

**RESOLUTION**

**NO. R-22-523**

**CITY HALL: December 15, 2022**

**BY: COUNCILMEMBERS MORRELL, MORENO, GIARRUSSO, HARRIS, KING,  
GREEN AND THOMAS**

**IN RE: 2021 TRIENNIAL INTEGRATED RESOURCE PLAN OF ENTERGY NEW  
ORLEANS, INC.**

**DOCKET NO. UD-20-02**

**RESOLUTION AND ORDER APPROVING IMPLEMENTATION PLANS FOR  
ENERGY SMART PROGRAM YEARS 13 THROUGH 14 WITH RESERVED  
APPROVAL OF ENERGY SMART PROGRAM YEAR 15**

**WHEREAS**, pursuant to the Constitution of the State of Louisiana and the Home Rule Charter of the City of New Orleans (“Charter”), the Council of the City of New Orleans (“Council”) is the governmental body with the power of supervision, regulation and control over public utilities providing service within the City of New Orleans; and

**WHEREAS**, pursuant to its powers of supervision, regulation, and control over public utilities, the Council is responsible for fixing and changing rates and charges of public utilities and making all necessary rules and regulations governing the terms and conditions of service, and to govern applications for the fixing and changing of rates and charges for public utilities; and

**WHEREAS**, Entergy New Orleans, LLC (“ENO” or “Company”) is a public utility providing electric service and natural gas service to all of New Orleans; and

**WHEREAS**, the Council approves Energy Smart program designs, savings targets, and budgets for three prospective Program Years (“PY”) every three years upon the conclusion of ENO’s Triennial Integrated Resource Plan (“IRP”) analysis; and

**WHEREAS**, the Energy Smart Program is currently authorized by the Council through the end of Program Year 12 on December 31, 2022; and

**WHEREAS**, on August 20, 2020, the Council adopted Resolution No. R-20-257, the Initiating Resolution setting forth the procedural schedule for ENO's 2021 IRP. The procedural schedule was subsequently modified by Resolution No. R-21-73 and an Order issued by the Hearing Officer on April 7, 2021, resulting in a due date for ENO's Energy Smart Implementation Plan Filing for Program Years 13-15 (2023 through 2025) of July 19, 2022, which was further extended to July 29, 2022 by an Order issued by the Hearing Officer on July 20, 2022; and

**WHEREAS**, on July 29, 2022, ENO submitted the *Application of Entergy New Orleans, LLC for Approval of the Implementation Plan for Program Years 13 through 15 of the Energy Smart Plan* ("PY 13-15 Implementation Plan") to the Council setting forth its Program Years 13-15 program designs, budgets, kWh savings targets, and requested utility performance incentives; and

**WHEREAS**, ENO's PY 13-15 Implementation Plan requested Council (1) approve ENO's proposal for the implementation of the DSM programs through December 31, 2025; (2) approve ENO's selection for Third Party Administrators and Third Party Evaluators for Program Years 13-15; (3) approve the level of funding and associated kWh savings recommended for the programs; (4) approve the continued use of the current utility performance incentive ("UPI") mechanism; (5) approve the continued use of the current Energy Efficiency Recovery Rider for recovery of program costs; (6) grant the opportunity to amend its implementation plan should material changes to expectations arise; and (7) grant all other general and equitable relief that the law and the nature of this proceeding may permit or require; and

**WHEREAS**, on August 23, 2022, ENO submitted a *Filing of Entergy New Orleans, LLC's Revisions to the Energy Smart Program Application for Approval of the Implementation Plan for Program Years 13-15* highlighting that one of the Exhibits in Company's July 29, 2022 PY 13-15 Implementation Plan filing, specifically, the Energy Smart Residential Demand Response Plan, contained errors in tables showing projected demand reductions and Total Resource Cost ("TRC") score by year thus correcting the errors in demand reductions and TRC score projections; and

**WHEREAS**, on October 14, 2022, the Alliance for Affordable Energy ("The Alliance") filed comments out-of-time referencing the ongoing Council Docket UD-22-04 (*Resolution and Order Establishing Rulemaking to Consider Savings Target and Program Design for Energy Efficiency, Conservation, Demand Response, and Other Demand-Side Management Programs as well as Customer-Owned Distributed Energy Resources and Battery Storage*), and encouraging the Council to approve a PY 13 implementation plan as soon as possible to avoid extensions and lag, along with direction for energy, demand goals, and budget as the baseline policy for all three program years (PYs 13-15), but with flexibility to allow for outcomes of Council Docket UD-22-04 to inform PY 14 and 15. The Alliance notes this would provide market certainty for planning and contracting purposes while still leaving flexibility for adjustment in response to ongoing dockets; and the leveraging of federal dollars available for energy efficiency, electrification, demand reduction, and distributed energy resources; and

**WHEREAS**, The Alliance also recommends that the Council expand the Income Qualified Weatherization ("IQW") Program and consider implementing an auto-enrollment plan for customers who either fall in arrears, participate in the Low Income Home Energy Assistance Program, or have been disconnected for inability to pay in the prior 12 months. The Alliance also recommends reconsideration of the Appliance Recycling and Replacement Program to prioritize

the replacement of appliances in multi-family housing in efforts to reach the renter population and opposes the proposed changes to the School Kit, Education and Community Outreach program, preferring an ongoing partnership with Energy Wise Alliance over the selection of a large national company. Finally, The Alliance supports greater expansion of the Peak Time Rebate Program in light of the success the previous program had as part of the Department of Energy's effort in 2011; and

**WHEREAS**, the Council has reviewed the filing and all comments and finds that ENO's proposal is reasonable and it is in the public interest to approve ENO's Energy Smart Implementation Programs for Program Years 13 and 14 ("PY13-14"); however, in order to preserve the flexibility to incorporate the outcome of the ongoing docket promptly, the Council reserves the right to modify ENO's Energy Smart Implementation Programs for Year 15 ("PY 15") upon input and conclusion of Council Docket UD-22-04; **NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That:

1. ENO's proposal for the implementation of DSM programs is approved through December 31, 2024;
2. ENO's selection for Third-Party Administrators and Third-Party Evaluators for Program Years 13-14 are approved;
3. ENO's level of funding and associated kWh savings recommended for the programs is approved;
4. ENO's continued use of the current utility performance incentive ("UPI") mechanism is approved;
5. ENO's continued use of the current Energy Efficiency Recovery Rider for recovery of program costs is approved;

6. ENO is granted the opportunity to amend the implementation plan herein should material changes to expectations arise. Prior to making such amendments, ENO shall provide notice of the planned amendment to the Council, CURO, and the Council's Advisors and an opportunity to discuss any concerns or objections thereto; and
7. The Council reserves the right to modify ENO's Energy Smart Implementation Programs for Program Year 15.

**THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS: Giarrusso, Harris, King, Moreno, Thomas - 5**

**NAYS: 0**

**ABSENT: Green, Morrell - 2**

**AND THE RESOLUTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Hera W. Johnson*  
CLERK OF COUNCIL

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