

**RESOLUTION**

**NO. R-21-153**

**CITY HALL: May 6, 2021**

**BY: COUNCILMEMBERS MORENO, GLAPION, GIARRUSSO, BANKS, GISLESON  
PALMER, BROSSETT AND NGUYEN**

**RESOLUTION AND ORDER STREAMLINING ENTERGY NEW ORLEANS  
REPORTING REQUIREMENTS**

**DOCKET NO. UD-20-01**

**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 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**, on July 16, 2020, the Council adopted resolution R-20-223 (“Streamlining Resolution”) establishing Council docket UD-20-01 to seek input from ENO, the Council’s Utility Advisors (“Advisors”), and interested parties as to which reporting requirements remain relevant to the Council’s regulatory responsibilities and whether ENO’s reporting requirements can be more effectively streamlined; and

**WHEREAS**, in addition to receiving comments from ENO and the Advisors, the Council received comments from the following parties: Crescent City Power Group (“CCPUG”) and the Alliance for Affordable Energy (“AAE”); and

**WHEREAS**, on September 14, 2020, ENO, the Advisors, and CCPUG filed their initial Comments regarding this Streamlining Resolution, and on October 14, 2020, ENO and the Advisors filed their respective Reply Comments; and

**WHEREAS**, on September 14, 2020, ENO submitted comments on 55 reports, and recommended that the Council maintain the requirements on 29 reports, modify the requirements for 19 reports, eliminate 5 reports, and clarify 2 of ENO’s current reporting requirements; and

**WHEREAS**, on September 14, 2020, the Council Advisors submitted approximately 48 initial comments regarding various ENO reporting requirements in response to the Council’s Streamlining Resolution; and

**WHEREAS**, on September 14, 2020, CCPUG submitted comments regarding approximately 33 reports generally holding that “while streamlining certain reporting requirements makes some sense and could possible save some costs of preparation, most of the filing and reporting requirements should be maintained;” and

**WHEREAS**, on October 16, 2020, AAE filed a *Motion to Respond Out of Time and Reply Comments Regarding Streamlining of Reporting Requirements to the City of New Orleans*; and

**WHEREAS**, AAE’s Reply Comments recommended that the Council maintain the monthly reports on ENO’s collaboration with the Sewerage and Water Board, modify the requirement for *Energy Smart Quarterly Reports* to biannual reports, and modify the requirement for the *Bi-Monthly Report on Customer Outages* to combine SAIDI and SAIDI reporting with the customer outage reporting; and

**WHEREAS**, on November 17, 2020, the hearing officer for this docket, Maria Auzenne, issued an order granting AAE’s motion out of time;<sup>1</sup> and

**WHEREAS**, on November 18, 2020, the Council Utilities Regulatory Office (“CURO”) filed its Recommendation Memorandum for the Council’s consideration and guidance. A summary of the reports ENO are required to submit is attached hereto as Exhibit A; and

**WHEREAS**, in accordance with the Streamlining Resolution and in light of all the Comments filed by the parties in this proceeding, **NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the following reporting requirements are maintained *without* modification, as described in Exhibit A, Section A:

1. ENO’s Bi-annual filing of gas design peak demand;
2. Post-MISO Integration Report;
3. Semi-Annual Securitized Storm Cost Recovery Rider (SSCR Rider) Filing;
4. Annual Securitized Storm Cost Offset Rider (SSCO Rider) filing;
5. NOPS Quarterly Reports
6. NOPS Post-Implementation Report on Internal Controls and Cyber Security;
7. Estimated O&M Expenditures for NOPS;
8. ENO’s lost contribution to fixed costs (LCFC) and utility performance incentive to Program Year of Energy Smart;
9. Release of Whole Building Aggregated Data;

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<sup>1</sup> In AAE’s October 16, 2020 *Motion to Respond Out of Time and Reply Comments Regarding Streamlining of Reporting Requirements to the City of New Orleans*, AAE stated that “the Alliance is largely supportive of the comments previously filed by CCPUG on September 14, 2020”. However, AAE specifically requested the following reporting requirements be maintained: 1) the Monthly Progress Report on ENO’s collaboration with the S&WB; (2) Entergy Smart Quarterly Reports; and (3) the Bi-Monthly Report on Customer Outages.

