LOUISIANA PUBLIC SERVICE COMMISSION

DOCKET NO. R-36241

LA PUBLIC SERVICE COMM
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LOUISIANA PUBLIC SERVICE COMMISSION, EX PARTE

In re: Rulemaking to revise the Commission's Rules of Practice and Procedure.

NOTICE OF PROPOSED RULES FOR PART 2- "PARTIES" OF THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE

The instant rulemaking was initiated in January 2022 as a result of Louisiana Public Service Commission ("LPSC" or "Commission") Staff recognizing an imminent need to rectify issues surrounding service and in particular Rule 7 of the Commission's Rules of Practice and Procedure ("Rules"). In addition to this imminent need, Staff also determined the need for a complete review and revision of the Rules given it had been almost 20 years they were last updated. Since that time, Staff has been working to review and substantially revise the Rules to not only clarify specific components, but also to ensure the Rules are up-to-date.

At the Commission's April 15, 2026 Business and Executive ("B&E") Session, the Commission directed Staff to implement an interim Rule 10a for mandatory disclosure of foreign and outside funding sources by intervenors in Commission proceedings.[1] Specifically, Staff was directed to:

> [P]repare, for consideration at the earliest practicable B&E, but no later than June, a proposed Interim Rule 10a, or other appropriate placement in the Commission's Rules of Practice and Procedure, that would require all intervenors in every docket, proceeding, or matter before the Commission to publicly disclose and certify all sources of funding for their organization that originate, directly or indirectly, from individuals or entities located outside of Louisiana, including without limitation the following foreign nations: the People's Republic of China (PRC), the Democratic People's Republic of Korea (DPRK), the Russian Federation, and the Islamic Republic of Iran (or any entities, agents, or intermediaries controlled by or

[1] The directive passed 4:1 with Commissioner Lewis opposed.

substantially funded by those governments). The proposed rule shall apply to both existing and future intervenors and shall include, at a minimum:

- A requirement for a sworn affidavit or certification filed with every intervention pleading (and updated annually or upon any material change in funding);
- A statement of the percentage of annual funding from individuals or entities located or domiciled outside the state of Louisiana;
- Full disclosure of any grants, donations, contracts, or other financial support received, directly or indirectly, from the listed foreign nations or their state-linked entities during the preceding five (5) years;
- Identification of the ultimate source(s) of funds, including any pass-through foundations, nonprofits, or intermediaries;
- Public filing of the disclosure in the docket (subject to any narrowly tailored protections for truly proprietary non-funding information);
- A clear statement that failure to comply may result in denial or revocation of intervenor status, sanctions, or other remedies as determined by the Commission; and
- An effective date no later than sixty (60) days after adoption of any proposed rule.

Staff shall model this proposed disclosure requirement rule on analogous transparency provisions in Louisiana law (e.g., recent third-party litigation funding disclosure statutes) while tailoring the Commission's rule to the administrative context of Commission proceedings. Further, any proposed rule should emphasize that this is a transparency measure to protect the integrity of the Commission's regulatory process, Louisiana ratepayers, and the public interest, not a bar to participation.

In proposing an Interim Rule pursuant to this directive, Staff shall also include any such proposed rule within Staff's proposed revisions to the Commission's Rules of Practice and Procedure currently being reviewed in Docket No. R-36241 in order to allow stakeholder comment.

This Directive is issued in furtherance of the Commission's mission and the broader goal of achieving Louisiana Energy Dominance.

Staff is still working on a complete revision of the Rules, but given the Commission's directive at the April 2026 B&E, Staff files this Notice of Final Proposed Rules to address not only the Commission's April 2026 directive regarding an Intervenor funding disclosure, but also the entire section of the Rules on parties in Commission proceedings - Part 2, which is attached hereto as Attachment A (clean version) and Attachment B (redline version). **Staff requests comments on the attached proposed rules, including specific redline proposals no later than Monday, August 10, 2026. Staff anticipates these Final Proposed Rules-Part 2 will be considered at the Commission's September 2026 Business and Executive Session.**

