

## FLED

SEP 1 1 2018

MISS. PUBLIC SERVICE COMMISSION

'18 - AD - O6 4

September 11, 2018

ENTERGY SERVICES, INC. 308 É. Pearl Street (39201)

P.O. Box 1640 Jackson, MS 39215

Jackson, MS 39215 Tel 601 969 2662 Fax 601 969 2406

Jeremy C. Vanderloo Assistant General Counsel

## VIA ELECTRONIC MAIL

Commissioner Brandon Presley, Chairman Commissioner Cecil Brown, Vice-Chairman Commissioner Sam Britton Mississippi Public Service Commission Post Office Box 1174 Jackson, MS 39215

## Dear Commissioners:

On behalf of EMI, I am writing to disagree with the characterizations and content of the Supplemental Testimony of Mr. Erik Randolph filed in the IRP rulemaking Docket on behalf of the Bigger Pie Forum. EMI strongly disagrees with Mr. Randolph's implication that the Public Utilities Staff's statutory mandate to balance the interests of the public and utilities is a "regulatory defect". (See Randolph Supp. Testimony, p. 4.) EMI also strongly disagrees with Mr. Randolph's characterization that the Public Utilities Staff does "not exercise the same level of vigilance" as regulatory staffs in other jurisdictions. (Randolph Supp. Testimony, p. 3)

Furthermore, Mr. Randolph appears confused by EMI's position. EMI's proposed IRP Rule does not undo the requirements of Rules 4 & 6 of the Commission's and Staff's Rules of Practice and Procedure that address confidentiality. Those rules appropriately reaffirm Mississippi statutory and case law. I am writing to confirm that *EMI's proposed IRP Rule is entirely consistent with the long-followed and well-established practice* followed by Entergy Mississippi and the Commission that <u>allows</u> "an Intervenor... to view the information marked 'confidential' and/or 'proprietary' by the utility upon signing a confidentiality agreement with the utility that the information can only be used or responded to by the Intervenor under seal in that proceeding...." (Randolph Supp. Testimony, p. 6) (emphasis added).

Respectfully,

Jeremy C. Vanderlo