



LA PUBLIC SERVICE COMM
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July 21, 2025

VIA HAND DELIVERY

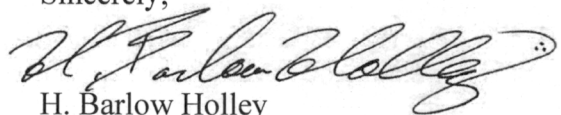
Ms. Kris Abel
Records Supervisor
Records Division
Information Technology Department
Louisiana Public Service Commission
602 North Fifth Street
Galvez Building, 12th Floor
Baton Rouge, Louisiana 70802-5312

***Re: Docket No. U-37394, South Louisiana Electric Cooperative Association,
ex parte. In re: Petition for approval of abandonment of electric facilities
located in Terrebonne and Lafourche Parishes pursuant to Commission
General Order dated July 9, 2008 (R-30301).***

Dear Ms. Abel:

Enclosed for filing in the above-referenced matter is a Motion to Convert Certain Intervenor to Interested Parties for Failure to Comply with Ruling on Motion to Compel with Incorporated Memorandum of Law in Support. Please file the enclosed original into the record of the above-referenced docket, and provide one of the enclosed copies to the Administrative Hearings Division and one to the Legal Division. If you have any questions regarding this filing or need any additional information, please feel free to contact me at the telephone number listed above. Thank you and kindest regards.

Sincerely,


H. Barlow Holley

Hand

BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION

SOUTH LOUISIANA ELECTRIC
COOPERATIVE ASSOCIATION,
EX PARTE

DOCKET NO. U-37394

In re: Petition for approval of abandonment of electric facilities located in Terrebonne and Lafourche Parishes pursuant to Commission General Order dated July 9, 2008 (R-30301).

**MOTION TO CONVERT CERTAIN INTERVENORS TO INTERESTED PARTIES
FOR FAILURE TO COMPLY WITH RULING ON MOTION TO COMPEL
WITH INCORPORATED MEMORANDUM OF LAW IN SUPPORT**

NOW BEFORE the Louisiana Public Service Commission (“Commission”), through undersigned counsel, comes South Louisiana Electric Cooperative Association (“SLECA”), who respectfully submits this Motion to Convert Certain Intervenor to Interested Parties for Failure to Comply with Ruling on Motion to Compel with Incorporated Memorandum of Law in Support (“Motion”) and moves that the Tribunal convert the Intervenor Mike and Cary Brignac and Warren M. Sanamo, Jr., who have failed to respond to discovery in this matter as ordered, to interested parties. In support of this Motion, SLECA represents as follows:

1.

On July 9, 2025, the Tribunal issued a Ruling on Motion to Compel (“Ruling”) in this matter. In its Ruling, the Tribunal ordered Matthew Benoit, Mike and Cary Brignac, and Warren M. Sanamo, Jr., to “respond to SLECA Data Requests Nos. 1-21, 1-24, 1-25, 1-27, 1-28 and 1-30 separately and fully in writing under oath, unless objected to, in which event the reasons for objection shall be stated in lieu of an answer, with copies of the response mailed to all parties, on or before Friday, July 18, 2025.” (emphases in original)

2.

In its Ruling, the Tribunal stated that “[i]f Matthew Benoit, Mike and Cary Brignac, and Warren Sanamo, Jr. fail in this regard, SLECA may file, and this tribunal will consider, a motion for appropriate sanctions.”

3.

At the time of filing this Motion, SLECA has not received responses under oath or objections from Mike and Cary Brignac or Warren M. Sanamo, Jr.¹

4.

Pursuant to Rule 55(h) of the Commission’s Rules of Practice and Procedure, the Tribunal has the authority to impose sanctions for failure to comply with discovery rules and orders. Under Rule 63 of the Commission’s Rules of Practice and Procedure and Louisiana Code of Civil Procedure Article 1471, the Tribunal may impose a range of sanctions upon a party for failure to obey an order, including admitting as facts allegations not responded to, refusing to allow the party to support or oppose claims or defenses, prohibiting the party from introducing evidence on designated matters, striking pleadings or parts thereof, staying further proceedings until the order is obeyed, dismissing the proceeding or any party thereof, rendering a default judgment against the party, or requiring the party to pay reasonable expenses, including attorney fees, caused by the failure to comply.

¹ Mr. Sanamo responded via electronic mail on July 9, 2025, but his responses were not under oath and, thus, did not comply with the Tribunal’s Ruling. SLECA advised Mr. Sanamo accordingly on July 10, 2025. *See* Exhibit “A” *in globo* attached hereto.

5.

