



March 5, 2025

**Overnight Delivery**

Ms. Kris Abel  
Records and Recording Division  
Louisiana Public Service Commission  
Galvez Building, 12th Floor  
602 North Fifth Street  
Baton Rouge, Louisiana 70802

Re: **Docket No. U-37425**, Entergy Louisiana LLC, ex parte. In Re: Application for Approval of Generation and Transmission Resources in Connection with Service to a Single Customer for a Project in North Louisiana

Dear Ms. Abel:

Enclosed for filing in the above-captioned docket please find original and two (2) copies of the Alliance for Affordable Energy and Union of Concerned Scientists' Peremptory Exception and Motion to Declare Laidley, LLC and Meta Platforms, LLC as Parties Necessary for Just Adjudication in this Proceeding and Supporting Memorandum.

Thank you in advance for your assistance and cooperation and please do not hesitate to contact me should you have any questions or concerns.

Respectfully submitted,

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*Counsel for the Alliance for Affordable Energy and  
Union of Concerned Scientists*

**BEFORE THE LOUISIANA PUBLIC SERVICE COMMISSION**

**ENTERGY LOUISIANA LLC, ex parte**

***IN RE:* APPLICATION FOR  
APPROVAL OF GENERATION AND  
TRANSMISSION RESOURCES IN  
CONNECTION WITH SERVICE TO A  
SINGLE CUSTOMER FOR A PROJECT  
IN NORTH LOUISIANA**

**DOCKET NO. U-37425**

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**PEREMPTORY EXCEPTION AND MOTION TO DECLARE LAIDLEY, LLC AND  
META PLATFORMS, LLC AS PARTIES NECESSARY FOR JUST ADJUDICATION IN  
THIS PROCEEDING AND SUPPORTING MEMORANDUM**

NOW BEFORE THE COMMISSION, through undersigned counsel, comes the Alliance for Affordable Energy and the Union of Concerned Scientists (“NPOs”), which, pursuant to the Louisiana Code of Civil Procedure Art. 641(1) and Rule 15 of the Commission’s Rules of Practices and Procedures, submits this Peremptory Exception<sup>1</sup> and Motion respectfully requesting that the Louisiana Public Service Commission (“Commission”) issue a declaratory order finding that Laidley, LLC (“Laidley” or “Customer”) and Meta Platforms, LLC (“Meta”) are parties necessary for the just adjudication regarding whether approval of Entergy Louisiana, LLC’s (“ELL” or “the Company”) Application<sup>2</sup> is in the public interest. The NPOs also request that the Commission find that if Laidley and Meta do not intervene in this proceeding, ELL’s Application must be dismissed.

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<sup>1</sup> Louisiana Code of Civil Procedure Art. 645 provides that nonjoinder of a party under Article 641 is an objection that may be raised through the peremptory exception.

<sup>2</sup> Application of ELL for Approval of Generation and Transmission Resources Proposed in Connection with Service to a Significant Customer Project in North Louisiana, Including Proposed Rider, and Request for Timely Treatment (“Application”), Docket No. U-37425.

## I. ELL's APPLICATION

ELL seeks approval of new generation and transmission resources to serve new load from a data center Laidley, LLC<sup>3</sup> is planning to develop near Holly Ridge, Louisiana.<sup>4</sup> Specifically, ELL proposes to construct two combined cycle combustion turbine (“CCCT”) generators near the Customer’s data center and a third CCCT in its Southeast Louisiana Planning Region (collectively, the “Planned Generators”).<sup>5</sup> ELL asks the Commission to approve treatment of the Planned Generators as system resources for the benefit of all customers, rather than resources constructed for the benefit and use of a specific customer.<sup>6</sup> ELL’s prayer for relief includes a number of requests, including findings related to transmission facilities, approval of a corporate sustainability rider, an exemption from the Market-Based Mechanisms Order, and certain rate-making requests.<sup>7</sup>

In this Application, ELL is proposing well over \$3 billion of generation and transmission resources that would ultimately be a part of ELL’s rate base. Each proposed CCCT would have a nameplate capacity of 754 MW, for a combined addition of 2,262 MW of generation capacity.<sup>8</sup> ELL estimates that the CCCTs near the data center would each cost \$1.193 billion<sup>9</sup> and that the combined cost of the two CCCTs and transmission interconnection for the site will be \$2,386.6

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<sup>3</sup> Laidley is a subsidiary of Meta Platforms, Inc (Direct Testimony of Phillip May at 4:3). Laidley is the only entity listed as the “Customer.”

<sup>4</sup> Application at 1, 3.

<sup>5</sup> Application at 12.

<sup>6</sup> Application at 25.

<sup>7</sup> *Id.* 26-30.

