

**REQUEST FOR STATEMENTS OF QUALIFICATIONS  
FOR  
THE SERVICES OF AN INDEPENDENT INVESTIGATOR  
FOR THE  
INVESTIGATION INTO ALLEGATIONS THAT ACTORS WERE PAID TO  
PARTICIPATE IN PUBLIC MEETING FOR NOPS**

**I. PURPOSE**

The Council of the City of New Orleans (“Council”), in accordance with the New Orleans Home Rule Charter and the Louisiana Constitution, acts as retail regulator for electric and gas utility services in Orleans Parish, Louisiana. The Council is seeking the services of a qualified individual or firm with the requisite experience and capability to serve as an Independent Investigator (“Investigator”) to independently conduct all aspects of the Council’s investigation into allegations that ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with ENO’s application for the New Orleans Power Station (“NOPS”) (the “Investigation”). Time will be of the essence.

Interested individuals and firms should review the scope of services herein below and submit a response based on the requirements enumerated in this Request for Statement of Qualifications (“RFQ”).

**II. BACKGROUND**

On May 24, 2018 the Council adopted Motion M-18-196 (Attachments 1 to this RFQ) initiating an investigation into allegations that ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with ENO’s NOPS application and directing ENO to provide documents and materials related to the allegations. The Council also adopted Motion M-18-197(Attachment 2 to this RFQ) directing the Council Utilities Regulatory Office (“CURO”) to issue an RFQ for an Investigator to receive and review the materials received in conjunction with the investigation, and conduct other aspects of an investigation.

**III. SCOPE OF SERVICES**

The key responsibilities of the Investigator are to ensure that ENO submits all documents and materials as required by Motion M-18-196, to review said materials, and to conduct any additional interviews, inspections and fact gathering as needed to determine the facts related to allegations that some actors were employed and paid to appear and/or speak in favor of the NOPS application, The Investigator will be authorized to petition the Council to exercise its authority to subpoena documents and witnesses, take statements under oath and exercise the Council’s other investigatory authority in connection with the Investigation under the authority and procedures set forth in Article III, Section 3-124 of the Home Rule Charter, Sec. 2-57 of the Code of the City of New Orleans and all other applicable laws, regulations and agreements.

**A. General Responsibilities of Investigator**

1. The Investigator shall receive and review all documents and materials ordered produced by the Council in Motion M-18-196; determine if all such documents and materials have been properly produced; determine if other documents and materials should also be ordered produced, and prepare and serve such additional demand(s) on ENO.

2. Report on Investigator's progress, as appropriate, to: (i) the Council's Utility, Cable, Telecommunications and Technology Committee (UCTTC), (ii) the Council, (iii) CURO, (iv) Council Chief of Staff and (v) the regulatory advisors to the Council (Advisors) throughout the investigation.
3. Identify any problems encountered in the investigation and promptly report such problems, irregularities, or concerns with the investigation immediately to the UCTTC, the Council, CURO, Council Chief of Staff and the Advisors.
4. Submit a final detailed report to the Council on the conduct of the Investigation with detailed findings of fact from the Investigation. The Investigator will also be required to attach to the report a copy of every document reviewed, a transcript of every sworn statement taken, a list identifying every witness interviewed, a copy of every contract reviewed, a copy of the Entergy New Orleans internal investigation, and all other materials used in the course of the Investigation.
5. In carrying out the Scope of Services, the Investigator will be authorized to petition the Council to exercise its authority to subpoena documents and witnesses, take statements under oath and exercise the Council's other investigatory authority in connection with the Investigation under the authority and procedures set forth in Article III, Section 3-124 of the Home Rule Charter, Sec. 2-57 of the Code of the City of New Orleans and all other applicable laws, regulations and agreements.
6. The Investigator will have access to any ENO employee or employees of any of the Entergy Operating Companies who participated in the NOPS application as the Investigator deems necessary to ensure that the Investigation is conducted in a full, thorough and transparent manner, subject to appropriate confidentiality safeguards as may be required under the Council's utility regulatory rules.
7. The Investigator will establish within its firm such ethical guidelines and appropriate screening procedures as are necessary to ensure that no present or future conflict of interest will arise in connection with its responsibilities contained in this RFQ. If any such issues arise, those issues will be brought promptly to the attention of the UCTTC. Such guidelines will also direct that Investigator and all members of Investigator's firm shall exercise appropriate discretion and professionalism in conducting the Investigation.

