



Entergy Services, LLC
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New Orleans, LA 70161-1000
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Alyssa Maurice-Anderson
Assistant General Counsel
Legal Department -- Regulatory

November 14, 2018

VIA HAND DELIVERY AND
ELECTRONIC MAIL

Lora W. Johnson, CMC, LMMC
Clerk of Council
Room 1E09, City Hall
1300 Perdido Street
New Orleans, LA 70112

Re: *Revised Application of Entergy New Orleans, LLC for a Change in
Electric and Gas Rates Pursuant to Council Resolutions R-15-194
and R-17-504 and for Related Relief*
Council Docket No. UD-18-07

Dear Ms. Johnson:

In accordance with the Order issued on November 9, 2018 by Judge Gulin, please find attached for your further handling an original and two copies of Entergy New Orleans, LLC's Opposition to the Crescent City Power Users' Group Motion for Extension of Time to File Direct Testimony, which we would appreciate your filing into the record of the captioned matter. Please return a conformed copy of same to our courier.

Should you have any questions regarding the above/attached, please do not hesitate to contact me.

With kindest regards, I am


Sincerely,


Alyssa Maurice-Anderson

/ama

Enclosures

cc: Service List (via email)
Mr. Luke Piontek (via email)
Mr. Brian Ferrara (via email)
Mr. John Chavanne (via email)
Rev. Gregory Manning (via email)

RECEIVED
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BY: 

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BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS

REVISED APPLICATION OF)	
ENTERGY NEW ORLEANS, LLC,)	
FOR A CHANGE IN ELECTRIC AND)	Docket No. UD-18-07
GAS RATES PURUSANT TO COUNCIL)	
RESOLUTIONS R-15-194 AND R-17-504)	
AND FOR RELATED RELIEF)	

**ENTERGY NEW ORLEANS, LLC'S OPPOSITION TO
CRESCENT CITY POWER USERS' GROUP'S
MOTION FOR EXTENSION OF TIME TO FILE DIRECT TESTIMONY**

NOW COMES, Entergy New Orleans, LLC, ("ENO" or the "Company"), through undersigned counsel, and submits this, its Opposition to Crescent City Power User's Group's ("CCPUG") Motion for Extension of Time to File Direct Testimony ("CCPUG Motion") as follows, to wit:

In CCPUG's Motion, it has requested an extension of six weeks' time to file its direct testimony to ENO's revised application and supporting testimony in this proceeding.¹ CCPUG claims that the notice of filing of ENO's application was included in the Council of the City of New Orleans' ("Council") Resolution No. R-18-434, adopted on October 4, 2018.² It is important to consider this claim in full context of these proceedings. ENO filed its original application for a change in rates on July 31, 2018. The first notice of filing of ENO's original application was via legal notice published in the official journal for the Parish of Orleans, the Times-Picayune/Advocate, on three separate occasions. That notice contains a summary of the filing and indicates that a copy of the Public Version of the filing was available for duplication at the Council Utility Regulatory Office and each satellite branch of the New Orleans Public

¹ CCPUG Motion, p. 2-3.

² CCPUG Motion, p. 2.

Library. Mr. Piontek requested a copy of the filing from undersigned counsel, which copy was provided on August 2, 2018, and Mr. Piontek confirmed receipt thereof on August 3, 2018.³ ENO withdrew its original application on August 15, 2018 and, in doing so, represented that a revised application would be filed in September 2018. The notice of withdrawal of ENO's original filing and intent to refile was covered by local broadcast and print media and the subject of the August 16, 2018 Council Utility, Cable, Telecommunications, and Technology Committee meeting, public notice of which was provided in advance of the meeting on the Council's website.