<sup>8</sup> *Id.*

<sup>9</sup> Direct Testimony of Matthew Bulpitt at 26:19-10. (“Bulpitt Direct”)

billion.<sup>10</sup> The estimated first-year operations and maintenance (“O&M”) expenses for these turbines are \$16.6 million.<sup>11</sup> ELL expects the third CCCT to have similar construction and O&M costs to the two planned for near the data center.<sup>12</sup> On February 12, 2025, ELL informed the Commission and the parties that the third CCCT would be constructed on the grounds of the Company’s Waterford site in Killona, Louisiana.<sup>13</sup>

Throughout the Application and accompanying testimony, ELL makes assertions that various aspects of the proposal demonstrate that expedited approval of the Application is necessary and that approval would be in the public interest. The factors ELL relies upon include:

1. Laidley is expected to employ 300 to 500 full-time employees;<sup>14</sup>
2. The economies of Richland Parish and the surrounding communities are expected to boom from the huge influx of capital investment needed to develop the community infrastructure required to support such a large number of new employees and their families;<sup>15</sup>
3. The Project is anticipated to require a substantial amount of reliable power.<sup>16</sup> ELL will require 2,262 MW of new baseload generation;<sup>17</sup>
4. The Customer is making investments in sustainability.<sup>18</sup> According to ELL, the Customer has publicly stated its intent to reduce the carbon intensity of its operations.<sup>19</sup> ELL also asserts that the Customer is dedicated to minimizing its environmental impact and promoting sustainability in all aspects of its business.<sup>20</sup>
5. The Customer is expected to make a contribution toward the cost of implementing Carbon Capture and Storage (“CCS”) technology;<sup>21</sup>

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<sup>10</sup> Bulpitt Direct at 27: 3 (Table 3).

<sup>11</sup> Bulpitt Direct at 36, Table 4.

<sup>12</sup> Bulpitt Direct at 42:13-17.

<sup>13</sup> Supplemental Direct Testimony of Laura K. Beauchamp at 2:24 – 3:1. (“Beauchamp Supplemental”).

<sup>14</sup> Application at 1, 3; Direct Testimony of Phillip May at 17:15-16. (“May Direct”). The Customer will hire *at least* 300 to 500 full-time employees with an average salary of \$82,000. (emphasis added).

<sup>15</sup> Application at 3-4.

<sup>16</sup> Application at 4.

<sup>17</sup> May Direct at 4:16-17.

<sup>18</sup> Application at 5.

<sup>19</sup> Beauchamp Direct at 23:20-22.

<sup>20</sup> May Direct at 32:12-14.

<sup>21</sup> *Id.*

6. The Corporate Sustainability Rider (“CSR”) is an agreement designed specifically for (and open only to) the Customer that (1) identifies customer-specific commitments for clean resources, including solar, hybrid, CCS, and, potentially, wind and nuclear resources;<sup>22</sup> The CSR supports the sustainability commitments of the Customer.<sup>23</sup>
7. The CSR was a relevant factor for the Customer in deciding to move forward with building the Project in Louisiana.<sup>24</sup>
8. Commitments from the Customer provide a path to offset or “clean” approximately sixty percent (60%) of the gas megawatt-hours from the Planned Generators by 2031;<sup>25</sup>
9. ELL asserts that “timely” approval is critical for this investment to proceed; Efforts to meet the Customer’s anticipated ramp-up timeline require expedited consideration of the Application;<sup>26</sup>
10. The Project will operate *nearly* around-the-clock.<sup>27</sup>

## II. APPLICABLE LAW

The Commission exercises jurisdiction in this proceeding pursuant to Article IV, Section 21 (B) of the Louisiana Constitution, which provides:

The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Additional authority has been delegated to the Commission by the Legislature.

Louisiana Revised Statute 45:1163(A)(1) provides:

The commission shall exercise all necessary power and authority over any street railway, gas, electric light, heat, power, waterworks, or other local public utility for the purpose of fixing and regulating the rates charged or to be charged by and service furnished by such public utilities.

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<sup>22</sup> Application at 17.

<sup>23</sup> Beauchamp Direct at 61:15-18.

<sup>24</sup> Application at 18; May Direct at 32:14-16

<sup>25</sup> May Direct at 5:5-7.

<sup>26</sup> *See, e.g.*, Beauchamp Direct at 19:18 – 21:5. *See, also*, May Direct at 24:17-19.

<sup>27</sup> Direct Testimony of Daniel Kline at 11:9 (emphasis added).

Louisiana Revised Statute 45:1176 also provides:

The commission ... shall investigate the reasonableness and justness of all contracts, agreements and charges entered into or paid by such public utilities with or to other persons, whether affiliated with such public utilities or not ....

Louisiana Code of Civil Procedure Art. 641(1) is central to the Commission's consideration of this motion. The Commission has recognized that Art. 641 is applicable to Commission proceedings.<sup>28</sup> This provision provides:

Art. 641. Joinder of parties needed for just adjudication

A person shall be joined as a party in the action when either:

- (1) In his absence complete relief cannot be accorded among those already parties.
- (2) He claims an interest relating to the subject matter of the action and is so situated that the adjudication of the action in his absence may either:
  - (a) As a practical matter, impair or impede his ability to protect that interest.
  - (b) Leave any of the persons already parties subject to a substantial risk of incurring multiple or inconsistent obligations.

Parties needed for just adjudication in an action are those who have an interest relating to the subject matter of the action and are so situated that a complete and equitable adjudication of the controversy cannot be made unless they are joined in the action.<sup>29</sup> By using the word "shall," the article makes mandatory the joinder of the person described in Art. 641 as a party to the

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<sup>28</sup> See, e.g., *In re: Complaint against Steve Kent Trucking, Inc. and Kent & Smith Holdings, LLC and petition to rescind LPSC Order No. T-33737, and cancel Common Carrier Certificate Nos. 5662-G and 5662-H*, Docket No. T-34241, Order No. T-34241-A (November 16, 2018).

