

RESOLUTION

R-23-153

CITY HALL: April 20, 2023

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

**RESOLUTION AND ORDER APPOINTING HEARING OFFICER IN DOCKET
NO. UD-20-01 STREAMLINE ENTERGY NEW ORLEANS REPORTING
REQUIREMENTS TO THE NEW ORLEANS CITY COUNCIL**

DOCKET NO. UD-20-01

WHEREAS, pursuant to the Constitution of the State of Louisiana and the Home Rule Charter of the City of New Orleans, 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 to govern applications for the fixing and changing of rates and charges of public utilities; and

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

WHEREAS, the Council retains professional services to preside over hearings held in connection with its regulatory proceedings pursuant to Article III of Chapter 158 of the Code of the City of New Orleans (“City Code”) and to perform such other related services as the Council may require from time to time; and

WHEREAS, professional services for regulatory proceedings include, but are not limited to: (1) presiding over and conducting evidentiary and administrative hearings; (2) assembling and certifying the evidentiary record in such proceedings of the City Council; (3) administration of oaths; (4) ruling on evidentiary and other matters, as appropriate; (5) drafting orders including recommended findings of fact; and (6) performing such other related duties as may be required pursuant to lawful authority delegated by the City Council or set forth in the City Code; and

WHEREAS, Section 158-432(b) of the City Code provides that the Council may appoint a hearing officer to preside over utility regulatory proceedings in accordance with the Charter and Chapter 158 of the City Code; and

WHEREAS, on December 15, 2022, the Council adopted Motion No. M-22-524, appointing Judge Johnson as a hearing officer over utility regulatory proceedings and authorizing the President of the Council to sign a contract with Judge Calvin Johnson (“Judge Johnson”) for a one-year period beginning January 1, 2023; and

WHEREAS, the Council adopted Resolution No. R-20-223 and Resolution No. R-21-153 (“Streamlining Resolutions”), establishing Streamline Docket UD-20-01 and modifying ENO’s reporting requirements to achieve the Council’s goals to mitigate regulatory costs and increase efficiency; and

WHEREAS, pursuant to Resolution No. R-21-153, on January 24, 2023, ENO filed its updated list of all reporting requirements (“ENO Report”) with the Council Utilities Regulatory Office (“CURO”); and

WHEREAS, on March 30, 2023, CURO filed its 2023 Biennial Report herein regarding the streamlining of ENO reporting requirements with comments due from the parties on or before May 1, 2023; and

WHEREAS, it is the Council's desire to appoint Judge Calvin Johnson to serve as hearing officer and preside over procedural matters in Docket No. UD-20-01, **NOW THEREFORE**

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

1. The Honorable Judge Calvin Johnson is hereby appointed as Hearing Officer in this docket and shall, for good cause shown, and as required by the circumstances of this proceeding, have the authority to change or amend the procedural dates set forth herein.
2. The Council Utilities Regulatory Office is directed to update the service list for Docket No. UD-20-01 accordingly and distribute said service list to the parties.

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

YEAS: Giarrusso, Harris, Moreno, Morrell, Thomas - 5

NAYS: 0

ABSENT: Green, King - 2

AND THE RESOLUTION WAS ADOPTED.

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