OVERVIEW OF PART 2 REVISIONS

As Staff began revising Part 2, it became clear the entire section needed to be revised to portray the Commission's long-standing policies related to the various parties within Commission proceedings. As discussed further below, the majority of intervenor comments tended to agree with Staff's assessment. While the Commission directed a Rule 10a related to funding disclosures, such rule is being proposed as Rule 11. Based upon comments received, Staff further restructured Part 2 to preserve rules 9-11 as Part 2. This preservation of Part 2 also maintains the Commission's current well-known rule 12.1. The restructuring also includes definitions of the various parties to a Commission proceeding, including the respective roles and level of participation. The attached Proposed Rules ("Proposed Rules"), Rule 9, provides an overview of the classification of parties, provides specific definitions for each type of party, and distinguishes the level of participation between interested parties and the other classification of parties in Commission proceedings. While the Rules have been revised, Staff maintains that the majority of changes to rules 9-10 codify the Commission's long-standing practice for the various parties in Commission proceedings. The substantive changes contained in the Proposed Rules is the funding disclosure requirement for intervenors, which is now proposed as Rule 11.

As indicated in the Commission's April 15, 2026 directive, the funding disclosure is to further the Commission's mission to impartially, equitably, and efficiently regulate the rates and services of public utilities and common carriers within Louisiana, as well as strive to maintain existing business and industry, promote economic development, and protect consumers within the state. The Commission's directive also indicated the funding disclosure requirement was for the broader goal of achieving Louisiana Energy Dominance. Based upon the Commission's directive, Staff conducted research on funding disclosure mandates, had meetings/discussions with several intervenors, proposed draft rules, received and considered comments thereon, and now issues these Proposed Rules for additional comment and revisions.

Staff's Proposed Rules are still modeled after language promulgated by the Louisiana Legislature in 2024 known as the "Transparency and Limitations on Foreign Third-Party Litigation Funding,"[2] as well as pending federal legislation known as the "Litigation Funding Transparency Act of 2026;"[3] however, Staff's Proposed Rules do not mirror either as neither directly relate to Commission procedures - as the Commission's directive indicated "while tailoring the Commission's rule to the administrative context of Commission proceedings." Staff's Proposed Rules are focused on ensuring transparency regarding the source of funding behind any intervenor in a Commission proceeding.

INTERVENOR COMMENTS & STAFF'S ANALYSIS

Staff filed its *Notice of Proposed Rules for Part 2-Parties* on May 22, 2026 seeking comments thereon. Comments were timely filed by: Southwestern Electric Power Company ("SWEPCO"); Entergy Louisiana, LLC ("ELL"); Alliance for Affordable Energy ("AAE"); Environmental Defense Fund; CTIA-the Wireless Association ("CTIA"); Association of Louisiana Electric

[2] *See* La. R.S. 9:3580.2 *et seq.*
[3] *See* S.3826, 119th Cong. (2026).

Cooperatives, Inc. ("ALEC"); Cleco Power ("Cleco Power"); Southern Energy Renewable Energy Association ("SERA"); Louisiana Energy Users Group ("LEUG"); and Sierra Club.[4]

ALEC, Cleco Power, ELL, and SWEPCO Comments

Generally, the jurisdictional electric utilities (SWEPCO, ELL, Cleco Power, and members of ALEC) were supportive of the initial proposed rules; however, all provided comments that jurisdictional utilities should be exempt from the funding disclosure requirement as the Commission is already privy to the respective utility's financial information. While accurate in some respects, it is Staff's opinion that the financial information readily available to the Commission may not necessarily address the need of the Proposed Rules, which is transparency of an entity or organization's financial backing. Further, for the majority of jurisdictional utilities, the disclosure should be simple – no outside funding exists as its revenues are/should be derived from Louisiana customers. With that said, Staff does recognize the complication raised in ELL's comments regarding the difficulty, if not impossibility, of identifying all outside funding for publicly traded companies. ELL highlights that for publicly traded companies, such as ELL, its share or bond issuances are generally held by numerous often passive shareholders or aggregated through brokerage services, which are not made available to the public.[5] Staff finds ELL's concerns valid, and appreciates the alternatives submitted for Staff's consideration in order to ensure compliance with the initial proposed rules. Of the two alternatives provided, Staff is of the opinion that providing a disclosure statement similar to Federal Rules of Civil Procedure, Rule 7.1is sufficient to provide the Commission the transparency it seeks with proposed Rule 11. As

[4] Only a portion of Sierra Club's comments were accepted by the Commission given the party's failure to adhere to the Commission's Rules of Practice and Procedure regarding fax filings.
[5] *See* ELL's comments filed June 22, 2026, pgs 3-4.

such, Staff is not persuaded by the general statements of the jurisdictional electric utilities regarding blanketed exemption from the funding disclosure requirement; however, Staff does include a specific provision addressing compliance by publicly traded companies in the Proposed Rules.