<sup>29</sup> *Succession of Panepinto*, 21-709, (App. 5 Cir. 9/13/22), 349 So.3d 1014; *Lowe's Home Const., LLC v. Lips*, 10-762 (La. App. 5 Cir. 1/25/11), 61 So.3d 12, 16, writ denied, 11-371 (La. 4/25/11), 62 So.3d 89.

suit.<sup>30</sup> An adjudication made without making a person described in the article a party to the litigation is an absolute nullity.<sup>31</sup>

As will be demonstrated below, the Application raises a number of questions that ELL concedes it cannot resolve because it lacks the necessary information. The resolution of these questions is absolutely necessary for the Commission to determine whether granting the Application is in the public interest. Thus, Laidley and Meta must participate in this proceeding as parties or ELL's Application must be dismissed.

### III. ARGUMENT

In its Application, ELL has asserted a number of facts the Company claims support a finding that approval of the Application is in the public interest. Moreover, ELL also describes actions which will be taken by the Customer which also support a public interest finding.

ELL relies upon a variety of "commitments" from the Customer to support its Application, but when asked for details about each of those commitments, ELL's response is invariably that the Company doesn't know. Similarly, ELL also makes assertions regarding the Customer's energy needs<sup>32</sup> and business practices. However, when asked for information regarding how those needs were developed, ELL once again cannot provide any information. The Company's testimony simply parrots unsubstantiated assertions from the Customer – currently a non-party in this proceeding.

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<sup>30</sup> *Olano v. Karno*, 2020-0396 (La. App. 4 Cir. 4/7/21) 315 So.3d 952; *Two Canal Street Investors, Inc. v. New Orleans Building Corporation*, 16-825 (La. App. 4 Cir. 9/23/16), 202 So.3d 1003, 1012.

<sup>31</sup> *Miller v. Larre*, 19-208 (La. App. 5 Cir 12/11/19. 284 So3d 1284, 1287.

<sup>32</sup> According to Ms. Beauchamp, "Following the filing of the Application, the Customer approached the Company about increasing the load of the Project." Beauchamp Supplemental at 4:7-8.

A. *ELL Cannot Provide the Necessary Evidentiary Support for the Customer's Commitments and Energy Needs.*

The Commission should find that the participation of Laidley and Meta in this proceeding is necessary for the just adjudication of the issues in this proceeding because ELL is unable to provide even basic information on aspects of the Application, aspects which are vital to a finding that the Application is in the public interest. The assertions which ELL concedes it cannot substantiate include:

1. ELL's claim that the new Customer Project will provide 300-500 full-time jobs<sup>33</sup> is based on statements from the Customer "in publicly available press releases and other, similarly public resources . . ."<sup>34</sup>
2. When asked if the jobs are all expected to be locally-based, as opposed to remote and whether the people employed will be those who live in the area, ELL disavows any responsibility for the commitment. ELL states that the information concerning jobs is based on ELL's understanding of the commitment made by the Customer and again points the parties to unsworn press releases and websites.<sup>35</sup>
3. With regard to the Customer's requested load, ELL admits that it has no documentation, analyses, or studies that support the Customer's need for a specific amount of power.<sup>36</sup> ELL also is not aware of the reasons for the revisions to the Customer's requested load level.<sup>37</sup>

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<sup>33</sup> See Application at 1, 3; May Direct at 17:15-16.

<sup>34</sup> ELL Response to Sierra Club DR 1-5 (Attachment 1). See also, ELL Response to NPO DR 1-5 (Attachment 2). See, also, ELL witness May's assertion that "the *initial indications* with respect to the Project are that the Customer will hire at least 300 to 500 full-time employees." May Direct at 17:15-16, footnote omitted (emphasis added). ELL also refers the parties to META's website and a press release issued by the Louisiana Department of Economic Development. Neither of these are sworn testimony.

<sup>35</sup> ELL Response to Sierra Club DR 1-5. ELL also concedes that it does not possess any studies, analyses or other documentation which supports the assertion that the data center will directly employ 300 to 500 persons and yet again directs parties to another press release. ELL Response to NPO DR 1-5.

<sup>36</sup> ELL Response to NPO DR 1-7 (Attachment 3).

<sup>37</sup> ELL Response to NPO DR 2-14 (Attachment 4), discussing Kline Direct at 25:4-5. Subsequent to ELL's response to NPO DR 2-14, Ms. Beauchamp filed Supplemental Testimony stating that "Following the filing of the Application, the Customer approached the Company about increasing the load of the Project." Beauchamp Supplemental at 4:7-8.



4. ELL also no has information regarding the Customer's requested in-service date and ramp schedule.<sup>38</sup> As stated by ELL Witness Beauchamp, the ramp-up information is based on information provided to ELL by the Customer.<sup>39</sup>
5. With regard to the Customer's timeline, ELL attempts to demonstrate these circumstances by relying on the Customer's unsworn statements about its future energy needs. For instance, Mr. Thomas merely recounts "the time constraints that the Customer communicated to ELL."<sup>40</sup>
6. Despite citing the *Customer's* sustainability goals for support that the project is in the public interest, ELL has no documentation regarding the Customer's sustainability goals and once again relies upon a Meta website.<sup>41</sup> Meta is not the Customer and there is no evidence that the Customer has adopted the same sustainability goals as Meta.

Thus, virtually all of ELL's support for the specific aspects of this project (i.e. load, job creation, timeline) is based on hearsay statements not even from the Customer, but from the Customer's parent – neither of which is a party in this case. ELL's recitation of the Customer's unsworn statements go to the heart of the Company's Application, as the Customer's timetable and allegedly excessive large load needs are what purportedly requires the construction of the Planned Generation and transmission lines and requires this infrastructure to be constructed on an expedited basis. Similarly, the Customer's timeline is ELL's proffered justification for expedited consideration of the Application.

