

April 8, 2021



FROM THE DESK OF  
COMMISSIONER  
BRENT BAILEY  
CENTRAL DISTRICT OFFICE



*The Central District is pleased to bring you the latest information concerning utility rates, project developments, Public Service Commission actions and other news you can use. I hope you will find this information to be a useful resource to learn about the Public Service Commission, consumer issues and the continuous work we are doing for the citizens in the Central District and across the state of Mississippi. Thank you again for allowing me to serve you in this capacity.*

*Brent Bailey*

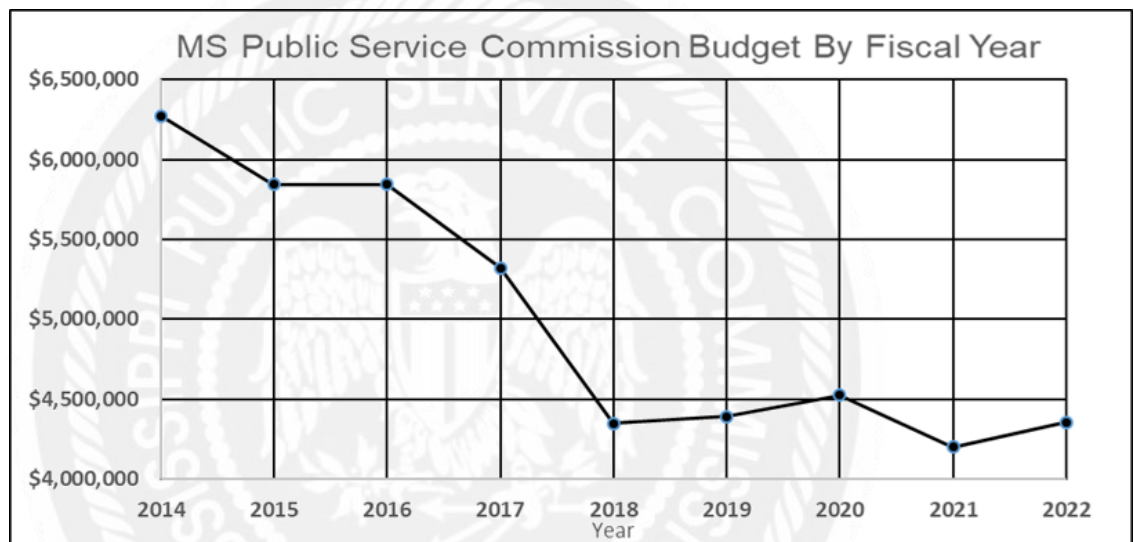
Recap of the 2021  
Legislative Session



The Mississippi Legislature wrapped up the 2021 session on Thursday, April 1. Legislators went back to their districts celebrating certain achievements and thinking what might have been. This newsletter has followed numerous pieces of legislation since January, tracking progress and attempting to determine how bills could impact the MPSC and/or utility customers.

I and Commission staff were certainly pleased with the final numbers assigned to the MPSC appropriations bill ([HB 1396](#)). Thankfully, our appropriation was slightly increased for Fiscal Year (FY) 2022 that

begins on July 1, 2021 and ends on June 30, 2022. This increase will allow us to retain staff and offset any new expenses. As you can see in the chart, MPSC appropriations fell significantly from FY 2014 to FY 2018, but funding differences have somewhat moderated since.



Of special note, we received funds to upgrade our No Call database and robocall tracking program that will allow our No Call specialists to work more efficiently in pursuing nuisance robocallers. The [Mississippi No Call Program](#) is a free service that allows Mississippi residential, business and cellular phone customers to register their numbers with the objective of reducing the number of telephone solicitations they receive. Over 44 million robocalls were targeted to Mississippians in February 2021! That is an average of 14.7 calls per person in Mississippi. The additional appropriation for the No Call Program is a smart investment that is needed to enhance customer protection from scammers.



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A bill designed to facilitate the expansion of broadband internet service to rural locations ([SB 2798](#)) was adopted by the Legislature. SB 2798 amends the language of Title 77 of the Mississippi Code to allow rate regulated electric utilities to facilitate the expansion of fiber-optic infrastructure to support broadband internet deployment through the use of a utility's existing right-of-way and/or energy delivery system. HB 1396 and SB 2798 each await the governor's signature.

