NO. R-07-429

BY: COUNCILMEMBERS MIDURA, CARTER, HEDGE-MORRELL AND WILLARD-LEWIS

RESOLUTION ESTABLISHING DOCKET, AND INITIATING AN INVESTIGATION REGARDING

ISSUES RELATED TO THE ENTERGY SYSTEM AGREEMENT AND THE INTENDED

WITHDRAWAL OF ENTERGY ARKANSAS, INC.

WHEREAS, pursuant to the Constitution of the State of Louisiana and the Home Rule Charter of the City

of New Orleans ("Charter"), the Council of the City of New Orleans ("Council") is the governmental body

with the power of supervision, regulation and control over public utilities providing service within the

City of New Orleans; and

WHEREAS, pursuant to its powers of supervision, regulation and control over public utilities, the Council

is responsible for fixing and changing rates and charges of public utilities and making all necessary rules

and regulations to govern applications for the fixing and changing of rates and charges of public utilities;

and

WHEREAS, Entergy New Orleans, Inc. (“ENO” or “Company”) is a public utility providing electric

service to all of New Orleans, except the Fifteenth Ward (“Algiers”), and gas service to all of New

Orleans; and

WHEREAS, Entergy Louisiana, LLC (“ELL”) provides electric service to the Algiers section of New

Orleans; and

WHEREAS, ENO and ELL are subsidiaries of Entergy Corporation (“Entergy”) and two of five operating

companies that, along with Entergy Services, Inc. (“ESI”), are parties to the Entergy System Agreement

(“System Agreement”). The other three operating companies are: Entergy Arkansas, Inc. (“EAI”);

Entergy Gulf States, Inc. (“EGSI”); and Entergy Mississippi, Inc. (The five operating companies shall be

referred to hereafter as “the Operating Companies”); and

WHEREAS, the System Agreement is a contract among the Operating Companies under which, the

Operating Companies jointly plan and operate their electric generation and bulk transmission facilities

as a single, integrated electric system; and

WHEREAS, ENO’s ratepayers receive important benefits under the System Agreement, including the

ability to share in low-cost energy that is available from other Operating Companies; and

WHEREAS, for more than fifty years, Entergy has operated as a highly integrated system and has

required ENO and the other Entergy Operating Companies to pay into the system with the expectation

tWHEREAS, the potential withdrawal of Entergy Arkansas flies in the face of this cost and benefit sharing

arrangement; and

WHEREAS, on June 14, 2001, the Council and the Louisiana Public Service Commission (“LPSC”) filed

a petition with the Federal Energy Regulatory Commission (“FERC”), which was docketed as Docket No.

EL01-88-000. The petition filed by the Council and the LPSC alleged, in part, that the System Agreement

was no longer working to produce “rough equalization” of production costs among Entergy’s operating

companies and that the System Agreement should be modified to ensure that full production cost

equalization among the operating companies is achieved going forward; and

WHEREAS, on March 13, 2003 the Council Advisors and ENO entered into an agreement in principle to

resolve and compromise on a number of issues, including a pending retail rate increase by ENO before

the Council and settlement of the Council’s claims before the FERC in Docket No. EL01-88-000; and

WHEREAS, the agreement in principle was adopted on May 15, 2003 by the Council as Resolution

R-03-272. (The agreement in principle and Resolution R-03-272 shall be referred to hereinafter as “the

Settlement Agreement”); and

WHEREAS, paragraph 24 of the Settlement Agreement provides that ENO’s purchase of capacity and

energy resources under its Resource Plan “will result in a significant reduction in the cost of energy,

which ENO is obligated to bear under the Entergy System Agreement; . . .” and

WHEREAS, EAI’s withdrawal from the System Agreement likely will have an adverse impact on the cost

of energy borne by ENO and thus erode the benefits of this negotiated reduction in energy costs to

ENO’s ratepayers. For example, the cost of energy under Service Schedule MSS-3 of the System

Agreement likely will increase as more expensive system units are dispatched to replace EAI’s units; and