Similarly, ELL cannot provide evidentiary support for the specifics of the economic opportunity allegedly presented by the Project. Despite the level of job creation being one of the

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<sup>38</sup> ELL response to NPO DR 3-2 (Attachment 5).

<sup>39</sup> Beauchamp Direct at 21:5-6.

<sup>40</sup> Thomas Direct at 21:16-20.

<sup>41</sup> ELL Response to NPO DR 1-13 (Attachment 7). It should be noted that ELL repeatedly relies on Meta websites despite the fact that Meta is expressly not the Customer. Laidley, LLC is the Customer. Laidley does not have a website and there is no support, public or otherwise, for the implied assertion that Laidley is bound by the statements on Meta's websites.

primary factors ELL relies upon to support its claim that the Project is in the public interest,<sup>42</sup> ELL apparently has no information regarding how the number of permanent jobs was determined and whether those positions would actually benefit Louisianans. The Company certainly cannot provide evidentiary support on an issue it knows nothing about.

ELL also lacks any evidence regarding the Customer's sustainability goals. As stated by ELL witness Ms. Ingram, "It is my understanding that the Customer is dedicated to minimizing their environmental impact and promoting sustainability in all aspects of their business."<sup>43</sup> ELL's "understanding" of the Customer's sustainability goals is irrelevant and not evidence, particularly where the Company is relying on statements from Meta, not the Customer. Ms. Ingram also claims that the CSR was a "relevant factor for the Customer as it decided whether to move forward with selecting Louisiana for its investment."<sup>44</sup> Again, without providing any basis for this assertion. Given the fact that many of the alleged benefits of the Project, particularly the benefits of the CSR, are still subject to negotiation between ELL and the Customer,<sup>45</sup> knowing the sustainability goals that underlie the CSR is vital for a determination by the Commission that the negotiations between the two parties are likely to result in the benefits ELL describes in the Application and testimony.

Remarkably, when the NPOs asked for the names and titles of those individuals who ELL negotiated with, ELL's response was that this information was confidential and not relevant.<sup>46</sup>

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<sup>42</sup> "The economic benefit to Northeast Louisiana is the most significant benefit from ELL serving the Customer's Project." Thomas Direct at 11:18-19.

<sup>43</sup> Ingram Direct at 6:14-15.

<sup>44</sup> Ingram Direct at 4:11-14.

<sup>45</sup> *See, e.g.*, Section B.7. of the CSR which provides that the remedy for the Customer in the event that the identification or construction of the Designated Renewable Resources for the Initial Renewable Subscription Amount is delayed, if a solution is not reached under the terms of Section B.7., the Customer may terminate its obligations with respect to such Designated Renewable Resources with no termination penalty. Ingram Direct at 16:11-17:3.

<sup>46</sup> ELL response to NPO DR 6-4. (Attachment 11).

Similarly, when LEUG asked for the names and titles of all officers and directors of the Customer and for the physical address of the Customer's headquarters, ELL once again refused to provide any information on the Customer.<sup>47</sup>

Importantly, the Company is not asking the Commission to approve the terms of its ESA with the Customer.<sup>48</sup> When asked how the ESA would be enforced, ELL simply failed to respond.<sup>49</sup> Receiving evidence directly from the Customer and its parent is vital not only to determining whether the Application is in the public interest, but also to ensure that the conditions in the unapproved ESA will be met by the Customer.

Since ELL cannot substantiate either the economic benefits of the Project or the energy needs of the Customer, either a party who can provide the necessary information must intervene or the Application must be dismissed.<sup>50</sup>

*B. The Commission Should Find that Both Laidley and Meta are Parties  
Necessary for the Just Adjudication of This Proceeding*

Throughout the Company's data responses, ELL continually conflates the Customer, Laidley, with Meta. Obviously, Meta is not the *Customer* and nothing Meta has said or done (on its website or otherwise) can be attributed to Laidley without Laidley expressly adopting those positions.

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<sup>47</sup> ELL Response to LEUG DR 2-1. (Attachment 12).

<sup>48</sup> Direct Testimony of Ryan Jones at 8: 10-11.

<sup>49</sup> ELL response to NPO DR 1-20. (Attachment 7).

<sup>50</sup> To be clear, the websites and press releases relied upon by ELL would not constitute evidence even if that information came from the *Customer*. This information is cited merely to demonstrate that the information relied upon by the Company provides no support for the assertions set forth in the Company's Application and does not even come from the Customer.

Laidley only became a Delaware Domestic Limited-Liability Company on March 15, 2024,<sup>51</sup> and is apparently a Special Purpose Vehicle (“SPV”).<sup>52</sup> There is of course nothing illegal with regard to using an SPV. The difficulty here is that ELL has attributed expertise to the *Customer* which Laidley does not have. For example, ELL asserted that the *Customer* is a sophisticated energy user<sup>53</sup> who had the ability to compare the Planned Generators to alternatives in the marketplace.<sup>54</sup> Laidley’s less than year-long existence and lack of previous experience as a data center owner/operator, certainly belies any expertise in energy or generator comparisons. Similarly, when asked to provide any comparable other project(s) of the new *Customer* that have been completed and are in operation today, ELL once again directed parties to a *Meta* website.<sup>55</sup> Thus, the ability of Laidley to provide the information necessary to support ELL’s Application is questionable at best.

