

April 10, 2019

By Hand Delivery


Ms. Lora W. Johnson, CMC, LMMC
Clerk of Council
City Hall - Room 1E09
1300 Perdido Street
New Orleans, LA 70112

**In Re: Establishing a Docket and Opening a Rulemaking Proceeding to Consider
Revising the Council's Rules to Allow Release of Whole-Building Data to
Building Owners
CNO Docket No. UD-18-04**

Dear Ms. Johnson:

Please find enclosed for your further handling an original and three copies of Entergy New Orleans, LLC's ("ENO") Stipulated Settlement Term Sheet that is being filed in the above-referenced docket. Please file an original and two copies into the record and return a date-stamped copy to our courier.

Thank you for your assistance with this matter.

Sincerely,

Harry M. Barton

HMB\bkd

Enclosures

cc: Official Service List (UD-18-04 via electronic mail)



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

IN RE: ESTABLISHING A DOCKET)	
AND OPENING A RULEMAKING)	
PROCEEDING TO CONSIDER)	
REVISING THE COUNCIL’S RULES)	DOCKET NO. UD-18-04
TO ALLOW RELEASE OF WHOLE-)	
BUILDING DATA TO BUILDING)	
OWNERS)	

STIPULATED SETTLEMENT TERM SHEET

Applicant, Entergy New Orleans, LLC (“ENO” or the “Company”), the Advisors (“Advisors”) for the Council (“Council”) for the City of New Orleans, the Alliance for Affordable Energy (“Alliance”), National Housing Trust, the Greater New Orleans Housing Alliance, and the Natural Resource Defense Council hereby agree to settle and resolve the captioned matter upon the following terms, which shall be the basis for an agreement in principle to be presented to the Council for approval. All remaining intervenors either support or do not oppose this settlement term sheet, as designated by the signature of their representative below.

Recognizing that on June 21, 2018, in Resolution No. R-18-225, the Council, subsequent to discussions with the Mayor’s Office of Resiliency, “opened this rulemaking docket to consider the issue of whether aggregated whole-building data could be released to building owners where a building has four or more meters and also sought comment on any feasibility or logistical issues associated with aggregating and releasing such data to building owners[.]”¹

Recognizing that in August 2018, ENO and other stakeholders provided comments discussing “(1) whether and under what conditions such aggregated whole-building data could be

¹ Council Resolution No. R-18-539, at pg. 3

released while continuing to protect customers' privacy; (2) matching of meters to the correct building; and (3) the possible automation of the aggregation of data and the transmission of data to building owners.”² On October 18, 2018, the Council’s Advisors (“Advisors”) submitted comments in response to the stakeholder comments.

Recognizing that subsequent to the filing of the stakeholders’ comments, the Advisors submitted comments in response to stakeholder comments from August 24th. In summary, the Advisors accepted ENO’s long term solution for providing aggregated whole-building data. In addition, the Advisors suggested that the parties continue to work on an interim solution for providing the data. To that end, the Advisors suggested that the parties initiate discussions to come to an agreed upon interim solution. The Advisors reached out to the parties to set up conference calls with hopes of finding an interim solution. The Advisors hosted the two conference calls summarized below prior to submitting their December 20, 2018 comments.

On November 15, 2018, the parties met to discuss interim solutions for providing aggregated data to building owners. The discussion on this call surrounded the expected number and timing of buildings needing the aggregated data during the interim period prior to the implementation of AMI meters. During this time, ENO disclosed its ability to handle up to an initial estimate of 40 buildings during the interim period. Other parties disclosed an interest for up to 600 buildings to have the data available.

Recognizing that on December 20, 2018, the Council, considering the comments by the parties, passed Resolution No. R-18-539 setting forth several requirements of all parties. In response to Resolution R-18-539, the Alliance and ENO submitted comments into the docket. In addition, two more conference calls were held.

² Id, at pg. 4

Comments from the Alliance

On January 22, 2019, the Alliance filed comments into the docket. In its comments, the Alliance advocated the benefits of providing a solution for the approximately 600 buildings in New Orleans that are above 50,000 sq. ft. in size. The Alliance cited a similar project in Atlanta that, if instituted in New Orleans, could save between 32,000,000 kWh and 58,000,000 kWh, and between \$3,000,000 and \$5,000,000 annually for 600 buildings. Based upon these figures, the Alliance supported finding an interim solution for up to 600 buildings.