## *Other key pieces of legislation:*

### **Awaiting the governor's signature:**

- PUS Appropriations ([HB 1397](#))
- Oakland/Yalobusha Natural Gas District expansion ([HB 1418](#))
- Repeal date extension on use of EE equipment or service contracts ([SB 2649](#))
- Provide the assessment ratio for property owned by transformative energy projects ([SB 2895](#))
- Authorize City of Baldwin to expand gas distribution system within a certain area outside its city limits ([SB 3088](#))

### **Signed by the governor:**

- Extends repeal date on requirement that all No Call user fees and charges be deposited into the state general fund ([HB 100](#))
- "All Fuels Act of 2021" ([HB 632](#))
- Revise residency requirement for commissioners of the Caledonia Natural Gas District, and for related purposes ([HB 1436](#))
- Expand boundaries of Marshall Utility Services Sewer District ([HB 1480](#))
- Authorize the Town of Shannon to expand its natural gas distribution system ([HB 1481](#))

### **Died in committee:**

- Remove PSC from the provisions of the Budget Transparency and Simplification Act ([HB 91](#))
- Authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system ([HB 942](#))
- Mississippi Broadband Accessibility Act ([HB 505](#))
- Remove ITS control over the Wireless Communication Commission ([HB 108](#))
- Allow the PSC to contract with federal agencies for the collection of data and mapping of broadband availability ([SB 2559](#))
- Allow the City of New Albany to lease fiber to internet service providers ([SB 3092](#) and [HB 1508](#))

Several other high-profile pieces of legislation not directly related to the MPSC, utilities or utility services were brought forth but failed to gain traction. However, those bills could eventually have direct impacts on the economic performance of the state's businesses and the economic sustainability of household finances. It will be interesting to see if or when the Legislature gets called back to the Capitol for a special session to consider how to utilize the funds provided by the recent \$1.9 trillion American Rescue Plan federal stimulus bill.



Speaking of stimulus bills: President Biden recently announced his next step to stimulate the American economy: The American Jobs Plan. A White House [fact sheet](#) highlights investment in roads, bridges, airports, and water systems; the electricity grid; broadband internet access; and national caregiving infrastructure.





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## Commission Delivers ETC Designations to Delta Fiber LLC and 4-County Fiber LLC

On Wednesday, April 7, I joined with Commissioner Presley to deliver the signed Order that designates Delta Fiber LLC as an Eligible Telecommunications Carrier (ETC) and signals approval to receive \$46,942,795 from the Rural Digital Opportunity Fund (RDOF) Phase I to support deployment of high-speed internet and voice service to 13,535 rural customers across 12 counties served by Delta Electric Power Association (DEPA). At the presentation ceremony, we were joined by members of the DEPA Board and staff and local members of the Mississippi Legislature.



Later in the day, we presented the leaders of 4-County Electric Power Association (4-County EPA) with the signed Order that designates 4-County Fiber LLC as an ETC. This designation allows 4-

County Fiber LLC to receive \$35,584,890 from the RDOF Phase I to support the deployment fiber infrastructure to extend voice and gigabit-speed broadband internet services to 12,343 rural customers across 8 counties served by 4-County EPA. Again, we were joined by 4-County EPA leaders and staff, project partners and local members of the Mississippi Legislature.



Mississippi winning over \$495 million through the RDOF Phase I auction. The need for rural broadband in Mississippi's rural communities has never been more apparent than it is now. Access to telehealth services, remote learning for school children and remote business operations all require reliable broadband connectivity. Expanding access to this critical infrastructure across the state will help ensure Mississippians prosper for years to come.

I am thrilled with the incredible success of



*Delta EPA General Manager David O'Bryan displays Delta Fiber's 5-year fiber deployment plan.*



*4-County EPA CEO Brian Clark and his team have moved aggressively to connect customers.*



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## Highlights from the MPSC April 2021 Docket Meeting

The Mississippi Public Service Commission met on March 2, 2021, to consider and take action on the following [agenda](#) items:

- ❑ The Commission [approved](#) **Entergy Mississippi LLC's** Vegetation Management Rider (VM-1). For 2021, EML plans to spend an estimated \$19 million on distribution vegetation and an estimated \$4 million on transmission vegetation. The VM-1 rider will increase an average 1,000 kWh residential customer's bill by approximately \$0.65 per month.
- ❑ The Commission [approved](#) **Atmos Energy's** request to: Expand its certificated area; Extend existing natural gas transmission pipeline; and, Grant special contract with Biewer Sawmill to supply natural gas service in Montgomery County.
- ❑ The Commission [approved](#) **Mississippi Power Company's** Ad Valorem Tax Adjustment Rider (ATA-2). The ATA-2 rider will increase an average 1,000 kWh residential customer's bill by approximately \$3.88 per month. Ad Valorem taxes are directly passed on to customers.
- ❑ The Commission issued an [Order](#) approving transfer of ownership of the **Fusion Companies** and an [Order](#) approving the transfer of indirect control of **Lingo Communications**.
- ❑ The Commission approved the Applications for Designation as an Eligible Telecommunications Carrier (ETC) for the following: [East Mississippi Connect LLC](#); [Delta Fiber LLC](#); [4-County Fiber LLC](#); and [Conexon Connect LLC](#).
- ❑ The Commission [approved](#) establishment of initial rates for sewer service for **Thaxton Hills Subdivision** in Pontotoc County. The Commission tabled action on **Town of Myrtle** water rate increase request.
- ❑ Commissioners approved the [Order](#) to establish a Docket to investigate the long-term benefits, costs and commitments of the membership of **Entergy Mississippi LLC** in the **Midcontinent Independent System Operator**. Interested parties and stakeholders are invited to submit comments within 75 days of publication.
- ❑ The Commission approved Orders for the following referrals: [Proposal of 4-County EPA to construct substation in Monroe County](#); [Proposal of Entergy Mississippi to construct substation and transmission lines in DeSoto County](#); [Application of The Oaks Utilities to operate a water system in Harrison County](#).
- ❑ The Commission held a hearing on the petition of **Mississippi Power Co.** for a certificate to construct, own and operate a solar generation and battery storage demonstration project in Leake County. The project will be a 1.285 MW AC solar photovoltaic energy generating facility and a 5.14 MWh capacity battery storage system with a maximum capacity of 1.5 MW capable of providing power to approximately 300 homes. After hearing testimony, the Commission directed staff to construct an appropriate Order approving the project.