The Tribunal, like a trial court, has much discretion in imposing sanctions for failure to comply with discovery orders.² The purpose of such sanctions is to achieve evidentiary balance, fairness, and justice, as well as to deter improper conduct.³ Criteria to be considered in imposing sanctions under Louisiana Code of Civil Procedure Article 1471 are the prejudice to the other party and the willfulness of the disobedient party.⁴ Any sanction to be imposed by the trial court should be tailored to the particular facts existing in the case.⁵

6.

In previous dockets, the Tribunal has dismissed a party as a sanction for failure to comply with its rulings on motions to compel.⁶ Applying the legal standards to the facts of this case and considering the harshness of dismissal, SLECA contends that the lesser sanction of converting Mike and Cary Brignac and Warren M. Sanamo, Jr., to interested parties is more appropriate under

² *Hutchinson v. Westport Ins. Corp.*, 04-1592, p. 2 (La. 11/8/04), 886 So. 2d 438, 440 (per curiam); *Lathan Co. v. Dept. of Ed., Recovery Sch. Dist.*, 23-309, p. 17 (La. App. 1 Cir. 2/21/24), 384 So. 3d 399, 412; *Matter of Succession of Morris*, 19-562, p. 11 (La. App. 1 Cir. 6/17/20), 312 So. 3d 285, 293; *Stevens v. St. Tammany Par. Gov't*, 16-534, p. 12 (La. App. 1 Cir. 1/18/17), 212 So. 3d 568, 576; *Carter v. Hi Nabor Super Mkt., LLC*, 13-0529, p. 8 (La. App. 1 Cir. 12/30/14), 168 So. 3d 698, 704; *JP Morgan Chase Bank, N.A. v. Boohaker*, 14-594, p. 12 (La. App. 1 Cir. 11/20/14), 168 So. 3d 421, 429; *Lirette v. Babin Farm, Inc.*, 02-1402, p. 3 (La. App. 1 Cir. 4/2/03), 843 So. 2d 1141, 1143; *Moody v. Moody*, 622 So. 2d 1376, 1380 (La. App. 1 Cir. 7/2/93); *Hampton v. State*, 496 So. 2d 452, 459 (La. App. 1 Cir. 10/15/86).

³ *Carter*, 168 So. 3d at 704.

⁴ *Horton v. McCary*, 93-2315 (La. 4/11/94), 635 So. 2d 199, 204; *Morris*, 312 So. 3d at 293; *Stevens*, 212 So. 3d at 576; *Boohaker*, 168 So. 3d at 429; *Nitcher v. Northshore Reg. Med. Ctr.*, 11-1761, p. 16 (La. App. 1 Cir. 5/2/12), 92 So. 3d 1001, 1012.

⁵ *Carter*, 168 So. 3d at 704.

⁶ See, e.g., Order No. T-31187 dated January 28, 2010, Triple F Oilfield Service, LLC (Shelbyville, Texas), *ex parte*, *In re: Application for a Common Carrier Certificate of non-hazardous oilfield waste, non-hazardous industrial solid waste and hazardous waste over irregular routes statewide*; Order No. T-30198 dated March 3, 2008, Environmental Safety & Health Consulting Services, Inc. (Houma, Louisiana), *ex parte*, *In re: Application for a common carrier certificate authorizing the transportation of solid and liquid wastes over irregular routes from, to, and between all points lying within the State of Louisiana*; Order No. U-24457 dated May 31, 2000, Holiday Utilities, Inc., *ex parte*, *In re: Application for authority to convert water rates within Holiday Gardens System, Lafayette Parish, Louisiana from a flat rate to a metered rate and to increase non-recurring fees for the same service for the same service area*; Order No. U-23630, dated March 21, 2000, D&W Drilling Company, *ex parte*, *In re: Application for authority to increase water rates within the area served by the Company in Brigas Acres Subdivision, Calcasieu Parish, Louisiana*; Order No. U-23629 dated September 9, 1999, Utility Services of Lakes Charles, Inc., *ex parte*.

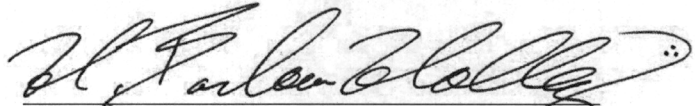
these circumstances. By granting such conversion, the Tribunal will relieve Mr. and Mrs. Brignac and Mr. Sanamo of their rights and responsibilities as full participants in this proceeding, including those concerning presentation of evidence at the hearing, but maintain their ability to stay informed of filings in this docket by receipt of notice thereof.

WHEREFORE, SLECA respectfully moves that the Tribunal:

1. Grant this Motion; and
2. Issue a ruling converting Mike and Cary Brignac and Warren M. Sanamo, Jr., to interested parties.