The jurisdictional electric utilities also provided additional comments seeking clarification of provisions in the initial proposed rules, including the role of interested parties, the limitation of representatives for Commission proceedings, civic associations participation in Commission proceedings, and that revenues received by utility customers, even if from out of state, do not require disclosure under the funding disclosure rules. Staff addressed the warranted clarifications in the attached Proposed Rules.

LEUG Comments

LEUG's comments expressed concern with the initial proposed rules pertaining to respective roles and levels of participation in Commission proceedings. Along with its comments, LEUG also provided proposed redlines to the initial proposed rules. Staff's intent with the initial proposed rules was not to "materially affect longstanding rights of parties to intervene and participate in LPSC proceedings,"[6] and as such, Staff generally accepted LEUG's redline proposals. For those redlines rejected by Staff, it is Staff's belief that other revisions by Staff in the Proposed Rules address the majority, if not all, of LEUG's concerns.

[6] *See* LEUG comments filed June 22, 2026, pg. 1.

EDF Comments

EDF provided comments suggesting areas that could use clarification to ensure the final rules are clear and unambiguous, tailored to achieve a legitimate goal, and do not inadvertently curtail public input and participation.[7] EDF requests language regarding "civic and trade organizations" appearing in Commission proceedings be reinserted into the final rules to clarify that such organizations may present relevant testimony and evidence bearing on the issues involved in a proceeding.[8] Staff's removal was not an attempt to be deceiving, nor an attempt to prohibit such organizations from participating in Commission proceedings. As written in the current rules, it could be interpreted, and has been in the past, that civic and trade organizations need not adhere to the Commission's rules on intervention, but can simply participate in a proceeding without prior notice to the parties of the proceeding. Staff's removal of the clause "civil and trade associations" was to avoid attempted participation by any association that had not adhered to the Commission's Rules of Practice and Procedure. In considering all comments received, and recognizing the removal/lack of acknowledgement could also lead to confusion in future proceedings regarding an organization's ability to participate, Staff included such language in the Final Rules. Rule 9 now specifies that "any party, including civil and trade associations, actually in interest may file a notice to appear in any proceeding…"

As commented by EDF, the initial proposed rules also provided definitions for all classifications of parties in a Commission proceeding, as well as the roles of each classification, including those of interested parties. EDF raised, as an example, that interested parties should be able to submit written comments, participate in public comment, or otherwise contribute to the

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[7] *See* EDF comments filed June 22, 2026, pg. 3.
[8] *Id.* While discussed in EDF's comments, Staff recognizes EDF was not the only intervenor to provide comments related to Staff's removal of the phrase "civic and trade organizations."

record; however, Staff disagrees with this example as it would defeat the purpose of the Commission's long-standing practice of having two classifications of parties – those that can actively participate and those that cannot. To be clear, absent a clear and extenuating circumstance, all parties choose their own respective level of participation, whether that be full participation as an intervenor or simple monitoring of a proceeding as an interested party. Further, nothing stops a party from intervening and then simply monitoring a Commission proceeding, and in fact, this happens regularly. As such, Staff maintained the distinction between interested parties and the rest of the various classifications of parties in the Proposed Rules.

Lastly, EDF sought clarifications regarding the funding disclosure rule. Mainly, whether the rule was intended for funding only related to intervention activities or all organizational funding; what constitutes a source from outside of Louisiana; how the requirement applies to corporations or other business entities; what did Staff intend by "material change;" and what did Staff intend regarding the certification requirement. Staff attempted to address the majority of these in the Proposed Rules. Staff revised the "certification, or affidavit," requirement to require a certification of the statements being provided. Staff's opinion is that such language is clear that all disclosures must include an affirmation that such information contained therein is true and accurate. Staff also revised the requirement related to "material change" in that the requirement is now an updated filing by December 31st of each year and in lieu of multiple filings in separate Commission proceedings (assuming an intervenor is a participant in more than one docket), the Proposed Rules contemplate a single filing by any intervenor with the Commission, which Staff envisions will be within a repository docket opened specifically for the purpose of housing all intervenor funding disclosures. In the recent years, the Commission's practice has been to open repository dockets for types of filings that are made frequently (quarterly, annually, etc.), made by multiple parties (a class of utility or all jurisdictional utilities), or provides information that is not necessarily specific to one docket.[9] Addressing EDF's comments regarding the treatment of various types of entities, as well as comments of ELL, Staff recognized clarification was needed surrounding disclosure from a publicly traded company, and as discussed above, created a clarification for such companies. Lastly, EDF sought clarification regarding the initial proposed rules intention on disclosures and whether those disclosures were intended to be limited to funding tied directly to the Commission proceeding. After contemplation of this, and comments provided regarding to the onerous nature of disclosures between Louisiana funding and out-of-state funding, Staff concluded against such a requirement. Staff welcomes comments from other stakeholders on whether such a limitation of disclosure is feasible.

