o Settlement reached last week, and Stone Pigman wants to seek approval from commission
- EL21-56: Grand Gulf complaint
  - o Update on settlement conference last week with other retail regulators and System Energy Resources, Inc.

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**Jay Griffin**

Apr 27, 2023 at 9:43:09 PM EDT

To: Kasza, Nicholas (CONTR), Clean Energy Innovator Fellowship program,  
Davante Lewis, Charlotte Cravins

Results-1/19/2024 3:39:27 PM

[Hide Details](#)

Application submitted by Commissioner Lewis - District 3 Louisiana PSC

Attachments (1) ▾

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi,

An application went in a couple of hours ago and so far there was not a confirmation email. Commissioner Lewis is listed as the mentor and Charlotte Cravins was listed as the support colleague. Please let us know if any further questions.

Thank you!

Jay Griffin

OBTAINED BY GOVERNMENT ACCOUNTABILITY & OVERSIGHT

**Cara Goldenberg**

May 1, 2023 at 3:03:07 PM EDT

To: Jessie Ciulla, Rachel Gold, Davante (PSC Internal), Edward Yeilding, Charlotte Cravins, Jay Griffin Results-1/19/2024 3:39:27 PM

LPSC/RMI/RAP Check-In

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Cara Goldenberg is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://rmi-org.zoom.us/j/5783240000?from=addon>

Meeting ID: 578 324 0000

One tap mobile

&#43;16694449171,,5783240000# US

&#43;16699006833,,5783240000# US (San Jose)

Dial by your location

OBTAINED BY GOVERNMENT ACCOUNTABILITY & OVERSIGHT

**Cara Goldenberg**

✓ cgoldenberg@rmi.org

To: Jessie Ciulla,  
LPSC/RMI/RAP Che

(C Internal), Edward Yeilding, Charlotte Crains, Jay Griffin

May 7, 2023 at 11:04:28 PM EDT

Results-1/19/2024 3:39:27 PM

Add to Contacts

Copy Address

Attachments (1) ▾

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi all,

Apologies, I meant to send this calendar invite at the later time so Jay can join. Please let me know if this time no longer works.

I am also attaching a revised scope of collaboration for our discussion.

Zoom:

<https://rmi-org.zoom.us/j/5783240000?from=addon>

Best,  
Cara

OBTAINED BY GOVERNMENT ACCOUNTABILITY & OVERSIGHT

**Cara Goldenberg**

May 9, 2023 at 6:27:48 PM EDT

To: Edward Yeilding

Results-1/19/2024 3:39:27 PM

Cc: Jay Griffin, Rachel Gold, Jessie Ciulla, Davante (PSC Internal), Charlotte Cravins

[Hide Details](#)

Revised RMI Proposal for LPSC Modernization

Attachments (1) ▾

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Good afternoon, Edward,

I'm glad we could connect yesterday to discuss updates to RMI's scope of work and next steps. I've attached the latest draft proposal based on our conversation yesterday. We discussed three next steps as we move forward with the scope of work.

1. **LPSC approval of proposal and timeline.** You mentioned you'd discuss with Davante what it looks like to get approval for RMI's Draft Proposal. For example, does the LPSC require a MOU be put in place? Please let us know if/how we can support.
2. **Announcement at May LPSC Business and Executive Session.** If helpful, we would be happy to support drafting the May announcement that will share details about this effort's scope and timeline, RMI's involvement, and implications for staff. Let us know if that would be useful.
3. **Project Management.** Please let us know who from the LPSC team will be the main scheduling / project management point of contact. Once we get the thumbs up, we're hoping to set up recurring meetings and begin sharing resources. Jessie (cc'ed) will be the point of contact on the RMI side.

Thanks again, and please reach out with any questions or follow ups.

Best,  
Cara

photo-logo

**Cara Goldenberg**  
Principal RMI  
Carbon-Free Electricity

**m** 760-803-6433

**e** [cgoldenberg@rmi.org](mailto:cgoldenberg@rmi.org)



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## RESOURCES AND FUNDING

RMI will utilize existing donor funding for **Phase 1** of this work (<\$50k), which will cover May-August 2023.