## **B. Final Report**

1. At the conclusion of the Investigation, the Investigator shall prepare and submit a final written public report to the Council, complete with conclusions and findings as to whether ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with ENO's NOPS application. To the extent possible, the report shall also detail facts as to whether ENO knew or should have known that such conduct occurred or reasonably might occur. The Investigator will be required to present its findings at a public meeting of the UCTTC and, if required, to the full Council.
2. The Investigator's report will be prepared independently by the Investigator without ENO, any affiliate of ENO, the Advisors, any party to the NOPS proceeding or any Councilmember being entitled to review or comment upon any draft thereof prior to its

publication and with no one other than the Investigator having any right to edit or alter in any way such report.

3. During the preparation of the report, the Investigator will not discuss any report findings or recommendations with ENO, any ENO affiliate, the Advisors, any party to the NOPS proceeding, or members of the Council prior to publication, nor will any of the above entities be given an opportunity to review a pre-publication draft.
4. The report may also make recommendations regarding procedures to avoid any future occurrences of inappropriate conduct found by the report to have occurred.

## **V. CONFLICT OF INTEREST**

Any firm or individual providing a response to the RFQ shall provide a clear and unambiguous disclosure of any actual or potential conflicts of interest with respect to performing the Investigation or any other work on behalf of the Council or its committees. In such disclosure the respondent shall indicate the scope of the conflicting or potentially conflicting engagement(s), the time frame, the amount of compensation received and why the respondent deems such work to be or not to be in conflict with the interests of the Council in conducting the Investigation.

The Council shall make the final decision as to whether any potential or real conflict of interest exists.

## **VI. EVALUATION CRITERIA**

Upon receipt by the due date of responses to this RFQ by qualified individuals or firms, the Council's Selection Review Committee will evaluate all responses received based upon the criteria listed hereinbelow and in Council Rule 45 (Attachment 3 to this RFQ).

1. Qualified respondents should possess demonstrated experience as a prosecutor, investigator, auditor, judge or utility regulator at the local, state or federal level.
2. Requisite capability, experience, ability and availability of professional personnel sufficient to perform the services required by the Scope of Services in the RFQ.
3. Demonstrated capability of providing competent, consistent, and timely services, as determined by actual experience in performing such services for the City Council or similar entities.
4. Unique approaches proposed by a respondent to enhance the effectiveness of the Scope of Services presented in this RFQ in a highly cost-effective, economic manner.
5. Demonstrated reputation for honesty, integrity and fairness in dealing with controversial and sensitive matters.

6. Demonstrated clear understanding by the applicant of work to be performed.
7. Involvement at the professional level of New Orleans domiciliaries and/or involvement of certified disadvantaged business enterprises, as evidenced by government issued certification thereof.

## **VII. REQUEST FOR QUALIFICATION PROCESS**

Except as provided herein below, no written, electronic, or oral communications from potential applicants regarding the RFQ shall be made to any Councilmember, Council Staff, City employee, or Advisor to the Council during this RFQ solicitation process. Any inquiries shall be made in writing or by e-mail to the CURO Chief of Staff, Room 6E07, City Hall, 1300 Perdido Street New Orleans, LA 70112 or [espears@nola.gov](mailto:espears@nola.gov).

Fifteen (15) copies of the submission, including samples of work products, must be submitted in hardcopy format by 5:00 p.m., June 8, 2018 to the CURO Chief of Staff, Room 6E04 City Hall, 1300 Perdido St., New Orleans, La. 70112. Where possible, an electronic version of the proposal should also be submitted to [espears@nola.gov](mailto:espears@nola.gov).

An evaluation committee composed of the Council Chief of Staff, the CURO Chief of Staff, the Council Deputy Chief of Staff, the Council Research Officer, the Council Fiscal Officer and/or additional knowledgeable persons will review and evaluate the submissions, and select qualified responses for referral to the UCTTC. For each submission selected for referral, the staff committee will contact one or more of the persons suggested as references.

The City of New Orleans' Inspector General shall be notified in writing prior to any meeting of a selection or negotiation committee relating to the procurement of goods or services by the city, including meetings involving third party transactions. The notice required shall be given to the Inspector General as soon as possible after a meeting has been scheduled, but in no event later than twenty-four hours prior to the scheduled meeting. The Inspector General may attend all city meetings relating to the procurement of goods or services as provided herein, and may pose questions and raise concerns consistent with the functions, authority and powers of the Inspector General. An audio recorder or court stenographer may be utilized to record all selection or negotiation committee meetings attended by the Office of the Inspector General.

