

December 28, 2018

BY HAND DELIVERY

Ms. Lora W. Johnson
Clerk of Council
Council of the City of New Orleans
City Hall, Room IE09
1300 Perdido Street
New Orleans, LA 70112

In Re: *Application of Entergy New Orleans, LLC for Approval of Renewables Portfolio and Request for Cost Recovery and Related Relief*, CNO Docket No. UD-18-06

Dear Ms. Johnson:

Enclosed please find an original and four (4) copies of the *Advisors' Motion for Procedural Schedule, Memorandum in Support and Order* in the above referenced docket, which we are requesting that you file into the record along with this letter in accordance with your normal procedure.

Sincerely,



Jay Beatmann
Counsel

JAB/dpm
Enclosures

cc: Official Service List for UD-18-06

**BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS**

**APPLICATION OF ENTERGY NEW
ORLEANS, LLC FOR APPROVAL OF
RENEWABLES PORTFOLIO AND
REQUEST FOR COST RECOVERY
AND RELATED RELIEF**

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DOCKET NO. UD-18-06

ADVISORS' MOTION FOR PROCEDURAL SCHEDULE

Now come the Advisors to the Council of the City of New Orleans ("Advisors"), who through undersigned counsel, respectfully move to adopt the following procedural schedule:

1. The parties shall continue settlement discussions through April 1, 2019, and the Advisors shall file status reports updating the Council regarding the settlement discussions with the Council on February 1, 2019 and March 1, 2019. The Advisors shall convene settlement conferences with the parties as necessary during this period.
2. No later than April 1, 2019, the Advisors shall file, on behalf of any settling parties, an Agreement in Principle with the Council settling some or all of the issues, and/or (as appropriate) shall file a status report with the Council indicating that settlement negotiations have not resulted in an Agreement in Principle resolving all issues in this proceeding, and setting forth the issues regarding which disagreement remains among the parties. To the extent that an Agreement in Principle is submitted to the Council and a further procedural schedule for the Council's consideration of that Agreement in Principle is needed, it shall be set forth at that time.
3. To the extent that some or all of the issues in this proceeding are not resolved through an Agreement in Principle, the Intervenors and Advisors shall file any comments and

testimony regarding the outstanding issues related to ENO's 90 MW Renewables Portfolio by May 17, 2019.

4. ENO shall file any reply comments or rebuttal testimony no later than June 28, 2019.
5. The Advisors shall submit an Advisors Report no later than August 16, 2019.

WHEREFORE, the Advisors to the Council of the City of New Orleans pray that their Motion for Procedural Schedule be granted and the procedural schedule in this proceeding be established as described above.

RESPECTFULLY SUBMITTED:



Jay Beatmann, Jr.
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DOCKET NO. UD-18-06

**MEMORANDUM IN SUPPORT OF ADVISORS’
MOTION FOR PROCEDURAL SCHEDULE AND STATUS REPORT**

The Utility Advisors (“Advisors”) to the Council of the City of New Orleans (“Council”) respectfully submit this memorandum in support of the Advisors’ motion for a procedural schedule and status report regarding the settlement discussions among the parties to the Council’s docket to consider the *Application of Entergy New Orleans, LLC for Approval of Renewables Portfolio and Request for Cost Recovery and Related Relief* (“Application”).

The Advisors believe that consensus does not currently exist among the parties to recommend that the Council approve Entergy New Orleans, LLC’s (“ENO”) Application as filed, but that there is some potential to at least partially, if not fully, resolve the case through settlement. To that end, the Advisors recommend an extension of the period for settlement discussions, to determine whether a settlement or partial settlement agreement among the parties can be reached, to be followed, as necessary, by a brief procedural schedule that would allow the parties the opportunity to submit written testimony and/or their recommendations to the Council regarding ENO’s Application (a “paper hearing”) and an opportunity to respond to the arguments of other parties. It is the Advisors’ hope that, in light of the Combined Rate Case currently under way and the multiple ongoing cases related to the New Orleans Power Station (“NOPS”), this

approach would allow the Council to develop a sufficient record to make a determination in this case without undergoing an additional extensive litigation in 2019.