RMI and LPSC will work together to secure additional funding for **Phase 2**, which will begin after the LPSC's August Business and Executive Session.

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# Modernizing the Louisiana PSC

REVISED DRAFT PROPOSAL

TO:  
LOUISIANA PUBLIC SERVICE COMMISSION  
MAY 9, 2023



2490 Junction Pl #200 | Boulder CO | 80301

RMI's mission is to transform global energy use to create a clean, prosperous, and secure low-carbon future

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## GENERAL INFORMATION

**Contractor:** **RMI**, a Colorado nonprofit 501(c)3  
2490 Junction Pl #200  
Boulder, CO 80301  
*Proposal Contact: Cara Goldenberg*  
*Email: cgoldenberg@rmi.org*

**Client:** **Louisiana Public Service Commission**  
602 N 5th St  
Baton Rouge, LA 70821  
*Project Representative: Davante Lewis*  
*Email: davante@la.gov*

**Date:** May 9, 2023

**Project Leads:** Cara Goldenberg and Rachel Gold

### About RMI

RMI—an independent nonpartisan nonprofit founded in 1982—transforms global energy use to create a clean, prosperous, and secure low-carbon future. RMI engages businesses, communities, institutions, and entrepreneurs to accelerate the adoption of market-based solutions that cost-effectively shift from fossil fuels to efficiency and renewables. We employ rigorous research, analysis, and whole-systems expertise to develop breakthrough insights. We then convene and collaborate with diverse partners—business, government, academic, nonprofit, philanthropic, and military—to accelerate and scale solutions.

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## PROPOSAL

RMI | Louisiana Public Service Commission  
May 2023

## CONTEXT

The Louisiana Public Service Commission (LPSC) is uniquely positioned to orchestrate Louisiana's transition to a clean, equitable, and flexible energy system while maintaining reasonable rates, ensuring quality of service, and advancing economic development in the state. However, modernization of the LPSC has not kept pace with the rapidly evolving ecosystem of technologies, industry actors, and new stakeholders emerging in the state's electricity sector.

Similar to other public utilities commissions across the United States, the LPSC will be required to navigate a broader range of objectives in its decision-making to foster a clean energy transition that reach beyond the traditional tenets of utility regulation of safety, affordability, and reliability. These objectives are likely to touch on emerging topics such as greenhouse gas emissions, renewable and distributed energy integration, resilience, and equity. Yet organizational challenges at the LPSC pose barriers to innovation and informed regulatory decision-making on these emerging topics, such as staff constraints, outdated systems and procedures, and inadequate processes to produce timely and responsive decisions. These barriers risk delaying or impeding the investments, programs, and operational changes needed to meet Louisiana's economic development and clean energy goals.

To overcome these barriers, the LPSC has an emerging window of opportunity to modernize how it approaches integrating an expanding set of priorities in its regulatory vision and guidance, staffing, and internal and external processes. These reforms can ensure that LPSC decision-making going forward is transparent, productive, cost-effective, and consistent with customer needs, market trends, and the state's policy goals.

## PROPOSED SCOPE OF COLLABORATION

Based on conversations with PSC staff and our understanding of Commission needs, we propose the following scope of collaboration. This scope describes potential focus areas for RMI work and lays out an approach to achieve two primary objectives:

1. Evaluate the LPSC's ongoing and expected work streams, organizational structures, and processes to better understand what is working well and where there are opportunities for modernization.
2. Develop a set of short-term and long-term recommendations to position the LPSC to meet its strategic and emerging goals, tailored for the Louisiana context, including the state's policy landscape, political environment, and the LPSC's governance structure and available budget.

The following describes two phases of collaboration in more detail, including potential activities and deliverables in service of both objectives above.

For **Phase 1 (May - August 2023)**, RMI will utilize existing donor funding to begin our evaluation of LPSC's processes and structures and to present preliminary findings and recommendations at LPSC's August Business and Executive Session. In preparation for that presentation, the LPSC will announce that RMI is undertaking this work at the May Business and Executive Session and 1-2 RMI colleagues will attend the June LPSC Business and Executive Session to begin meeting Commissioners and Commission Staff.