CTIA Comments

CTIA focuses the majority of its comments on the initial proposed rules being unduly burdensome and as written would limit the ability of CTIA to intervene in Commission proceedings. While providing an overview of CTIA's organizational structure and its diverse funding base, CTIA did not provide actual logistical issues, nor provided any alternatives in order to attempt to comply with the initial proposed rules.

CTIA also briefly raised the concern that the initial proposed rules could be considered unconstitutional based upon a restriction to freedom of association.[10] *Bonta* concerned a blanket

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[9] *See* X-37389, LPSC, ex parte. In re: *Annual reporting filings for jurisdictional electric utilities pursuant to General Order dated August 1, 2024 (R-35462; CCO Docket – Attachment 1)*; X-36696, LPSC, ex parte. In re: *Eligible Telecommunications Carriers' quarterly updates on deployment efforts of Rural Digital Opportunity Funding*; X-36089, LPSC, ex parte. In re: *Electric Utility Reports Regarding Effectiveness of Demand Response Tariffs, Rate Schedule and/or Riders Approved since January 1, 2020, as required by the Demand Response Rule set forth in General Order dated May 26, 2021 (R-35136)*; X-33001, LPSC, ex parte. In re: *FCC Form 555 filing repository.*

[10] *See*, CTIA comments filed June 22, 2026, pg. 5 citing *American for Prosperity vs Bonta*, 594 U.S. __, 141 S. Ct. 2373 (citing *NAACP v. Alabama ex rel. Patterson,* 357 U.S. 449, 462 (1958) ("Bonta"). Further, while discussed in

regulation by the California Attorney General's Office requiring charities to identify their donors prior to renewing their registrations with the Attorney General's Office ("AG"). The U.S. Supreme Court found that the AG's regulation was not narrowly tailored to the State's interest in investigating charitable misconduct in that the regulation lacked any tailoring to the State's investigative goals and its interest in administrative convenience was weak.[11]

It is Staff's opinion that the Proposed Rules are distinguishable from the regulation in *Bonta* given the Commission is not seeking specific individual information (as was the AG's office in *Bonta*), the Commission's regulation is narrowly tailored to its interest of transparency, and is not seeking the information for administrative efficiencies. The information will be used to understand specific Commission proceedings and what influences may be present with respect to positions or arguments of intervenors in those proceedings. The Proposed Rules are necessary to achieve this level of transparency, are to be applied equally to any party intervening, and asks for a percentage breakdown versus any specific identifiable information. This requirement is necessary for intervenors, as opposed to all parties in a proceeding, as the other parties' justiciable interest are known.

The Commission's constitutional duty (police powers) in regulating common carriers and public utilities is to balance the interest of said jurisdictional entities alongside the interest of Louisiana ratepayers. Therefore, when making Commission determinations, the Commission's focus should be on the views of its citizens and entities that further those views. In EDF's comments, it cautions against conflating out-of-state funding with out-of-state viewpoints, and Staff agrees. The Proposed Rules do not restrict, nor prohibit any out-of-state funding or

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CTIA's comments, Staff recognizes CTIA was not the only intervenor to provide comments related to the potential violation of First Amendment rights.

[11] *Bonta*, 598.

viewpoints, but simply provides transparency to influences that may be present with respect to positions or arguments of intervenors in Commission proceedings with the goal of the Commission understanding those that differ from Louisiana residents' viewpoints. Ultimately, it is the Commission who reviews all the information provided, weighs said information, and makes a public interest determination based upon said information – including information related to the underlying policies, positions, influences, and/or biases of all proponents and opponents.