The report of the evaluation committee will be provided to the UCTTC. The UCTTC may interview one or more of the respondents selected by the evaluation committee. The UCTTC may make a recommendation to the City Council. The contractor must be selected by Motion of the Council. It is anticipated that the selection process will be completed June 2018.

## **VIII. ADDITIONAL INFORMATION**

The City of New Orleans is not liable for any costs incurred prior to entering into a formal written contract. Any costs incurred in the preparation of the response, interview, or other pre-contract activity are the responsibility of the respondent submitting the statement.

All submissions become the property of the City and as such are public information.

The contract shall contain a provision that:

1. Any subcontractor proposed to be retained by the respondent to perform work on the contract with the City Council must be approved by Motion of the Council. The Council may require information on ownership interests in the sub-contractor prior to approval of the sub-contractor's retention; and
2. The contractor will invoice the Council on a monthly basis during the term of the contract and work shall be detailed in increments of one-quarter of an hour.

Section 2-1120 (20)(c) of the Code of the City of New Orleans states:

With the exception of those contracts specified in subsection (1) of this paragraph, every city contract and every contract amendment where the original contract does not include this statement, and every bid, proposal, application or solicitation for a city contract, and every application for certification of eligibility for a city contract or program shall contain the following statement:

“It is agreed that the contractor or applicant will abide by all provisions of City Code [§ 2-1120](#), including, but not limited to, City Code [§ 2-1120](#)(12), which requires the contractor to provide the Office of Inspector General with documents and information as requested. Failure to comply with such requests shall constitute a material breach of the contract. In signing this contract, the contractor agrees that it is subject to the jurisdiction of the Orleans Parish Civil District Court for purposes of challenging a subpoena.”

# Attachment 1

**MOTION  
M-18-196**

**CITY HALL: May 24, 2018**

  
**BY: COUNCILMEMBERS MORENO, WILLIAMS AND GIARRUSSO**

**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**, Entergy New Orleans, LLC, effective September 1, 2015, is a public utility providing electric and natural gas service to all of New Orleans; and

**WHEREAS**, ENO is a wholly owned subsidiary of Entergy Utility Holding Company, LLC. The other four operating companies are Entergy Arkansas, Inc. ("EAI"), Entergy Louisiana, LLC ("ELL"), Entergy Mississippi, Inc. ("EMI"), and Entergy Texas, Inc. ("ETI"); and

**WHEREAS**, on June 20, 2016, Entergy New Orleans ("ENO") filed its original application for the construction of the New Orleans Power Station ("NOPS") on the Michoud site in New Orleans, and

**WHEREAS**, on August 11, 2016, the New Orleans City Council approved resolution R-16-332 and opened Docket Number UD-16-02 for the review of ENO's application, and

**WHEREAS**, on July 6, 2017, ENO filed the "Supplemental and Amending Application of Entergy New Orleans, Inc. for Approval to Construct New Orleans Power Station and Request for cost Recovery and Timely Relief", and

**WHEREAS**, on August 10, 2017, the Council adopted Resolution R-17-426, which established a procedural schedule to examine the application as amended, and

**WHEREAS**, R-17-426 required ENO to conduct no fewer than five public meetings and required the Council Utilities Regulatory Office (“CURO”) to hold a public meeting in Council chambers, and

**WHEREAS**, on October 16, 2017, CURO held a public meeting in Council chambers where 66 people addressed the body and 96 comment cards were submitted, and

**WHEREAS**, in addition to public meetings, parties and intervenors to this proceeding were given the opportunity to file written testimony and conduct extensive discovery, and

**WHEREAS**, in December 2017, a five-day public evidentiary hearing was held before a Hearing Officer to examine ENO’s NOPS application; and

**WHEREAS**, the Hearing Officer certified the Administrative Record to the Council on January 22, 2018, and

**WHEREAS**, on February 21, 2018, the Utility, Cable, Telecommunications and Technology Committee met and heard public comment on Resolution R-18-65, a resolution to approve ENO’s application to construct NOPS and request for cost recovery and timely relief, and

**WHEREAS**, on March 8, 2018, the City Council met and heard public comment on Resolution R-18-65, a resolution to approve ENO’s application to construct NOPS and request for cost recovery and timely relief, and approved said Resolution; and

**WHEREAS**, on April 19, 2018 a lawsuit was filed in Civil District Court alleging that people were paid to attend one or more meetings, and alleging that as a result, opponents of the NOPS plant were prevented from entering due to the limited capacity of the meeting rooms, and