WHEREAS, an increase in ENO’s allocated share of Entergy system-wide costs also potentially stem

from EAI’s withdrawal, such as the cost of the System Operations Center, as these costs will be spread

over fewer Operating Companies and customers; and

WHEREAS, the Settlement Agreement also provided that Entergy would implement its proposed

Strategic Supply Resource Plan for 2003-2012 (“SSRP”) which proposed to allocate several lower cost

generation assets to ENO thereby reducing ENO’s reliance on older, less efficient and more costly

resources; and

WHEREAS, Entergy’s implementation of its SSRP was a critical component of the Council’s Settlement

Agreement because ENO and its ratepayers had been saddled with significantly greater than average

production costs in the years immediately prior to the time of the Settlement Agreement; and

WHEREAS, one of the considerations sought by ENO in the Settlement Agreement in exchange for the

implementation of the SSRP was the implementation of a retail Formula Rate Plan complete with a

target capital structure and certain other and retail rate regulatory treatments; and

WHEREAS, in compliance with the terms of the Settlement Agreement, the Council withdrew, on June 6,

2003, its claims then pending against ENO at the FERC and implemented a Formula Rate Plan for ENO’s

jurisdictional rates; and hat both the costs and benefits will be shared as part of a unified system; and

WHEREAS, the Council continued its participation in FERC Docket No. EL01-88-000, in support of the

implantation of the SSRP but took no further litigation position on cost equalization issues; and

WHEREAS, in that proceeding, the LPSC advanced two proposals which would benefit ELL but harm

ENO: (1) inclusion of the ELL contract with the high-priced Vidalia project as a system resource (Vidalia

energy is more than four times the cost of Entergy System exchange energy); and (2) a change in the

method of allocating available Entergy System resources and long term purchases among Entergy

Operating Companies; and

WHEREAS, the final Order in that proceeding held that (1) Vidalia was an ELL-only resource, (2) the

current resource allocation methodology, which benefits the City of New Orleans, should be used, (3) a

+/- 11 percent bandwidth around Entergy System average production costs was appropriate for

determining if the Operating Companies’ production costs were roughly equalized, and (4) a prospective

remedy relating to production cost disparities commencing in 2006, with any cost adjustments occurring

in 2007 was appropriate; and

WHEREAS, on December 19, 2005, EAI, sent written notice to the other Entergy Operating Companies

of EAI’s intent to withdraw from the System Agreement; and

WHEREAS, EAI’s withdrawal from the System Agreement is largely in response to the FERC’s ruling in

Docket EL01-88-000; and

WHEREAS, in recent years, EAI’s power plants have become the least expensive on the Entergy System

(in part due to the rising costs of natural gas which powers most of Entergy’s generation in Louisiana and

Mississippi) and, as a result, EAI has paid less for power than ENO and the other Entergy Operating

Companies; and

WHEREAS, if EAI withdraws from the System Agreement, it is anticipated that upon departure it will

seek to take with it many of the System’s least expensive sources of electricity, and production costs for

the remainder of the Operating Companies, including ENO, would rise; and

WHEREAS, during the March 13, 2007 Council Utility Committee Meeting, the Council expressed

concern that EAI’s withdrawal from the System Agreement may deprive New Orleans ratepayers of the

benefits derived from the Settlement Agreement; and

WHEREAS, in response to the Council’s concerns Kathy Lichtenberg, Vice-President and Deputy

General Counsel of ENO, unequivocally stated that “Entergy New Orleans has not and will not violate

any obligation it has under the May ‘03 Agreement in Principle and, most fundamentally, Entergy

Arkansas’ notice of withdrawal will not effect those life of unit PPAs that we all worked so hard to bring

to the citizens of Entergy New Orleans;” and

WHEREAS, notwithstanding the assurances provided by Ms. Lichtenberg, the Council remains concerned

that EAI’s withdrawal from the System Agreement may deprive New Orleans ratepayers of the benefits

derived from the Settlement Agreement; and

WHEREAS, the increase in costs as a result of EAI’s withdrawal from the System Agreement would

offset the benefits to New Orleans ratepayers derived from the Settlement Agreement; and

WHEREAS, the Settlement Agreement has resulted in an estimated $185 million or more in fuel savings

for New Orleans ratepayers; and

WHEREAS, in April 2004, the Council passed Resolution R-04-237 directing ENO and ELL to notify the

