

RESOLUTION

NO. R-22-393

CITY HALL: September 1, 2022

**BY: COUNCILMEMBERS MORENO, MORRELL, GIARRUSSO, HARRIS, KING,
GREEN AND THOMAS**

**RESOLUTION AND ORDER PROVIDING GUIDANCE AND ESTABLISHING
PROCEDURAL DEADLINES WITH RESPECT TO PROPOSED PUBLIC
DIRECT CURRENT FAST CHARGING STATION PROJECT**

DOCKET UD-18-01 and DOCKET 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 (“City”); and

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

WHEREAS, ENO is a wholly owned subsidiary of Entergy Utility Holding Company, LLC. ENO, and four other Entergy subsidiaries, Entergy Arkansas, LLC; Entergy Louisiana, LLC; Entergy Mississippi, LLC; and Entergy Texas, Inc. are the Entergy Operating Companies (“EOC”); and

WHEREAS, matters relating to electrical vehicle charging infrastructure have been addressed in Council Docket UD-18-01 (Smart Cities and Grid Modernization), Council Docket UD-18-02 (Electric Vehicles - merged with Council Docket UD-18-01) and Council Docket UD-18-07 (2018 Rate Case); and

WHEREAS, in Council Docket UD-18-07 (“2018 Rate Case”) the Council approved an Electric Vehicle Charging Infrastructure Rider (“EVCI Rider”) that allowed ENO to construct, own, and operate electric vehicle charging infrastructure (“EVCI”) on customer’s property and recover the costs over ten (10) years; and

WHEREAS, in the 2018 Rate Case the Council also authorized ENO to invest \$500, 000 in free-to-use electric vehicle charges located on public property; and

WHEREAS, on January 14, 2022, ENO filed a Request to Modify its Electric Rate Schedules to Expand Access to Electric Vehicle Charging Infrastructure in the City Of New Orleans (“Request to Modify”); and

WHEREAS, the Request to Modify seeks to 1) modify the EVCI Rider to allow customers to choose a period from one (1) to ten (10) years for recovery of the EVCI investment; 2) obtain Council approval for the Electric Vehicle Charging Demand Adjustment Rate Schedule (“EVCDA Rider”); 3) modify the Extension of Electric Service Policy (“Schedule EDES”) to change the threshold to allow no-cost overhead extensions and additions; and

WHEREAS, ENO’s filing includes additional details as to each request; and

WHEREAS, the Council finds it appropriate to consider this matter in both Council Docket UD-18-01 and Council Docket UD-18-07 and to establish a procedural schedule and provide certain guidance to the parties in the interest of further evaluating the proposed modification requests; and

WHEREAS, on July 21, 2022, ENO filed a request for approval of a public direct current fast charging (“DCFC”) station project (“DCFC Project”) to expand access to EVCI and to modify the electric vehicle rate schedule; and

WHEREAS, under the proposed DCFC Project ENO would invest up to \$3 million to construct and own five (5) DCFC stations, locating one in each Council district; and

WHEREAS, the proposed DCFC Project would place an additional DCFC station in the parking lot of the Walmart Supercenter on Bullard Road in New Orleans East, which station might also be eligible for funding under the Infrastructure and Investment Jobs Act (“IIJA”); and

WHEREAS, ENO’s DCFC Project proposal also requests approval of a Fast Charging for Electric Vehicles Schedule (“FCEV Schedule”) that would allow ENO to sell energy delivered by the DCFC stations at an initial rate of \$0.35 a kilowatt hour (“kWh”) plus an idling fee and applicable taxes; and

WHEREAS, the proposed rate associated with the DCFC Project is not cost-based and not calculated to fully recover the costs of the DCFC stations; and

WHEREAS, ENO asserts that the initial rate is intended to encourage the use of public DCFC stations and the adoption of electric vehicles; and

WHEREAS, ENO further asserts that the revenue from the DCFC chargers will offset a large portion, but not all, of the DCFC stations revenue requirement and that there will be what

ENO describes as some “minimal burden” to all customers, which ENO suggests will be offset by the anticipated environmental benefits;¹ and

WHEREAS, ENO proposes that in the future costs associated with the DCFC Station Project will be included in ENO’s revenue requirement and the FCEV Schedule revenues will be included in ENO’s operating revenues; and

WHEREAS, the Council finds it appropriate to consider this matter in both Council Docket UD-18-01 and Council Docket UD-18-07 and to establish a procedural schedule and provide certain guidance to the parties in the interest of further evaluating the proposed DCFC Project request; and

WHEREAS, the Council values input on the proposal and whether it merits further consideration by the Council, and, if so, on 1) whether the costs of the DCFC Project should be solely recoverable from the revenues from the DCFC stations, or 2) whether any net costs of the DCFC Project should be allowed recovery from all ratepayers, and 3) whether ENO should be required to design the DCFC Project to work with public agencies such as the Regional Transit Authority (“RTA”) and the Orleans Parish School Board (“OPSB”) to maximize the opportunities for the project to support electrification of public vehicles; and **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, that:

1. A rolling discovery period shall commence upon the adoption of this Resolution by the Council.
2. The following procedural schedule is adopted:

¹ ENO’s filing estimates that the costs passed on to customers would be approximately \$1.8 million over ten (10) years.

- a. Within 30 days of the adoption of this Resolution by the Council parties to both dockets may file comments regarding the Request to Modify and the DCFC Station Proposal. Parties who choose to comment are encouraged to include in their comments their views of the following:
 - i. Whether ENO's Request to Modify merits additional consideration by the Council and whether the proposed modifications should be approved as proposed, approved with modifications, or rejected.
 - ii. Whether ENO's DCFC Project proposal merits further consideration by the Council.
 - a. If so, whether the costs of the project should be solely recoverable from the revenues from the DCFC stations;
 - b. whether any net costs of the DCFC Project should be allowed recovery from all ratepayers; and
 - c. whether ENO should be required to design the DCFC Project to work with public agencies such as the Regional Transit Authority ("RTA") and the Orleans Parish School Board ("OPSB") to maximize the opportunities for the DCFC Project to support electrification of public vehicles
- b. Fifteen days after the close of the comment period parties may file reply comments.

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

YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

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