**In the Matter of Entergy New Orleans, Inc. Application for Approval to Construct New Orleans Power Station and Request for Cost Recovery and Timely Relief**

**CNO UD-16-02**

**The Deep South Center Environmental Justice’s First Set of Requests for Information to the New Orleans City Council Consultants**

**October 6, 2017**

The Deep South Center for Environmental Justice, Inc. (“DSCEJ”) hereby serves upon the New Orleans City Council Consultants, as defined below, this First Set of Requests for Information in connection with the above captioned docket and pursuant to New Orleans City Council Resolution R-16-332 as well as the Louisiana Code of Civil Procedure.

**Instructions**

Whenever possible, the DSCEJ prefers to receive electronic copies of data responses either by email or on CD.

Responses to any and all of the DSCEJ’s data requests should be supplied to the DSCEJ as soon as they become available to any person or business organization comprising the New Orleans City Council Consultants and in any event within the delays allowed by the procedural schedule in this docket. Please contact counsel for the DSCEJ if you believe it is necessary for additional time to respond to any of these requests.

The requests herein shall be deemed to be continuing in nature and any person or business organization comprising the New Orleans City Council Consultants is requested to supplement its responses as necessary and as additional information becomes available.

In responding to each data request, please consult every document source which is in your possession, custody, or control, including all documents in the possession of experts or consultants.

For each response, identify the person who prepared the answer to the data request as well as his or her position with any of the business organizations represented in New Orleans City Council Consultants.

Please reproduce the data request before your corresponding response.

If the responses include computer modeling input and output files, please provide those data files in electronic machine readable or .txt format.

If the responses include spreadsheet files, please provide those spreadsheet files in useable electronic Excel readable format.

In responses providing computer files, include the corresponding data request in the file name of the responsive computer file, and if necessary to the understanding of the data, provide a record layout of the computer files. Computer files provided with a response must be in or compatible with the current version, or the immediately prior version, of Microsoft Office.

For each dollar amount provided in response to a discovery request please state if the amount is in nominal or constant dollars and what year’s dollars.

**Definitions**

“ENO” or “the Company” shall mean Entergy New Orleans, Inc.

“Document(s)” shall mean any written, typed, printed, computer produced, recorded or graphic matter, however produced or reproduced, of any kind, character, type or description, regardless of origin or location, including, without limitation, all correspondence, records, tables, charts, analyses, graphs, maps, schedule, summaries, reports, memoranda, notes (handwritten or otherwise), notations, drafts, lists, calendar and diary entries, letters (sent or received), telegrams, telexes, telecopies, faxes, Photostats, messages (including, but not limited to reports or notes of telephone conversations and conferences), studies, books, periodicals, magazines, booklets, circulars, bulletins, pamphlets, instructions, papers, files, minutes, Communications, other communications (including, but not limited to, inter and intra-office communications), questionnaires, contracts, memoranda or agreements, assignments, licenses, ledgers, books or account, financial statements, work sheets, work papers, spreadsheets, databases, orders, invoices, statements, bills, checks, check registers, vouchers, notebooks, receipts, acknowledgements, data processing cards, word processing documents, computer generated matter, computer printouts, electronically maintained or stored information, microfilm, contact manager information, internet usage files, network access information, photographs, photographic negatives, phonograph records, tape or audio recording, compact discs, video tapes or DVDs, wirer recordings, voicemail recordings, other mechanical recordings, transcripts or log of any such recordings, all other data compilations from which information can be obtained, or translated if necessary, and any other tangible thing of a similar nature. “Document(s)” shall include originals (or copies if originals are not available) and non-identical copies (whether difference from the original because of handwritten notes or underlining or otherwise) and any translation of any Document. Without limiting the generality of the foregoing, “Document(s)” specifically include telephone billing records, written or audio telephone messages, E-mail, evidence of facsimile transmissions, expense accounts, and other information not necessarily contained in files pertaining exclusively or directly to this matter; “Document(s)” also include, without limitation, materials maintained in magnetic or other storage media, including those maintained in computers, magnetic tapes or disks, and any onsite or offsite backup or so-called “erased” or “deleted” computer information that may be susceptible of retrieval.

“New Orleans City Council Consultants” shall mean any person or business organization either currently or previously contracted to provide consulting services to the New Orleans City Council in regards to its authority to regulate Entergy New Orleans, Inc. and includes the following persons and their affiliated business organizations identified in the official Service List for Docket UD-16-02 as the “New Orleans City Council Consultants”:

Clinton A. Vince, DENTONS US LLP

Presley Reed, DENTONS US LLP

Emma F. Hand, DENTONS US LLP

Basile J. Uddo, c/o DENTONS US LLP

J. A. “Jay” Beatmann, Jr., c/o DENTONS US LLP

Walter J. Wilkerson, Wilkerson and Associates, PLC

Kelley Bazile, Wilkerson and Associates, PLC

Joseph Vumbaco, Legend Consulting Group

Joseph W. Rogers, Legend Consulting Group

Victor M. Prep, Legend Consulting Group

Byron S. Watson, Legend Consulting Group

Errol Smith, Bruno and Tervalon

**Request for Information**

DSCEJ 1 – 1: Referring to both the *Response of: Entergy New Orleans, Inc. to the First Set of Data Requests of Requesting Party: Deep South Center for Environmental Justice, Inc.*, Docket No. UD-16-02, which states:

In Council Resolution R-15-524, which approves ENO’s exit from the Entergy System Agreement, the Council directed ENO “to use diligent efforts to have at least one future generation facility located in the City of New Orleans.”

as well as the New Orleans City Council’s *Resolution and Order Approving the Proposed Settlement Terminating the Entergy System Agreement in FERC Docket No. ER 14-75*, R-15-524, Nov. 5, 2015, which states:

WHEREAS, ENO will use reasonable diligent efforts to purse the development of at least 120 MW of new-build peak generation capacity within the City of New Orleans. As part of this commitment, ENO will fully evaluate Michoud or Paterson, along with any other appropriate sites in the City of New Orleans, as the potential site for a combustion turbine (“CT”) or other peaking unit to be owned by ENO, or by a third party with an agreed-to PPA to ENO. This evaluation will take into consideration, among other material considerations, the results of the Michoud site analysis that was completed in connection with the Summer 2014 Request for Proposal . . . .

a: Please identify all New Orleans City Council Consultants by name, title, and business affiliation who were involved in negotiating the settlement agreement terminating the Entergy System Agreement that was approved by City Council Resolution R-15-524.

b: Please identify all New Orleans City Council Consultants by name, title, and business affiliation who recommended the City Council direct ENO “to pursue the development of at least 120 MW of new-build peak generation capacity within the City of New Orleans,” as stated in City Council Resolution R-15-524.

c: Please provide any document, as defined herein, that was either reviewed or prepared by any of the New Orleans City Council Consultants for the purpose of recommending the City Council direct ENO “to pursue the development of at least 120 MW of new-build peak generation capacity within the City of New Orleans,” as stated in City Council Resolution R-15-524.