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October 11, 2018

Lora W. Johnson, CMC, LMMC
Clerk of Council
Room 1E09, City Hall
1300 Perdido Street
New Orleans, LA 70112

Re: *Revised Application of Entergy New Orleans, LLC for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and for Related Relief*
Council Docket No. UD-18-07

Dear Ms. Johnson:

On behalf of Entergy New Orleans, LLC ("ENO" or the Company), please find enclosed for your further handling an original and three copies of Objections to the Advisors to the Council of the City of New Orleans' First Set of Data Requests to ENO, which I would appreciate your filing into the record of this proceeding. Please file an original and two copies into the record in the above referenced matter, and return a date-stamped copy to our courier.

Should you have any questions regarding the above/attached, please do not hesitate to contact me.

With kindest regards, I am

Sincerely,

A handwritten signature in black ink that reads "Alyssa Maurice-Anderson".

Alyssa Maurice-Anderson

/ama

Enclosures

cc: Enclosed Service List via email

BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS

REVISED APPLICATION OF)
ENERGY NEW ORLEANS, LLC,)
FOR A CHANGE IN ELECTRIC AND)
GAS RATES PURUSANT TO COUNCIL)
RESOLUTIONS R-15-194 AND R-17-504)
AND FOR RELATED RELIEF)

Docket No. UD-18-07

**ENERGY NEW ORLEANS, LLC’S OBJECTIONS
TO THE ADVISORS TO THE COUNCIL OF THE CITY OF NEW ORLEANS’
FIRST SET OF DATA REQUESTS TO ENERGY NEW ORLEANS, LLC**

NOW COMES Entergy New Orleans, LLC (“ENO” or the “Company”), through undersigned counsel, and respectfully asserts the following objections and reservation of rights to the Advisors to the Council of the City of New Orleans’ First Set of Discovery Requests propounded to ENO in the above-captioned proceeding:

I.

GENERAL OBJECTION AND RESERVATION OF RIGHTS

1. Although ENO has sought to identify all applicable objections, it may become apparent later as responses are prepared or as documents are obtained, that additional objections may be appropriate. ENO reserves its rights to make such objections.
2. ENO objects to definitions and instructions, if any are included, to the extent that they purport to unilaterally alter the rules of discovery, or purport to modify or supplement the specific data requests set forth thereafter, or are unduly burdensome.
3. With respect to confidential and/or highly sensitive information, if any, that may be responsive to one or more of the requests and the production of which is not otherwise objectionable, ENO will make such information available to appropriate signatories pursuant to the terms of a Protective Order in this proceeding.

4. With respect to documents or information that may be protected by the attorney-client privilege and/or the attorney work product doctrine, if any, that may be responsive to one or more of the requests, ENO objects to providing such material, and reserves its right to make such objections as it deems necessary to protect such documents or information from disclosure.

5. Neither the failure to object to a request, nor the providing of a response to a request by the Company, should be construed as a waiver of any claim that the Company may have regarding the jurisdiction of the Council of the City of New Orleans over any entities or transactions that are the subject matter of the request.

6. The providing of a response by the Company to a request should not be construed as a waiver of any claim that the Company may have regarding the admissibility of the response in this proceeding or other proceedings, or a waiver of any substantive rights the Company may have.

II.

SPECIFIC OBJECTIONS

At this time, the Company has identified the following specific objection(s):

OBJECTION TO ADV 1-26:

The Company objects to this Request as being unduly burdensome and not likely to lead to the discovery of relevant information in that it seeks information, and/or would require the Company to perform analyses, that do(es) not exist and that the Company does not maintain or possess as part of the ordinary course of its business. Subject to these and the foregoing General Objections, the Company states that it will provide a response.

OBJECTION TO ADV 1-27:

The Company objects to this Request as being unduly burdensome and not likely to lead to the discovery of relevant information in that it seeks information, and/or would require the Company to perform analyses, that do(es) not exist and that the Company does not maintain or possess as part of the ordinary course of its business. Subject to these and the foregoing General Objections, the Company states that it will provide a response.

OBJECTION TO ADV 1-38(ii):

The Company objects to this Request as being unduly burdensome and not likely to lead to the discovery of relevant information in that it seeks information, and/or would require the Company to perform analyses, that do(es) not exist and that the Company does not maintain or possess as part of the ordinary course of its business. Subject to these and the foregoing General Objections, the Company states that it will provide a response.

OBJECTION TO ADV 1-46:

The Company objects to this request to on the grounds that it is irrelevant and not reasonably calculated to the discovery of admissible evidence. The Company further objects on the grounds that the request seeks analysis that has not been performed. As ENO has publicly explained, Mr. West assumed the role of President and Chief Executive Officer (“CEO”) of ENO on a temporary basis until a replacement for Mr. Rice has been identified, which is expected to occur in an expedited timeframe. As such, ENO has not and will not seek to modify its cost of service for either Period I (historical test year) or Period II (forecasted test year) to account for the fact that Mr. West receives a higher salary, and the Company will not seek to recover any incremental costs associated this temporary situation in rates.

OBJECTION TO ADV 1-49:

The Company objects to the form of the question in that the Company disagrees with the predicate of the request which assumes that the Company has not complied with the relevant paragraph of Council Resolution R-17-504. Without waiving the foregoing objections and reservation, the Company will provide a response.

OBJECTION TO ADV 1-50:

The Company objects to the form of the question in that the Company disagrees with the predicate of the request which assumes that the Company has not complied with the relevant paragraph of Council Resolution R-17-504. Without waiving the foregoing objections and reservation, the Company will provide a response.

OBJECTION TO ADV 1-51:

The Company objects to the form of the question in that the Company disagrees with the predicate of the request which assumes that the Company has not complied with the relevant paragraph of Council Resolution R-17-504. Without waiving the foregoing objections and reservation, the Company will provide a response.

OBJECTION TO ADV 1-52:

The Company objects to this request on the grounds that it is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. The requested relief set forth in the Company's revised application and supporting testimony and exhibits reflects that all revenues derived from non-jurisdictional customers have been taken into account as an offset the overall gas revenue requirement. The Company further objects to the request because for the production of customer-specific information. Subject to and without waiving the foregoing objections and reservation, the Company will provide a response.

III.

Consistent with Ordering Paragraph 7 of Council Resolution R-18-434, counsel for the Company is available to discuss the above objections with opposing counsel.

Respectfully submitted,

BY: 

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ATTORNEYS FOR ENTERGY NEW ORLEANS, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of October, 2018, served the required number of copies of the foregoing pleading upon all other known parties of this proceeding individually and/or through their attorney of record or other duly designated individual, by: electronic mail, facsimile, hand delivery, and/or by depositing same with overnight mail carrier, or the United States Postal Service, postage prepaid.

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