**WHEREAS**, on May 4, 2018, The Lens reported that actors were hired to attend and participate in one or more public meetings as supporters of ENO’s application, and

**WHEREAS**, in a news release dated May 10, 2018, ENO stated that an internal investigation was launched after the lawsuit alleging that people were paid to attend or speak at one or more public meetings , and

**WHEREAS**, the news release stated that ENO entered into a contract with The Hawthorn Group (“Hawthorn”) “to assist with organizing local grassroots support for NOPS at two public meetings relating to NOPS on October 16, 2017, and February 21, 2018,” and

**WHEREAS**, the release further stated that ENO’s investigation concluded that Hawthorn retained Crowds on Demand without ENO’s knowledge or consent, and that Crowds on Demand paid individuals to appear and/or speak at two meetings for which Hawthorn was contracted to organize supporters, and

**WHEREAS**, the release stated the internal investigation included “interviews of numerous employees who were involved in the NOPS proceeding, including those who were involved in retaining Hawthorn, and/or were themselves involved in developing grassroots support for NOPS. Additionally, to the extent necessary to confirm the facts, Entergy spoke with representatives of Hawthorn including its Chairman and CEO and Crowds on Demand including its founder and CEO, to obtain the facts of what occurred from their viewpoint. Hawthorn has also provided a letter outlining its role in the events. In addition, the investigation included the application of electronic discovery techniques, including the search and review of thousands of pages of contracts, contract change orders, emails, and other relevant documents,” and

**WHEREAS**, according to ENO, the investigation determined “that no one at Entergy paid anyone to attend or speak at any Council meeting, nor did anyone at Entergy direct or authorize any contractor or subcontractor to pay anyone to attend or speak at the October or February Council meetings or any other meeting related to NOPS,” and

**WHEREAS**, on May 16, 2018, a letter signed by the seven members of the Council was sent to Entergy New Orleans CEO Charles Rice directing ENO “to maintain and preserve all evidence related to the allegations that ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with [ENO] NOPS application,” and

**WHEREAS**, Section 3-124 of the Home Rule Charter reads as follows:

“(1) The Council shall have the power to conduct investigations of:

- a. The operation of any office, department or board administering the affairs of the City.
- b. Any subject upon which it may legislate.
- c. Any entity which receives funds from the City or which is funded in whole or in part by City taxes, fees, fines, bond proceeds, or other revenue generated by or under the authority of the City. Such investigation shall be limited to the use or expenditure of such funds.
- d. Any entity which was created or exists under the authority of the City.

(2) In conducting investigations, the Council shall have the right to administer oaths, subpoena witnesses and compel the production of books and papers pertinent thereto,” and

**WHEREAS**, Section 3-130 (8) of the Home Rule Charter reads as follows:

“(8) The Council shall supervise, regulate, and control any street railroad, electric, gas, heat, power, waterworks, or other public utility, including but not limited to New Orleans Public Service, Inc. and Louisiana Power and Light Company, and their respective successors and assigns. The Council shall have the right and authority to obtain from the

street railroad, electric, gas, heat, power, waterworks, or other public utility, supervised, regulated and controlled by it all information, papers, books, records, documents, and such other materials as shall be necessary and proper for the exercise of said powers, regulatory or otherwise and all costs, fees, and expenses in connection therewith shall be borne by the public utility required to furnish or produce same;" **NOW THEREFORE**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That the Council, pursuant to Section 3-124 of the Home Rule Charter, does hereby immediately initiate an Investigation of Entergy New Orleans relative to allegations that ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with ENO's NOPS application.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That pursuant to the Council's authority under Section 3-130 of the Home Rule Charter, Entergy New Orleans is directed to provide all information, papers, books, records, documents, and other materials in its possession related to the allegations that ENO, Entergy, or some other entity paid or participated in paying actors to attend and/or speak at one or more public meetings in connection with ENO's NOPS application on or before June 8, 2018, such materials shall include but not be limited to:

1. All Documents that relate in any way to the Matter and/or the Investigation.
2. A list of all Persons who participated in the Matter and/or the Investigation with a detailed explanation of each Person's role.
3. All Contracts related to the Matter and/or the Investigation.
4. All Communications related to the Matter and/or the Investigation.
5. All Documents related to the Corporate Values and Business Practices.

