

RESOLUTION

NO. R-20-268

CITY HALL: August 20, 2020

**BY: COUNCILMEMBERS MORENO, WILLIAMS, GIARRUSSO, BANKS AND
BROSSETT**

**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**

**RESOLUTION AND ORDER TO EXTEND THE FILING DEADLINE FOR THE
FORMULA RATE PLANS AS APPROVED IN R-19-457**

DOCKET NO. UD-18-07

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, Entergy New Orleans, LLC (“ENO” or “Company”), is a public utility providing electric and natural gas service to all of New Orleans; and

WHEREAS, on July 31, 2018, ENO filed its initial *Application of Entergy New Orleans, LLC for a Change in Electric and Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and For Related Relief* (“Initial Rate Filing”); and

WHEREAS, in a letter dated August 15, 2018, Roderick K. West, Entergy Group President of Utility Operations, explained that ENO had decided to withdraw its Initial Rate Filing, explaining that the decision to withdraw the Initial Rate Filing was in “response to the thoughtful feedback that Entergy New Orleans has received from members of the Council of the City of New Orleans and Council’s legal and technical Advisors, particularly with regard to the need to develop a better path toward a single rate structure for all customers of Entergy New Orleans, both those residing on the East Bank of New Orleans and those residing in Algiers” and noted that ENO would refile the rate case in September; and

WHEREAS, on September 21, 2018, ENO refiled its rate case, *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* (“Revised Application”); and

WHEREAS, on October 4, 2018, the Council adopted Resolution R-18-434 establishing a procedural schedule to allow the parties to this proceeding to rigorously investigate the Revised Application, conduct discovery, file testimony, and otherwise establish a record upon which the Council could rely to make a determination as to the proper rates to be charged by ENO; and

WHEREAS, the Council reviewed the Revised Application, the positions of the parties, and the evidence presented in the voluminous record certified in this proceeding; and

WHEREAS, on November 7, 2019, the Council adopted Resolution R-19-457 (“Rate Case Resolution”) and approved the April 2020 filing deadline for ENO’s electric and gas formula rate plans; and

WHEREAS, as a result of the COVID-19 pandemic, the State of Louisiana and the City of New Orleans have been under declared states of emergency since March 2020; and

WHEREAS, on May 7, 2020, the Council adopted Resolution R-20-112 granting ENO's request to extend the deadline to file the first Evaluation Reports pursuant to Rider Schedule EFRP-5 and Rider Schedule GFRP-5 and said deadline was extended to June 29, 2020; and

WHEREAS, on July 2, 2020, the Council adopted Resolution R-20-213 granting ENO's request to extend the deadline to file the Evaluation Reports to August 13, 2020; and

WHEREAS, on August 12, 2020, ENO filed a request for an additional extension to delay the filing 30 days; and

WHEREAS, the Council recognizes that in light of the current crisis, it is in the public interest to extend the filing deadline for the electric and gas formula rate plan Evaluation Reports;

NOW THEREFORE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That ENO's request for extension is approved, and the deadline for the first Evaluation Reports pursuant to Rider Schedule EFRP-5 and Rider Schedule GFRP-5 ("Rider Schedules") is hereby extended from August 13, 2020 to September 14, 2020.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That consistent with the extension of the filing deadline for the Evaluation Reports, the deadline for parties to review the Evaluation Reports as described in Section II.B.2 of the Rider Schedules is extended from October 30, 2020 to November 30, 2020 or 75 days after filing whichever is longer. If any of the parties should detect an error(s) (as distinguished from a regulatory issue(s)) in the application of the principles and procedures contained in Section II.C of the rider schedules, such error(s) shall be formally communicated in writing to the Company and/or other Parties by December 14, 2020. Each such indicated error shall include documentation of the proposed correction.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF THE NEW ORLEANS, That consistent with the extension of the filing deadline for the Evaluation Report and, except where there is an unresolved dispute, the Rate Adjustments initially filed, or such corrected Rate Adjustments as may be determined pursuant to the terms of Rider Schedules, shall become effective for bills rendered on and after the first billing cycle for the following month of January 2021.

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

YEAS: Banks, Giarrusso, Gisleson Palmer, Moreno, Nguyen - 5

NAYS: 0

ABSENT: Brossett, Williams - 2

AND THE RESOLUTION WAS ADOPTED.

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