

**BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS**

IN RE: JOINT APPLICATION OF DELTA
STATES UTILITIES NO, LLC AND ENTERGY
NEW ORLEANS, LLC AUTHORIZING DELTA
STATES UTILITIES NO, LLC TO OPERATE AS A
JURISDICTIONAL NATURAL GAS LOCAL
DISTRIBUTION COMPANY

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DOCKET NO. UD-24-01

ORDER

Resolution No. R-24-49 issued on February 1, 2024 (“Resolution”), by the Council of the City of New Orleans (“Council”) provided a deadline of March 4, 2024 for the filing of petitions to intervene. *See* Resolution, Ordering Paragraph 4. On March 5, 2024, (one-day after the deadline) “Healthy Gulf” filed an untimely petition to intervene.

In a prior docket, after a spate of untimely filings by various intervenors, this Hearing Officer stated the following:

Moreover, Parties to Council Utility dockets are hereby notified that, whether or not other parties file objections to untimely filings, in the absence of a showing of good cause, untimely filings shall NOT be admitted into the evidentiary record by this Hearing Officer (they shall merely be included in the administrative record) with this Hearing Officer’s recommendation that they not be considered as substantive evidence by the Council in its deliberations.

Going forward, any party that anticipates a late filing, or seeks to revise the procedural schedule, should seek PRIOR assent of all other parties, or, file IN ADVANCE of the

expiration of the deadline, a motion to file late or to revise the schedule.

Docket 21-03, July 25, 2023, 1-2 (emphasis in original).

That said, in this case, the late filing was merely one day late causing no disruption to the schedule nor any apparent prejudice to other parties. Accordingly, this Hearing Officer is inclined to grant an exception in this limited instance, and, IN THE ABSENCE OF OBJECTION, grant the intervention.

IT IS HEREBY ORDERED that in the absence of any objection filed by March 11, 2024, and without further order by the Hearing Officer, the requested intervention shall be granted and Healthy Gulf shall be added to the official service list.

So ORDERED, this 6th day of March, 2024.



Jeffrey S. Gulin
Hearing Officer