

Dec 9, 2025

Via Electronic Mail

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

Re: Hearing Officer's Order of December 4, 2025 in Docket 18-03

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

December 9, 2025

Hon. Judge Gulin
Council of the City of New Orleans
1300 Perdido Street
New Orleans, LA 70112

Re: Response to ENO Motion to Amend Procedural Schedule and Request for Evidentiary Hearing (Docket UD-18-03)

Dear Judge Gulin:

We write in strong opposition to Entergy New Orleans' (ENO's) November 25th motion seeking to amend the procedural schedule and initiate a new evidentiary hearing. This is not a good-faith request for due process. It is an attempt to obstruct the Council's implementation of consolidated billing and, ultimately, the City's community solar program — an initiative the Council has formally adopted through Resolution R-24-310 and advanced through a multi-year rulemaking process.

ENO has invoked this burdensome procedural mechanism not to protect its rights, but to attempt to re-litigate settled matters under the guise of due process. ENO already has been afforded ample procedural opportunity through a transparent, multi-year rulemaking process. As summarized in Attachment A, the consolidated billing issue alone has already received extensive process, including formal Council directives, discovery, a technical conference, multiple rounds of written filings and a comprehensive Advisors' Report. The Council formally adopted the program framework and billing mechanism through Resolution R-24-310 following multiple rounds of public input, regulatory filings and utility engagement. The New Orleans Community Solar program is well under way, with multiple projects and tens of millions of dollars in local and out-of-state investments already made. Ongoing uncertainty around the billing infrastructure, driven by ENO's delay, puts those investments at risk.

ENO's implementation efforts are already far behind schedule due to its repeated failure to meet procedural deadlines. Extending the process further would materially harm community solar stakeholders, including Subscriber Organizations and participating residents. The Council must be wary of further enabling what has become a pattern of delay, not necessity.

Should the Council nonetheless find that a limited evidentiary process is warranted, we urge it to proceed expeditiously, commencing at or right after the Joint Committee meeting on December 10, 2025. The proceeding should be time-limited — no more than 90 days — and limited in scope to initial and responsive testimony, followed by a live hearing. Any extension of existing deadlines should be treated with deep skepticism.

Finally, the scope of any such hearing and associated discovery must be strictly limited to the discrete matter of consolidated billing. This hearing must not serve as a vehicle to reopen or

re-litigate the Council's adopted community solar framework, which was developed through a robust, multi-year public process and is already guiding project development and investment.

We urge the Council to remain vigilant against attempts to stall or dilute its community solar program, which enjoys broad public support and represents a vital step toward equitable clean energy access in New Orleans.

Respectfully,

Nathalie Jordi, Together New Orleans

Erica Buster, SunConnect Corporation (on behalf of NOLA Solar Holding Company LLC)

Jeff Cantin, Solar Alternatives

Scott Oman, South Coast Solar

Ryan Gregory, Stay Ready NOLA, Inc.

Monika Gerhart, GSREIA

Gary Skulnik, Neighborhood Sun

Alex Pasanen, Solstice Power Technologies LLC

Logan Atkinson Burke, Alliance for Affordable Energy

Pierre Moses, 127 Energy

David Denny, Carpe Diem Developers

Jackie Dadakis, Green Coast Enterprises

Andreanecia M. Morris, Greater New Orleans Housing Alliance (GNOHA)

Thomas Guinan Jr., Algiers Solar LLC

Ian Fischer, Working Power LLC

Attachment A – Procedural Record Demonstrating No Additional Evidentiary Hearing Is Warranted

This attachment summarizes the procedural record on consolidated billing in Docket UD-18-03. It shows the Council already has provided a full and structured process, spanning formal Council directives, discovery, a technical conference, multiple rounds of written filings and a comprehensive Advisors' Report. The record provides no indication that ENO lacked procedural opportunity or the ability to supply factual material. ENO has, in fact, had multiple substantive opportunities to present information, develop evidence, and influence the consolidated billing framework.

1. The Council Has Already Directed ENO to Propose and Implement Consolidated Billing

- **Resolution R-24-310 (July 2024)** required ENO to submit a consolidated billing proposal by a date certain and to prepare for implementation. This directive initiated a formal procedural pathway for ENO to present evidence, concerns and technical design.
- **Resolution R-25-352 (June 2025)** established a detailed procedural schedule **specifically** for consideration of consolidated billing, including discovery, a technical conference, stakeholder comments, reply comments, and an Advisors' Report.

