

ProRate Energy, Inc
302 Walnut St,
New Orleans, La 70118

August 11, 2022

By Electronic Mail
Clerk of Council
Room 1E09, City Hall 1300
Perdido St.
New Orleans, LA 70112

**Re: RESOLUTION PROPOSING MINIMUM RELIABILITY PERFORMANCE
STANDARDS FOR ELECTRIC DISTRIBUTION WITH ASSOCIATED FINANCIAL
PENALTIES FOR SUBSTANDARD PERFORMANCE (Docket No. UD-17-04)**

Dear Ms. Johnson,

Please find enclosed ProRate Energy, Inc's petition for intervention regarding minimum reliability performance standards for electric distribution in the above-mentioned docket. Please file the attached intervention and this letter in the record of this proceeding. We will submit physical copies at your instruction. If you have any questions, please do not hesitate to contact me.

Thank you for your time and consideration.

Respectfully,



Myron Katz, PhD
Vice President
ProRate Energy, Inc.
302 Walnut St,
New Orleans, LA 70118
Myron.Bernard.Katz@gmail.com

P.S. I don't think I have the complete/correct Service List for this docket. Please help me correct it.

Cc: Known parties Docket UD-17-04

Before

The Council of the City of New Orleans

**RE: RESOLUTION PROPOSING
MINIMUM RELIABILITY
PERFORMANCE STANDARDS FOR
ELECTRIC DISTRIBUTION WITH
ASSOCIATED FINANCIAL
PENALTIES FOR SUBSTANDARD
PERFORMANCE**

8/11/2022

ProRate Energy’s Petition for Intervention and Inclusion on Service List

ProRate Energy (“PRE”) respectfully requests that the Council of the City of New Orleans (“Council”) grants PRE the right to intervene out-of-time in the above captioned proceeding and participate as a party therein.

Council Resolution R-17-427 established Docket UD-17-04. In R-18-475 the Council repeated concern for the same issue. In 2019, the Council passed R-19-442 and found ENO acted imprudently regarding distribution reliability and fined ENO \$1 million. But the Council’s action did not prevail in court. On August 10, 2022, a Council committee voted to better specify and codify what it states should be the appropriate minimum performance ENO must provide to avoid financial penalties and stated “Parties in Docket UD-17-04 shall have thirty (30) days from the passage of this resolution by the Council to file comments to the proposed reliability standards and penalties summarized herein and attached in Appendix A.”

In 2016, during the 2015 IRP, Building Science Innovators (“BSI”), an intervenor, introduced an innovative rate design, called Customer Lowered Electricity Price, (CLEP) to help move that docket more effectively towards the IRP’s intended goal. CLEP was promoted as three proposed pilots, one was entitled “CLEP Battery Pilot” which spelled out how the CLEP would help finance the purchase of batteries out of utility bill savings.

On Feb 1, 2019, within 2018 ENO Rate Case. BSI proposed CLEP as a ENO rate and showed out how CLEP helps finance the purchase of batteries out of utility bill savings.

In August 2020, the team that founded ProRate Energy did a study using 2018 MISO’s LMP prices and CLEP’s definition and calculated that rooftop and/or community solar customers

would receive almost 14% higher income with CLEP than with Net Energy Metering. And CLEP customers who chose to deeply invest in batteries could lower their bills by more than 50% and enjoy increased reliability of electricity supplied to customers' outlets i.e., substantially withstanding outages within the distribution system.

By, mid 2021, ProRate Energy was incorporated as a Louisiana non-profit corporation shortly after its founding members decided to rename CLEP to ProRate.

This approach changes the very concept of reliability and/or resilience of a distribution system into a recognized partnership between technology provided by the utility, i.e., on the supply side, technology provided by the customer, i.e., on the customer's side of the meter.