For **Phase 2 (September 2023 - TBD)**, RMI and LPSC will work together to secure additional funding. The proposed Phase 2 timeline assumes the Commission is able to initiate a proceeding dedicated to this effort in September.

*Objective 1: Evaluate the LPSC's ongoing and expected work streams, organizational structures, and processes to better understand what is working well and where there are opportunities for modernization.*

### Activities

Through interviews with LPSC staff, document review, stakeholder workshops, and public comments, RMI will evaluate the following areas and functions of the LPSC related to **Purpose, People, and Process**.

In **Phase 1**, RMI will review documents and other forms of LPSC communications, as well as conduct interviews with a targeted list of key staff members and consultants, related to the topics in **blue** below.

The evaluation would be expanded in **Phase 2** to cover the remaining topics.

**Purpose: The core missions and authorities that empower LPSC decision-making.** The scope of this evaluation could include reviewing:

- Commission authority
- Commission mission statements and strategy documents
- Definition and applications of the term "public interest"
- How state policy goals are integrated into rulemakings, policy statements, and other decisions

**People: The individuals and governance structures that shape LPSC decisions.** The scope of this evaluation could include reviewing:

- Roles and authorities of key commission employees (note, this may be more limited in Phase 1 given we are planning to conduct interviews with only a small number of employees)
- The extent staff are available to support Commissioners with research and specific dockets
- How attention is balanced between traditional and more emerging topics, and between short- and long-term priorities
- Open meeting laws and ex parte rules
- Funding for full-time employees compared to expected workload
- Staff competencies and skill alignment with Commission needs
- Training available for full-time employees

**Process: Internal and external processes, including stakeholder engagement, that yield timely, equitable, and high-quality outcomes.** The scope of this evaluation could include reviewing:

- Priority proceeding objectives, timelines, and alignment with policies/regulatory vision (e.g., customer-oriented solutions, energy efficiency, formula rates dockets)
- Stakeholder engagement requirements, procedures, and norms
- Document management and accessibility
- Access and transparency of utility modeling assumptions and data
- Benefit-cost analysis frameworks utilized
- Support for innovation

### Deliverables

At the end of **Phase 1**, RMI will present its initial findings at the LPSC's August Business and Executive Session.

The final **Phase 2** deliverable of this workstream will be a memo presenting findings of RMI's comprehensive evaluation and identifying priority areas for attention.

### Timeline

**Phase 1: May - August 2023**

**Phase 2: September - December 2023**

*Objective 2: Develop a set of short-term and long-term recommendations to position the LPSC to meet its strategic and emerging goals, tailored for the Louisiana context, including the state's policy landscape, political environment, and the LPSC's governance structure and available budget.*

### Activities

Based on the findings from RMI's evaluation, research into best practices in other jurisdictions, consideration of what is possible to achieve in the Louisiana context, RMI will develop short-term and long-term recommendations related to **Purpose, People, and Process**.

In **Phase 1**, RMI will generate preliminary short-term recommendations based on its more limited evaluation.

In **Phase 2**, RMI would expand the set of recommendations to focus on both the short-term and long-term and to cover a wider range of topics and stakeholders.

**Short-term recommendations** will be oriented towards actions that are achievable under the LPSC's current authority, do not require legislation, and can start being implemented within the next year. Examples of these types of recommendations could include:

- **Purpose**
  - Amend the LPSC's vision statement to articulate regulatory priorities that accurately reflect emergent clean energy opportunities.
  - Proactively carry out this regulatory vision via policy statements, straw proposals, or other guidance documents in new and ongoing proceedings to (a) clarify what the LPSC is looking for in utility proposals or filings and (b) steer utility filings toward desired outcomes.
- **People**
  - Develop internal guidance and bylaws that outline the roles and authorities of different commission employees, which considers regulatory strategy, priorities, and organizational management.
- **Process**
  - Modernize business applications, such as the LPSC's website, to allow user-friendly access to PSC information and records and improve the transparency and accessibility of important filings, engagement opportunities, and timelines.
  - Encourage increased engagement by (a) delegating issues to working groups or other collaborative stakeholder groups, and/or (b) providing additional opportunities for stakeholder education on relevant, foundational topics (e.g., energy equity, the ratemaking process).
  - Remove barriers to accessing utility modeling assumptions and data by (a) reevaluating data transparency to reduce information asymmetry and (b) allowing stakeholders the opportunity to propose alternatives or verify utility data and modeling results.