Sierra Club, and SERA Comments

Two of the non-profit organizations that filed comments to the initial proposed rules – Sierra Club and SERA – raised constitutional concerns. Those concerns included potential First Amendment violations (which are addressed above) and the dormant Commerce Clause: "[R]egulations that favor in-state economic interest and burden out-of-state competitors violate the dormant Commerce Clause unless the state can satisfy a very demanding justification;"[12] and "favoring organizations that receive only in-state funding over organizations whose funding comes from across state lines" likely violates the dormant Commerce Clause.[13] The majority of cases, if not all, cited by SERA and the Sierra Club for this contention involved fees, taxes, or the restriction of commerce into a particular state. None of those facts are present here. First, there is no burden on out-of-state "competitors" as the burden is the same for anyone wishing to intervene in a Commission docket. Anyone intervening in a Commission proceeding, regardless of domicile, affiliation, organizational structure, or source(s) of funding must provide a funding disclosure to the Commission. Second, the Proposed Rules do not indicate, nor does Staff's recommendation

[12] *See* SERA Comments, filed June 22, 2026, pg. 4.
[13] *See* Sierra Club Comments, filed June 23, 2026, pg. 13.

here (or in the *Notice of Proposed Rules*) indicate that the Commission is favoring entities that receive only in-state funding.

The dormant Commerce Clause ("DCC") prohibits state taxation or regulation that discriminates against or unduly burdens interstate commerce and thereby impedes free private trade in the national marketplace.[14] Broadly, commerce is the exchange, buying, selling, or transportation of goods, services, and money. Interstate commerce is "commercial trade, business, movement of goods or money, or transportation from one state to another, regulated by the federal government…"[15] The Proposed Rules do not discriminate against free private trade, do not restrict the movement of goods or money, nor restrict/discriminate against transportation from one state to another. The Proposed Rules do not impact any type of goods, services, or money. As such, the Proposed Rules cannot, and do not, violate the Commerce Clause, or DCC.

The first step in analyzing any [regulation] under the [DCC] is to determine whether it regulates evenhandedly with only incidental effects on interstate commerce, or discriminates against interstate commerce.[16] Sierra Club and SERA confound the initial proposed rules' disclosure requirement with some impediment against economic interests; however, that connection is tenuous at best. The Proposed Rules merely require a disclosure related to funding sources, both in-state and out-of-state sources, and from all intervenors; the requirement regulates evenhandedly. Further, the Proposed Rules do not discriminate as that term is related to a DCC violation determination. "[D]iscrimination simply means differential treatment of in-state and out-of-state economic interest that benefits the former and burdens the latter."[17] Again, as written, the Proposed

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[14] *Southern Union Co. v. Missouri Public Service Com'n*, 289 F.3d 503 (2002) citing *General Motors Corp. v. Tracy*, 519 U.S. 278, 287, 117 S.Ct. 811, 136 L.Ed. 2d 761 (1997.

[15] https://dictionary.law.com/Default.aspx?typed=commerce&type=1

[16] *Oregon Waste Systems, Inc. v. Department of Environmental Quality of State of Or.*, 511 U.S. 93, 99 (1994).

[17] *Id.*

Rules do not create differential treatment and certainly do not create a benefit for in-state versus out-of-state, even if the Proposed Final Rules focused on an economic interest, which they do not.

AAE Comments

AAE provided comments, which mostly focused on practical concerns, and while providing why the initial proposed rules did not work, provided little guidance as to what could work to make Commission proceedings more transparent. The Proposed Rules did consider some of the concerns raised by AAE in that the disclosure requirements now contain "reasonable efforts" language, removed the requirement of an affidavit for disclosures, and clarifies the intent of Rule 10 and the limitation of representatives in a Commission proceeding. Staff does not agree with an exemption for "individual parties" to the disclosure requirements as that classification alone does not prohibit funding being received from out-of-state. Further, AAE's concern regarding *pro se* representation and the barrier of intervention due to proposed Rule 11 is unfounded. Proposed Rule 11 requests a percentage allocation of funding received from within Louisiana versus not within Louisiana. An individual's disclosure would be based upon where their income is received – it is reaching to imply that Proposed Rule 11 requires an individual to have "awareness of the full financial chain of where their paycheck comes from beyond the issue."[18]

[18] *See* AAE Comments, filed June 22, 2026, pg. 5.

CONCLUSION

Staff files this Notice of Proposed Rules for Part 2-Parties of the Commission's Rules of Practice and Procedure in response to the Commission directive at the April 15, 2026 B&E. Based upon that directive, independent research, and comments/input received from intervenors, the Final Rules focus on clarification of long-standing Commission policies, as well as furthering the Commission's goal of transparency in Commission proceedings. Transparency supports the Commission in making public interest determinations by understanding the various policies, interest, and/or biases of all parties providing relevant information in a proceeding – both proponents and opponents.

