

March 2, 2022



**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

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Teaming Up to Advance Energy Efficiency

Goodbye, February. Hello, March. Within the month of March, we will transition back to Daylight Savings time on March 13 and welcome the first day of Spring on March 20. While we will likely continue to experience some cool temperatures over the next month or so, I hope we avoid what the state experienced just over a year ago with the back-to-back ice storms that caused power outages, scattered water pressure loss and disruption of some telecommunications.

Not long after the extremely cold temperatures that hit the state in February 2021 exited the region, electric bills that reflected higher energy consumption began arriving in people's mailboxes and some folks got a little warm under the collar. My office received a significant number of high bill complaints from the residents of Pearl, Mississippi. In some cases, the billing period approached 39 days since some meter readers were unable to safely access certain meters and that added to the overall usage for that billing period. But in most cases, the charges reflected actual usage driven by the winter storm event. Furthermore, virtually every customer I talked to was not aware of the various programs offered by their electric utility provider that assist in reducing home and business energy use.

This office then went to work collaborating with the leadership of Pearl and with energy efficiency program personnel of Entergy Mississippi to set up a targeted effort to deliver information and services to the residents of the City of Pearl. One of the goals was to amplify customer awareness and utilization of the Residential Energy Assessment and Direct Install (READI) program and other financial and technical assistance programs for residential and commercial customers.

The enhanced customer outreach occurred through June and July 2021. This involved utilizing Entergy trade allies to help promote business programs as well as door-to-door visits by energy efficiency program staff to provide information to residential customers. I also discussed the enhanced outreach efforts on the Pearl streaming show *This Week in Pearl* and promoted programs via social media and this newsletter. April and May 2021 were the baseline to compare how the enhance outreach effort performed. The data below is the result metrics from the City of Pearl Entergy Solutions Outreach in June/July 2021 as compared to April/May 2021.

READI		HVAC Tune Up		Appliance Rebates	
June/July	April/May	June/July	April/May	June/July	April/May
104	8	2	0	33	15



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Marketplace Transactions		Small Business Audits		Commercial Projects	
June/July	April/May	June/July	April/May	June/July	April/May
52	40	14	1	3	2

As you can see in the tables, every program area increased in activity. I appreciate the efforts of Entergy Mississippi's energy efficiency program administrator and staff as well as the efforts of Entergy's trade allies to directly engage businesses and inform them of the incentives available to implement measures capable of delivering immediate savings. While the enhanced outreach efforts in Pearl was successful, I am hopeful that all utilities can and will increase awareness of energy efficiency and other demand side management programs to customers across the state. Energy efficiency continues to be a reliable investment – especially when customers are provided the opportunity and information they need to maximize the savings of program measures. The Central District will continue to champion the benefits of actions to increase energy efficiency and improve weatherization. Please contact your electric or natural gas utility provider to see what programs are available.

Energy Efficiency in the Southeast

The Southern Alliance for Clean Energy has released its fourth annual report, “[*Energy Efficiency in the Southeast*](#),” to document recent developments and trends in electric utility energy efficiency programs. The report uses energy efficiency performance data from 2020 taken as a percent of annual electric retail sales as that was the most recent year with complete data. The report found that energy efficiency performance in the Southeast has consistently underperformed as compared to other regions of the country. Meanwhile, Mississippi's utilities' cumulative energy saved as a percent of annual sales, lags behind the Southeast average.

ENERGY SAVED AS A % OF ANNUAL SALES	
UTILITY	2020
ENTERGY MISSISSIPPI	0.21%
SOUTHEAST AVERAGE	0.20 %
MISSISSIPPI AVERAGE	0.11%
MISSISSIPPI POWER	0.10%
TENNESSEE VALLEY AUTHORITY	0.05 %

COVID-19 disrupted the promotion and delivery of efficiency program measures across the Southeast, including Mississippi. Nearly every utility system in the Southeast saw significant efficiency savings decline. Energy insecurity for already-vulnerable households likely intensified.



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As mentioned in the report, the MPSC's Integrated Resource Planning and Reporting Rule requires utilities to implement a Demand Side Management (DSM) Portfolio. For purposes of the rule, DSM includes energy efficiency among other offerings. However, there is no guidance regarding comprehensiveness, scale and performance metrics. Thankfully, the rule does allow the establishment of individual utility savings targets should DSM performance be determined to be insufficient. I encourage utilities impacted by the IRP Rule to design and implement energy efficiency program portfolios that achieve annual energy savings of 0.5% of annual retail energy sales.