10. ENO's New Orleans Solar Station (NOSS) project quarterly reports;
11. Fuel Adjustment Clause (Paragraph B);
12. Annual review of General Service Customers' billing alternative rate schedules – new rate structures updated via the 2018 Rate Case;
13. Annual statement regarding the nature of inter-company transactions: independent accountants' report and annual report identifying non-clerical personnel from any regulated utility;
14. ENO MISO Cost Recovery Rider (True Up);
15. Bi-Annual application to the City Council for approval of ENO's financing plan; and
16. Bi-Annual reporting of data in accordance with Section 210 of the Public Utility Regulatory Act of 1978;
17. Quarterly Report of Entergy Corporation's proportionate share of its regulated utilities' assets, operating, and maintenance expenses (per Rule 53 Settlement Agreement);
18. Annual 1992 affiliate settlement agreement report per 1998 revision & R-98-187 (the 1992 settlement related to Public Utility Holding Company Act ("PUHCA") revisions of Rule 53 relative to affiliates and holding company transactions later revised in 1998);
19. Annual Gas Marketing Justification Report (gas hedging request);
20. NOPS Bi-Monthly Reports;
21. Monthly EAC Rate Report;
22. Monthly Purchased Power Cost Recovery Rider (PPCR);
23. 5 MW DG Solar Annual Report;
24. Monthly PGA Report;
25. Annual Energy Efficiency Rider Rate Report;
26. Monthly Progress Report on ENO's Collaboration with the Sewerage and Water Board ("S&WB") to improve reliability of electric service;
27. Bi-monthly Reliability Plan Progress Report;

28. Annual Gas Distribution System Report.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the following modifications to the reporting requirements serve to achieve the Council's goals to mitigate regulatory costs and increase efficiency while providing the information necessary for the Council, the parties, and other members of the public to monitor ENO's performance and practices. Therefore, having considered the comments of the Parties, the Advisors, and CURO regarding proposed changes to the reporting requirements, the Council modifies ENO's remaining reporting requirements as described in Exhibit A, Section B as follows:

1. Annual Net Energy Metering ("NEM") Report – The reporting requirements identified in Exhibit A, Item B1 shall be modified: ENO shall consolidate the Annual Net Energy Report into one annual compliance filing for all distributed energy resources. For example, consolidate the Annual Net Metering Report, the annual Community Implementation Plan Report, and any future distributed resource energy reports into one single distributed energy report. Further, the Council recommends ENO include reporting of the capacity and inverter ratings for each NEM installation as an exhibit/attachment to the 1 page Annual NEM Report summary.
2. Community Solar Implementation Plan's annual compliance filing to the Council – The reporting requirements identified in Exhibit A, Item B2 shall be modified: ENO shall consolidate the Community Solar Implementation Plan's annual compliance filing into one annual compliance filing for all distributed energy resources.
3. Securitized Storm Reserve Report – The reporting requirements identified in Exhibit A, Item B3 shall be modified: ENO shall combine the annual Securitized Storm Reserve Report with the annual Storm Reserve Fund Escrow because these are both storm related reporting. No supplemental information required.
4. Storm Reserve Fund Escrow Report – The reporting requirements identified in Exhibit A, Item B4 shall be modified: ENO shall consolidate the annual Storm Reserve Fund Escrow Report with the annual Securitized Storm Reserve Report. No supplemental information required.
5. Rough Production Cost Equalization Adjustment (RPCEA) – The reporting requirement identified in Exhibit A, Item B5 shall be modified: ENO shall terminate the quarterly Rough Production Cost Equalization Adjustment Report since the System Agreement terminated in 2015. There are no new RPCEA funds, therefore this reporting requirement is moot and should be terminated.

