



# LONG LAW FIRM

BATON ROUGE • WASHINGTON, DC

October 26, 2023

**VIA E-FILING**

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

Re: **Docket No. UD-22-01**; Council of the City of New Orleans,  
Application of Entergy New Orleans, LLC and the Louisiana Utilities  
Restoration Corporation for Authority to Fund and Finance Storm Recovery  
Reserves, and Related Relief (LLF File No. 1021-0009)

Dear Ms. Johnson:

Enclosed for your handling and filing in accordance with the Council Regulations is the Independent Accountant's Report on Applying Agreed-Upon Procedures on behalf of the Louisiana Utilities Restoration Corporation ("LURC") with respect to the October 2023 semi-annual Securitized Storm Recovery Rider II ("Rider SSCRII") True-Up Adjustment Filing of Entergy New Orleans, LLC. LURC submits this filing electronically and will submit the original and requisite number of hard copies as you direct.

With kind regards, I am,

Very truly yours,

**LONG LAW FIRM, L.L.P.**

Jamie Hurst Watts  
Catherine S. Carrier

JHW/CSC/dt

Enclosure

cc: CNO Docket UD-22-01, Service List  
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**Independent Accountant's Report  
On Applying Agreed-Upon Procedures  
Resolution No. R-22-437 (As Corrected); Docket UD-22-01  
Council of the City of New Orleans Storm Recovery Bonds**

Long Law Firm, LLP  
Jamie Watts  
Special Counsel for the Louisiana Utility Restoration Corporation  
1800 City Farm Drive, Building 6  
Baton Rouge, Louisiana 70806

Dear Mrs. Watts:

We have performed the procedures described below which were agreed to by the Louisiana Utilities Restoration Corporation ("LURC") solely to assist you with respect to the semi-annual true-up adjustment calculated by Entergy New Orleans, LLC ("ENO") in accordance with the provisions of the Council of the City of New Orleans (the "Council") Resolution No. R-22-437 (As Corrected) ("the Financing Order"). Our review is limited to confirming the mathematical accuracy of the true-up adjustment calculated by ENO as Servicer.

This engagement to apply agreed-upon procedures was conducted in accordance with the attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures undertaken to calculate the true-up adjustment is solely the responsibility of ENO. Consequently, we make no representation regarding the sufficiency of the procedures, either for the purpose for which this report has been requested or for any other purpose.

The nature of our Agreed-Upon Procedures Engagement stems from the following facts and events:

ENO operates as a public electric utility regulated by the Council of the City of New Orleans. On October 28, 2020, Hurricane Zeta made landfall in Louisiana, and the storm's eye passed directly over New Orleans. On August 29, 2021, Hurricane Ida made landfall near Port Fourchon, Louisiana, as a strengthening Category 4 hurricane with sustained winds of 150 miles per hour. Hurricane Ida tied 2020's Hurricane Laura as the strongest storm to make landfall in Louisiana since the Last Island Hurricane of 1856, and the three storms are tied for the fifth strongest to ever make landfall in the continental United States. Hurricane Ida maintained its catastrophic Category 4 strength for six hours after landfall, inflicting extensive damage well inland. That strength, combined with an eastward shift from its expected track, made for a devastating impact on the metropolitan New Orleans area. ENO met the liquidity needs created by the storm recovery costs by making withdrawals from ENO's previously-established securitized storm reserve escrow

account. But the costs to restore service to homes and businesses in New Orleans after Hurricane Ida were significantly above ENO's available storm reserves, and following that storm, ENO had exhausted its storm recovery reserves.

Following Hurricanes Katrina and Rita in 2005, the severity of the damage and the importance of maintaining a reliable and reasonably priced source of electricity to the State's economic recovery prompted the Louisiana Legislature to assist electric and gas utilities recovering from major storm damage by creating new financing structures to provide utilities with low-cost capital.

The formation and incorporation of the Louisiana Utilities Restoration Corporation was authorized by the Louisiana Utilities Restoration Corporation Act, Act No. 55 of the Louisiana Regular Session of 2007, amended by Act No. 293 of the Louisiana Regular Session of 2021, codified at La. R.S. 45:1311-1343, and LURC was incorporated on July 31, 2007. Act 293 also amended the Louisiana Electric Utility Storm Recovery Securitization Act ("the Act"), codified at La. R.S. 45:1226-1240, to facilitate financing orders that include LURC's participation. LURC is a nonprofit corporation that is a public corporation and an instrumentality of the State of Louisiana, created for the purpose of financing "system restoration costs" and/or "storm recovery costs" (which costs may include the costs to fund and finance "storm damage reserves" and/or "storm recovery reserves") through the issuance of "system restoration bonds" and/or "storm recovery bonds."