Conference Calls

On February 1, 2019, the Advisors hosted a conference call pursuant to Resolution R-18-539. On this call, some parties expressed an interest in evaluating the cost of having Green Coast Enterprises (“Green Coast”) handle the aggregation and transmission of the data during the interim period. Green Coast, currently a contractor in the Energy Smart program, has been performing benchmarking analysis for a number of years. Based upon this interest, the Advisors requested that ENO meet with Green Coast to ascertain the potential for Green Coast to perform data aggregation and transmission as an interim solution.

On February 15, 2019, the Advisors hosted a conference call for the parties to the docket. On this call, ENO discussed two options that were being considered for providing the aggregated data to building owners. One option was to have Green Coast handle the aggregation of data in a turnkey format for building owners as mentioned on the previous call. The other option was for ENO to create an automated solution that would handle many of the tasks related to verifying owners and meters, and aggregating and transmitting data. In addition, the idea of having Green

Coast act as an Energy Advisor to building owners that request the data for benchmarking purposes was explored.

Green Coast Option

Green Coast proposed to work with Aptim Environmental, the Energy Smart Program

Third Party Administrator, to perform the following tasks:

Task 1: Engagement & Initial Account Set-Up

- Work with building manager/owner to determine the sq. ft. and usage breakdown of the facility
- Create a building profile in Energy Smart Portfolio Manager account

Task 2: Building Energy Benchmarking

- Retrieve monthly billing data from ENO
- Organize data and ensure it is anonymized prior to upload
- Upload data to master Energy Smart Portfolio Manager account
- Share property level data at view level in Portfolio Manager to building owner and City of New Orleans Benchmarking account.

Task 3: Building Performance Analysis & Reporting

- Produce final benchmarking report
- Educate customer on Energy Smart Program and incentive offerings

Task 4: Opportunity Identification

- Assist customer with identifying energy efficiency savings opportunities
- Prioritize savings potential and measure recommendations

Task 5: Energy Smart Application Support

- Assist customer with completing program application and compiling required documentation
- Coordinate with trade ally contractor as needed

Indicative cost estimates for the above tasks are listed in the table below.

With 1 FTE for 9 Months			
	Buildings	Cost/ energy smart application	Total Cost
Total	100	\$ 1,366	\$ 136,620

With 2 FTE in 9 months			
Total	300	\$ 3,470	\$ 320,625
With 1 FTE for 21 Months			
Total	250	\$ 1,413	\$ 353,363
With 1 FTE for 21 Months			
Total	300	\$ 1,103	\$ 330,750
With 2 FTE in 21 months			
Total	800	\$ 987	\$ 789,750
With 2.5 FTE in 21 months			
Total	800	\$ 1,288	\$ 1,030,725

Automated Solution Option

The second option that was discussed on the February 15, 2019 was the creation of an automated solution that could handle the aggregation and transmission of the data for both the pre- and post-AMI time periods. ENO would design, develop and implement the automated process to handle such processes as:

- Verification of the owner of the building
- Verification of the meters attached to the building
- Aggregation of the data
- Transmission of the data to Portfolio Manager

Given the speed with which the automated solution will be able to process the data requests, ENO estimated that many more owners will be able to receive the data sooner than would through a manual solution or through the Green Coast option. In addition, ENO estimated that the automated solution would be less costly than the Green Coast option.

Recognizing that after hearing the automated solution option, the parties on the February 15, 2019 conference call were in consensus that this solution represents the best option for aggregating and transmitting the data.

Recognizing that on the February 15, 2019 conference call, none of the parties expressed any opposition to Green Coast moving forward fulfilling an Energy Advisor role. The Energy Advisor's role would include tasks 3-5, previously mentioned in the "Green Coast Option" section: Building Performance Analysis & Reporting, Opportunity Identification and Energy Smart Application Support. The estimated cost for Green Coast to perform this role would be approximately \$600 per building for up to 100 buildings during Energy Smart Program Year 9 (2019).

