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May 31, 2024

LA PUBLIC SERVICE COMM  
MAY 31 2024 PM 4:26

12922-0575

**VIA HAND DELIVERY**

Ms. Terri Lemoine Bordelon  
Records Division  
Louisiana Public Service Commission  
Galvez Building, 12th Floor  
602 North Fifth Street  
Baton Rouge, LA 70802

Re: LPSC Docket No. U-36923, Cleco Power LLC, ex parte. *In re: Application of Cleco Power LLC for: (I) Implementation of Changes in Rates to be Effective July 1, 2024; and (II) Extension of Existing Formula Rate Plan.*

Dear Ms. Bordelon,

Enclosed for filing in the captioned docket are one (1) original and three (3) copies of a Joint Motion by Cleco Power LLC and the Louisiana Public Service Commission Staff for the Scheduling of Hearing on Uncontested Proposed Stipulated Settlement. In accordance with Rule 6 of the Commission's Rules of Practice and Procedure, the Joint Motion includes the following attachments:

1. Attachment 1 – Uncontested Proposed Stipulated Settlement, dated May 30, 2024, which has been signed by all of the parties (please note that the Alliance for Affordable Energy has signed to indicate that it takes no position on the Stipulated Settlement);
2. Attachment 2 – Settlement Testimony of J. Robert Cleghorn on behalf of Cleco Power LLC, dated May 30, 2024; and
3. Attachment 3 – Testimony in Support of Uncontested Proposed Stipulated Settlement of Jonathan R. Bourg on behalf of the Staff of the Louisiana Public Service Commission, dated May 31, 2024.

Please return one (1) date-stamped copy of the filing to us. If you have any questions, or require any additional information whatsoever, please do not hesitate to contact us.

Ms. Terri Lemoine Bordelon  
May 31, 2024  
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With kind regards, I remain

Very truly yours,



Daniel T. Pancamo  
Counsel for Cleco Power LLC

DTP/lls  
Enclosures

cc: Docket U-36923 Service List  
Nathan G. Huntwork  
Collin Buisson

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 31st day of May, 2024, served copies of the foregoing upon all known parties of this proceeding by electronic mail, hand delivery, overnight courier, or United States mail, postage prepaid.



Daniel T. Pancamo  
LA Bar Roll No. 19726

**BEFORE THE  
LOUISIANA PUBLIC SERVICE COMMISSION**

**DOCKET NO. U-36923**

**CLECO POWER LLC, EX PARTE**

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*In re: Application of Cleco Power LLC for: (I) Implementation of Changes in Rates to be Effective July 1, 2024; and (II) Extension of Existing Formula Rate Plan.*

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**JOINT MOTION FOR THE SCHEDULING OF HEARING  
ON UNCONTESTED PROPOSED STIPULATED SETTLEMENT**

Cleco Power LLC (“Cleco Power” or the “Company”) and the Louisiana Public Service Commission (“LPSC” or the “Commission”) Staff (“Commission Staff” or “Staff”), through undersigned counsel and pursuant to Rule 6 of the Commission’s Rules of Practice and Procedure, respectfully request that a stipulation hearing on the Uncontested Proposed Stipulated Settlement (“Stipulated Settlement”) be scheduled on Monday, June 10, 2024, Tuesday, June 11, 2024, or Wednesday, June 12, 2024. The Stipulated Settlement reflects a settlement among the Company, the Staff, Packaging Corporation of America (“PCA”), International Paper Company (“IP”), Cabot Corporation (“Cabot”), the Alliance for Affordable Energy (the “Alliance”), and the Sierra Club (PCA, IP, Cabot, the Alliance, and the Sierra Club are sometimes referred to herein collectively as the “Intervenors”). The Stipulated Settlement is attached as Attachment 1 to this Joint Motion. Both this Joint Motion and the Stipulated Settlement are either supported by or unopposed by all parties to this proceeding (please note that the Alliance has taken no position on the Stipulated Settlement). In support of this Joint Motion, Cleco Power and Commission Staff represent as follows:

**1.**

Cleco Power filed its application and supporting testimony on June 30, 2023 (the “Application”) requesting certain rate relief, authorizations, determinations, and findings. The Application was noticed in Bulletin No. 1301, issued July 7, 2023. Timely interventions were filed by Cabot, PCA, IP, and the Alliance. The Sierra Club later intervened pursuant to an Unopposed Motion for Leave to Intervene Out of Time, which was granted. No other interventions were filed in connection with the Application. Accordingly, as of the date of this Joint Motion, the Intervenors are the sole intervening parties in this docket. In connection with the June 30, 2023, filing of the Application Cleco Power caused public notices of the Application to be published in the official state journal and in the official parish journal of each parish in which Cleco Power provides retail electric service within 20 days after the filing of the Application, pursuant to Louisiana Constitution Article IV, Section 21(D)(1). Cleco Power filed evidence of publication into the docket on August 30, 2023.