The concerns raised in this Motion are compounded by the fact that the Company is not asking the Commission to approve the terms of its ESA with the *Customer*.<sup>56</sup> Under the Company’s proposal, the terms of the ESA and the *Customer*’s Contribution Aid of Construction Agreement (“CIAC Agreement”) apparently would not be enforceable by the Commission.<sup>57</sup> Given the fact that many of the alleged benefits of the Project are still subject to negotiation between ELL and the *Customer*,<sup>58</sup> the only method available for the Commission to determine if

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<sup>51</sup> Delaware Department of State, Division of Corporations, Laidley, LLC, Entity Details (Attachment 8). Laidley registered with the Louisiana Secretary of State as a non-Louisiana limited liability company on July 24, 2024. (Attachment 9).

<sup>52</sup> A special purpose vehicle is a subsidiary created by a parent company to isolate financial risk. The operations of the SPV are limited to the acquisition and financing of specific assets.

<sup>53</sup> Thomas Direct at 25:4-5

<sup>54</sup> *Id.* at 25:14-18.

<sup>55</sup> ELL response to LEUG DR 1-6 (Attachment 10).

<sup>56</sup> Jones Direct at 8: 10-11.

<sup>57</sup> Ell response to NPO DR 1-20.

<sup>58</sup> For example, Section B.7. of the CSR the remedy for the *Customer* in the event that the identification or construction of the Designated Renewable Resources for the Initial Renewable Subscription Amount is

every aspect of the Project will be achieved and will benefit the Louisianans is to question both Laidley and Meta.

The only way to get the information that is essential for the determination regarding whether the Project is in the public interest is by asking questions of those individuals who actually have the information and clearly those individuals do not work for ELL, as the Company itself concedes. As required by Art. 641, Laidley and Meta must intervene in this proceeding in order to ensure a just adjudication. In their absence, the Application must be dismissed.

As noted above, ELL relies on information from Meta's website as responsive to questions regarding certain aspects of the Application. While this information is not evidence, ELL's reliance on Meta's websites demonstrates that the Company believes that responses to questions regarding jobs and necessary load reside with Meta.

Parties should not be expected to accept the need determination established by either Laidley or Meta (there is no way at this juncture to definitively determine which entity developed the energy need) without being able to obtain information regarding how that energy need was developed.

Since the information necessary to evaluate ELL's public interest argument resides with Meta, and in the interest of avoiding any unnecessary delays in this proceeding, the Commission should determine that Laidley and Meta are necessary for the just adjudication of the issues in this proceeding.

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delayed, if a solution is not reached under the terms of Section B.7., the Customer may terminate its obligations with respect to such Designated Renewable Resources with no termination penalty and may seek alternative renewable supply options permitted by applicable laws and regulations (or presumably opt not to have any renewable supply options). Ingram Direct at 16:11-17:3.

#### IV. CONCLUSION

Pursuant to Art. 641, a person shall be joined as a party in the action when in his absence complete relief cannot be accorded among those already parties. The standard to be applied is whether the party is needed for a just adjudication. In this instance, the Commission should find that the participation in this proceeding by Laidley and Meta is necessary for a just adjudication of ELL's Application.

As explained above, the Commission should find that the participation of Laidley and Meta in this proceeding is necessary for the just adjudication of the issues in this proceeding because ELL is unable to provide even basic information on aspects of the Application, aspects which are vital to a finding that the Application is in the public interest.

**WHEREFORE**, for the foregoing reasons, the NPOs respectfully request that:

- 1) The Commission determine that both Laidley and Meta are parties necessary for the just adjudication of this proceeding;
- 2) Issue an order requesting that both Laidley and Meta intervene within 15 days of the date of the order resolving this motion; and
- 3) If Laidley and Meta do not intervene in this proceeding within the time period given in the order, the Commission shall dismiss ELL's Application

**CONTINUED FOR SIGNATURE:**

Date: March 5, 2025

Respectfully submitted,

*Susan Stevens Miller*

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*Counsel for the Alliance for Affordable Energy and  
the Union of Concerned Scientists*

**CERTIFICATE OF SERVICE**

I, Susan Stevens Miller, hereby certify that I have this 5<sup>th</sup> day of March, 2025, served copies of the foregoing on all other known parties on the Official Service List for Docket No. U-37425 via electronic mail.



Susan Stevens Miller  
Senior Staff Attorney  
Earthjustice  
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Washington, D.C. 20001  
smiller@earthjustice.org

In addition, the following non-parties were served a copy of the filing by overnight mail:

Corporation Service Company  
251 Little Falls Drive  
Wilmington, DE 19808  
Re: Laidley, LLC

Ms. Pamela Gregorski, Manager  
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Re: Laidley, LLC

Ms. Jennifer Newstead  
Chief Legal Officer  
Meta  
1 Meta Way  
Menlo Park, CA 94025

Mr. Paul Kelly  
1 Meta Way  
Menlo Park, California 94025  
Re: Laidley, LLC/Meta Platforms, LLC

Corporation Service Company  
251 Little Falls Drive  
Wilmington, DE 19808  
Re: Meta Platforms, LLC

Mr. George Massih  
General Counsel  
Corporation Service Company  
251 Little Falls Drive  
Wilmington, Delaware 19808  
Re: Laidley, LLC

Corporation Service Company  
450 Laurel Street, 8<sup>th</sup> Floor  
Baton, Rouge, Louisiana 70801  
Re: Laidley, LLC



Mr. Raj Singh, Manager  
Meta Platforms, Inc.  
1601 Willow Road  
Menlo Park, California 94025

Ms. Katherine R. Kelly, Manager  
Meta Platforms, Inc.  
1601 Willow Road  
Menlo Park, California 94025



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Maribel Ortega

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the First Set of Data Requests  
of Requesting Party: Sierra Club

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Question No.: SIERRA 1-5

Part No.:

Addendum:

Question:

Refer to the Direct Testimony of Company Witness May at 38 regarding local jobs.