Recognizing that in addition to the aforementioned orders, Resolution No. R-18-539 also required:

"ENO to file, within 60 days of adoption of this Resolution, for Council review and approval:

- a. Draft processes for the release of whole-building data, including, but not limited to, the processes for ENO's customers to request the release of the data, for verification of the building owner's identity, verification of the specific meters attached to the building, notification to customers whose accounts are aggregated in the whole-building data, and for the customer of any account to which an involved meter is attached to challenge the appropriateness of the release of the data either because there are special circumstances where they believe the Council's rules would not sufficiently protect their privacy or because they believe the building owner or building owner's designated agent is using the data for improper purposes.
- b. Further information regarding the costs and benefits anticipated to ratepayers of releasing aggregated whole-building data upon request to a limited number of building owners prior to the full implementation of AMI on the ENO system."

Recognizing that on February 18, 2019, pursuant to Resolution R-18-539, ENO made a filing proposing draft processes for the following:

1. Process by which the owner, or the owner's designated agent will request the data
2. Process for verifying the building owner's identity, and if applicable, the identity of the designated agent.
3. Process for verifying the meters attached to the owner's building
4. Process for notification of customers whose data is being aggregated
5. Process whereby a tenant can challenge the appropriateness of the release of the data
6. Process by which ENO will provide the data to owners or their designees the data

The signatories to this Agreement in Principle hereby agree to the following provisions, terms, and conditions and agree to propose these settlement terms to the Council:

APPROVAL OF ENO'S DEVELOPMENT AND USE OF AN AUTOMATED PROCESS SOLUTION TO PROVIDE AGGREGATED WHOLE-BUILDING DATA TO MULTITENANT BUILDING OWNERS

1. The Advisors, ENO, and Alliance and other stakeholders recommend that the Council issue a decision in this proceeding containing the following findings:
 - a. The development and implementation of ENO's automated process solution at the estimated cost of \$50,000, including ongoing maintenance and support for 2020-2023, is in the public interest at this time.
 - b. ENO should move forward with implementation of draft processes as proposed in its February 18, 2019 filing.

APPROVAL OF THE ADDITION OF AN ENERGY ADVISOR TO THE AUTOMATED PROCESS SOLUTION TO PROVIDE AGGREGATED WHOLE BUILDING DATA TO MULTITENANT BUILDING OWNERS

2. The Advisors, ENO, and Alliance and other stakeholders recommend that the Council issue a decision in this proceeding containing the following findings:
 - a. The addition of Green Coast as an Energy Advisor, as stated above, in the automated process solution to provide aggregated whole building data to multitenant building owners.

APPROVAL OF COST RECOVERY

3. The Advisors, ENO, and Alliance and other stakeholders recommend that the Council issue a decision in this proceeding containing the following findings:
 - a. Incremental cost associated with (i) the implementation of draft processes as proposed in ENO's February 18, 2019 filing, (ii) the development of the automated solution as

described above, and (iii) the addition of Green Coast as an Energy Advisors, which are incurred after the rate effective date of the 2018 Combined Base Rate Case, shall be eligible for recovery through whichever funding mechanism the Council approves for recovery of future Energy Smart costs in the 2018 Combined Base Rate Case.

- b. For such incremental costs described above that are incurred prior to the rate effective date of the 2018 Combined Rate Case, ENO is authorized to use existing funding dedicated to Energy Smart Program Year 9 to recover such costs.

Advisors to the Council of the City of New Orleans

By: Emma F. Hand
Emma F. Hand, Dentons US LLP

Entergy New Orleans, LLC

By: _____

Alliance for Affordable Energy

By: _____

National Housing Trust

By: _____

Natural Resource Defense Council

By: _____

Greater New Orleans Housing Authority

By: _____

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Alliance for Affordable Energy

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National Housing Trust

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Greater New Orleans Housing Authority

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Advisors to the Council of the City of New Orleans

By: _____

Energy New Orleans, LLC

By: _____

Alliance for Affordable Energy

By: _____

National Housing Trust

By: Dana Ratzonci

Natural Resource Defense Council

By: _____

Greater New Orleans Housing Authority

By: _____

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Entergy New Orleans, LLC

By: _____


Alliance for Affordable Energy

By: 

National Housing Trust

By: _____

Natural Resource Defense Council

By: 

Greater New Orleans Housing Authority

By: _____

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Advisors to the Council of the City of New Orleans

By: _____

Entergy New Orleans, LLC

By: _____

Alliance for Affordable Energy

By: _____


National Housing Trust

By: _____

Natural Resource Defense Council

By: _____

Greater New Orleans Housing Alliance

By:  _____

CERTIFICATE OF SERVICE
Docket No. UD-18-04

I hereby certify that I have served the required number of copies of the foregoing report upon all other known parties of this proceeding, by the following: electronic mail, facsimile, overnight mail, hand delivery, and/or United States Postal Service, postage prepaid.

