

**BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS**

<i>IN RE: A RULEMAKING</i>)	
PROCEEDING TO ESTABLISH)	
RULES FOR COMMUNITY SOLAR)	DOCKET NO. UD-18-03
PROJECTS)	

ORDER

On September 1, 2022, Madison Energy Investment (“Madison”) filed a motion to extend the deadline from 15 days after service until September 22, 2022, for filing responses to the First Set of Requests for Information directed to Madison by Entergy New Orleans, LLC, (“ENO”). In its motion, Madison articulated no bases for the requested extension, and noted its intention to “submit earlier if available beforehand.” Motion at 1.

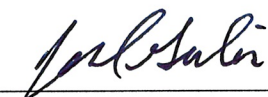
Although the Council resolutions establishing and modifying the instant docket, are silent as to the deadlines for responding to requests for information,¹ Sec. 158-392(b) of New Orleans Code provides that formal discovery, though subject to modification by the Council pursuant to Sec. 158-233, may be conducted in accordance with the Louisiana Code of Civil Procedure (“Louisiana Code”). The Louisiana Code provides that, subject to certain exceptions not relevant hereto, answers to interrogatories shall be filed within 30 days of service of the

¹ Indeed, the Resolutions do *not* explicitly authorize discovery. Yet, the Council appears to have anticipated the parties *would* conduct discovery. See *e.g.*, Council Resolutions R-21-472, Ordering Paragraph 2; R-22-370, Ordering Paragraph 2; and R-22-370, Ordering Paragraph 2 (all expressly authorizing the undersigned Hearing Officer to rule on discovery disputes).

interrogatories.² See Art. 1458, *supra*.

Accordingly, the instant Motion of Madison is partially granted to the extent that Madison shall fully reply to the First Set of Requests for Information directed to Madison by ENO within 30 days³ of service of same to Madison.

So ORDERED, this 2nd day of September, 2022.



Jeffrey S. Gulin
Hearing Officer

² "Interrogatories" are a close analog to "Requests for Information." Moreover, the New Orleans Code provides that rules of procedure applicable to regulatory proceedings shall be interpreted "by resort to the Louisiana Rules of Procedure." New Orleans Code, Sec. 158-234. See *also* Sec. 158-233, *supra* (authorizing the Council to suspend or modify same).

³ The Hearing Officer is fully cognizant that heretofore in virtually all utility proceedings, the Council has provided for a 15-day delay for responses to requests for information. But, perhaps due to the unique chronology of the instant docket, the Council was silent as to deadlines for responses. Accordingly, the Hearing Officer resorts to guidance from the Louisiana Rules of Procedure as set forth *supra*.