These resolutions ensured that consolidated billing would receive the type of structured process the Council routinely uses in its rulemakings.

2. ENO Filed Multiple Submissions Addressing Consolidated Billing

- Following R-24-310, ENO filed materials describing its concerns and estimates, which the Advisors reviewed and summarized. ENO “did not file, by the September 30, 2024 deadline ... a consolidated billing program that could be implemented as of July 1, 2025,” but did file comments opposing consolidated billing, followed by a second filing describing costs and obstacles.
- **ENO's June 10, 2025 filing**, treated by the Council as its consolidated billing proposal under R-25-352, supplied cost estimates, a preliminary billing framework, and rule redlines.

These filings confirm that ENO had multiple opportunities to frame the factual record as it saw fit.

3. The Council Held a Dedicated Technical Conference on Consolidated Billing

On **July 31, 2025**, the Council convened a technical conference solely on consolidated billing, pursuant to R-25-352. The published agenda included:

1. **Entergy New Orleans' Presentation** on consolidated billing;
2. **Together New Orleans' Discussion**;
3. **Concluding Comments** from CURO and the Advisors.

This event provided ENO a platform to present its proposal, respond to questions and receive feedback from stakeholders and the Advisors in a formal public setting — functionally equivalent to a limited evidentiary proceeding.

4. ENO Conducted Discovery and Received Responses

During the discovery period:

- ENO served a **24-item Request for Information** on the Advisors explicitly targeting consolidated billing issues, including what evidence should be gathered and what protections ENO believes are necessary.
- The Advisors provided written responses, directing ENO to the Council's adopted procedural schedule and identifying where relevant information would be included in the Advisors' Report.
- ENO also served RFIs on multiple subscriber organizations and developers; those parties responded in writing.

This discovery process offered ENO full opportunity to obtain data, test assertions and build a factual record — precisely the function ENO now claims requires an evidentiary hearing.

5. Two Full Rounds of Consolidated-Billing Comments and Reply Comments

Under the R-25-352 schedule:

- **Intervenor comments** on consolidated billing were filed on September 5, 2025. These included submissions from developers, advocates, financial entities, and consumer groups.
- **Reply comments** were filed on September 26, 2025, including by ENO.

These comment rounds allowed ENO and all stakeholders to introduce factual materials, critique one another's filings, and expand the record.

6. The Advisors Issued a Comprehensive Report Based on the Full Record

On **October 24, 2025**, the Advisors filed their *Report Regarding Consolidated Billing*, which:

- Summarized the entire consolidated billing record,
- Described ENO's positions and filings,
- Reviewed stakeholder submissions,
- Incorporated information from discovery and the technical conference, and
- Provided recommendations grounded in that record.

The Advisors further stated that **all parties, including ENO, had sufficient opportunity to participate** in the Council's process for consolidated billing.

7. ENO Has Already Used Multiple Avenues to Present Evidence and Arguments

Across this consolidated-billing process, ENO has:

- Filed several rounds of written submissions,
- Presented publicly at the technical conference,
- Conducted discovery on the Advisors and intervenors,
- Submitted comments and reply comments, and
- Had all filings reviewed and synthesized into the Advisors' final report.

Nothing in the record indicates that ENO lacked opportunities to present evidence or that the Council limited ENO's ability to build the factual record it desired.

Conclusion

The procedural record demonstrates that the Council has already conducted an extensive, multi-stage examination of consolidated billing, with broad participation and multiple opportunities for ENO to contribute information. ENO has:

- Filed proposals and comments,
- Presented at a dedicated conference,
- Conducted discovery,
- Responded to stakeholder filings, and
- Received full review by the Advisors.

Given this comprehensive process, an additional evidentiary hearing is neither necessary nor warranted to supplement the record on consolidated billing. The existing procedural history already reflects a robust, inclusive, and well-developed record sufficient for the Council to act.

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

Re: Hearing Officer's Order of December 4, 2025 in Docket 18-03

CERTIFICATE OF SERVICE

I do hereby certify that I have, this **Dec 9, 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.

Nathalie Jordi, Together New Orleans