Council and obtain its approval in advance of taking any action that would materially modify, amend, or

terminate the System Agreement or provide for the withdrawal of any Entergy Operating Company from

the System Agreement; and

WHEREAS, ENO and ELL appealed Resolution R-04-237 to the Civil District Court for the Parish of

Orleans (“CDC”) stating that because the System Agreement is a FERC-jurisdictional tariff, only FERC

has exclusive jurisdiction over it; and

WHEREAS, the Council counterclaimed seeking a declaratory judgment that the termination of the

System Agreement in its current form would amount to a breach of the Settlement Agreement; and

WHEREAS, on February 23, 2005, the CDC dismissed the Council’s counterclaim finding that the Court

did not have jurisdiction to consider it; and

WHEREAS, on April 4, 2005, the Council filed an appeal with the Louisiana Fourth Circuit Court of

Appeal; and

WHEREAS, on April 29, 2005, ENO’s then-President and CEO wrote the Council Advisors informing the

Council that Entergy has no current plans to terminate the System Agreement; and

WHEREAS, on April 29, 2005, ENO’s then-President and CEO wrote to the President of the Council

affirming ENO’s commitment “to steadfastly comply with the [settlement] Agreement … and its

provisions;” and

WHEREAS, the Presidents of both ENO and ELL are members of the Entergy System Operating

Committee, which in part, is charged with the administration of the System Agreement and the

determination of the long term supply for the Entergy Operating Companies and, as voting

representatives of such committee, can effect the form and substance of the System Agreement; and

WHEREAS, on May 5, 2005, Resolution R-05-298 was adopted in which the Council, in light of the

assurances articulated in ENO’s April 29 letters, (1) vacated Resolution R-04-237; (2) directed its legal

counsel to seek jointly with ENO and its affiliates dismissal without prejudice of ENO’s appeal of

Resolution R-04-237; (3) indicated it “remains highly skeptical” that there could be an outcome of FERC

Docket No. EL01-88-000 in which the Council would view termination of the System Agreement as

inuring to the benefit of New Orleans ratepayers; and (4) explicitly reserved its right and authority to

“reevaluate ratepayer options” after FERC acts and ENO’s position is known with respect to the

continued existence of the System Agreement; and

WHEREAS, on July 15, 2005, the Fourth Circuit Court of Appeal vacated the CDC’s February 23, 2005

decision and remanded the case to the CDC with the instruction that the case be dismissed without

prejudice; and

WHEREAS, on March 16, 2006, the Council passed Resolution R-06-89, in which the Council put ENO

on notice of its belief that EAI’s withdrawal could be harmful to New Orleans ratepayers and that any

actions ENO may take to facilitate EAI’s withdrawal would constitute a violation of the Settlement

Agreement; and

WHEREAS, on April 13, 2006, ENO filed a Petition for Review before the CDC seeking judgment that

Resolution R-06-89 be rendered unlawful and unenforceable; and

WHEREAS, on September 4, 2007, the City Council filed an Answer to ENO’s Petition, and the case is

currently pending before the CDC; and

WHEREAS, on December 18, 2006, the LPSC filed a complaint at the FERC in which the LPSC argues

that EAI should not be permitted to withdraw unilaterally from the System Agreement in order to

escape its obligations to the detriment of the remaining Operating Companies; and

WHEREAS, the LPSC’s complaint further argues that the generation and transmission capability on the

Entergy System was planned to serve the existing System, and that EAI’s assets cannot be removed

without causing cost increases to the remaining Operating Companies; and

WHEREAS, on June 1, 2007, the FERC issued an Order denying the LPSC’s complaint against Entergy

Corporation, Entergy Services, Inc., ELL, EAI, Entergy Mississippi, Inc., ENO, and EGSI for the

attempted withdrawal from the System Agreement of EAI. In dismissing the LPSC’s complaint as

premature, the FERC held the following:

While the System Agreement is silent as to the rights and obligations of a departing member, and thus

arguably could be interpreted as imposing no obligations on a departing member and providing no

rights to remaining members, the Commission concludes that such a major change to this type of highly

integrated system arrangement, which has existed for over 50 years, cannot be viewed in a vacuum if we are to fulfill our obligations under the FPA. The Commission must determine that the System Agreement will remain just and reasonable for remaining members (Entergy Louisiana, Entergy New Orleans, Entergy Mississippi and Entergy Gulf States), and likewise that any new Entergy Arkansas jurisdictional wholesale arrangements will be just and reasonable, as a result of Entergy Arkansas withdrawing from the arrangement….Presumably, the 96-month notice period provides Operating Companies affected by Entergy Arkansas’ departure the opportunity to make reasonable alternative resource arrangements if they believe it appropriate to do so, and for all members to try to address disputes, before the departure of Entergy Arkansas actually occurs. The fact is that we do not at this time know what arrangements may replace the existing ones and there could be other factors present, such as shifts in the cost of one fuel versus another during this period, affecting parties’ positions. Thus, it would be premature for us to attempt to address these issues at this time. Entergy Arkansas’ withdrawal will not take place for almost six and a half years, and, as discussed below, Entergy will need to modify the System Agreement pursuant to section 205 of the FPA to reflect a change in members of the agreement. Much can happen during a six and a half year period, as evidenced by the history of the System Agreement. For the Commission to expend significant resources at this juncture would be administratively inefficient and more importantly could lead to an inaccurate result, to the extent it may be determined that Entergy Arkansas has obligations upon its withdrawal from the System Agreement.

WHEREAS, the Council remains deeply concerned about this issue and the preservation of both the

System Agreement and Settlement Agreement, as a breach of either may result in increased price

volatility which will be detrimental to New Orleans ratepayers and would inflict irreparable harm on the

residents of the City; and

WHEREAS, the Council, in the exercise of its regulatory obligation to protect the public interest and

ensure just and reasonable rates, desires to initiate an investigation into issues related to the potential

withdrawal of EAI from the System Agreement, the impact that withdrawal may have on New Orleans

electric consumers, any plans to modify, amend, or replace the System Agreement in anticipation of

EAI’s withdrawal, and any steps that ENO is taking or plans to take to mitigate any adverse impact from

EAI’s withdrawal on New Orleans ratepayers; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS THAT:

An investigation into issues related to the System Agreement and the intended withdrawal of Entergy

Arkansas is hereby ordered. The Council establishes a new docket, Docket No. UD-07-03, in which said

investigation will be conducted. The investigation will be conducted in accordance with the following

procedures:

1. Jeffrey S. Gulin is appointed the Hearing Officer to preside over the investigation and any

evidentiary hearing in the docket as may be subsequently ordered by the

Council and is to be responsible for assembling and transmitting the record to the Council at the close

of any so established hearing.

2. The deadline for intervention in this proceeding is 30 days from the date of the adoption of this

resolution. All parties desiring to intervene shall do so by filing an intervention request with the Clerk of

the Council, with a copy submitted to Director, Council Utilities Regulatory Office, Room 6E07 City Hall,

1300 Perdido Street, New Orleans, Louisiana 70112. Objections to intervention requests shall be filed

within 10 days of such requests. Interventions not objected to within that time period shall be deemed

granted and their filing fee waived.

3. A period of discovery shall commence with the adoption of this resolution. Responses to data

requests shall be made on a rolling basis and shall be due in hand within 15 days of receipt. Objections

to data requests shall be filed within 5 days of receipt. The parties are encouraged to attempt to resolve

their discovery disputes amicably prior to seeking the intervention of the Hearing Officer or an

appeal to the Council.

4. It is anticipated that during discovery, the parties may be required to produce documents

or information that is deemed confidential and/or highly sensitive and, accordingly, the Council

adopts for use in this proceeding its Official Protective Order.