**2.**

Cleco Power filed the Application in accordance with the requirements of LPSC Order No. U-35299-A, issued July 5, 2023, which provides in pertinent part “[t]he filing date of Cleco Power LLC’s 2023 rate case is extended from March 31, 2023 to June 30, 2023.”

**3.**

In the Application, Cleco Power requested authorization from the Commission for a change in Cleco Power’s base rates. Cleco Power further requested Commission authorization of an

extension of Cleco Power's existing Second Amended and Restated Formula Rate Plan, which was authorized by Commission Order No. U-35299, issued June 22, 2021.<sup>1</sup>

**4.**

Subsequent to the filing of Cleco Power's Application, the Commission Staff and the Intervenors conducted extensive and thorough discovery, both formal and informal. The Parties further have conducted extensive discussions and negotiations regarding Cleco Power's Application.

**5.**

The Parties have achieved consensus regarding the issues presented by Cleco Power's Application. Please see the fully-executed Stipulated Settlement attached hereto as Attachment 1, which resolves all of the issues in this proceeding. In connection with the Stipulated Settlement, the Parties have negotiated and agreed upon the terms and provisions of Cleco Power's proposed Third Amended and Restated Formula Rate Plan, which is attached to the Stipulated Settlement. All Parties have either executed the Stipulated Settlement, or have indicated their non-opposition to the Stipulated Settlement. The Commission Staff, Cleco Power, and the Intervenors agree that this Stipulated Settlement is in the public interest, is reasonable in light of the record, is consistent with law, and should be authorized, subject to the terms and conditions therein.

**6.**

In support of this Joint Motion, Cleco Power and Commission Staff submit the following:

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<sup>1</sup> Cleco Power's original Formula Rate Plan was first authorized by the Commission in Order No. U-30689, issued October 28, 2010. Cleco Power's Amended and Restated Formula Rate Plan was authorized by the Commission in Order No. U-32779, issued June 27, 2014.

- Attachment 1 – Uncontested Proposed Stipulated Settlement, including the proposed Third Amended and Restated Formula Rate Plan and Cleco Power’s proposed rate schedules;
- Attachment 2 – Settlement Testimony of J. Robert Cleghorn, dated May 30, 2024; and
- Attachment 3 – Settlement Testimony of Jonathan R. Bourg, dated May 31, 2024.

At the settlement hearing, the Company will present the testimony of Mr. Cleghorn and the Commission Staff will present the testimony of Mr. Bourg. The attachments listed above will be offered into evidence through Mr. Cleghorn and Mr. Bourg, respectively.

**7.**

Cleco Power and Staff respectfully seek a stipulation hearing on the Stipulated Settlement pursuant to Rule 6 of the Commission’s Rules of Practice and Procedure to be scheduled on Monday, June 10, 2024, Tuesday, June 11, 2024, or Wednesday, June 12, 2024. The Stipulated Settlement and the proposed Third Amended and Restated Formula Rate Plan and rate schedules, if approved by the Commission, would represent a compromise between Cleco Power, Staff, and the Intervenors; avoid further litigation; and, provide rates that are just, reasonable, nor unduly discriminatory, and in the public interest.

**8.**

Given that all issues have been amicably resolved among the Parties and the Stipulated Settlement is uncontested, Cleco Power and Staff assert that there is good cause for the Commission to consider the Stipulated Settlement pursuant to Rule 6. As the Stipulated Settlement is uncontested, none of the Parties will be prejudiced. The Movants have fulfilled the requirements of Rule 6 of the Commission’s Rules of Practice and Procedure regarding uncontested stipulated

settlements through the filing of this joint motion, the Stipulated Settlement, and supporting testimony from Cleco Power and Staff in support thereof.

9.

Through undersigned counsel, Cleco Power and Commission Staff have contacted counsel for each of the Intervenor and no party opposes this Joint Motion or the proposed hearing dates.

WHEREFORE, for the reasons set forth above, Cleco Power and Staff respectfully submit the proposed Stipulated Settlement for consideration by the Tribunal and the Commission and request that, in accordance with Rule 6 of the Commission's Rules of Practice and Procedure, an uncontested stipulation hearing be scheduled for either Monday, June 10, 2024, Tuesday, June 11, 2024, or Wednesday, June 12, 2024. For the avoidance of doubt, Cleco Power also respectfully requests that the Tribunal suspend the remaining litigation milestone dates in the procedural schedule in Docket No. U-36923, which was most recently modified on May 16, 2024.

*[signatures on following page]*

Respectively Submitted,

By: 

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and

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Staff Attorney  
Louisiana Public Service Commission  
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Baton Rouge, LA 70802  
Telephone: (225) 342-9888

Date: May 30, 2024

**REPRESENTING THE LOUISIANA PUBLIC  
SERVICE COMMISSION STAFF**

By: 

Nathan G. Huntwork (Bar Roll No. 31789)  
Daniel T. Pancamo (Bar Roll No. 19726)  
Collin Buisson (Bar Roll No. 38146)  
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Date: May 30, 2024

**REPRESENTING CLECO POWER LLC**