NO. R-07-40

BY: COUNCILMEMBERS THOMAS, HEDGE-MORRELL, MIDURA AND CARTER

IN THE MATTER OF APPLICATION OF ENTERGY NEW ORLEANS, INC. FOR APPROVAL OF IMPLEMENTATION OF POST-KATRINA GAS AND ELECTRIC FORMULA RATE PLANS, DOCKET NOS. UD-01-04 AND UD-03-01

and

IN THE MATTER OF APPLICATION OF ENTERGY NEW ORLEANS, INC. FOR AUTHORIZATION TO IMPLEMENT RIDERS TO RECOVER COSTS RELATED TO HURRICANES KATRINA AND RITA (DOCKET NO. UD-06-01) AND TO ADEQUATELY FUND A STORM RESERVE (DOCKET NO. UD-06-02)

RESOLUTION AND ORDER

ACCEPTING COMPLIANCE FILING

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

of New Orleans, the Council of the City of New Orleans (“Council”) is the governmental body authorized

to exercise regulatory control over rates, charges and the general conditions under which electric and

gas services are provided in New Orleans; and

WHEREAS, Entergy New Orleans (“ENO” or “the Company”) provides electric service to all of New

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

WHEREAS, on June 30, 2006, ENO filed its annual Electric and Gas Formula Rate Plan (“FRP”)

Evaluation Reports pursuant to Council Resolutions R-03-272 and R-05-U4, along with an Ex Parte:

Application fro Authorization to Implement Riders to Recover Costs related to Hurricanes Katrina and

Rita and to Adequately Fund a Storm Reserve (“Storm Filing”); and

WHEREAS, the Company’s Storm Filing was bifurcated into two proceedings and docketed as Council

Docket Nos. UD-06-01 (to address ENO’s request to implement a Storm Cost Recovery Rider to recover

costs associated with storm restoration that had been incurred through March 31, 2006) and UD-06-02

(to address ENO’s request to implement a Storm reserve rider to fund restoration activities following

future storms); and

WHEREAS, On October 27, 2006, ENO filed an Agreement in Principle (“AIP”) that reflected a

settlement and accommodation by the signatories of the FRP proceeding as well as the Company’s

Storm Filing; and

WHEREAS, after duly noting that the AIP was supported by all active parties to these proceedings and

after public notice, hearing and comments, the Council issued Council resolution R-06-459, approving

the AIP; and

WHEREAS, pursuant to Resolution R-06-459 and the AIP, ENO was required to file revised rate

schedules to effectuate the changes in rates reflected in the AIP; and

WHEREAS, on November 6, 2006, ENO made its compliance filing and gave notice of changes in rates

to be implemented effective the first billing cycles of March 2007, November 2007 and January 2008, all

in accordance with the AIP; and

WHEREAS, the Council’s Advisors have reviewed ENO compliance filing and find it to be in order; now,

therefore:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS THAT ENO compliance filing is ACCEPTED.

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,

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NAYS: 0

ABSENT: Thomas (Temporarily Out of Chamber) - 1

AND THE RESOLUTION WAS ADOPTED.