Broadband News

Mississippi Awarded Nearly \$32.7 Million for Broadband Infrastructure Expansion

On February 25, the Department of Commerce's National Telecommunications and Information Administration (NTIA) [announced](#) it awarded 13 grants to 12 states and one territory as part of the Broadband Infrastructure Program per the Consolidated Appropriations Act of 2021. These grants total more than \$277 million and will be used to connect more than 133,000 unserved households. Mississippi was awarded \$32.7 million to bring qualifying broadband to 12,487 unserved homes.

Grants were awarded to the following telecom companies and areas:

Project Name	County	Amount
Bay Springs Smith County	Smith County	\$ 5,507,845.20
Bruce Telephone	Calhoun County	\$ 7,625,076.17
C Spire Issaquena	Issaquena County	\$ 894,780.00
C Spire Madison County	Madison County	\$ 625,500.00
CableSouth Media 3 Collins	Covington County	\$ 1,755,000.00
Franklin Telephone	Lincoln County	\$ 5,326,250.40
MaxxSouth New Albany	Benton/Union County	\$ 3,072,303.78
MaxxSouth Pontotoc	Pontotoc County	\$ 1,693,345.18
Uplink Coahoma	Coahoma County	\$ 4,859,330.58
We Connect Calhoun County	Calhoun County	\$ 1,336,901.24



Federal News

While this newsletter typically focuses on state and regional regulatory issues, rarely have I seen such a confluence of federal issues arise that have a potential to materially impact utility operations, energy costs and customer experience. The past week to ten days has been interesting to watch. Furthermore, the Commission must consider how each of these actions potentially influence regulations, policy and customer service.

FCC Proposes \$45 Million Fine Against Telemarketer

Last week, the Federal Communications Commission [proposed](#) a \$45 million fine against Interstate Brokers of America for apparently making 514,467 unlawful robocalls without the subscribers' prior express consent or without an emergency purpose. This is the largest robocall fine ever proposed by the Commission under the Telephone Consumer Protection Act. The company purchased lists of phone numbers from third-party vendors.



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The company also acquired numbers from consumers looking for health insurance quotes online, without clearly disclosing that, by providing contact information, the consumers would be subject to robocalls. The company still has an opportunity to respond to the FCC complaint.

FERC Revises Policies to Guide Natural Gas Project Certifications

Last Thursday, the Federal Energy Regulatory Commission (FERC) voted 3-2 to [approve two policies](#) that amend its certification process for pending and new project applications for natural gas pipelines and liquefied natural gas terminals. The new [Interim Greenhouse Gas \(GHG\) Policy Statement](#) establishes a presumption that any proposed project with 100,000 metric tons of CO₂e emissions from construction and operation will be deemed to have a significant impact on climate change, thereby triggering the preparation of an Environmental Impact Statement (EIS). FERC's [Updated Pipeline Certificate Policy Statement](#) will consider information about the need and intended end use of natural gas associated with the proposed project to help explain why it is needed; will consider efforts to minimize the use of eminent domain and a wider range of impacts to landowners beyond just the economic impacts associated with siting the right-of-way; will now formally include a significant consideration of potential project-related impacts to environmental justice communities; and will consider environmental impacts and the extent to which those impacts can be mitigated. FERC has a backlog of pipeline project applications. It remains to be seen how these new policies impact natural gas costs and supply reliability.

Federal Court Rules Against Administration's "Social Cost of Carbon" Calculation

Judge James Cain, United States District Judge for the Western District of Louisiana, recently issued a preliminary injunction against the use of the "social costs of greenhouse gases" that were instated under the Biden administration. The "social costs" were a key uniform accounting measure for determining the climate benefits or costs of regulations. The ruling also prevents agencies from relying on any costs that take global damage into account. Over the weekend, the administration said in a court filing that nearly 40 agency rules at the Department of Energy, the EPA, the Transportation Department and Interior Department will have to be postponed or reworked. These include everything from energy efficiency standards to funding for transit projects to new oil and gas leasing.

U.S. Supreme Court Hears Arguments Over EPA's Authority to Regulate GHGs

Currently, no regulation limits greenhouse gas (GHG) emissions from power plants. Efforts at the Environmental Protection Agency (EPA) to regulate GHGs through the Clean Power Plan and the Affordable Clean Energy Rule each failed due to litigation. Justices at the Supreme Court heard oral arguments on Monday in *West Virginia v. EPA*. (Mississippi is a petitioner in the proceeding.) The Court has already ruled in 2007 and in 2011 that the EPA can regulate GHG emissions from power plants under the Clean Air Act. The outcome of this case could determine whether the U.S. will be able to meet a government goal of cutting carbon emissions by 50% over the next eight years and shifting entirely to clean energy sources by 2035. The U.S. power sector is the nation's second-largest source of greenhouse gas emissions.