The Company filed its revised application on September 21, 2018 and the same notice process was followed with that filing. Contrary to CCPUG's representation, the first legal notice of the revised application was actually published on September 26, 2018⁴ (and then again on October 3, 2018 and October 10, 2018). As such, notice was provided and a copy of the filing could be obtained as early as five days after it was submitted to the Council. Mr. Piontek obtained a copy of the filing on October 10, 2018. Under the procedural schedule adopted on October 4, 2018, the current deadline for providing the intervenors' testimony is December 7, 2018, 77 days (11 weeks) after notice of the filing was first published. CCPUG allowed almost a month to elapse before intervening in these proceedings on October 30, 2018, during which time CCPUG could have received not only the benefit of its own discovery, but also those of other parties. Additionally, ENO notes that under Louisiana law, it is well settled that an intervenor "takes the proceedings as he finds them."⁵

³ See Exhibit 1 attached hereto, email from Luke Piontek to Harry M. Barton, dated August 3, 2018.

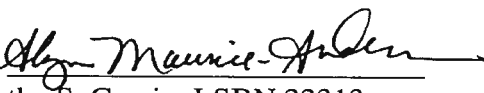
⁴ See Exhibit 2 attached hereto, a copy of the tear sheet demonstrating the date and time of publication of legal notice of the Company's revised application and supporting testimony.

⁵ See *Willis v. City of New Orleans*, et. al; 14-0098 (La. App. 4 Cir. 6/18/14); 143 So.3d 1232, 35.

ENO is opposed to CCPUG's request for extension of the deadline to submit its direct testimony by six weeks. Although ENO is amenable to a modest extension of this deadline (*e.g.*, two weeks), in the event the Advisors' deadline for submission of direct testimony is also extended as a result of the motion, ENO's deadline should likewise be extended by the same amount of time. Additionally, appropriate deadlines for issuance of discovery should be established so that the Company is not prejudiced by the intervening holidays when responding to data requests pursuant to the abbreviated ten-day deadline. Further, the Council is under a statutorily imposed deadline that requires a decision on the Company's request for a change in rates to be rendered in approximately twelve and one-half months. Unless the hearing and subsequent procedural deadlines are altered significantly to accommodate CCPUG's requested six-week extension, an extension of the intervenors' deadline for filing direct testimony and corresponding changes to the other deadlines would thwart a decision by the Council in accordance with the statutorily imposed deadline.

WHEREFORE, for the above and foregoing reasons, Entergy New Orleans, LLC, opposes Crescent City Power Users' Group's Motion for Extension of Time to File Direct Testimony and prays that said motion be denied.

Respectfully submitted,

BY: 
Timothy S. Cragin, LSBN 22313
Alyssa Maurice-Anderson, LSBN 28388
Harry M. Barton, LSBN 29751
Brian L. Guillot, LSBN 31759
ENTERGY SERVICES, INC.
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New Orleans, Louisiana 70113
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Scott R. Olson, TX Bar No. 24013266
James F. McNally, Jr., TX Bar No. 13815680
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One American Center
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Telephone: (512) 744-9300
Facsimile: (512) 744-9399

ATTORNEYS FOR ENTERGY NEW ORLEANS, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of November, 2018, served the required number of copies of the foregoing pleading upon all other known parties of this proceeding individually and/or through their attorney of record or other duly designated individual, by: electronic mail, facsimile, hand delivery, and/or by depositing same with overnight mail carrier, or the United States Postal Service, postage prepaid.

Lora W. Johnson, CMC, LMMC
Clerk of Council
City Hall – Room 1E09
1300 Perdido Street
New Orleans, LA 70112

Hon. Jeffrey S. Gulin
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Lutherville, MD 21093

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Connolly F. A. Reed
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New Orleans, LA 70112

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Allentown, PA 18195-1501

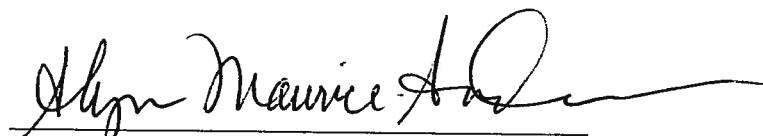
Myron Katz, PhD
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New Orleans, LA 70117

