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January 31, 2024

Via Electronic Delivery

Ms. Lora W. Johnson, CMC, LMMC
Clerk of Council
City Hall, Room 1E09
1300 Perdido Street
New Orleans, Louisiana 70112

**Re: CNO Docket No. UD-18-01 & UD-18-02 Smart Cities, Grid Modernization,
Electric Vehicles**

Dear Ms. Johnson:

Attached please find Entergy New Orleans, LLC's ("ENO") Final Comments for filing in the above-referenced docket. ENO makes this filing in compliance with the requirements of Resolution No. R-23-396, issued on September 7, 2023, by the Council of the City of New Orleans.

If you have any questions, please do not hesitate to call me. Thank you for your courtesy and assistance with this matter.

Sincerely,

A handwritten signature in black ink that reads 'Kevin T. Boleware'.

Kevin T. Boleware

Enclosures

cc: Official Service List (*via electronic mail*)

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

IN RE: RESOLUTION AND ORDER)	
PROVIDING GUIDANCE AND)	
ESTABLISHING PROCEDURAL)	
DEADLINES WITH RESPECT TO)	
CONTINUED EFFORTS TO)	UD-18-01
ENCOURAGE DEVELOPMENT OF)	
ELECTRIC VEHICLE CHARGING)	
INFRASTRUCTURE AND ELECTRIC)	
VEHICLE ADOPTION)	
)	
and)	
)	
IN RE: RESOLUTION AND ORDER)	
OPENING A DOCKET REGARDING)	UD-18-02
ELECTRIC VEHICLE CHARGING AND)	
RELATED REGULATORY ISSUES)	

**FINAL COMMENTS OF ENTERGY NEW ORLEANS, LLC IN RESPONSE TO
RESOLUTION NO. R-23-396 WITH RESPECT TO CONTINUED EFFORTS TO
ENCOURAGE DEVELOPMENT OF ELECTRIC VEHICLE CHARGING
INFRASTRUCTURE AND ELECTRIC VEHICLE ADOPTION**

NOW BEFORE THIS COUNCIL, through its undersigned counsel, comes Entergy New Orleans, LLC (“Entergy New Orleans,” “ENO,” or the “Company”) and represents as follows: ENO, in compliance with the requirements of Resolution No. R-23-396, issued on September 7, 2023 (“Resolution”), by the Council of the City of New Orleans (“Council”), hereby submits final comments in response to topics discussed at the technical conference convened by the Council Utility Regulatory Office (“CURO”) on December 5, 2023 (“Technical Conference”), as participated in by ENO, Dentons and Legend Consulting Group Limited (together “Advisors”), the Office of Resilience and Sustainability for the City of New Orleans, and other Stakeholders.

I. Customer Fleet Electrification Planning Efforts

Customer Outreach and Education

For the past several years, ENO has been working diligently to proactively identify customers with fleet vehicles that may be likely to transition to EVs and federal fleets under executive order to electrify. While compiling that list of fleet customers, ENO's customer service team has begun the anticipatory outreach action of communication, engagement, education, and planning support. For example, ENO has taken early and thoughtful steps to discuss fleet electrification, as well as the planning of charging infrastructure installation, with NASA Michoud Assembly Facility and other local federal agencies, Regional Transit Authority, City of New Orleans, Tulane University and other local universities, and many others.

EV Community Events

Recently, ENO was a key partner in the January 11, 2024, Tulane Electric Shuttles Tour & Workshop. At the event, Tulane shared information about their fleet, chargers, construction, grants, and their partnership with ENO with the others fleet owners who are interested in making the transition. More than a dozen entities were in attendance, including the City of New Orleans, Jefferson Parish, The Louis Armstrong New Orleans International Airport, and several higher education institutions in the area.