In late 2021, PRE filed to intervene in the UD-21-03 docket on System Resilience and Storm Hardening. On July 1, 2022, PRE filed direct testimony to UD-21-03 which promoted ProRate and its effects to meet the City's need in that docket and again spelled out how ProRate would help finance the purchase of batteries out of utility bill savings and how this would provide enhanced reliability and resilience for customers.

In fact, Non-Wired Alternatives (NWA), which were rare to unheard of in 2015 became common after the grandfather of them all occurred in NYC when in 2016, Distributed Energy Resources (DERS) were deployed in the BQDM project, (Brooklyn Queens Demand Management project). The utility was planning a \$1.2 billion upgrade to the distribution system to improve reliability but instead \$200 investments in DERS was done. ProRate "pays" for batteries and solar panels, two of the key DERS elements of the needed microgrids.

These facts motivated to submit a motion to intervene to fully participate in this matter. PRE requests that it be placed on the service list of this proceeding and be served with all pleadings, notices orders, and other filings.

All communications and pleadings in this proceeding should be directed to:

Myron Katz, PhD, Vice President
ProRate Energy, Inc.
302 Walnut St,
New Orleans, LA 70118
Myron.Bernard.Katz@gmail.com

Respectfully Submitted,



Myron Katz

Lora W. Johnson, lwjohnson@nola.gov

Clerk of Council

City Hall - Room 1E09

1300 Perdido Street

New Orleans, LA 70112

(504) 658-1085 - office

(504) 658-1140 - fax

Service of Discovery not required

Erin Spears, espears@nola.gov

Chief of Staff, Council Utilities Regulatory Office

Bobbie Mason, bfmason1@nola.gov

Christopher Roberts, cwroberts@nola.gov

City Hall - Room 6E07

1300 Perdido Street

New Orleans, LA 70112

(504) 658-1110 - office

(504) 658-1117 – fax

Keith Lampkin, CM Morrell Chief-of-Staff, Kdlampkin@nola.gov

1300 Perdido St. Rm. 2W50

New Orleans, LA. 70112

Andrew Tuozzolo, CM Moreno Chief of Staff, avtuozzolo@nola.gov

1300 Perdido St. Rm. 2W40

New Orleans, LA. 70112

Paul Harang, 504-658-1101 / (504) 250-6837, Paul.harang@nola.gov

Council Chief-of-Staff

City Hall - Room 1E06

1300 Perdido Street

New Orleans, LA 70112

Donesia D. Turner, Donesia.Turner@nola.gov

Law Department

City Hall - 5th Floor

New Orleans, LA 70112

(504) 658-9800 - office

(504) 658-9869 - fax

Service of Discovery not required

Norman White, Norman.White@nola.gov

Department of Finance

City Hall - Room 3E06
1300 Perdido Street
New Orleans, LA 70112
(504) 658-1502- office
(504) 658-1705 – fax

Jonathan M. Rhodes, Jonathan.Rhodes@nola.gov

Director of Utilities, Mayor's Office
City Hall – Room 2E04
1300 Perdido Street
New Orleans, LA 70112
(504) 658-4928 - Office

ADMINISTRATIVE HEARING OFFICER

Hon. Jeffrey S. Gulin, judgegulin@gmail.com

3203 Bridle Ridge Lane
Lutherville, MD 2109
(410) 627-5357

NEW ORLEANS CITY COUNCIL CONSULTANTS

Clinton A. Vince, clinton.vince@dentons.com

Presley Reed, presley.reedjr@dentons.com

Emma F. Hand, emma.hand@dentons.com

Herminia Gomez, herminia.gomez@dentons.com

Dee McGill, dee.mcgill@dentons.com

1900 K Street NW
Washington, DC 20006
(202) 408-6400 - office
(202) 408-6399 – fax

Basile J. Uddo (504) 583-8604 cell, buddo@earthlink.net

**J. A. “Jay Beatmann, Jr. (504) 256-6142 cell, (504) 524-5446 office direct,
jay.beatmann@dentons.com c/o DENTONS US LLP**