Respectfully submitted,

MARIONNEAUX KANTROW, LLC



Kyle C. Marionneaux (Bar Roll No. 28785)

Kara B. Kantrow (Bar Roll No. 31042)

John N. Grinton (Bar Roll No. 38459)

H. Barlow Holley (Bar Roll No. 38275)

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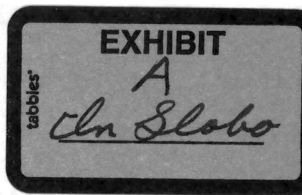
barlow@mklawla.com

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of July, 2025, served copies of the foregoing pleading upon all other known parties of this proceeding by electronic mail or by regular United States mail, postage prepaid and properly addressed.



H. BARLOW HOLLEY



Re: [*EXT*] Dkt. No. U-37394—Motion to Compel Adequate and Complete Discovery Responses

From Barlow Holley <Barlow@MKLAWLA.COM>

Date Thu 7/10/2025 11:46 AM

To Warren Sanamo <warren.sanamo@chouest.com>

Cc braeden.smith@la.gov <braeden.smith@la.gov>; Donnie Marks <donnie.marks@la.gov>; Justin Bello <justin.bello@la.gov>; thomas.broadly@la.gov <Thomas.Broadly@LA.GOV>; _PSC-DIST2 <psc-dist2@la.gov>; _PSC-DIST3 <psc-dist3@la.gov>; John Grinton <john@MKLAWLA.COM>; Kara Kantrow <Kara@MKLAWLA.COM>; Kyle Marionneaux <Kyle@MKLAWLA.COM>; allysonbro@yahoo.com <allysonbro@yahoo.com>; algautreaux@gmail.com <algautreaux@gmail.com>; Jake LeBlanc <leblancplumbingsolutions@yahoo.com>; andysimon@att.net <andysimon@att.net>; aprice40s@att.net <aprice40s@att.net>; brian.boss@corelab.com <Brian.Boss@corelab.com>; Bruce Messick <hbat139@gmail.com>; mim61@live.com <mim61@live.com>; bigcbernard@msn.com <bigcbernard@msn.com>; ckweaverii@bellsouth.net <ckweaverii@bellsouth.net>; chelseyllynnbennett@gmail.com <chelseyllynnbennett@gmail.com>

Dear Mr. Sanamo:

The Tribunal's July 9, 2025 Ruling on Motion to Compel required you to "respond to SLECA Data Requests Nos. 1-21, 1-24, 1-25, 1-27, 1-28 and 1-30 separately and fully in writing *under oath*, unless objected to, in which event the reasons for objection shall be stated in lieu of an answer, with copies of the response mailed to all parties, on or before Friday, July 18, 2025." (emphasis added) Since your supplemental responses are not under oath as required, SLECA has determined that they are not compliant with the Tribunal's Ruling and reserves the right to seek relief under La. Pub. Serv. Comm'n R. Prac. & Proc. 55(h).

Sincerely,

H. Barlow Holley

m.k.

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From: Warren Sanamo <warren.sanamo@chouest.com>

Sent: Wednesday, July 9, 2025 9:39 AM

To: Barlow Holley <Barlow@MKLAWLA.COM>

Cc: _PSC-DIST3 <psc-dist3@la.gov>; braeden.smith@la.gov <braeden.smith@la.gov>; Donnie Marks <donnie.marks@la.gov>; Justin Bello <justin.bello@la.gov>; thomas.broadly@la.gov <thomas.broadly@la.gov>; _PSC-DIST2 <psc-dist2@la.gov>; cguidroz@spsr-law.com <cguidroz@spsr-law.com>; Chris Guidroz <cguidroz@gmail.com>; John Grinton <john@MKLAWLA.COM>; Kara Kantrow <Kara@MKLAWLA.COM>; Kyle Marionneaux <Kyle@MKLAWLA.COM>

Subject: Re: [*EXT*] Dkt. No. U-37394—Motion to Compel Adequate and Complete Discovery Responses

See my below responses;

1-21 Nothing to describe

1-24 I believe SLECA should pay with or without assistance, rate payers should not pay.

1-25 Because other alternatives like Solar (not practicable), Generators (bad for the environment), etc are not as effective and reliable.

1-27 Don't know about any economic benefit but definitely better for the environment in the long run.



Warren Sanamo | DPA R G

Edison Chouest Offshore Companies

Direct (985) 601-4371 | **Cell** (985) 677-1679

Receptionist (985) 601-4444 | **Ext. 51679**

16201 E. Main St. | Cut Off, LA 70345

You can not control the direction or speed of the wind but you can adjust your sails.

On Tue, Jul 8, 2025 at 5:22 PM Barlow Holley <Barlow@mklawla.com> wrote:

Dear Sir/Madam:

Please find attached an electronic copy of a Motion to Compel Adequate and Complete Discovery Responses filed today into the record of the above-referenced docket. No hard copies will be provided; please print a copy for your records.

Sincerely,

H. Barlow Holley

m.k.

Marionneaux Kantrow, LLC

10202 Jefferson Highway, Building C

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