

**RESOLUTION**

**NO. R-22-370**

**CITY HALL: August 18, 2022**

**BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, GREEN AND THOMAS**

**RULEMAKING PROCEEDING TO ESTABLISH RULES  
FOR COMMUNITY SOLAR PROJECTS**

**RESOLUTION AND ORDER ESTABLISHING A COMMENT PERIOD TO AMEND  
THE COMMUNITY SOLAR RULES**

**DOCKET NO. UD-18-03**

**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, LLC (“ENO”) is a public utility providing electric and natural gas service to all of New Orleans; and

**WHEREAS**, the Council has repeatedly expressed support for the efficient use of clean, sustainable technology to improve the quality of life for our citizens and businesses; and

**WHEREAS**, the Council wishes to expand the renewable options available to New Orleans residents, particularly those who are unable to participate in the Net Energy Metering (“NEM”) Rules for the City of New Orleans program; and

**WHEREAS**, on March 28, 2019, the Council adopted Resolution No. R-190-111, establishing a set of Community Solar Rules and

**WHEREAS**, on August 29, 2019, ENO filed its initial Implementation Plan and on January 10, 2020, ENO filed its Supplemental Implementation Plan; and

**WHEREAS**, on January 28, 2021, the Council adopted Resolution R-21-38, approving ENO's Supplemental Implementation Plan; and

**WHEREAS**, on July 13, 2022, Madison Energy Investments ("MEI") filed its Motion to Amend the Community Solar Rules; and

**WHEREAS**, the Council hereby wishes to establish a comment period to seek input from the parties to this docket on MEI's July 13, 2022 Motion to Amend the Community Solar Rules;

**NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That:

(1) Parties shall have until Monday, September 19, 2022 to file comments regarding MEI's

July 13, 2022 Motion to Amend the Community Solar Rules to modify:

- a. Section III of Entergy New Orleans ("ENO") Rate Schedule CSGF to increase the Tariff Rate for all Subscribers;
- b. Article IV (Community Solar Generating Facility Eligibility - Section B. Subsection 6) of the Community Solar Rules to raise the minimum solar garden size from 2MW to 5MW;
- c. Article XIII (Consumer Protection & Disclosure – Section G) of the Community Solar Rules to eliminate "Subscriber Funds" and replace with language that requires the Utility ("ENO") to manage a consolidated utility billing for subscribers;
- d. Article IV (Community Solar Generating Facility Eligibility – Section A6 of the Community Solar Rules to add that the "Utility ("ENO") must purchase and pay for Output from the CSG Facility";

- e. Article XII (Renewable Energy Credit Ownership – Section B and C) of the Community Solar Rules to remove/delete Article XII, Section B and to instead entitle the Subscriber Organizations to the renewable energy credit (“REC”) ownership;
- f. Article IV. Section 4.1 and 4.2 of ENO’s Standard Offer Community Solar Power Purchase Agreement Form CSG-4 to increase the PPA term limit from ten years to twenty years to increase any potential Subscriber Organization’s ability to secure funding for projects; and
- g. Article V (Capacity Limits – Section B) to raise the minimum requirement of Low-Income Subscribers per Community Solar Generating Facility from 30% to 40% creating more opportunity for Low-Income Subscribers to reap the benefits of the program.

(2) The Honorable Jeffrey Gulin shall rule on procedural disputes, including motions and discovery if any, and shall for good cause shown, have the authority to change or amend procedural dates.

**THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell - 6**

**NAYS: 0**

**ABSENT: Thomas - 1**

**AND THE RESOLUTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Lera W. Johnson*  
CLERK OF COUNCIL

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