Staff requests comments and proposed redlines to the attached Proposed Rule no later than Monday, August 10, 2026 in order to prepare final rules for the Commission's consideration at the September 2026 B&E.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the aforementioned has been served upon all parties of record, by email properly addressed, on this 27th day of July, 2026.

KATHRYN H. BOWMAN

ATTACHMENT A
PROPOSED RULES
PART 2-PARTIES
July 2026 Version

PART II PARTIES

RULE 9: CLASSIFICATION OF PARTIES.

A party to proceedings before the Louisiana Public Service Commission are applicants, complainants, respondents, or intervenors. Classification as a party allows full participation in a Commission proceeding, including procedural or substantive rights authorized by the Commission. As defined below, the Commission also recognizes a classification of Interested Party, which are not considered a party to a Commission proceeding, but can be placed on the Commission's Official Service List to monitor any Commission proceeding. Regardless of errors in their designation of themselves in their pleadings, the Commission may align parties in accordance with their interest in the proceedings.

Applicant, is an individual or an entity commencing a proceeding before the Commission with an application as the initiating filing seeking the Commission's approval, acceptance, or non-opposition.

Complainant is an individual or an entity commencing a proceeding before the Commission with a complaint as the initiating document seeking the Commission require a refund, assess a fine, or otherwise rectify an issue.

Interested Party is an individual or an entity who desires to monitor a proceeding before the Commission. Upon the filing of a Notice for Interested Party Status, such individual(s) will be classified as an Interested Party and placed on the official Service List of said proceeding for proceeding notifications issued by the Commission and to receive service of publicly filed versions of pleadings and testimony. Interested Party classification differs from other party classifications in that an Interested Party does not enjoy the benefits of full participation in the proceeding as if the individual or entity was an applicant, complainant, intervenor, or respondent. An Interested Party shall not have discovery rights or obligations, submit testimony or briefs, or participate in hearings before an Administrative Law Judge.

Intervenor is an individual or entity actually in interest who timely files a Notice of Intervention in a proceeding indicating the interest in said proceeding, regardless if that interest is to support, oppose, or monitor the proceeding. Any party seeking to oppose a Notice of Intervention shall file a motion to strike pursuant the Commission's Rules of Practice and Procedure.

Respondent is a named public utility or common carrier against whom relief is sought in a complaint, citation, or other proceeding.

Any party, including civic and trade associations, actually in interest may file a notice to appear in any proceeding before the Louisiana Public Service Commission on his/her own behalf or be represented as provided for in Rule 10 below. All appearances shall be subject to a motion to strike upon a showing that the party has no justiciable or administratively cognizable interest in the proceeding.

Unless otherwise provided by law, any public official, agency or department of the State of Louisiana or any of its political subdivisions shall be permitted to appear in any proceeding whether as a formal intervenor or otherwise, and present any relevant and proper testimony and evidence bearing upon the issues involved in the particular proceeding.

RULE 10: APPEARANCES PERSONALLY OR BY REPRESENTATIVE.

Any party may appear and be represented by an attorney at law authorized to practice law before the highest court of any State. A natural person may appear on his own behalf. A corporation, partnership or association may appear and be represented by any bona fide officer, partner, full-time employee, or other person if authorized to so appear by the Commission.

No party may have more than six representatives on a service list for any given Commission proceeding. If good cause exists for an entity to have more than six representatives on a service list, such request must be provided in writing to the Commission's Records Division, who will accept or reject the request.

The Commission, and its staff, shall be considered a party to every docketed proceeding without the necessity of filing for intervention, with the Commission's Legal Division being the designated representative for the Commission.

RULE 11: INTERVENOR'S DISCLOSURE OF FUNDING SOURCES

Anyone wishing to intervene in a Commission proceeding shall first, or at least concurrently with a Notice for Intervention, file an Intervenor Disclosure of Funding Sources with the Commission. The Intervenor Disclosure of Funding Sources shall include:

1) A certification regarding the authenticity of the information provided; and
2) A percentage breakdown of sources of funding received from within Louisiana versus funding received from outside Louisiana. Such breakdown does not seek personal information about any funding source.

For any Intervenor that is a publicly traded company, submission of a disclosure statement identifying any parent corporation and shareholder owning 10% or more of its outstanding stock is deemed sufficient.