Nuclear Regulatory Commission Reverses Operating License Renewal

On February 24, the Nuclear Regulatory Commission (NRC) issued an order by a 2-1 vote effectively reversing the license renewal of NextEra's Turkey Point Nuclear Generating Units 3 & 4. The NRC also indicated that all subsequent nuclear life extensions would require refreshed environmental assessments, a difference from initial license renewal requests. US nuclear plants typically have a 40-year license with many operating under an initial 20-year life extension for a combined 60-years.



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Many nuclear plants are approaching their sixtieth birthdays and have begun the subsequent life extension process for a combined 80-years. The Nuclear Energy Institute (NEI) forecast that the number of reactors expected to pursue second license renewals would be approximately 12 in 2022 but increasing to nearly 30 by 2025-2026. Some see this new NEPA review requirement as a threat to long-life operation of large-scale, zero-carbon emission electric generation.

DoD, GSA Request Information on Carbon Free Electricity Supply

The U.S. Department of Defense (DoD) and the U.S. General Services Administration (GSA) announced a Request for Information (RFI) to gather market information and capabilities in supplying carbon pollution-free electricity to the federal government. This RFI is in conjunction with efforts to support the President's Executive Order which directs the federal government to use 100% net carbon free electricity by 2030 and put the nation on a path to a carbon-free electricity sector by 2035. With more than 300,000 buildings and 600,000 vehicles, the federal government is the nation's largest energy consumer. The federal government buys most of its electricity via contracts issued by the GSA and DoD's Defense Logistics Agency. The federal government expects it will catalyze the development of at least 10 gigawatts of new American clean electricity production by 2030.



Highlights from the March 1 Open Docket Meeting

The Mississippi Public Service Commission met on March 1, 2022, at 10:00 am CT to consider the following agenda items:

- ☑ **The Commission** considered and approved an Order regarding **Entergy Mississippi, LLC's** Notice of Intent for Recovery of Vegetation Management Operation and Maintenance Costs. For 2022, the proposed residential factor will decrease from \$0.002485 per kWh to \$0.002062 per kWh. Approval of the proposed factor will decrease an average 1,000 kWh residential customer's bill by approximately \$0.43 per month. Entergy MS proposed a budget of \$23.3 M for vegetation management in 2022.
- ☑ **The Commission** granted Orders referring the following matters:
- ☑ Order Referring Joint Petition of **Cooperative Energy** and **Southern Pine Electric Cooperative** for Certificate of Public Convenience and Necessity Authorizing them to Acquire, Construct, Own and Operate Electrical Transmission Lines and Substation Facilities in **Rankin County (East Brandon)** to the Central District Commissioner for hearing, report, and recommendation.
- ☑ Order Referring Petition by **Entergy Mississippi, LLC** for a Certificate of Public Convenience and Necessity to Make Reliability Improvements to and Modernize Its Transmission and Distribution Infrastructure in **Desoto County** to the Northern District Commissioner for hearing and report.
- ☑ Order Referring **Town of Flora's** Notice of Intent to Increase Rates for Water Service and an Order Referring **Town of Flora's** Notice of Intent to Increase Rates for its Sewer Service in its Certificated Area in **Madison County** to the Central District Commissioner for hearing, report, recommendation, and any other action necessary.
- ☑ **The Commission** considered and approved an Order Canceling the Certificate of Public Convenience and Necessity for Network Innovations, Inc.
- ☑ **The Commission** also approved an Order Canceling the Certificate of Public Convenience and Necessity for **Mobilitie Management, LLC**.
- ☑ **The Commission** agreed to assemble a committee to review professional consultant service proposals and make a recommendation to the Executive Secretary to execute a contract for service.



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- ☑ **The Commission** held a public hearing following the regular open meeting of the Commission regarding the [Order](#) Inviting Final Written Comment and Setting Hearing on the Proposed Rule Changes regarding proposed final modifications to the **Mississippi Renewable Energy Net Metering Rule and the Mississippi Distributed Generator Interconnection Rule** (collectively MRENMR). In addition to certain revisions to the MRENMR, the Order establishes a rebate program that provides eligible residential customers an upfront cash rebate up to \$4,000 for the purchase of a renewable distributed energy facility, such as rooftop solar. The Order maintains current generation benefits adder values, but also creates a Solar for Schools program with three participation options. The following Intervenors provided comments at the public hearing: **Audubon Delta; Scenic Hill Solar, LLC; Sierra Club; Posigen, Inc.; Sundial Solar Power Developers; Entergy Mississippi, LLC; Mississippi Power Company**
- ☑ In response to Russia's invasion of the country of Ukraine, the **Commission** issued a request for all regulated utilities to confidentially file with the **Commission** any business connections or potential ties to Russia and actions to sever such connections if they exist.