EV Federal Grant Tracking

ENO has also been tracking federal grant programs that may be available to our fleet customers to aid in fleet electrification. For example, our customer service teams worked with school bus companies serving Orleans Parish Schools to educate them on the availability of, and submission process for, the Environmental Protection Agency ("EPA") Clean School Bus Grant Program. One such company, First Student, Inc., was awarded a grant for 5 electric buses for the

2022 EPA Clean School Bus Rebate Program and an additional 10 buses as part of the 2023 Clean School Bus Rebate Program. Some of those EV buses will serve schools located in Orleans Parish in the future. Another local transportation provider Highland Fleets was awarded funding through the 2023 EPA Clean School Bus Grant Program for 32 buses serving students at several schools in Orleans Parish. ENO's Customer Service and eMobility teams are also identifying, tracking, and educating customers on the following available federal and state grants: the EPA Clean School Bus Program, EPA Clean Ports Grant, Federal Transit Administration ("FTA") Bus and Bus Facilities and Low/No Emissions Grant, DOE Vehicle Technologies Office Grant Programs, EPA Diesel Emissions Reduction Act Funding, LA DOTD National EV Infrastructure Formula Grant Program, and the FHWA Charging and Fueling Infrastructure Grant Program.

For example, ENO worked closely with Tulane University to support a grant application and implementation for a DOE Vehicle Technology Office grant awarded in 2021. Through the grant funding, Tulane University received over \$700,000 to procure and operate 9 electric shuttle vans and associated charging infrastructure. ENO supported the project through being part of the initial planning team and provided information to support the grant application, emissions and total cost of ownership studies, and installation of utility infrastructure to support chargers for shuttle vans. Tulane University has held several public events in partnership with Entergy New Orleans to educate similar entities on the process for fleet electrification. ENO is also actively supporting the Regional Transit Authority in two FTA Bus and Bus Facilities grants seeking a total of 23 electric buses.

ENO strongly believes in the need to start the fleet electrification discussion early and to communicate often with customers. ENO has the expertise to educate our customers on their

options and to provide a smoother transition into an electrified fleet. Gaining an understanding of the electrification timeline will help ENO best serve customers and aid in grid readiness planning.

II. eTech

In response to questions at the technical meeting regarding the accounting for the incentives available through eTech to ENO customers, ENO records eTech incentive costs in Operations and Maintenance accounts. These costs are treated the same way as other miscellaneous load growth costs for ratemaking purposes and are recovered through the FRP process. Therefore, the costs were included in our per book O&M expense in the FRPs for the 2020, 2021, and 2022 Evaluation period and there were no adjustments made to these per book costs.

III. Sale for Resale

In 2018, the Council directly addressed regulatory issues related to EV “sale for resale” electric vehicle charging stations.¹ The Council determined that:

“the charging of a fee for using such electric vehicle charging stations never was, and is not now, contemplated as a ‘utility’ or ‘public utility’ in form or function under the City Charter or City Code, provided that the charging provider purchases the electricity from Entergy New Orleans or another utility regulated by the Council under the provisions of the City Charter.”²

and resolved that:

“a person or entity that purchases electricity from Entergy New Orleans or another utility regulated by the New Orleans City Council and furnishes such electricity exclusively to charge electric vehicles, to or for the public, for compensation, never was, and is not now, a utility or public utility as those terms are used in the New Orleans Home Rule Charter and the New Orleans City Code, and is not subject to the Council’s utility regulatory authority.”³

Following debate among the parties to the Rulemaking, the Council determined that charger providers who obtained electricity from ENO would not be subject to the Council’s utility

¹ “Sale for resale” refers to an owner or operator of an EV charging station charging a fee for its use.

² Resolution R-18-100

³ Id.

regulatory authority. Nothing has changed that would allow on-site generation to be sold to the public without the selling entity being considered a public utility. Therefore, a sale of on-site generation would violate ENO's exclusive franchise rights.

IV. Conclusion

It is the view of ENO that encouraging the use of electric vehicles is in the public interest and that the construction, location, and operation of electrical vehicle charging stations on both private and public property should be encouraged. ENO continues to support customers pursuing EV charging at their homes and businesses by offering education, collaboration, and financial incentives. ENO appreciates the opportunity to submit these comments and will review those submitted by other parties. The Company looks forward to continuing this process with the parties, the Advisors, the Council, and other stakeholders.

Respectfully submitted,



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CERTIFICATE OF SERVICE
Docket No. UD-18-01 and 18-02

I hereby certify that I have served the required number of copies of the foregoing report upon all other known parties of this proceeding, by the following: electronic mail, facsimile, overnight mail, hand delivery, and/or United States Postal Service, postage prepaid.

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New Orleans, Louisiana, this 31st day of January 2024.



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