

RESOLUTION

NO. R-18- 499

CITY HALL: November 1, 2018

**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 AND FOR RELATED RELIEF**

**RESOLUTION TO AMEND PROCEDURAL SCHEDULE SET FORTH IN
RESOLUTION NO. R-18-434**

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”) provides retail electric service and gas within the City of New Orleans; and

WHEREAS, on July 31, 2018, ENO filed its annual *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* (“Initial Rate Filing”); and

WHEREAS, ENO ultimately withdrew its Initial Rate Filing and on September 21, 2018, 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 No. R-18-434 establishing a procedural schedule in this proceeding; and

WHEREAS, Resolution No. R-18-434 established a deadline of 30 days for the interventions of interested parties in the case, which deadline falls on Monday, November 5, 2018; and

WHEREAS, at the special Council meeting, Ms. Grace Morris, representing the Sierra Club, requested a 30-day extension of time for the deadline to file interventions; and

WHEREAS, the Council is willing to extend the deadline for interventions; and

WHEREAS, under Section 158-91 of the Code of the City of New Orleans, the Council is required to act upon the utility's application within 12 months of the acceptance of the filing, which occurred on October 8, 2018; and

WHEREAS, the current procedural schedule contemplates that the record will be completed and ready for UCTTC action at the August UCTTC meeting; and

WHEREAS, dates beyond the intervention deadline cannot be shifted without serious risk to the Council being unable to meet the statutory deadline. Moreover, in recognition that no party has had opportunity to raise any objection to the proposal to extend the deadline, the Council has reviewed the procedural schedule and finds that moving the procedural deadline for interventions only should have no substantial negative impact on any other party; and

WHEREAS, the Council finds it reasonable to extend the deadline for interventions in the proceeding, but will not at this time extend any additional deadlines, including testimony deadlines; **NOW THEREFORE**

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

THAT:

1. The deadline for interventions in this docket shall be extended by an additional 30 days to Monday, December 3, 2018. All other procedural deadlines shall remain in place at this time.
2. As was set forth in Resolution No. R-18-434, for good cause shown and as required by the circumstances of the proceedings, the Hearing Officer shall have the authority to change or amend the dates established in the procedural schedule, provided, however, that the record of the proceedings must be certified to the Council in time that the Council can make a decision on the merits of the Revised Application 12 months after the date of acceptance of the filing.

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.