5. Copies of all correspondence, pleadings and other documents except for discovery, pertaining to this

docket shall be filed with the Clerk of the Council and served on all parties on the Official Service List

of this proceeding. Copies of discovery responses shall be served on ENO, the Council’s Advisors and

all intervenors who have requested such copies in writing.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that ENO and

ELL shall (subject, if applicable, to the Council’s official protective order) file with the Clerk of the

Council and serve on all parties on the Official Service List of this Docket all minutes of the Entergy

System Agreement Operating Committee that contain any reference to the amendment, revision, and

consideration of a new and/or replacement system agreement for use in the supply to any of the Entergy

Operating Companies complete with any reports, studies, correspondence and data regarding same that

are within ENO and ELL’s possession within 45 days of the adoption of this resolution. To the extent

ENO or ELL assert “Attorney-Client” privilege on any such material communication, where

“communication” shall include all verbal and written communications of every kind, including but not

limited to, telephone calls, conferences, and correspondence, and all memoranda concerning the

requested communications. Where a communication that is requested is not in writing, provide copies

of all memoranda and documents made relating to the requested communication and describe in full

the substance of the communication to the extent that substance is not reflected in the memoranda and

documents provided. Such assertion shall identify: (a) the attorney and client involved, (b) the nature of

the communication, (c) all persons or entities shown on a written communication to have received or

sent the communication, (d) all persons or entities known to have been present during the

communication or have been furnished the written communication or informed of its substance, and (e)

the date the communication was generated, prepared, or dated.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS THAT, in light

of the Council’s great concern regarding the impact of EAI’s withdrawal from the System Agreement and

the impact that such a withdrawal may have on New Orleans ratepayers, ENO and ELL are directed to

fully answer the following questions in detail and shall file such answers with the Clerk of the Council

and serve on all parties on the Official Service List of this proceeding:

1. Do ENO and ELL agree with the bandwidth remedy adopted by the FERC in Opinion Nos. 480

and 480-A?

2. Did the Operating Committee take a formal vote and discuss whether or not to appeal Opinion

Nos. 480 and 480-A? If so, when? If so, how did ENO and ELL

vote?

3. To the extent ENO or ELL are aware, has the Operating Committee given formal recognition in

its minutes, discussions, meetings or elsewhere that EAI will exit the System Agreement at the

conclusion of the 96 months?

4. To the extent ENO or ELL are aware, has the Operating Committee given formal recognition in

its minutes, discussions or elsewhere that EAI will have no further obligations to the other EOCs

upon its exit from the Entergy System Agreement?

5. In FERC Docket No. EL07-48-000, Entergy Gulf States, Inc. is asking that the FERC review

state regulatory resource planning decisions and exclude them from production cost calculations

on specified grounds. To the extent ENO is aware, why is EGSI asking the FERC to intrude on

retail jurisdictional resource decisions? Does ENO support that request?

6. In a hearing before the APSC on July 13, 2006, Mr. McDonald testified as follows:

One thing I would say is that all of our planning decisions going forward, since EAI has actually

made its notice, filed its notice last year, December 19th, all of our planning decisions are going

to reflect the fact that EAI is no longer a member of the System Agreement and EAI’s resources

will not be part of the System Agreement, part of system resources. (Tr. 47).

Is this statement consistent with the long-held understanding that “The Entergy System is

planned and operated as a single integrated electric system....” Can ENO, ELL or the Operating

Committee reconcile this long-held understanding with Mr. McDonald’s testimony before the

APSC? How does the concept of single-system planning of EAI in its plans to exit the System

Agreement going to effect ENO, ELL and their resource plans and the economics of supply in

New Orleans?

7. In FERC Docket Nos. EC07-70, et al., EGSI has asked the FERC to approve its acquisition of

the Calcasieu generating plant in Louisiana. How did ENO and ELL vote on this

acquisition at the Operating Company meeting? Why? To the extent ENO is aware,

what evaluation and study was conducted to show the benefits to the other Operating

Companies, and specifically New Orleans’ ratepayers?

8. Under the Opinion No. 480 bandwidth, will the generation acquisitions and other Entergy

Operating Committee resource decisions affect ENO ratepayers. Why hasn’t ENO brought

any of the recent and planned generation purchases to the Council for approval?

9. Please provide a detailed description of any and all plans, concepts and/or conversations that

ENO and ELL have participated in at the Operating Committee or elsewhere or they are aware

of regarding the economic impact of EAI’s withdrawal from the System Agreement on New

Orleans ratepayers.