In addition to the above, an Intervenor shall separately disclose all funding sources, whether through grants, donations, contracts, or other financial support received, from any foreign country of concern as defined in La. R.S. 9:3580.2 and 15 C.F.R. Section 791.4. Such disclosure shall include any foreign entity that is owned or controlled by the government of a foreign country of concern, or a partnership, association, corporation, organization of other combination of person organized under the law of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity. Intervenors shall take reasonable efforts to determine if any funding sources originate from a country of concern, or a partnership, association, corporation, organization of other combination of person organized under the law of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity.

If no outside funding sources exists, a certification made by the Intervenor or an authorized representative of the Intervenor to that effect is required. For purposes of disclosure of outside funding sources, a jurisdictional utility's revenue received for utility services rendered within Louisiana, regardless of the source of said revenue, do not need to be disclosed pursuant to this Rule.

The obligation to disclose such outside funding sources remains during the pendency of any Commission proceeding. As such, all Intervenors shall ensure its respective Intervenor Disclosure of Funding Sources is accurate at all times, and shall file an updated disclosure by December 31st of each year.

Such disclosure shall be publicly filed, subject to narrowly tailored protections for proprietary non-funding information.

Failure of any Intervenor to provide the requisite funding disclosure may result in Commission denial, or revocation, of Intervenor status in the relevant Commission proceeding.

ATTACHMENT B
PROPOSED RULES
PART 2-PARTIES

July 2026 Version

PART II PARTIES

RULE 9: CLASSIFICATION OF PARTIES.

~~Parties~~A party to proceedings before the Louisiana Public Service Commission are applicants, ~~protestants, petitioners,~~ complainants, respondents, or intervenors~~, or interested parties.~~. Classification as a party allows full participation in a Commission proceeding, including procedural or substantive rights authorized by the Commission. As defined below, the Commission also recognizes a classification of Interested Party, which are not considered a party to a Commission proceeding, but can be placed on the Commission's Official Service List to monitor any Commission proceeding. Regardless of errors in their designation of themselves in their pleadings, the Commission may align parties in accordance with their interest in the proceedings.

~~Any party may file a motion~~

> Applicant, is an individual or an entity commencing a proceeding before the Commission with an application as the initiating filing seeking the Commission's approval, acceptance, or non-opposition.
>
> Complainant is an individual or an entity commencing a proceeding before the Commission with a complaint as the initiating document seeking the Commission require a refund, assess a fine, or otherwise rectify an issue.
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> Interested Party is an individual or an entity who desires to monitor a proceeding before the Commission. Upon the filing of a Notice for Interested Party Status, such individual(s) will be classified as an Interested Party and placed on the official Service List of said proceeding for proceeding notifications issued by the Commission and to receive service of publicly filed versions of pleadings and testimony. Interested Party classification differs from other party classifications in that an Interested Party does not enjoy the benefits of full participation in the proceeding as if the individual or entity was an applicant, complainant, intervenor, or respondent. An Interested Party shall not have discovery rights or obligations, submit testimony or briefs, or participate in hearings before an Administrative Law Judge.
>
> Intervenor is an individual or entity actually in interest who timely files a Notice of Intervention in a proceeding indicating the interest in said proceeding, regardless if that interest is to support, oppose, or monitor the proceeding. Any party seeking to oppose a Notice of Intervention shall file a motion to strike pursuant the Commission's Rules of Practice and Procedure.
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> Respondent is a named public utility or common carrier against whom relief is sought in a complaint, citation, or other proceeding.

Any party, including civic and trade associations, actually in interest may file a notice to appear in any proceeding before the Louisiana Public Service Commission on his/her own behalf or be represented as provided for in Rule 10 below. All appearances shall be subject to a motion to strike upon a showing that the party has no justiciable or administratively cognizable interest in the proceeding.

Unless otherwise provided by law, any public official, agency or department of the State of Louisiana or any of its political subdivisions shall be permitted to appear in any proceeding whether as a formal intervenor or otherwise, and present any relevant and proper testimony and evidence bearing upon the issues involved in the particular proceeding.

RULE 10: APPEARANCES PERSONALLY OR BY REPRESENTATIVE.

Any party may appear and be represented by an attorney at law authorized to practice law before the highest court of any State. A natural person may appear on his own behalf. A corporation, partnership or association may appear and be represented by any bona fide officer, partner, full-time employee, or other person if authorized to so appear by the Commission.

~~Any corporation, partnership, or association~~No party may ~~not~~ have more than ~~four~~six representatives on a service list for any given Commission proceeding. If good cause exists for an entity to have more than ~~four~~six representatives on a service list, such request must be provided in writing to the Commission's Records Division, who will accept or reject the request.