6. NOPS LDEQ Report - Semi-annual monitoring report (currently filed semi-annually March 30<sup>th</sup> & September 30<sup>th</sup>) – The reporting requirement identified in Exhibit A, Item B6 shall be modified: ENO shall file the NOPS LDEQ Report with the Council within 10 days after filing the report with LDEQ, provided ENO complies with the 1-day LDEQ filing notice requirements as outlined in City Code Sec. 158-181.
7. NOPS LDEQ Report – Title V certification report (currently filed annually by March 30<sup>th</sup>) – The reporting requirement identified in Exhibit A, Item B7 shall be modified: ENO shall file the NOPS LDEQ Report with the Council within 10 days after filing the report with LDEQ, provided ENO complies with the 1-day LDEQ filing notice requirements as outlined in City Code Sec. 158-181.
8. NOPS LDEQ Report – RICE engine annual report (currently filed annually by April 30<sup>th</sup>) – The reporting requirement identified in Exhibit A, Item B8 shall be modified: ENO shall file the NOPS LDEQ Report with the Council within 10 days after filing the report with LDEQ, provided ENO complies with the 1-day LDEQ filing notice requirements as outlined in City Code Sec. 158-181.
9. NOPS LDEQ Report – Emergency diesel generator report (currently filed annually by March 31<sup>st</sup>) – The reporting requirements identified in Exhibit A, Item B9 shall be modified: ENO shall file a final report relative to the LDEQ’s termination of this NOPS LDEQ Emergency Diesel Generator Report to the council within 60 days from Council’s adoption of the final streamline resolution herein per UD-20-01.
10. NOPS LDEQ Report – Emissions inventory (currently filed by April 30<sup>th</sup>) – The reporting requirements identified in Exhibit A, Item B10 shall be modified: ENO shall file the NOPS LDEQ Report with the Council within 10 days after filing the report with LDEQ, provided ENO complies with the 1-day LDEQ filing notice requirements as outlined in City Code Sec. 158-181.
11. NOPS LDEQ Report – Unauthorized discharges of pollutants – The reporting requirement identified in Exhibit A, Item B11 shall be modified: ENO shall file the NOPS LDEQ Report with the Council within 10 days after filing the report with LDEQ, provided ENO complies with the 1-day LDEQ filing notice requirements as outlined in City Code Sec. 158-181.
12. Quarterly NOPS O&M Expenditures – The reporting requirement identified in Exhibit A, Item B12 shall be modified: ENO shall file NOPS O&M Expenditure Report two times per year August 15<sup>th</sup> and February 15<sup>th</sup> summarizing NOPS year-to-date expenditures through June 30<sup>th</sup> and Dec. 31<sup>st</sup> respectively.
13. Quarterly AMI Progress Reports to the Council Advisors (field review not filed with the Council) – The reporting requirement identified in Exhibit A, Item B13 shall be modified: ENO shall file Quarterly AMI Progress Reports to the Council Advisors for electric AMI deployment until the full completion of the electric and gas AMI deployment respectively, including a final report detailing the number of customers who opted-out, final costs, *etc.* for both electric and gas AMI deployment. Any

necessary modifications to the timeline of AMI deployment due to COVID-19 related issues should be acknowledged and noted in the Quarterly AMI Progress Reports to inform the Council Advisors of anticipated delays.

14. Energy Smart Updated Rate Impact Analysis Report (with annual level of funding) – The reporting requirements identified in Exhibit A, Item B14 shall be modified: ENO shall file its Energy Smart Updated Rate Impact Analysis Report as a result of any change in rates related to funding Energy Smart after program costs and evaluations are complete in May or June each year.
15. Bi-Monthly Report on Customer Outages – The reporting requirements identified in Exhibit A, Item B15 shall be modified: ENO shall now file this report quarterly as part of a consolidated Quarterly Reliability Report. The Quarterly Reliability Report shall consolidate the information previously contained in the Bi-Monthly Report on Customer Outages and Annual SAIFI and SAIDI Reports.
16. City of New Orleans' Reports on Outside Services – The reporting requirement identified in Exhibit A, Item B16 shall be modified: ENO shall convert this quarterly report into a semi-annual (twice a year) reporting requirement to permit sufficient information and notice to the City of New Orleans as to outsourced budgetary spending.
17. Quarterly Reports of Natural Gas Storage Program – The reporting requirements identified in Exhibit A, Item B17 shall be modified: ENO shall consolidate the Quarterly Reports of Natural Gas Storage Program Report and the Annual Gas Storage Program Analysis Report into one annual report (excluding MDQ). This reporting requirement converts the Natural Gas Storage Program Report into one annual report instead of a quarterly report.
18. Order on Compliance regarding final calculation of refunds to ENO – The reporting requirements identified in Exhibit A, Item B18 shall be modified: ENO shall provide a final report to the Council for the order on compliance regarding the final calculation of refunds/rough production cost equalization refunds among the Operating Companies involving costs or benefits to ENO and customers within 60 days of the final resolution of FERC proceedings and/or provide a final report to Council regarding the final refunds directed by FERC indicating that the reporting requirements have concluded and therefore terminates. The final report will terminate this reporting requirement.
19. Annual SAIFI and SAIDI Reports – The reporting requirements identified in Exhibit A, Item B19 shall be modified: ENO shall now file this report quarterly as part of a consolidated Quarterly Reliability Report. The Quarterly Reliability Report shall consolidate the information previously contained in the Bi-Monthly Report on Customer Outages and Annual SAIFI and SAIDI Reports.
20. ENO's mid-year report on actual revenue requirement associated with the Union Power Station Power Block 1 – The reporting requirement identified in Exhibit A, Item B20 shall be modified: ENO shall terminate its mid-year report on actual revenue requirement associated with the Union Power Station Power Block 1 since the Purchased Power and Capacity Acquisition Cost Recovery Rider (“PPCACR”)