Ms. Lora W. Johnson, CMC, LMMC
Clerk of Council
Council of the City of New Orleans
City Hall, Room 1E09
1300 Perdido Street
New Orleans, LA 70112

Erin Spears, Chief of Staff
Bobbie Mason
Connolly A. F. Reed
Council Utilities Regulatory Office
City of New Orleans
City Hall, Room 6E07
1300 Perdido Street
New Orleans, LA 70112

David Gavlinski
Council Chief of Staff
New Orleans City Council
City Hall, Room 1E06
1300 Perdido Street
New Orleans, LA 70112

Sunni LeBeouf
City Attorney Office
City Hall, Room 5th Floor
1300 Perdido Street
New Orleans, LA 70112

Norman White
Department of Finance
City Hall, Room 3E06
1300 Perdido Street
New Orleans, LA 70112

Hon. Jeffery S. Gulin
3203 Bridle Ridge Lane
Lutherville, MD 21093

Andrew Tuozzolo
CM Moreno Chief of Staff
1300 Perdido Street, Room 2W40
New Orleans, LA 70112

Clinton A. Vince
Presley R. Reed, Jr.
Emma F. Hand
Herminia Gomez
Dentons US LLP
1900 K Street, NW
Washington, DC 20006

Basile J. Uddo
J.A. "Jay" Beatmann, Jr.
c/o Dentons US LLP
The Poydras Center
650 Poydras Street, Suite 2850
New Orleans, LA 70130-6132

Philip J. Movish
Joseph W. Rogers
Victor Prep
Legend Consulting Group
6041 South Syracuse Way, Suite 105
Greenwood Village, CO 80111

Errol Smith
Bruno and Tervalon
4298 Elysian Fields Avenue
New Orleans, LA 70122

Brian L. Guillot
Vice President, Regulatory Affairs
Entergy New Orleans, LLC
1600 Perdido Street
Mail Unit L-MAG-505B
New Orleans, LA 70112

Timothy S. Cragin
Alyssa Maurice-Anderson
Harry M. Barton
Entergy Services, LLC
639 Loyola Avenue
Mail Unit L-ENT-26E
New Orleans, LA 70113

Philip Henderson
Natural Resource Defense Council
1152 15th Street, NW
Washington, DC 20005

Dana Bartolomei
National Housing Trust
Stewards of Affordable Housing for the
Future
Renaissance Neighborhood Development
Corporation
1101 30th Street, NW, Ste 100A
Washington, DC 20007

Logan Atkinson Burke
Sophie Zaken
Alliance for Affordable Energy
4505 S. Claiborne Avenue
New Orleans, LA 70125

Polly S. Rosemond
Derek Mills
Keith Woods
Seth Cureington
Kevin Boleware
Entergy New Orleans, LLC
1600 Perdido Street
Mail Unit L-MAG-505B
New Orleans, LA 70112

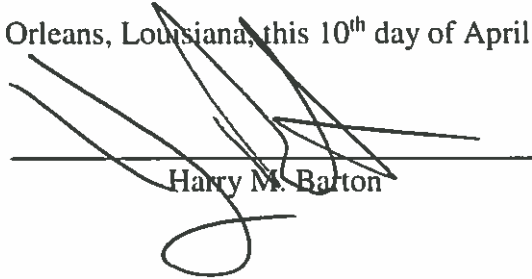
Joseph J. Romano, III
Suzanne Fontan
Therese Perrault
Entergy Services, LLC
639 Loyola Avenue
Mail Unit L-ENT-4C
New Orleans, LA 70113

Adreanecia Morris
Trayshawn Webb
Greater New Orleans Housing Alliance
4640 S. Carrollton Avenue, Ste. 160
New Orleans, LA 70119

Rebecca Schaaf
National Housing Trust
Stewards of Affordable Housing for the
Future
Renaissance Neighborhood Development
Corporation
750 9th Street NW, Ste. 650
Washington, DC 20001

Victor Smeltz
National Housing Trust
Stewards of Affordable Housing for the
Future
Renaissance Neighborhood Development
Corporation
4162 Canal Street
New Orleans, LA 70119

New Orleans, Louisiana, this 10th day of April 2019.



Harry M. Barton