Benjamin Quimby
1621 S. Rampart St.
New Orleans, LA 70113

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New Orleans, LA 70115

Maurice Brubaker
Brubaker & Associates, Inc.
P.O. Box 412000 (63141-2000)
16690 Swingly Ridge Road, Suite 140
Chesterfield, MO 63017


Alyssa Maurice-Anderson

Barton, Harry M

From: Luke Piontek <LPiontek@roedelparsons.com>
Sent: Friday, August 03, 2018 3:50 PM
To: Barton, Harry M
Cc: CRAGIN, TIMOTHY S; Judith Sulzer
Subject: RE: ENO Base Rate Case

EXTERNAL SENDER. DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password.

Harry:

We received the CD today. Thanks,

LUKE PIONTEK *Partner*

office 225.929.7033 | direct 225.329.1293

fax 225.928.4925

8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809

and

office 504.566.1801 | fax 504.565-5626

1515 Poydras Street, Suite 2330, New Orleans, LA 70112

www.roedelparsons.com

**ROEDEL PARSONS KOCH
BLACHE BALHOFF & McCOLI**

This e-mail may contain privileged or confidential information. If you believe you have received this e-mail in error, please notify the sender immediately and delete this message without copying or disclosing it.

From: Luke Piontek
Sent: Thursday, August 02, 2018 3:01 PM
To: Barton, Harry M <hbarton@entergy.com>
Cc: CRAGIN, TIMOTHY S <tcragin@entergy.com>; Judith Sulzer <JSulzer@roedelparsons.com>
Subject: Re: ENO Base Rate Case

Thanks Harry. Much appreciated.

Luke

Sent from my iPhone

On Aug 2, 2018, at 2:26 PM, Barton, Harry M <hbarton@entergy.com> wrote:

A copy is being shipped out today on CD.

Harry M. Barton
Senior Counsel
Entergy Services, Inc.
Legal Services - Regulatory
Tel: (504) 576-2984
Email: hbarton@entergy.com

From: Luke Piontek [<mailto:L.Piontek@roedelparsons.com>]
Sent: Wednesday, August 01, 2018 5:49 PM
To: CRAGIN, TIMOTHY S; Barton, Harry M
Cc: Judith Sulzer
Subject: RE: ENO Base Rate Case

EXTERNAL SENDER. DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password.

Tim and Harry:

I know you are both probably buried in work with the rate case filing and all, but is there a way I could get a copy through Drop Box or an FTP site? I am eager to start studying it.

Thanks for your help on this.

LUKE PIONTEK *Partner*
office 225.929.7033 | direct 225.329.1293
fax 225.928.4925
8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809
and
office 504.566.1801 | fax 504.565-5626
1515 Poydras Street, Suite 2330, New Orleans, LA 70112
www.roedelparsons.com

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This e-mail may contain privileged or confidential information. If you believe you have received this e-mail in error, please notify the sender immediately and delete this message without copying or disclosing it.

From: Luke Piontek
Sent: Tuesday, July 31, 2018 8:56 AM
To: CRAGIN, TIMOTHY S <tcragin@entergy.com>; Barton, Harry M <hbarton@entergy.com>
Cc: Judith Sulzer <JSulzer@roedelparsons.com>
Subject: ENO Base Rate Case

Tim and Harry:

I hope this email finds you well. Could you please favor me with a copy of the ENO Combined Base Rate Case Application when it is filed?

Call or email with any questions.

Thanks,

LUKE PIONTEK *Partner*

office 225.929.7033 | direct 225.329.1293

fax 225.928.4925

8440 Jefferson Highway, Suite 301, Baton Rouge, LA 70809

and

office 504.566.1801 | fax 504.565-5626

1515 Poydras Street, Suite 2330, New Orleans, LA 70112

www.roedelparsons.com

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Table with 10 columns: Bid Number, Date, Make, Model, Year, Bidder Name, Bid Amount, Bidder Address, Bidder Phone, Bidder Email. Lists various vehicle bids from Toyota, Lincoln, Chevy, etc.