**Long-term recommendations** will be oriented towards actions that require a longer time horizon (>1 year) to implement. These actions may require legislation, an increased budget, or a more fundamental change to LPSC's governance structure. Examples of these types of recommendations could include:

- **Purpose**

- Explore pathways for the LPSC to incorporate expanded policy goals and authorities into their decision-making in all rulemakings and regulations.
- Update the LPSC's core missions to be consistent with new policy expectations.
- **People**
  - Revisit the commissioner election process to ensure it results in commissioners with strong professional qualifications and representative experiences.
- **Process**
  - Establish intervenor compensation programs to support diverse participation in LPSC proceedings.

### Deliverables

At the end of **Phase 1**, RMI will present a set of initial short-term recommendations at the LPSC August Business and Executive Session.

The final **Phase 2** deliverable of this workstream will be a report that identifies and prioritizes recommendations for LPSC modernization and suggested pathways for implementation.

As appropriate, RMI will also conduct briefing presentations for Commissioners, staff, or relevant legislative committees during both phases.

### Timeline

**Phase 1: July - August 2023**

**Phase 2: January - TBD**

### Working Relationship with Louisiana PSC

The RMI team will work primarily out of our offices and homes. Some travel to Louisiana (3-5 trips) might be anticipated for project execution.

To ensure an effective flow of information, we propose holding semi-regular project alignment meetings (e.g., weekly, bi-weekly, or monthly), as appropriate for project needs to be performed by videoconference, between the RMI team and primary LPSC points of contact. These meetings will be a forum to raise issues for joint problem solving, for the RMI team to share insights and recommendations, and for maintaining a transparent sharing of information. Additional joint working sessions will be scheduled as needed, either by videoconference or in person when appropriate. Regular individual contact between RMI team members and LPSC staff should occur frequently as needed to support project tasks.

RMI will not seek intervenor status in any LPSC proceeding.

### Publication of RMI Findings

As a non-profit think tank, a core component of RMI's mission is the dissemination of our insights and findings to support clean energy reforms across the U.S. and abroad. Accordingly, we may desire to publish our research findings or other insights arrived at in the course of this work in Louisiana. We will work in consultation with the LPSC to assure that any publications are appropriate, support the shared goals of our organizations, and do not violate any confidentiality requirements of the LPSC or other parties.

RMI may also communicate its role supporting the LPSC to stakeholders and the public. RMI expects to confer periodically with other experts across the industry in order to include a broad perspective and ensure our recommendations incorporate the best available thinking. The team will work proactively with LPSC staff to ensure RMI's engagement with external experts aligns with the LPSC's *ex parte* communication protocols.

### RESOURCES AND FUNDING

RMI will utilize existing donor funding for **Phase 1** of this work (<\$50k), which will cover May-August 2023.

RMI and LPSC will work together to secure additional funding for **Phase 2**, which will begin after the LPSC's August Business and Executive Session.

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Edward Yeilding

May 15, 2023 at 1:24:45 PM EDT

To: Davante (PSC Internal), Jay Griffin, Charlotte Cravins

Results-1/19/2024 3:39:27 PM

RE: Ex. 15-Commissioner Skrmetta Directive and Proposed Rules

I concur. Y'all should've received Greene's proposal as well. It seems more prudent.