- a. Are those jobs all expected to be locally-based (as compared to remote)?
  - b. Does ELL expect that the Company will employ people who live in the area (relative to bringing in people from outside the community)?
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Response:

ELL objects to this Request to the extent it characterizes the assertions regarding local jobs as one from ELL. As set forth on page 38 of Company Witness May's testimony, the information concerning jobs is based on ELL's understanding of the commitment made by the customer. That commitment has been made in publicly available press releases and other, similarly public resources, which are equally available to the requesting party. *See, e.g.,* <https://datacenters.atmeta.com/wp-content/uploads/2024/12/Metas-Richland-Parish-Data-Center.pdf>.

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the First Set of Data Requests  
of Requesting Party: Alliance for Affordable  
Energy

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Question No.: NPO 1-5

Part No.:

Addendum:

Question:

Please provide any studies, analyses or other documentation which supports the assertion that the data center will directly employ 300 to 500 persons. (See Application at 1, 3; May Direct Testimony at 17:15-16).

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Response:

The Company objects to this request to the extent it requests information that is equally available to the requestor or information or documentation that is not in the possession or control of the Company. Subject to and without waiving these objections the Company responds as follows:

The Company is not in possession of any responsive documents, however, see Louisiana Department of Economic Development stating that the data center is expected to create 500 or more direct new jobs, <https://www.opportunitylouisiana.gov/news/meta-selects-northeast-louisiana-as-site-of-10-billion-artificial-intelligence-optimized-data-center-governor-jeff-landry-calls-investment-a-new-chapter-for-state>

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the First Set of Data Requests  
of Requesting Party: Alliance for Affordable  
Energy

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Question No.: NPO 1-7

Part No.:

Addendum:

Question:

Please provide any documentation, analyses or studies supporting the Customer's need for the specific amount of MW set forth in Mr. May's Direct Testimony at 4:5.

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Response:

As described in ELL Witness Daniel Kline's testimony (pages 24-36), ELL received and studied integrated supply solutions for multiple iterations of the customer's facility energy needs based on parameters (including maximum total load, load factor, and desired ramp schedule). However, ELL has no responsive documentation, analyses, or studies that support the Customer's need for a specific amount of power.

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the Second Set of Data Requests  
of Requesting Party: Non-Profit Organizations

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Question No.: NPO 2-14

Part No.:

Addendum:

Question:

Referring to Kline Testimony at 25:4-5, please explain why the Customer revised its requested load level.

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Response:

ELL is not aware of the business reasons for the revisions to the Customer's requested load level. ELL has no documentation responsive to this request.

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the Third Set of Data Requests  
of Requesting Party: Non-Profit Organizations

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Question No.: NPO 3-2

Part No.:

Addendum:

Question:

Please provide any studies or analysis which supports the Customer's "urgent" need for power. Please explain how ELL defines urgent.

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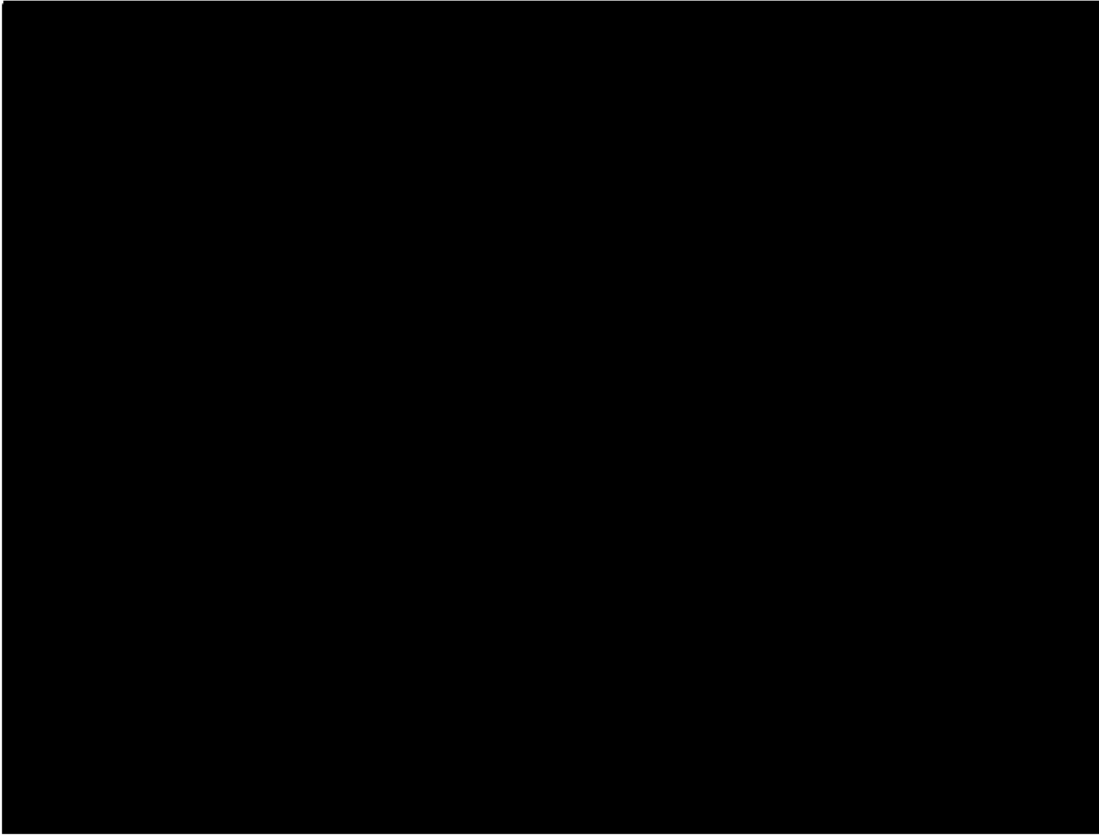
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Response:

Information responsive to this request has been designated as Highly Sensitive Protected Material ("HSPM") and will be produced only to the appropriate Reviewing Representatives in accordance with the Confidentiality Agreement in effect and executed in this docket. HSPM files will be served upon appropriate reviewing representatives through a OpenText™ Core Share link. Any downloads of such files shall be treated in accordance with the applicable provisions of the Confidentiality Agreement regarding duplication of HSPM files.

The Company objects to this request as vague and ambiguous. Subject to and without waiving these objections, the Company responds as follows:

The Company has no information or documentation regarding the Customer's reasoning behind its requested in-service date and ramp schedule, which is detailed in the Attorneys Eyes Only HSPM chart below.



ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
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Response of: Entergy Louisiana, LLC  
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Energy

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Question No.: NPO 1-13

Part No.:

Addendum:

Question:

Please provide the Customer's sustainability goals.

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Response:

The Company objects to this request to the extent it requests information that is equally available to the requestor or information or documentation that is not in the possession or control of the Company. Subject to and without waiving these objections the Company responds as follows:

No responsive documents, Customer's parent company Meta Platform, Inc., is a publicly traded company and responsive information may be publicly available and equally available to the requestor. See <https://sustainability.atmeta.com/>



ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the First Set of Data Requests  
of Requesting Party: Alliance for Affordable  
Energy

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Question No.: NPO 1-20

Part No.:

Addendum:

Question:

Will all the terms of the Customer's Electric Service Agreement and Contribution in Aid of Construction Agreement ("CIAC Agreement") be enforceable by the Commission?

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Response:

The Company objects to this request as it calls for legal conclusion. Subject to and without waiving this objection, the Company responds as follows:

The ESA and CIAC agreements are commercial agreements between the Company and the Customer and are not subject to approval or enforcement by the LPSC. However, these commercial agreements contemplate the possible acquisition of resources that are subject to approval of the LPSC.

HOME

Entity Details

**THIS IS NOT A STATEMENT OF GOOD STANDING**

<u>File Number:</u>	3273632	<u>Incorporation Date / Formation Date:</u>	3/15/2024 (mm/dd/yyyy)
<u>Entity Name:</u>	LAIDLEY LLC		
<u>Entity Kind:</u>	Limited Liability Company	<u>Entity Type:</u>	General
<u>Residency:</u>	Domestic	State:	DELAWARE

REGISTERED AGENT INFORMATION

Name:	CORPORATION SERVICE COMPANY		
Address:	251 LITTLE FALLS DRIVE		
City:	WILMINGTON	County:	New Castle
State:	DE	Postal Code:	19808
Phone:	302-636-5401		

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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Name	Type	City	Status
LAIDLEY LLC	Limited Liability Company (Non-Louisiana)	WILMINGTON	Active

Previous Names

Business: LAIDLEY LLC  
 Charter Number: 46043373Q  
 Registration Date: 7/24/2024

Domicile Address

103 FOULK ROUAD, SUITE 202  
 WILMINGTON, DE 19803

Mailing Address

103 FOULK ROUAD, SUITE 202  
 WILMINGTON, DE 19803

Principal Business Office

103 FOULK ROUAD, SUITE 202  
 WILMINGTON, DE 19803

Registered Office in Louisiana

450 LAUREL STREET, 8TH FLOOR  
 BATON ROUGE, LA 70801

Principal Business Establishment in Louisiana

450 LAUREL STREET, 8TH FLOOR  
 BATON ROUGE, LA 70801

Status

Status: **Active**  
 Annual Report Status: **In Good Standing**  
 Qualified: 7/24/2024  
 Last Report Filed: N/A  
 Type: Limited Liability Company (Non-Louisiana)

Registered Agent(s)

Agent: CORPORATION SERVICE COMPANY  
 Address 1: 450 LAUREL STREET, 8TH FLOOR  
 City, State, Zip: BATON ROUGE, LA 70801  
 Appointment Date: 7/24/2024

Officer(s)

Officer: TOREAK ACQUISITION CORP.