The Council of the City of New Orleans issued an irrevocable Financing Order on October 6, 2022, authorizing the issuance of storm recovery bonds (the "Bonds") secured by the storm recovery property, which grants LURC the right to impose irrevocable nonbypassable storm recovery charges ("Storm Recovery Charges") on all existing and future Council-jurisdictional customers (the "Customers") of ENO. The Act authorizes, and the Financing Order requires, that Storm Recovery Charges be adjusted at least semi-annually (a "Semi-Annual True-up Adjustment") to correct any under-collection or over-collection (both actual and projected), for any reason, during the period preceding the next true-up adjustment date and to ensure the projected recovery of amounts sufficient to provide for the timely payment of scheduled payments of principal and interest on the Bonds and other amounts due in respect of the Bonds, including the replenishment of draws on the Debt Service Reserve Subaccount ("DSRS").

The procedures that we performed and our findings for the November 2023 True-Up are as follows:

- I. Securitized Storm Cost Recovery II ("SSCR II Rate") True-Up Calculation #1 and Calculation #2 of the Semi-Annual True-Up Adjustment.

The purpose of the SSCR II Rate True-Up is to calculate the differences, regardless of the reason, between the Periodic Payment Requirement ("PPR") and the amount of storm recovery charge remittances to the indenture trustee. True-up procedures are necessary to ensure full recovery of amounts sufficient to meet on a timely basis the PPR over the scheduled life of the Bonds.

The general approach used to confirm the mathematical accuracy of the true-up calculations was to trace each element of the true-up calculations to the Financing Order in order to verify that the true-up methodology was consistent with the requirements of the Financing Order. We also examined the calculations for mathematical or spreadsheet errors, and confirmed that the inputs to the calculations are supported with documentation. Where applicable, costs were verified to source documents, such as the Issuance Advice Letter, to confirm financing costs, interest rates, tranche sizes and amortization schedules.

1. Verify the accuracy of the Periodic Billing Requirement ("PBR"). The amount that must be billed to customers in order to meet the periodic payment requirements.

- a. The PBR is driven primarily by the PPR. The PPR for the ENO Calculation was verified by an examination of the worksheet entitled "WP-1" that calculates the PPR. WP-1 includes the bond amortization schedule of the Bonds as well as administration and servicing fees. The amortization schedule was compared to the Issuance Advice Letter Attachment 2, Schedule A to verify principal and interest payments due. The administration and servicing fees included in the PPR were reviewed.

No exceptions were found in the calculation.

2. Review the forecasted base rate revenue for the upcoming SSCRII Revenue period.

- a. Confirm that the forecasted base rate revenue was estimated based upon the most recent calendar year of actual customer information to convert forecasted kWh into revenues.

No exceptions were found in the calculation.

- b. Verify the proper treatment of non-bypassable load in the forecast.

Currently no ENO industrial customer is bypassing the Storm Recovery Charges. The Council established limited circumstances where an exception to the non-bypassability provision of the Financing Order could be found. Section III.C. of the Financing Order describes the requirements that customers must meet in order to be eligible to bypass the Storm Recovery Charges.

No exceptions were found in the calculation.

3. Verify the accuracy of SSCRII collections.

- a. We examined the actual SSCRII collections received for September 2023. The actual SSCRII collections received were verified with the monthly servicer's certificate.

No exceptions were found in the calculation.

- b. Since actual SSCRII collections and remittances are only available through the month of September, October 2023 collections must be estimated in order to calculate the

November 1 SSCRII rate. It reflects a forecast of uncollectibles as well as a lag in collection of billed Storm Recovery Charges.

No exceptions were found in the calculation.

6. Verify that the SSCRII rate filed was the rate necessary to meet the higher of the current payment or the current and next payment.

No exceptions were found in the calculation.

## II. Verify the calculation of the SSCOII Rate.

The Securitized Storm Cost Offset Rider II ("Rider SSCOII"), a tariff belonging to ENO, is designed to address any adjustments or effects related to the financing and/or storm recovery process. The Financing Order provides that ENO is authorized to reflect in Rider SSCOII the benefits to customers relating to the accumulated deferred income tax effects from the incurrence of Council-certified costs in restoring service after Hurricane Ida, as well as other adjustments, and as such, is not an asset of the LURC and does not relate to the PPR.

Based upon the type of adjustments that the Company anticipates will flow through the SSCOII Rider, the Company does not currently estimate any adjustments in the first year through Rider SSCOII.

## III. Other verifications

1. Examine the Securitized Storm Cost Recovery II Rate Bill Comparison.

The SSCRII Bill Comparison calculation was reviewed and compared to the SSCRII Rate calculation for accuracy.

No exceptions were found.

2. Review Issuance Advice Letter.

The Issuance Advice Letter for the Bonds was reviewed to confirm that all terms and conditions in the Letter were modeled in the true-up calculation.

No exceptions were found.

We were not engaged to and did not conduct an audit the objective of which would be the expression of an opinion on the financial statements of ENO. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

**Independent Accountant's Report**

**Entergy New Orleans  
Docket No. UD-22-01**

The report is intended solely for the information and use of the Louisiana Utilities Restoration Corporation and Entergy New Orleans, LLC, and is not intended to be and should not be used by anyone other than these specified parties.

*William Bartu*  
October 26, 2023

## *Henderson Ridge Consulting, Inc.*

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**Independent Accountant's Report**

**Entergy New Orleans  
Docket No. UD-22-01**

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*William Barta*  
October 26, 2023