**From:** Davante (PSC Internal) <Davante@la.gov>  
**Sent:** Saturday, May 13, 2023 7:37 AM  
**To:** Jay Griffin <jaypgriffin5@gmail.com>  
**Cc:** Edward Yeilding <Edward.Yeilding@la.gov>  
**Subject:** Fwd: Ex. 15-Commissioner Skrmetta Directive and Proposed Rules

Here is the draft proposal that we will vote to publish. I am inclined to be a NO at this moment

**Davante Lewis** (*he/him/his*)  
Commissioner, 3rd District  
Louisiana Public Service Commission  
[@davantelewis](mailto:davante.lewis@la.gov)|[davante.lewis@la.gov](mailto:davante.lewis@la.gov)|225-266-6475

**From:** Kathryn Bowman <[Kathryn.Bowman@la.gov](mailto:Kathryn.Bowman@la.gov)>  
**Sent:** Saturday, May 13, 2023 7:25:34 AM  
**To:** Foster Campbell <[Foster.Campbell@LA.GOV](mailto:Foster.Campbell@LA.GOV)>; Paul Amy <[Paul.Amy@LA.GOV](mailto:Paul.Amy@LA.GOV)>; Mike Francis <[Mike.Francis@la.gov](mailto:Mike.Francis@la.gov)>;  
drcraiggreene <[drcraiggreene@LA.GOV](mailto:drcraiggreene@LA.GOV)>; David Zito <[David.Zito@LA.GOV](mailto:David.Zito@LA.GOV)>; Janice Perkins <[Janice.Perkins@LA.GOV](mailto:Janice.Perkins@LA.GOV)>; Davante  
(PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)>; Charlotte Cravins <[Charlotte.Cravins@la.gov](mailto:Charlotte.Cravins@la.gov)>  
**Cc:** Eric Skrmetta <[efskrmetta@yahoo.com](mailto:efskrmetta@yahoo.com)>; Adrie De Waal <[Adrie.DeWaal@la.gov](mailto:Adrie.DeWaal@la.gov)>; Brandon Frey <[Brandon.Frey@LA.GOV](mailto:Brandon.Frey@LA.GOV)>; Jaime  
Melancon <[Jaime.Melancon@la.gov](mailto:Jaime.Melancon@la.gov)>  
**Subject:** Ex. 15-Commissioner Skrmetta Directive and Proposed Rules

Good morning,

Attached is Commissioner Skrmetta's directive and proposed rules regarding utilizing the next two years of the EE program as a Commission led pilot program that focuses on weatherization for qualified households. Please feel free to call me or the Commissioner if you have any questions.

Regards,

**Kathryn H. Bowman**  
Executive Counsel  
Louisiana Public Service Commission  
602 North Fifth Street, Galvez Bldg-12<sup>th</sup> Floor  
Baton Rouge, La 70802  
(225) 342-9888  
(225) 342-3034-direct

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**Edward Yeilding**

May 15, 2023 at 1:32:39 PM EDT

To: Charlotte Cravins, Jay Griffin, Jared Reese  
B&E Briefing Materials

Results-1/19/2024 3:39:27 PM

Hey y'all,

I'd like to consolidate Davante's briefing materials into one cohesive document this week. This way he doesn't have to sort through his inbox, piece together all of our research, and be flipping back and forth during session.

Jay, unless you've got more to say re: Ex. 14, I believe I have all of your info.

Charlotte and Jared, I'd love to see what you've got by the end of the day, so we can identify any blindspots or areas that need follow-up.

Thank you, thank you!

Edward

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**Charlotte Cravins**

To: Edward Yeilding

Cc: Jay Griffin, Jared Reese

Re: B&E Briefing Materials

May 15, 2023 at 5:21:31 PM EDT

Results-1/19/2024 3:39:27 PM

[Hide Details](#)

Attachments (1) ▾

Edward,

Please find the supplemental notes attached.

---

**From:** Charlotte Cravins

**Sent:** Monday, May 15, 2023 12:35:19 PM

**To:** Edward Yeilding

**Cc:** Jay Griffin; Jared Reese

**Subject:** Re: B&E Briefing Materials

Will have it to you later! Sorry the last few days have been a whirlwind!

On May 15, 2023, at 12:32 PM, Edward Yeilding <Edward.Yeilding@la.gov> wrote:

Hey y'all,

I'd like to consolidate Davante's briefing materials into one cohesive document this week. This way he doesn't have to sort through his inbox, piece together all of our research, and be flipping back and forth during session.

Jay, unless you've got more to say re. Ex. 14, I believe I have all of your info.

Charlotte and Jared, I'd love to see what you've got by the end of the day, so we can identify any blindspots or areas that need follow-up.