Title: Member  
Address 1: 103 FOULK ROUAD, SUITE 202  
City, State, Zip: WILMINGTON, DE 19803  
Officer: PAMELA GREGORSKI  
Title: Manager  
Address 1: 103 FOULK ROUAD, SUITE 202  
City, State, Zip: WILMINGTON, DE 19803

Amendments on File

No Amendments on file

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## Business Filings

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Name	Type	City	Status
META PLATFORMS TECHNOLOGIES, LLC	Limited Liability Company (Non-Louisiana)	WILMINGTON	Active

## Previous Names

Business: META PLATFORMS TECHNOLOGIES, LLC

Charter Number: 45848542Q

Registration Date: 3/12/2024

## Domicile Address

251 LITTLE FALLS DR.  
 C/O CORPORATION SERVICE COMPANY  
 WILMINGTON, DE 19808

## Mailing Address

1601 WILLOW ROAD  
 MENLO PARK, CA 94025

## Principal Business Office

1601 WILLOW ROAD  
 MENLO PARK, CA 94025

## Registered Office in Louisiana

450 LAUREL STREET, 8TH FLOOR  
 BATON ROUGE, LA 70801

## Principal Business Establishment in Louisiana

450 LAUREL STREET, 8TH FLOOR  
 C/O CORPORATION SERVICE COMPANY  
 BATON ROUGE, LA 70801

## Status

Status: **Active**Annual Report Status: **In Good Standing**

Qualified: 3/12/2024

Last Report Filed: N/A

Type: Limited Liability Company (Non-Louisiana)

## Registered Agent(s)

Agent: CORPORATION SERVICE COMPANY

Address 1: 450 LAUREL STREET, 8TH FLOOR

City, State, Zip: BATON ROUGE, LA 70801

Appointment  
Date: 3/12/2024

GET HELP

Officer(s)

Officer: META PLATFORMS, INC.

Title: Member

Address 1: 1 META WAY

City, State, Zip: MENLO PARK, CA 94025

Officer: RAJ SINGH

Title: Manager

Address 1: 1601 WILLOW RD.

City, State, Zip: MENLO PARK, CA 94025

Officer: KATHERINE R. KELLY

Title: Manager

Address 1: 1601 WILLOW RD.

City, State, Zip: MENLO PARK, CA 94025

Amendments on File

No Amendments on file

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ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the First Set of Data Requests  
of Requesting Party: Louisiana Energy  
Users Group

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Question No.: LEUG 1-6

Part No.:

Addendum:

Question:

Entergy Direct Testimony of witness Phillip May references at page 17 that the new Customer Project will provide 4,800 construction jobs and 300-500 full-time jobs with an average salary of \$82,000. Please identify, provide and explain: (a) Any comparable other project(s) of new Customer that have been completed and are in operation today; (b) How the electric power needs of such other new Customer projects(s) were met.

---

Response:

The Company objects to this request to the extent it requests information that is equally available to the requestor or information or documentation that is not in the possession or control of the Company. The Company also objects to this request on the grounds that it is overly broad and unduly burdensome, and also to the extent it seeks information which is not relevant to the subject matter of this proceeding and is not reasonably likely to result in the discovery of admissible evidence. Subject to and without waiving these objections the Company responds as follows:

The Company does not have any responsive information in its possession, custody or control and certain responsive information is publicly available and equally accessible to the requestor. However, see publicly available website from the Customer's parent company for potentially responsive information: <https://datacenters.atmeta.com/>

ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the Sixth Set of Data Requests  
of Requesting Party: Non-Profit Organizations

Question No.: NPO 6-4 Part No.: Addendum: Question:

Please refer to NPO 3-1 and ELL's response to that request. NPO 3-1 requested "the date that ELL began discussions regarding the data center project with either Laidley, LLC, META Platforms, Inc, or any other entity along with supporting documentation." ELL responded that "ELL's discussions with Customer representatives began in January 2024." In light of the fact that Laidley, LLC did not become a Delaware Limited Liability Company until March 15, 2024, please provide the following:

- a. The name of the organization/company who attended the meetings with ELL which were held from January 2024 until March 15, 2024;
- b. The names of the individuals who attend those meetings on behalf of the organization/company and their titles, including any consultants who were there on behalf of the organization/company;
- c. Any supporting documentation pertaining to these meetings including any documents which were discussed or referred to by the meeting attendees.

Response:

The Company objects to this request on the grounds that it is vague, overbroad, unduly burdensome, inconsistent with NPO 3-1 and ELL's response thereto, and requests information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Confidential discussions between utilities and representatives of potential customers are usually essential to Louisiana's economic development efforts. In this instance, discussions and negotiations resulted in the Electric Service Agreement that is available for the NPOs' review as Attorney's Eyes Only HSPM Exhibit LKB-2 to the Direct Testimony of Laura K. Beauchamp. That Electric Service Agreement, moreover, implements ELL's Commission-approved Tariff, so NPO has no proper basis to require ELL to document earlier discussions.



ENTERGY LOUISIANA, LLC  
LOUISIANA PUBLIC SERVICE COMMISSION  
Docket No. U-37425

Response of: Entergy Louisiana, LLC  
to the Second Set of Data Requests  
of Requesting Party: Louisiana Energy  
Users Group

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Question No.: LEUG 2-1

Part No.:

Addendum:

Question:

Please identify the Customer by name and provide:

- 1) The state of incorporation of the Customer.
  - 2) The names and titles of all officers and directors of the Customer.
  - 3) The physical address of the Customer's headquarters.
  - 4) All affiliate companies including the Parent company, all subsidiaries, at other subsidiaries of the Parent company.
- 

Response:

The Company objects to this request to the extent it requests information that is equally available to the requestor or information or documentation that is not in the possession or control of the Company. Subject to and without waiving these objections the Company responds as follows:

As noted throughout the Company's Application and each piece of testimony, the Customer's name is Laidley LLC ("Customer"). The Customer is a Delaware limited liability corporation. The Customer's parent company is Meta Platforms, Inc, a publicly traded company and the requested information is or should be publicly available and equally accessible to the requestor. For example, see:

<https://investor.fb.com/home/default.aspx>