On/Off Bidders must attach a signed copy of the Bid Form (Attachment "C"), Unit Price Form (if used) and corporate resolution in accordance with R.S. 38:213(B)(2).
Not later than October 26, 2018 at 2:00 p.m. local time, at which time the bids will be publicly opened and read aloud for TRAFFIC CONTROL SIGNS.
Bids may not be withdrawn for a period of ninety (90) calendar days after the bid opening. The City will not accept or consider bids delivered by fax, or by e-mail, at any other location or past the deadline.
Copies of Bid Proposal No. 5252-0242 at www.purchasing.nola.gov/procurement/procurement.asp are available on the City of New Orleans website: www.nola.gov and select "Business" tab, and select Online Purchasing Portal. Addenda will be transmitted to all bidders who login and acknowledge download of bid documents online from the City Purchasing Portal. To answer "yes" when downloading bid documents.
Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
NOCIP 3313

ADVERTISEMENT TO BID
INVITATION TO BID
CITY OF NEW ORLEANS
Healthcare Services for Health-Care for the Homeless Clinic at Administrative Plaza
BID PROPOSAL NO. 3833-0247

Sealed bids will be received by the City of New Orleans, Department of Finance, Bureau of Purchasing, 1388 Perdido Street, Room 4067, New Orleans, Louisiana 70112.
Not later than October 18, 2018 at 11:00 a.m. local time, at which time the bids will be publicly opened and read aloud for Judicial Services for Health-Care for the Homeless Clinic at Administrative Plaza.
Bids may not be withdrawn for a period of ninety (90) calendar days after the bid opening. The City will not accept or consider bids delivered by fax, or by e-mail, at any other location or past the deadline.
Copies of Bid Proposal No. 3836-0247 at www.purchasing.nola.gov/procurement/procurement.asp are available on the City of New Orleans website: www.nola.gov and select "Business" tab, and select Online Purchasing Portal. Addenda will be transmitted to all bidders who login and acknowledge download of bid documents online from the City Purchasing Portal. To answer "yes" when downloading bid documents.
Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 19, 26 and October 3, 2018
NOCIP 3308

At/Attached is a summary of an application with supporting testimony and exhibits made by Entergy New Orleans, LLC ("ENO") with the Council of the City of New Orleans ("Council") pursuant to Resolution R-17-506 and R-17-504. The filing includes ENO's request for a change in electric and gas rates, new services, and new rate schedules applicable to electric and gas service. The cover sheet summarizes the filing, and attached to the cover sheet is a copy of the filing so that the rate schedule which may be reviewed by the filing and may make a copy. If that person's signature. A copy of this notice, the summary, and the filing is to be located at the main branch and every retail branch of the New Orleans Public Library and also at the Entergy New Orleans, LLC Customer Care Center located in Orleans Parish. A copy will also be available at the office of the Clerk of Council of the City of New Orleans.

SUMMARY OF ENTERGY NEW ORLEANS, LLC'S APPLICATION FOR A CHANGE IN ELECTRIC AND GAS RATES PURSUANT TO COUNCIL RESOLUTION R-15-194 AND R-17-504
Entergy New Orleans, LLC ("ENO") filed an application with supporting testimony and exhibits to amend and update its rates and to provide for new services pursuant to Council Resolution R-15-124 and R-17-504. The filing includes ENO's request for a change in electric and gas rates, new services, and new rate schedules applicable to electric and gas service. In accordance with the Standard Filing Requirements, this filing presents a Period 1 Test Year, twelve months ending December 31, 2017, and a Period 2 Test Year, twelve months ending December 31, 2018. The basis of the Company's request is the forecasted Period 1 Test Year twelve months ending December 31, 2018. The Company proposes to reduce the overall electric revenue requirement by approximately \$20 million. The Company also proposes to reduce the overall gas revenue requirement by approximately \$20 million. The estimated net effects of these proposed rate changes on typical monthly electric and gas bills are shown below.

