

RESOLUTION

NO. R-23-75

CITY HALL: February 16, 2023

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

**RESOLUTION AND ORDER ADOPTING ENO'S REQUEST TO MODIFY ELECTRIC
RATE SCHEDULES AND PROPOSED PUBLIC DIRECT CURRENT FAST
CHARGING STATION PROJECT**

DOCKET UD-18-01 and DOCKET UD-18-07

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 ("City"); and

WHEREAS, Entergy New Orleans, LLC ("ENO" or "the Company") is a public utility providing electric and natural gas service to New Orleans; and

WHEREAS, ENO is a wholly owned subsidiary of Entergy Utility Holding Company, LLC. ENO, and four other Entergy subsidiaries, Entergy Arkansas, LLC; Entergy Louisiana, LLC; Entergy Mississippi, LLC; and Entergy Texas, Inc. are the Entergy Operating Companies ("EOC"); and

WHEREAS, matters relating to electrical vehicle charging infrastructure have been addressed in Council Docket UD-18-01 (Smart Cities and Grid Modernization), Council Docket UD-18-02 (Electric Vehicles - merged with Council Docket UD-18-01) and Council Docket UD-18-07 (2018 Rate Case); and

WHEREAS, in Council Docket UD-18-07 ("2018 Rate Case") the Council approved an Electric Vehicle Charging Infrastructure Rider ("EVCI Rider") that allowed ENO to construct,

own, and operate electric vehicle charging infrastructure (“EVCI”) on customer’s property and recover the costs over ten (10) years; and

WHEREAS, in the 2018 Rate Case the Council also authorized ENO to invest \$500,000 in free-to-use electric vehicle charges located on public property; and

WHEREAS, on January 14, 2022, ENO filed a Request to Modify its Electric Rate Schedules to Expand Access to Electric Vehicle Charging Infrastructure in the City of New Orleans (“Request to Modify”); and

WHEREAS, the Request to Modify seeks to 1) modify the EVCI Rider to allow customers to choose a period from one (1) to ten (10) years for recovery of the EVCI investment; 2) obtain Council approval for the Electric Vehicle Charging Demand Adjustment Rate Schedule (“EVCDA Rider”); and 3) modify the Extension of Electric Service Policy (“Schedule EOES”) to change the threshold to allow no-cost overhead extensions and additions; and

WHEREAS, ENO’s Request to Modify includes additional details as to each request, including proposed Rider Schedules EVCI-2, EVCDA, and EOES-5; and

WHEREAS, in the Request to Modify, ENO indicates that the modifications would “provide more flexibility to customers on payment terms when ENO provides EV chargers” and “provide more certainty to host customers with respect to electric service costs for EV chargers during this early point in the EV adoption cycle;” and

WHEREAS, in the Request to Modify, ENO also indicates that the requested modifications “would bring ENO’s extension of electric service policy in line with its extension of gas service policy and encourage electrification;” and

WHEREAS, in the Request to Modify, ENO further indicates that the requested modifications “will facilitate and encourage the expansion of EVCI and encourage the adoption of EVs with their environmental benefits,” which is a goal of the Council, and

WHEREAS, on July 21, 2022, ENO separately filed a request for approval of a public direct current fast charging (“DCFC”) station project (“DCFC Project”) to expand access to EVCI (“DCFC Project Application”); and

WHEREAS, under the proposed DCFC Project Application ENO would invest up to \$3 million to construct and own five (5) public DCFC stations; and

WHEREAS, the DCFC Project Application indicates that ENO has identified the Walmart Supercenter on Bullard Road in New Orleans as a potential location for one of the stations, which station might also be eligible for funding under the Infrastructure Investment and Jobs Act (“IIJA”); and

WHEREAS, the Council found it appropriate to consider this matter in both Council Docket UD-18-01 and Council Docket UD-18-07 and adopted Resolution No. R-22-393 at the September 1, 2022 Regular Council Meeting establishing a procedural schedule and providing certain guidance to the parties in the interest of further evaluating the proposed DCFC Project Application; and

WHEREAS, the Council received comments from the Alliance for Affordable Energy (“AAE”) on September 30, 2022 and ChargePoint, Inc. on October 3, 2022 ; and

WHEREAS, on October 14, 2022, the Council received reply comments on behalf of ENO in response to the comments filed by AAE and ChargePoint, Inc; and

WHEREAS, on January 23, 2023, ENO filed a motion to delay consideration of its DCFC Project Application because ENO had received “additional correspondence from Walmart

indicating they were no longer interested in hosting ENO's EV charging equipment at any of their locations in New Orleans. Therefore, the project at the Bullard Avenue location described in the DCFC Project Application will not go forward;" and

WHEREAS, that due to this "material change in circumstances" ENO requested "an opportunity to rework" the DCFC Project; and

WHEREAS, the Council finds ENO's January EVCI Request is in the public interest. Further, the Council finds that the requested delay to rework the DCFC Project Application is also in the public interest; **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,

That:

1. Rider Schedule EVCI-2 is approved.
2. Rider Schedule EVCDA is approved.
3. Rider Schedule EOES-5 is approved.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That ENO's request to delay consideration of the DCFC Project Application is granted.

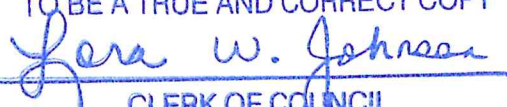
THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS

YEAS: Giarrusso, Green, Harris, Moreno, Morrell, Thomas - 6

NAYS: 0

ABSENT: King - 1

AND THE RESOLUTION WAS ADOPTED.

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY

CLERK OF COUNCIL

O:\DoCS\NAOM\COUNCIL\ROLL CALL\2023\R-23-75.docx