

Sep 26, 2025

**Via Electronic Mail**

Aisha Collier  
Assistant Clerk of Council  
Room 1E09, City Hall  
1300 Perdido St  
New Orleans, LA 70112

**Re: Intervenor Reply Comments on ENO Consolidated Billing Proposal (per Resolution R-25-352)**

Dear Ms. Collier,

Together New Orleans respectfully submits the attached filing in docket **UD-18-03** pertaining to the City's **Community Solar program**.

Please do not hesitate to reach out with any questions related to this filing.

Sincerely,

Nathalie Jordi  
Together New Orleans

## **Reply Comments of Together New Orleans Re: Entergy New Orleans' Consolidated Billing Filings, CNO Docket No. UD-18-03**

### **I. Introduction**

Together New Orleans ("TNO") respectfully submits these reply comments pursuant to Resolution R-25-352. The purpose of this phase is not to revisit whether consolidated billing should exist, a question has been answered by the Council through multiple Resolutions and directives, but to refine the details of implementation. Unfortunately, ENO's September 5 filing rehashes arguments that the Council already rejected, threatens litigation, and seeks to delay further. These arguments stand in stark contrast to ENO's June 10 filing, which laid out a workable path forward using the net crediting model: a method that is efficient, widely adopted in other jurisdictions, and strongly supported by intervenors.

Our comments will therefore:

1. Reaffirm that consolidated billing is settled Council policy and squarely in the public interest.
2. Endorse ENO's June 10 net crediting framework with technical improvements already placed on record.
3. Reject ENO's continued legal and policy objections as unfounded, dilatory, and inconsistent with Council authority and the public record.

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### **II. Consolidated Billing is Settled Policy and in the Public Interest**

The Council has already mandated consolidated billing in multiple Resolutions, including R-24-310 (July 2024), which ordered ENO to file a consolidated billing proposal by September 30, 2024 and implement it by July 1, 2025. That directive was not conditional; it was mandatory.

The Council reaffirmed this mandate in R-25-352 (June 2025), which set the current procedural schedule. And at the July 30, 2025 technical conference, the Council's Advisors stated unequivocally that consolidated billing is a settled matter and will be implemented. By setting a comment process around ENO's June 10 redlines, the Council made clear that the only open issues concern *how* to implement consolidated billing, not *whether* it should exist.

Further, the Council's 2018 Advisors' White Paper explained that community solar serves the public interest when it lowers costs, expands clean energy access, and provides equitable opportunities for renters and low-income households. Consolidated billing is an essential

enabling mechanism to achieve those outcomes: it reduces customer confusion, cuts administrative overhead, and ensures broader participation.

In short: if consolidated billing makes clean energy cheaper, simpler, and more accessible, it *is* in the public interest. The Council has already recognized this. ENO's insistence that the question is still open is nothing more than an attempt to re-litigate settled law.

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### III. ENO's June 10 Net Crediting Proposal is a Solid Foundation

ENO's June 10 filing finally presented a practical framework for implementation. It estimated IT integration costs and a reasonable eight-month implementation timeline. ENO's redlined rules reflected the net crediting model used successfully in leading jurisdictions such as New York, Illinois, and Minnesota.

TNO's September 5 comments already detailed several constructive refinements:

- **Access for Customers Not in Good Standing:** Excluding past-due customers would disproportionately bar those most burdened by high bills, undermining the equity purpose of community solar. Credits should apply regardless of balance status.
  - **Administrative Fee:** ENO's proposed 3% fee is excessive. Nearly all other states with consolidated billing cap this fee at 1%, which is sufficient to cover costs without eroding subscriber savings.
  - **Posting of Credits:** ENO's proposed two-month lag is unnecessary; one-month posting is the national standard and provides customers timely recognition of savings.
  - **Implementation Timeline:** The Council should hold ENO to the eight-month schedule it proposed, with interim milestones and accountability mechanisms.
  - **Working Group:** The Council should require the creation of a formal working group including Advisors, CURO, ENO, and stakeholders. This group should meet regularly during the eight-month implementation period to hammer out details, such as subscriber reporting, timing of credit posting, and communication protocols, that will ensure a smooth rollout. This collaborative approach is standard practice in other jurisdictions and will reduce disputes while building trust among parties. See Appendix A for Working Group recommendations.
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### IV. Rebuttal of ENO's September 5 Arguments Against Consolidated Billing

ENO's September 5 comments recycle the same themes it has advanced for years: (1) consolidated billing is not in the public interest, (2) it is uncommon and fraught with risk, (3) it imposes unfair costs on non-participating customers, (4) it exposes ENO to legal or franchise harm, and (5) it creates insurmountable administrative burdens. Each of these claims is flawed, misleading, or directly contradicted by the record and by experience in other jurisdictions.