Estimated Typical Monthly Electric Bill Summary (per AMICE & BECR) (\$)
Table with columns: Customer Type, Energy (kWh), Demand (kW), Present Rate, Proposed Rate, Difference, Proposed Rate (Phase 2), Difference. Rows include Residential Legacy, Residential All-gas, Small Electric Legacy, Small Electric All-gas, Large Electric Legacy, Large Electric - HLF All-gas.

Estimated Typical Monthly Gas Bill Summary (per AMICE & BECR) (\$)
Table with columns: Customer, Consumption, Present Rate, Proposed Rate, Difference. Rows include Residential, Commercial, Industrial.

Written comments should be filed with the City Council Utilities Regulatory Office - City Hall, Room 6887, 1388 Perdido Street, New Orleans, LA 70112. Phone (504) 658-1119 for more information.
NOCIP 3315

City of New Orleans, Louisiana
Request for Proposals
Feasibility Study for the Development of Affordable Housing
September 21, 2018
RFP No. 7932-0243

Development of Affordable Housing. As provided below, and incident to City Charter Section 6.38(8) and Executive Order No. 18, 01, it requests proposals from experienced firms to provide the needed services.
Interested Parties should submit the following to the Bureau of Purchasing and Procurement Services, City of New Orleans, Louisiana 70112, 504-658-1550, not later than October 22, 2018 at 4:00 PM CDT.
a. Six (6) signed hard copies of the proposal in a sealed envelope, marked "Feasibility Study for the Development of Affordable Housing and use (1) digitally signed proposal (downloaded from ENO) on a CD, DVD or flash drive, in Microsoft Word format or as a PDF file.
b. Six (6) printed hard copies of the related cost proposal enclosed in a separate sealed envelope, marked "Feasibility Study for the Development of Affordable Housing".
c. A signed cover letter including the company's name, address and primary contact for the proposal. The primary contact information must include submitter name, telephone, and email address.
d. Proposers must complete all required attachments and submit along with both electronic and hardcopy proposal submissions.
e. Proposers should ensure to contact clearly on the outside of all submissions (envelopes submitted) by regular mail or by express delivery, on the envelope and the digital submission the name of the proposal and the number and the title of the RFP. This information is critical to the Bureau of Purchasing to identify proposals.
Copies of the solicitation and related information are available on the City's purchasing website at www.nola.gov.
For additional information contact the Purchasing Bureau at procurement@nola.gov or call (504) 658-1550.
Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
NOCIP 3314

Development of Affordable Housing. As provided below, and incident to City Charter Section 6.38(8) and Executive Order No. 18, 01, it requests proposals from experienced firms to provide the needed services.
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Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
NOCIP 3314

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Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
NOCIP 3314

City of New Orleans, Louisiana
Request for Proposals
Feasibility Study for the Development of Affordable Housing
September 21, 2018
RFP No. 7932-0243
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Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
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City of New Orleans, Louisiana
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Feasibility Study for the Development of Affordable Housing
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b. Six (6) printed hard copies of the related cost proposal enclosed in a separate sealed envelope, marked "Feasibility Study for the Development of Affordable Housing".
c. A signed cover letter including the company's name, address and primary contact for the proposal. The primary contact information must include submitter name, telephone, and email address.
d. Proposers must complete all required attachments and submit along with both electronic and hardcopy proposal submissions.
e. Proposers should ensure to contact clearly on the outside of all submissions (envelopes submitted) by regular mail or by express delivery, on the envelope and the digital submission the name of the proposal and the number and the title of the RFP. This information is critical to the Bureau of Purchasing to identify proposals.
Copies of the solicitation and related information are available on the City's purchasing website at www.nola.gov.
For additional information contact the Purchasing Bureau at procurement@nola.gov or call (504) 658-1550.
Julien Meyer
Interim Chief Procurement Officer
Advertising Dates: September 26, October 3 and 10, 2018
NOCIP 3314