Thank you, thank you!

Edward

**Ex. 15: Energy Efficiency Proposals by Commissioners Skrmetta and Greene**

Commissioner Greene Proposal – A directive to staff to publish a draft rule to create a Commission-led, ***statewide energy efficiency program to be run by an administrator***

Commissioner Skrmetta Proposal – A directive to staff to publish proposed rules for a ***residential energy efficiency pilot program that would mirror the current Public Entities Program; focus on weatherizing homes***

Both rules to be published no later than May 26, 2023 with final consideration at the September B&E meeting, but no later than October

**Ex. 16: LPSC v. Seri & Entergy Services, Inc.**

Executive session discussion on litigation strategy.

Stone Pigman expects a ruling by FERC to clarify previous order and wants to update commission on these dockets and seek possible commission approval to act if FERC hands down a decision in EL 18-152 and 20-72 before next B&E meeting.

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**Jay Griffin**

To: Edward Yeilding

Cc: Charlotte Cravins, Jared Reese

Re: B&E Briefing Materials

May 16, 2023 at 4:02:26 AM EDT

Results-1/19/2024 3:39:27 PM

[Hide Details](#)

**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Hi Edward - re Ex. 14 - The materials on the background for the SPP decision are thin. I realize that you did not put these together but what I read is that staff advised Commissioner Francis to vote a certain way and he did. There is limited explanation beyond that. I have limited basis to agree or disagree based on their summary.

On the common carriers, the proposed inflation adjustment to O&M is not surprising in an inflationary environment. The Hawaii PUC was asked for similar latitude in adjusting rates for motor carriers without a comprehensive rate case. I would be mindful of making sure the existing (and proposed) process for adjusting rates can review and incorporate potential cost reductions while addressing factors increasing costs. Of the 1800+ companies that we regulated, the overwhelming majority (1500+) were small, family run common carriers so I can appreciate that they do not operate similarly to the large investor-owned utilities but are often asked to meet a similar bar. That said, there are always two sides to the scale: factors increasing and decreasing costs. The PSC needs a mechanism to review both. Would suggest that Commissioner Lewis presses to make sure this is addressed in any final changes.

Thanks and let me know if you have any questions/clarifications.

Jay

On Mon, May 15, 2023 at 7:32AM Edward Yeilding <[Edward.Yeilding@la.gov](mailto:Edward.Yeilding@la.gov)> wrote:

Hey y'all,

I'd like to consolidate Davante's briefing materials into one cohesive document this week. This way he doesn't have to sort through his inbox, piece together all of our research, and be flipping back and forth during session.

Jay, unless you've got more to say re: Ex. 14, I believe I have all of your info.

Charlotte and Jared, I'd love to see what you've got by the end of the day, so we can identify any blindspots or areas that need follow-up.

Thank you, thank you!

Edward

---

**From:** Jay Griffin <jaypgriffin5@gmail.com>  
**Subject:** Re: FW: Update on SWEPCO project in Texas  
**Date:** May 30, 2023 at 2:15:21 PM EDT  
**To:** Davante (PSC Internal) <Davante@la.gov>  
**Cc:** Charlotte Cravins <Charlotte.Cravins@la.gov> , Edward Yeilding <Edward.Yeilding@la.gov>

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**EXTERNAL EMAIL:** Please do not click on links or attachments unless you know the content is safe.

Interesting. I believe there is a provision in the settlement that allows another state to buy-out another state's capacity. I would expect them to be approaching you with that option.

On Tue, May 30, 2023 at 6:27 AM Davante (PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)> wrote:

FYI from our neighbors to the west

---

**From:** Kathryn Bowman  
**Sent:** Tuesday, May 30, 2023 10:59 AM  
**To:** Davante (PSC Internal) <[Davante@la.gov](mailto:Davante@la.gov)>  
**Subject:** Update on SWEPCO project in Texas

Per our conversation

**Kathryn H. Bowman**

Executive Counsel

Louisiana Public Service Commission

602 North Fifth Street, Galvez Bldg-12<sup>th</sup> Floor

Baton Rouge, La 70802

(225) 342-9888

(225) 342-3034-direct

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