The Commission, and its staff, shall be considered a party to every docketed proceeding without the necessity of filing for intervention, with the Commission's Legal Division being the designated representative for the Commission.

RULE 11: ~~INTERESTED PARTY.~~ INTERVENOR'S DISCLOSURE OF FUNDING SOURCES

~~An Interested Party, for purposes of a Commission proceeding, is an individual or an entity who desires to monitor the proceeding. Upon the filing of a Petition for Interested Party status, such individual(s) will be classified as an Interested Party and placed on the official Service List of said proceeding for proceeding notifications. Interested Party classification differs from other classifications in that an Interested Party does not enjoy the benefits of full participation in the proceeding as if the individual or entity was an applicant, protestant, or respondent to the proceeding or an Intervenor as defined in Rule 12 below.~~

~~RULE 12: INTERVENOR~~

~~An Intervenor, for purposes of a Commission proceeding, is an individual or entity who has a vested interest in a proceeding, regardless if that vested interest is to support or oppose the proceeding. An individual or entity seeking to become an Intervenor shall timely file a Petition for~~

~~Intervention indicating the vested interest in the proceeding and request participation in the same. Assuming no protests to the Petition for Intervention, the individual or entity shall be classified as an Intervenor and placed on the official Service List.~~

~~Intervenors shall be allowed to fully participate in the proceeding and shall adhere to the same procedural and confidentiality requirements of all other parties in the proceeding, including participation in discovery, testimony, briefing, and any hearing set for the proceeding.~~

~~RULE 12(A): INTERVENOR'S DISCLOSURE OF FUNDING SOURCES~~

~~When filing a Petition for Intervention into a Commission proceeding, Intervenors shall disclose for themselves if an individual, or their organization if an entity, the allocation of funding sources that originate from outside of Louisiana in the Petition for Intervention.~~

~~In disclosing such outside funding sources, the information provided shall include:~~

Anyone wishing to intervene in a Commission proceeding shall first, or at least concurrently with a Notice for Intervention, file an Intervenor Disclosure of Funding Sources with the Commission. The Intervenor Disclosure of Funding Sources shall include:

1) A certification~~, or affidavit,~~ regarding the authenticity of the information provided; and
2) A percentage breakdown of ~~the prior three years~~sources of ~~annual~~ funding received from ~~individuals or entities located, or domiciled,~~within Louisiana versus funding received from outside Louisiana~~ versus those funding sources from within Louisiana.~~. Such breakdown ~~shall include any pass-through foundations, nonprofits, or intermediaries, but~~ does not seek personal information about any funding source.

~~If no outside funding sources exists, a statement to that effect is required.~~

For any Intervenor that is a publicly traded company, submission of a disclosure statement identifying any parent corporation and shareholder owning 10% or more of its outstanding stock is deemed sufficient.

In addition to the above, an Intervenor shall separately disclose all funding sources, whether through grants, donations, contracts, or other financial support received, ~~directly or indirectly,~~ from any foreign country of concern as defined in La. R.S. 9:3580.2 and 15 ~~CFR 74~~C.F.R. Section 791.4. Such disclosure shall include any foreign entity that is owned or controlled by the government of a foreign country of concern, or a partnership, association, corporation, organization of other combination of person organized under the law of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity. Intervenors shall take reasonable efforts to determine if any funding sources originate from a country of concern, or a partnership, association, corporation, organization of other combination of person organized under the law of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity.

If no outside funding sources exists, a certification made by the Intervenor or an authorized representative of the Intervenor to that effect is required. For purposes of disclosure of outside funding sources, a jurisdictional utility's revenue received for utility services rendered within Louisiana, regardless of the source of said revenue, do not need to be disclosed pursuant to this Rule.

The obligation to disclose such outside funding sources remains during the pendency of any Commission proceeding. As such, ~~an Intervenor~~ all Intervenors shall ensure its ~~funding disclosure~~ respective Intervenor Disclosure of Funding Sources is accurate at all times, and shall ~~update its disclosure if any material change in funding source occurs during the pendency of a Commission proceeding~~file an updated disclosure by December 31st of each year.

Such disclosure shall be publicly filed, subject to narrowly tailored protections for ~~truly~~ proprietary non-funding information.

Failure of any Intervenor to provide the requisite funding disclosure may result in Commission denial, or revocation, of Intervenor status in the relevant Commission proceeding.