Legislation Tracker




Tuesday, March 1, was the deadline for committees to report out general bills and constitutional amendments that originated in the other chamber. The number of active bills usually diminish greatly with this deadline. Bills generally supported by the MPSC fell victim to this deadline. March 9 will be the deadline for floor action on general bills and constitutional amendments that originated in the other chamber. The Commission continues watching numerous bills that could impact customers, certain utilities or the MPSC.

- [HB 939](#): Municipalities, certain; extend repealer on authority to create program addressing delinquent customer water bills. ***Died in Committee.***
- [HB 1028](#): Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. ***Died in Committee.***
- [HB 1029](#): Mississippi Broadband Accessibility Act; create. ***Title Suff Do Pass as Amended.***
- [HB 1031](#): Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects. ***Title Suff Do Pass as Amended.***
- [HB 1376](#): MS Consumer Privacy Act; create to prohibit any agency, department or institution from releasing any personal information. ***Died in Committee.***
- [HB 1421](#): Establish ARPA Rural Water Associations Infrastructure Grant Programs under Department of Health. ***Title Suff Do Pass as Amended.***
- [HB 1425](#): Establish ARPA Wastewater and Drinking Water Infrastructure Grant Programs under DEQ and Department of Health. ***Title Suff Do Pass as Amended.***
- [SB 2474](#): Municipally owned electric utilities; shall have same powers as electric power cooperatives. ***Died in Committee.***
- [SB 2604](#): Mississippi Broadband Expansion Act; enact. ***Died in Committee.***
- [SB 2814](#): Mississippi Water Quality Commission; create for the purpose of providing oversight of certain water and sewer systems. ***Died in Committee.***
- [SB 2822](#): "Mississippi Water and Wastewater Transformation Infrastructure Grant Program Act of 2022"; establish. ***Title Suff Do Pass as Amended.***
- [SB 2898](#): Certain municipalities allowed to establish overdue water/sewer payment programs; extend repealer on authority for. ***Title Suff Do Pass as Amended.***

Please note that identification of a bill in this newsletter does not indicate support or opposition to a measure. Each bill is simply identified as an example of legislation that has been assigned to Energy, Public Utilities or other committees with oversight of these matters. Bills being tracked could change from week to week.



Last Week at the MPSC

-  In response to the Commission's [Order](#) Inviting Final Written Comment and Setting Hearing on the Proposed Rule Changes regarding proposed final modifications to the MRENMR, the following individual filed [Comments](#).
-  The following regulated utilities have filed their Annual Reports as required by the Hire Mississippi Rule: [CenterPoint Energy](#)
-  **The Commission** filed a [Suspension Order](#) in regards to **Mississippi Power Company's** Notice of its 2022 ECO Filing Pursuant to the Environmental Compliance Overview Plan.



Last week, I spoke at the Forest Rotary Club. We appreciate Lesa Davis (pictured far left) for reaching out as it is always good to speak with and listen to the concerns of our friends in Scott County. I also enjoyed visiting with Mayor Nancy Chambers and the club's President, Lee McCarty (pictured middle).

While in Forest last week, we made a stop by Raytheon Technologies, who creates some of the most sophisticated defense systems in the world. We're happy to see them continue to expand their operations at their Forest facility.



I joined Lena, MS Mayor Randy Jones (pictured above) and town leaders Tuesday evening to discuss the current state of broadband deployment in MS, the challenges facing rural communities, and potential solutions.

SAVE THE
DATE: March 8
Special Meeting

MARCH

8

[https://
www.psc.ms.gov/sites/
default/files/2022-02/
NOTICEOFSPECIALMEETING03082022.pdf](https://www.psc.ms.gov/sites/default/files/2022-02/NOTICEOFSPECIALMEETING03082022.pdf)



Last week, our Consumer Complaint Specialists handled a total of **38** complaints in the Central District.

Electric Companies	31
Water/Sewer	5
Telecommunications	2

Last week, the Central District received a total of **165** complaints from consumers against potential telemarketers through our no call app, website and mail-ins.

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.