associated with Union Power Station Power Block 1 is no longer in effect as of August 2019 and has since been realigned to base rates per ENO's 2018 Combined Rate Case.

21. Annual Union Power Station Power Block 1 Revenue Requirement True-Up – The reporting requirement identified in Exhibit A, Item B21 shall be modified: ENO shall terminate the Annual Union Power Station Power Block 1 Revenue Requirement True-Up Report since the Purchased Power and Capacity Acquisition Cost Recovery Rider (“PPCACR”) associated with Union Power Station Power Block 1 is no longer in effect as of August 2019 and has since been realigned to base rates per ENO's 2018 Combined Rate Case.
22. NOPS Usage Reports (real-time usage) – The reporting requirements identified in Exhibit A, Item B22 shall be modified: ENO shall convert real-time NOPS usage into quarterly aggregated public reports within 30 days after the end of each quarter due to sensitive nature of reporting real-time usage information; however, the Council requires ENO to continue to provide detailed HSPM operational information to the Advisors quarterly.
23. AMI Deployment Progress Report – The reporting requirement identified in Exhibit A, Item B23 shall be modified: ENO shall file the AMI Deployment Progress Report quarterly rather than semi-annually to report the progress of AMI deployment. ENO shall file the final quarterly AMI Deployment Progress Report upon the completion of deployment for electric AMI as anticipated in 2020 and a final quarterly AMI Deployment Progress Report upon completion of gas meter deployment in 2021 respectively. In addition, ENO is granted leave to cure filing deficiencies via filing a progress report in UD-16-04 (AMI).
24. Energy Smart Quarterly Reports – The reporting requirement identified in Exhibit A, Item B24 shall be modified: ENO shall file the Energy Smart Reports semi-annually (every 6 months) instead of quarterly. The Energy Smart Reports currently tracks the progress of the kWh savings and spending by program. In addition to the progress of the kWh and kW savings and spending for each EE and DR program, the Energy Smart semi-annual reports must continue to provide documentation showing funding and expenditures, funds carryover, and the balance of Energy Smart's funding account. If any individual program has difficulty reaching the savings target, ENO should promptly notify CURO and the Council within one week of identifying the potential deficiency in reaching the savings target.



25. Annual Gas Storage Program Analysis Report – The reporting requirements identified in Exhibit A, Item B25 shall be modified: ENO shall consolidate the Annual Gas Storage Program Analysis Report and ENO’s Quarterly Reports of Natural Gas Storage Program Report into one annual report.
26. ENO’s’ Quarterly 10-Q and Annual 10-K Financial Statements – The reporting requirement identified in Exhibit A, Item B26 shall be modified: ENO shall terminate the filing of Quarterly 10-Q and Annual 10-K Financial Statements since the financial statements are available on Entergy Corporation’s website; however, ENO is still required to comply with the 1-day filing notice requirement as outlined in City Code Sec. 158-181.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That ENO shall provide an updated list of all reporting requirements to CURO each year no later than December 30<sup>th</sup> beginning in 2022. CURO is directed to file and distribute to the Service List a biennial report with the Council that provides an updated list detailing ENO’s reporting requirement no later than March 30<sup>th</sup> beginning in 2023. Parties can submit comments on CURO’s report requesting changes to the reporting requirements, including requests to include reports that may have been omitted from CURO’s report that parties feel should be included for consideration. Parties’ comments shall be submitted no later than May 1 of the year in which the biennial report is filed.

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

**YEAS:** Banks, Brossett, Giarrusso, Gisleson Palmer, Glapion, Moreno, Nguyen - 7  
**NAYS:** 0  
**ABSENT:** 0

**AND THE RESOLUTION WAS ADOPTED.**

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