

RESOLUTION

NO. R-16-365

CITY HALL: August 25, 2016

BY: COUNCILMEMBERS WILLIAMS, HEAD, GUIDRY, BROSSETT AND GRAY

**RESOLUTION AND ORDER REGARDING THE PAYMENT OF FILING FEES
IN UTILITY REGULATORY PROCEEDINGS BEFORE
THE NEW ORLEANS CITY COUNCIL**

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, pursuant to the provisions of New Orleans City Code Section 158-231 et. seq., the Council conducts various utility regulatory proceedings consistent with its authority to supervise and regulate public utilities providing service within the City; and

WHEREAS, the Council has historically and consistently encouraged the participation of members of the public to intervene and participate in its regulatory proceedings and to offer meaningful input and contributions to the regulatory process; and

WHEREAS, Section 158-231 et. seq. of the City Code also outlines the process by which parties may intervene and participate in regulatory proceedings before the Council including the payment of filing fees when filing documents with the Clerk of Council; and

WHEREAS, pursuant to its regulatory authority, the Council has, from time to time, waived the filing fees for nonprofit, civic, consumer, public advocacy and trade organizations and for individual residents of the City of New Orleans; and

WHEREAS, the Council wishes to clarify those sections of the City Code that relate to the payment of filing fees associated with filing documents in utility regulatory proceedings, including but not limited to, Sections 158-236 and 158-286. Specifically, the filing fees associated with notices or petitions for intervention and any other documents filed in regulatory proceedings before the Council on behalf of any nonprofit, civic, consumer, public advocacy and trade organization and by individual residents of the City of New Orleans should be waived; and

WHEREAS, the Council also wishes to accept the Petition for Intervention filed on behalf of the Alliance for Affordable Energy and waive the accompanying filing fee in Docket UD-16-03 without the need to re-file; **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS THAT:

1. Unless otherwise modified by the Council, the filing fees associated with requests for intervention and any other documents filed by any nonprofit, civic, consumer, public advocacy and trade organizations and individual residents of the City of New Orleans in utility regulatory dockets before the Council shall be waived.
2. Effective immediately upon adoption of this resolution, the Clerk of Council is hereby directed to waive the filing fees associated with all pending and future requests for intervention and any other documents filed in utility regulatory proceedings by any nonprofit, civic, consumer, public advocacy and trade organizations and individual residents of the City of New Orleans.

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

YEAS:

NAYS:

ABSENT:

AND THE RESOLUTION WAS ADOPTED.