The Advisors have been in communication with the parties to the case as set forth in the official service list, and it is the Advisors' understanding that ENO, the Alliance for Affordable Energy ("AAE"), the Gulf States Renewable Energy Industries Association ("GSREIA"), Air Products and Chemicals, Inc. ("Air Products"), and 350 New Orleans all either agree with or do not object to an extension of the settlement discussions followed by a paper hearing, as necessary, to resolve any issues not resolved through settlement.

The Advisors have not had sufficient time to discuss a specific procedural schedule with the parties, but, consistent with the general strategy agreed to by the parties, move that the Hearing Officer adopt the following procedural schedule in this docket, and suggest that the Hearing Officer allow the parties a reasonable period of time, in light of the holidays, to comment upon the procedural schedule proposed below. In designing the proposed procedural schedule below, the Advisors have attempted to keep the proceeding on an expedited schedule while still allowing sufficient time for ENO to work with its purchase power agreement and build-own transfer agreement counterparties to ascertain whether any of the requests of the parties to this proceeding can be accommodated, and to avoid, to the greatest extent feasible, significant conflict with the procedural schedule in the Combined Rate Case, Council Docket No. UD-18-07, to which many of the parties in this proceeding are also party.

1. The parties shall continue settlement discussions through April 1, 2019, and the Advisors shall file status reports updating the Council regarding the settlement discussions with the Council on February 1, 2019 and March 1, 2019. The Advisors shall convene settlement conferences with the parties as necessary during this period.

2. No later than April 1, 2019, the Advisors shall file, on behalf of any settling parties, an Agreement in Principle with the Council settling some or all of the issues, and/or (as appropriate) shall file a status report with the Council indicating that settlement negotiations have not resulted in an Agreement in Principle resolving all issues in this proceeding, and setting forth the issues regarding which disagreement remains among the parties. To the extent that an Agreement in Principle is submitted to the Council and a further procedural schedule for the Council's consideration of that Agreement in Principle is needed, it shall be set forth at that time.
3. To the extent that some or all of the issues in this proceeding are not resolved through an Agreement in Principle, the Intervenors and Advisors shall file any comments and testimony regarding the outstanding issues related to ENO's 90 MW Renewables Portfolio by May 17, 2019.
4. ENO shall file any reply comments or rebuttal testimony no later than June 28, 2019.
5. The Advisors shall submit an Advisors Report no later than August 16, 2019.

CONCLUSION

WHEREFORE, for the reasons stated herein, the Advisors move that the proposed procedural schedule set forth above be adopted for this proceeding.

RESPECTFULLY SUBMITTED:



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CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing has been sent to the official service list by email and/or served by United States mail, postage prepaid, through their representatives.

New Orleans, Louisiana, this 28th day of December, 2018.



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COUNCIL OF THE CITY OF NEW ORLEANS**

APPLICATION OF ENTERGY NEW)	
ORLEANS, LLC FOR APPROVAL OF)	
RENEWABLES PORTFOLIO AND)	DOCKET NO. UD-18-06
REQUEST FOR COST RECOVERY)	
AND RELATED RELIEF)	

ORDER

On December 28, 2018, the Advisors to the Council of the City of New Orleans (“Advisors”) filed a Motion for Procedural Schedule in the above captioned proceeding requesting that the following procedural schedule be adopted:

1. The parties shall continue settlement discussions through April 1, 2019, and the Advisors shall file status reports updating the Council regarding the settlement discussions with the Council on February 1, 2019 and March 1, 2019. The Advisors shall convene settlement conferences with the parties as necessary during this period.
2. No later than April 1, 2019, the Advisors shall file, on behalf of any settling parties, an Agreement in Principle with the Council settling some or all of the issues, and/or (as appropriate) shall file a status report with the Council indicating that settlement negotiations have not resulted in an Agreement in Principle resolving all issues in this proceeding, and setting forth the issues regarding which disagreement remains among the parties. To the extent that an Agreement in Principle is submitted to the Council and a further procedural schedule for the Council’s consideration of that Agreement in Principle is needed, it shall be set forth at that time.
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testimony regarding the outstanding issues related to ENO's 90 MW Renewables Portfolio by May 17, 2019.

4. ENO shall file any reply comments or rebuttal testimony no later than June 28, 2019.
5. The Advisors shall submit an Advisors Report no later than August 16, 2019.

Considering said motion, the Advisors' request is hereby GRANTED, and the proposed procedural schedule is adopted.

This ____ day of January, 2019.

JEFFREY S. GULIN
Hearing Officer