

**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 June 21, 2018, the Council for the City of New Orleans issued Resolution R-18-223, establishing the instant docket, and therein set a deadline of July 27, 2018, for the filing of petitions to intervene. On July 13, 2022, Madison Energy Investments (“MEI”) filed a Motion to Amend the Community Solar Rules. Pursuant to Council Resolution R-22-370, issued on August 18, 2022, and pursuant to the Order of the Hearing Officer, issued on September 12, 2022, a deadline of December 7, 2022 was established for the parties to submit Comments on the Motion to Amend the Community Solar Rules filed by Madison Energy Investments.

Entergy New Orleans, LLC (“ENO”) was the sole party to timely submit the forementioned Comments on December 7, 2022. However, also on December 7, 2022, the deadline for submitting Comments, the Coalition for Community Solar Access (“CCSA”) filed an untimely (deadline was July 27, 2018) Petition to Intervene, and concomitantly filed Comments.

By Order of December 8, 2022, the undersigned Hearing Officer provided until December 14, 2022, for filing of objections to the Petition to Intervene and/or to the submission of Comments by CCSA. Said Order further provided that in the event no timely objections were filed, the CCSA's Petition to Intervene would be granted, and its Comments would be accepted as timely filed. No objections were filed and, accordingly, by Order of December 15, 2022, the Hearing Officer granted the Petition to Intervene and admitted the Comments into the evidentiary record.

As a result of a subsequent filing by MEI, by Order of January 10, 2023, the Hearing Officer provided for the filing of Reply Comments by January 17, 2023.

Now, again several years after the deadline for filing petitions to intervene, and after the deadline for filing of all Comments and Reply Comments have expired,¹ on February 3, 2023, another entity, Together New Orleans ("TNO"), filed an untimely Petition to Intervene ("Petition").

Normally, under these circumstances, the Hearing Officer would provide an opportunity for any party to object to an untimely petition to intervene.² However, all substantive activity in this Docket has ceased, and the matter is currently in the hands of the Council for its consideration. Moreover, TNO recites in its Petition that granting the Petition "... will not

¹ In essence, all substantive activity in this Docket has ceased, and the matter is currently in the hands of the Council for its consideration.

² Indeed, if filed within 7 days hereof, the Hearing Officer shall entertain a motion to reconsider this ruling.

prejudice any other party or unduly affect the proceeding with respect to the issues presented by this docket ... [and] understands that it must accept and participate in this docket in its current posture.” Petition at 1. Accordingly, while the reason TNO desires to participate in an essentially dormant docket is unclear to the Hearing Officer, neither does the Hearing Officer now perceive any prejudice to any other party. Therefore, in the interest of judicial economy, rather than provide for a period to object prior to granting the Petition, the Hearing Officer shall grant the Petition filed by TNO. *But see* n. 2.

So ORDERED, this 6th day of February, 2023.



Jeffrey S. Gulin
Hearing Officer