10. Please provide a detailed description of any and all plans, concepts and/or conversations that

ENO and ELL have participated in at the Operating Committee

or elsewhere, adopted, considered, reviewed or rejected regarding the financial impact of the

loss of EAI’s payments to the Entergy System or the rates to New Orleans ratepayers.

11. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL are aware regarding the reaction of the other Operating Companies to the

potential withdrawal of EAI from the System Agreement.

12. Please provide a detailed description of any and all plans, concepts and/or discussions in the

possession or of which ENO or ELL are aware regarding the withdrawal of other Operating

Companies from the System Agreement.

13. Please provide a detailed description of any and all plans, concepts and/or discussions in the

possession or of which ENO and ELL are aware regarding measures that have or may be taken

to revise the System Agreement so as to prevent EAI’ withdrawal or in response to Entergy

Arkansas’ notice of withdrawal?

14. Please provide a detailed description of any and all plans, concepts and/or discussions

regarding the economic measures that may need to be taken by ENO or any of its corporate

affiliates to retain or replace the generation resources that will no longer be available if EAI

successfully withdraws from the System.

15. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL has in their possession, or of which they are aware regarding any

communication by or among any Entergy Operating Companies that reflects agreement, or

the lack thereof, with reference to the bandwidth remedy adopted by the FERC in Opinion Nos.

480 and 480-A of FERC Docket No. EL01-88-004.

16. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL has in their possession, or of which they are aware regarding whether or not

the bandwidth remedy adopted in Opinion Nos. 480 and 480-A was a significant factor in EAI’s

decision to give notice to the other EOCs that EAI was terminating its participation in

the System Agreement?

17. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL has in their possession, or of which they are aware regarding whether the

Operating Committee took a formal vote on whether or not to appeal Opinion Nos. 480 and

480-A? If ENO or ELL are aware that a vote was taken, please indicate when and how ENO and

ELL cast their votes.

18. Please provide a detailed description of any and all plans, concepts and/or conversations that

ENO or ELL have participated in, have in their possession, or are aware of regarding the

economic impact of EAI’s withdrawal from the System Agreement on New Orleans ratepayers.

19. Please provide a detailed description of any and all plans, concepts and/or conversations that

ENO or ELL have adopted, considered, reviewed or rejected regarding the financial impact of

the loss of EAI payments to the Entergy system on New Orleans ratepayers.

20. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL have participated in, has in their possession, or are aware regarding the

reaction of the other Operating Companies to the potential withdrawal of Entergy Arkansas

from the System Agreement.

21. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL have participated in, has in their possession, or are aware regarding the

withdrawal of other Operating Companies from the System Agreement, such as EGSI.

22. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL have participated in, has in their possession, or are aware regarding measures

that can be taken to revise the System Agreement so as to prevent EAI’s withdrawal?

23. Please provide a detailed description of any and all plans, concepts and/or discussions of

which ENO or ELL have participated in, has in their possession, or are aware regarding the

economic measures that may need to be taken to replace the low cost resources that will no

longer be available if EAI successfully withdraws from the System.

24. In accordance with FERC’s statement, “Operating Companies affected by Entergy

Arkansas’ departure [will have] the opportunity to make reasonable alternative resource

arrangements… before the departure of Entergy Arkansas actually occurs” identify all steps

ENO is taking to mitigate any adverse impact on New Orleans ratepayers from

EAI’s withdrawal from the System Agreement.

25. Please provide the names and titles of all ENO and ELL employees and consultants that are

available for deposition, that are or were engaged in the discussion, consideration,

evaluation, development and analyses of a new or modified System Agreement. Please provide

the same information for any ESI consultants and employees for which ENO and ELL

are incurring costs as allocated by ESI and other corporate affiliates.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, pending the

receipt of such information and completeness thereof, the Council will make such further determination

as it deems appropriate on the most appropriate future course of action in this Docket.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE

ADOPTION THEREOF AND RESULTED AS FOLLOWS

YEAS: Carter, Fielkow, Head, Hedge-Morrell, Midura,

Willard-Lewis - 6

NAYS: 0

ABSENT: 0

RECUSED: Darnell - 1

AND THE RESOLUTION WAS ADOPTED.