650 Poydras Street
Suite 2850
New Orleans, LA 70130

Joseph W. Rogers, jrogers@legendcgl.com

Victor M. Prep, vprep@legendcgl.com

Legend Consulting Group
6041 South Syracuse Way, Suite 105

Greenwood Village, CO 80111
(303) 843-0351 - office
(303) 843-0529 – fax

350 NEW ORLEANS

Andy Kowalczyk, (415) 676-1047, a.kowalczyk350no@gmail.com 1115
Congress St.
New Orleans, LA. 70117

Benjamin Quimby, (978)505-7649, benjaminquimby1@gmail.com 1621
S. Rampart St.
New Orleans, LA 70113

Renate Heurich, (504)473-2710, renate@350neworleans.org
1407 Napoleon Ave, #C
New Orleans, LA 70115

AIR PRODUCTS AND CHEMICALS, INC.

Katherine W. King, Katherine.king@keanmiller.com
Randy Young, randy.young@keanmiller.com
400 Convention St. Suite 700 (70802)
P.O. Box 3513
Baton Rouge, LA 70821-3513
(225)387-0999

Carrie R. Tournillon, carrie.tournillon@keanmiller.com
900 Poydras St. Suite 3600
New Orleans, LA 70112

Maurice Brubaker, mbrubaker@consultbai.com
16690 Swingly Ridge Rd., Suite 1400 (63017)
P.O. Box 412000
Chesterfield, MO 63141-2000

ALLIANCE FOR AFFORDABLE ENERGY

Logan Atkinson Burke, Logan@all4energy.org
Sophie Zaken, Regulatory@all4energy.org 4505
S. Claiborne Ave.
New Orleans, 70115

GULF STATES RENEWABLE ENERGY INDUSTRY ASSOCIATION (“GSREIA”)

Jeffrey D. Cantin, 504-383-8936, jcantin@gsreia.org

Stephen Wright, 504-383-8936, swright@gsreia.org

400 Poydras Street, Suite 900

New Orleans, LA 70130

ENTERGY NEW ORLEANS, LLC

Courtney R. Nicholson (504) 670-3680, cnicho2@entergy.com

Entergy New Orleans, LLC

Vice-President, Regulatory and Public Affairs

Barbara Casey, (504) 670-3567, bcasey@entergy.com

Entergy New Orleans, LLC

Director, Regulatory Affairs

Polly Rosemond, prosemo@entergy.com

Kevin T. Boleware, (504) 670-3673, kbolewa@entergy.com

Brittany Dennis, bdennil@entergy.com

Keith Wood, (504) 670-3633, kwood@entergy.com

Derek Mills, (504) 670-3527, dmills3@entergy.com

Ross Thevenot, (504) 670-3556, rtheven@entergy.com

1600 Perdido Street, L-MAG 505B

New Orleans, LA 70112

Vincent Avocato, (281) 297-3508, vavocat@entergy.com

Entergy New Orleans, LLC

10055 Grogan's Mill Road Parkwood II Bldg, T-PKWD-2A

Suite 500, The Woodlands, TX 77380

Brian L. Guillot, (504) 576-6523, bguill1@entergy.com

Leslie M. LaCoste (504) 576-4102, llacost@entergy.com

Entergy Services, LLC

Mail Unit L-ENT-26E

639 Loyola Avenue

New Orleans, LA 70113

Fax: 504-576-5579

Joe Romano, III (504) 576-4764, jroman1@entergy.com

Tim Rapier, (504) 576-4740, trapier@entergy.com

Entergy Services, LLC

Mail Unit L-ENT-4C

639 Loyola Avenue
New Orleans, LA 70113
Fax: (504) 576-6029

Madison Energy Investments

Gerard Neely gneely@madisonei.com

Director, Business and Market Development

Madison Energy Investments

110 Greene Street, Suite 901,

New York, New York 10012

(443) 910-4932

Juliana Harless <JHarless@madisonei.com>