### **1. Public Interest is Already Settled**

ENO continues to assert that the Council has not determined whether consolidated billing is in the public interest, and that an evidentiary hearing is required before implementation. This is revisionist. The Council has already decided this question through multiple resolutions. In R-24-310 (July 2024), the Council ordered ENO to submit a consolidated billing proposal by September 2024 and to implement it by July 2025. The Council reaffirmed this mandate in R-25-352 (June 2025), which set the current procedural schedule. Most importantly, at the July 30, 2025 technical conference, the Council's Advisors stated unequivocally that consolidated billing is a settled matter and will be implemented.

Public interest in this context is not theoretical: it is about delivering lower costs, more equitable access, and a functioning community solar market. Consolidated billing achieves exactly those goals. To now demand a fresh evidentiary hearing would be an attempt to nullify Council authority and delay a program that is already overdue by a year.

### **2. Consolidated Billing is a Proven Best Practice**

ENO characterizes consolidated billing as "unusual" and risky because only a handful of states use it. But this is selective framing. The states that have adopted consolidated billing - New York, Illinois, Minnesota, New Jersey, Maryland, Oregon, Virginia - are precisely the ones with the most successful, scalable community solar programs in the nation. In these states, net crediting consolidated billing is not an experiment; it is a tested mechanism that has brought tens of thousands of households into community solar, including large numbers of low-income customers.

By contrast, programs that rely on "dual billing" (two bills: one from the utility, one from the developer) routinely suffer high attrition, confusion, and low participation. ENO's attempt to portray consolidated billing as fringe is simply inaccurate. The reality is the opposite: consolidated billing is what makes programs succeed at scale.

### **3. Cost Shift Concerns Are Overstated and Misleading**

ENO again raises the specter of hundreds of millions of dollars in "cost shifts" to non-participants. This argument is deeply misleading. First, consolidated billing itself is not the driver of any cost allocation; it is merely a mechanism for applying credits that the Council has already determined in its adopted crediting structure. If ENO disputes those credit values, the proper venue is a proceeding on rate design, not this docket.

Second, community solar produces system-wide benefits that reduce costs for all customers: lowering peak demand, hedging against volatile gas prices, deferring capacity investments, and providing local resilience. Modest administrative costs, spread across the system, are more than offset by these benefits, just as they are with energy efficiency, demand response, or other shared utility programs. ENO's suggestion that non-participants are uniquely "subsidizing" community solar is both selective and disingenuous.

#### **4. ENO's Franchise Rights Are Not Threatened**

ENO devotes significant space to arguing that consolidated billing undermines its franchise by embedding third-party charges in ENO bills. This is a red herring. Consolidated billing does not make subscriber organizations utilities, nor does it authorize them to sell distribution service. ENO retains its exclusive authority to deliver and bill for electric service. Consolidated billing simply means that ENO, like utilities across the country, will apply credits on behalf of customer subscriptions and remit payments to developers.

Far from undermining ENO's franchise, consolidated billing strengthens ENO's role as the trusted platform for all customers' billing needs. Customers remain ENO's customers, receiving one bill from ENO. Suggesting otherwise misrepresents both the mechanics of the program and the Council's regulatory framework.

#### **5. Administrative Burdens Are Manageable and Already Underway**

ENO argues that consolidated billing would require massive IT modifications, new staffing, and litigation safeguards. We have yet to see what exactly would make up the \$1.55 million in IT modifications that ENO estimated that implementing consolidated billing would cost, but this figure is not dissimilar from the cost incurred by utilities in other states. In fact, ENO explicitly acknowledged that a full bill redesign is not required. The 8-month timeline estimated in ENO's June 10 filing is reasonable, too.