## Last Week at the MPSC

- ❑ The following interveners filed comments in Docket No. 2021-AD-19, Order Establishing Docket to Review the Efficacy and Fairness of the Net Metering and Interconnection Rules: [Attorney General](#); [Entergy Mississippi, LLC](#); [The City of Jackson](#); [2<sup>nd</sup> Mississippi](#); [MS NAACP](#); [Integrity/Audubon](#); [Gulf States Renewable Energy Industry Association](#); [Scenic Hill Solar, LLC](#); [Solar Energy Industries Association](#); [Winona-Montgomery Consolidated School District](#); [PosiGen Inc.](#); [MS Solar Energy Society](#); [EECHO and Steps Coalition](#); [Dimension Renewable Energy, LLC](#); [MS Power Company](#); and [Sierra Club](#).



# FROM THE DESK OF COMMISSIONER BRENT BAILEY CENTRAL DISTRICT OFFICE

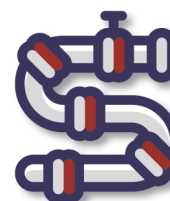


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- ✎ The Commission issued recommended orders for petitions for Designation as an Eligible Telecommunications Carrier to Receive Rural Digital Opportunity Fund Phase I support: [CoastConnect, LLC](#); [DE Fastlink, LLC](#); [Pearl River Valley Communications, LLC](#); [Tishomingo Connect, LLC](#); [TEPA Connect, LLC](#); [Tombigbee Fiber, LLC](#); [Tallahatchie Valley Internet Services, LLC](#); [Prentiss Electric Broadband, LLC](#); [North East Fiber, LLC](#); [NT Spark, LLC](#); [M-Pulse Fiber, LLC](#); [First Light Fiber, LLC](#); [Delta Fiber LLC](#); [4-County Fiber, LLC](#); [East Mississippi Connect, LLC](#); and [Conexon Connect, LLC](#).
- ✎ **Windstream Communications, LLC** [filed](#) its application for designation as an Eligible Telecommunications Carrier.
- ✎ The Commission issued an [order](#) approving **Mississippi Power Company's** notice filing of its intent to withdraw rates for electric service in seasonal electric service rider "SR-13" and for large power high load factor "LPO-44."
- ✎ **Entergy Mississippi, LLC** filed its [Notice](#) of Technical Conference noticed for April 19, 2021. **Entergy Mississippi, LLC** also filed its [Net Metering and Interconnection Report](#) as well as an [Attachment](#) describing its notice to customers for its annual Formula Rate Plan filing for 2021.
- ✎ **Sprint Communications Company L.P.** [filed](#) its Annual 5G Deployment Report.
- ✎ **Spire Mississippi, Inc.** submitted its [application](#) for approval of its [Energy Efficiency Portfolio Plan](#).

Our Pipeline Safety Division completed **11** construction inspections in the Central District during the month of March 2021.

The total costs for construction notices that were received by the Commission in the Central District during the month of February is approximately **\$916,000**.



*"Reporting of Construction Work"- The rule is found in Chapter 57.1: All Construction work involving gas facilities in which the estimated cost of proposed facilities is in excess of eight thousand dollars are related facilities that would be governed by the Federal Minimum Safety Requirements, will be reported in writing, or via telephone to the MS Public Service Commission prior to starting date of such construction. (There are exceptions for emergencies.)*

*The Commission encourages all intra-state natural gas operators to comply with the rule.*



Last week, our Consumer Complaint Specialists handled a total of **22** complaints in the Central District.

Electric Companies	10
Telecommunications	5
Water/Sewer	5
Natural Gas	2

Last week, the Central District received a total of **234** complaints from consumers against potential telemarketers through our no call app, website and mail-ins. The top four general issues reported by consumers are related to auto warranties, credit cards, and insurance.

*We encourage consumers to file telemarketing complaints with the Federal Trade Commission at <http://www.donotcall.gov/> in addition to filing complaints with the Mississippi Public Service Commission.*