Concerns about data exchange, nonpayment, and dispute resolution are not insurmountable obstacles, they are routine matters to be resolved through program rules. Standardized contracts, nondisclosure agreements, indemnification provisions, and Council oversight are sufficient safeguards, just as they have been in other jurisdictions. These details are precisely what a working group of Advisors, CURO, ENO, and stakeholders should resolve during the implementation window.

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### **V. Conclusion**

The Council's directive is clear: consolidated billing will be implemented. ENO's June 10 net crediting framework, with the refinements offered by intervenors, provides a solid, equitable, and cost-effective path forward. ENO's September 5 attempt to reopen settled questions must be rejected.

We urge the Council to:

1. Adopt consolidated billing based on ENO's June 10 net crediting framework, with the refinements outlined above.
2. Hold ENO to its eight-month implementation timeline with enforceable interim milestones.
3. Establish a working group with Advisors, CURO, ENO, and stakeholders to resolve implementation details efficiently. A potential framework can be seen in Appendix A.
4. Direct ENO to cease obstructionist tactics, including re-litigating settled issues and issuing duplicative RFIs.

Only by moving decisively now can the Council ensure that community solar finally delivers its promised benefits: lower bills, cleaner energy, and equitable access for all New Orleanians.

Respectfully submitted,

**Together New Orleans**

September 26, 2025

## **Attachment A – Proposed Structure for Consolidated Billing Working Group**

### **Purpose**

To ensure the successful and timely implementation of consolidated billing for community solar, the Council should establish a formal Working Group. The group will provide a collaborative forum for ENO, Council staff, and stakeholders to resolve technical details, develop practical processes, and monitor ENO's compliance with the eight-month implementation timeline.

### **Membership**

- **Council Advisors** – to provide regulatory and policy guidance, consistent with Council resolutions.
- **CURO (Council Utilities Regulatory Office)** – to oversee compliance, consumer protections, and alignment with Council directives.
- **Entergy New Orleans (ENO)** – to provide necessary billing system and operational expertise.
- **Subscriber Organizations / Community Solar Developers** – to represent project design and customer-facing operations.
- **Consumer Advocates** – to ensure affordability, equity, and customer protections remain central.
- **Low-Income and Community Representatives** – to keep equity and accessibility at the forefront of design decisions.

### **Scope of Work**

1. **Implementation Milestones** – Define interim deadlines within the eight-month implementation period (e.g., requirements design, system testing, bill sample review).
2. **Subscriber Reporting and Data Exchange** – Standardize file formats, reporting frequency, and protocols for transmitting subscriber lists and allocations.
3. **Credit Application Timing** – Ensure subscriber credits are posted on a one-month lag (not two), consistent with best practices.
4. **Administrative Fee** – Reconcile ENO's cost recovery with national norms (1% of bill credits).

5. **Customer Eligibility** – Ensure that past-due customers are not barred from participation.
6. **Dispute Resolution Procedures** – Establish clear, efficient protocols for resolving billing discrepancies.
7. **Consumer Protections** – Review bill presentation, contract summaries, and data security standards to ensure transparency and compliance.

## **Process and Schedule**

- **Kickoff Meeting:** Within 30 days of the Council's order adopting consolidated billing.
- **Meeting Frequency:** Biweekly at minimum during design and testing phases; monthly thereafter.
- **Reporting:** Written progress updates filed to the docket every 60 days.
- **Facilitation:** Advisors and CURO to jointly chair meetings, ensuring balanced participation.

## **Deliverables**

1. A detailed implementation plan with milestones, filed within 60 days of kickoff.
2. Draft bill samples demonstrating how consolidated billing will appear to customers.
3. A final "readiness report" filed 30 days prior to program launch, certifying that billing systems, reporting processes, and customer protections are operational.

**Before  
The Council of the City of New Orleans**

**Re: Intervenor Reply Comments on Consolidated Billing (per Resolution  
R-25-352)**

**CERTIFICATE OF SERVICE**

I do hereby certify that I have, this Sep 26, 2025 , served the foregoing correspondence upon all other known parties of this proceeding by electronic mail.

A handwritten signature in black ink, appearing to read 'Nathalie', is positioned above a horizontal line.

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Nathalie Jordi, Together New Orleans