6. All Documents related to Post –Report Communications.
7. All Documents related to Briefing Materials.
8. A list of all Persons who were interviewed, contacted or questioned in connection with the Investigation with contact information for each and an explanation his/her role in the Matter and/or the Investigation.
9. A list of all Persons paid by Entergy, Contractor and/or Subcontractor in connection with the Matter.
10. A list of all Persons who were involved in or conducted the Investigation.
11. All Documents relating to prior agreements with or among Contractor and/or Sub-Contractor in connection with any proceeding before the New Orleans City Council.
12. All Documents relating to any existing agreements with or among Contractor and/or Subcontractor in connection with any proceeding before the New Orleans City Council.
13. All search terms used by Entergy to produce above documents related to this matter and/or investigation.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,**

That the following definitions shall be applied to the requested materials:

1. **Briefing Materials** – Any and all documents, materials, written and/or recorded, in whatever medium, created, drafted, written, structured, prepared or produced, whether or not they were used, that contained information of whatever kind that included directions, training, information, education, scripts, speeches, statements, exhortations, data, statistics, arguments, answers or other information that were intended to be used, were used or could have been used in connection with the Matter whether prepared by Entergy, Contractor or Subcontractor.

2. **Communications** – Any and all correspondence, communications, documents, emails, texts, electronic postings, recordings, letters, memoranda, and/or other written or recorded exchanges, or attachments thereto, by, between or among Entergy, Contractor or Sub-Contractor in whatever form they exist or are stored, including but not limited to, all social media platforms.
3. **Contractor and/or Subcontractor** – Any person or entity engaged by Entergy in connection with public relations, community outreach, grassroots organization and all other public support efforts in connection with the NOPS application, including, but not limited to, Hawthorn Group, Crowds on Demand, or any Entergy entity.
4. **Contracts** – Any and all contracts, agreements, assents, acknowledgments, written or verbal, in whatever form they exist or are stored, that in anyway relate to the Matter, including any with the Hawthorn Group, Crowds on Demand and any Entergy entity.
5. **Corporate Values and Business Practices** – Any materials, written or otherwise that represent the corporate values and business practices referred to by Entergy in its statements and press releases after the Report.
6. **Documents** – Any and all documents and materials in whatever form they exist or are stored, including all manner of electronic storage, and including audio, visual and digital recordings;
7. **Entergy** - Entergy New Orleans and its parent and affiliates, including, but not limited to Entergy Services Company.
8. **Investigation** – The internal investigation performed by Entergy and the resulting report together with all materials, documents, interviews, memoranda, analysis, communications, contracts, witness statements, witness lists, evaluations, drafts, cancelled checks, itemized

invoices, video or sound recordings and any other materials, received, reviewed or used in the investigation.

9. The **Matter** - Anything related to or in connection with public relations, community outreach, grassroots organization, and all other public support efforts in connection with the NOPS Application, including, but not limited to, work done by or on behalf of the Hawthorn Group and/or Crowds on Demand or any Entergy entity.
10. **NOPS Application** – The application filed with the New Orleans City Council by ENO requesting approval to build a generation plant at the Michoud site and all related proceedings including materials submitted as part of UD-16-02.
11. **Person** – Any individual or entity.
12. **Post-Report Communications** – All communications in whatever form made to “relevant vendors” communicating Entergy’s policy of not paying individuals to attend and/or speak at any “public meeting or meetings before any governmental, regulatory or other agency or body with oversight over Entergy’s operations,” as reported in statements and press release after the report.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,**

That any and all costs or expenses associated with the Investigation be borne completely and wholly by Entergy and not by the ratepayers in the City of New Orleans.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,**  
That certified copies of this Motion shall be forwarded by the Clerk of Council to Mayor LaToya Cantrell; Charles Rice, President and CEO of Entergy New Orleans, LLC; Rod West, Group President, Utility Operations for Entergy Corporation; and Leo Denault, Chairman and CEO of Entergy Corporation.

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

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE RESOLUTION WAS ADOPTED.**

## Attachment 2

MOTION  
M-18-197

CITY HALL: May 24, 2018

*Jim*  
BY: COUNCILMEMBERS MORENO, WILLIAMS AND GIARRUSSO

WHEREAS, according to Motion M-18-196, the City Council has launched an investigation of Entergy New Orleans and the hiring of paid actors to attend and/or speak at one or more public meetings in connection with Entergy New Orleans New Orleans Power Station application, and

WHEREAS, the City Council desires to retain an independent investigator to perform said investigation; **NOW THEREFORE**

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That in accordance with paragraph 1 of Council Rule 45, the Council Utilities Regulatory Office (“CURO”) is directed to issue and advertise a Request for Qualifications (“RFQ”) for an Investigator to receive and review the materials received in conjunction with this investigation.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the Selection Review Committee (“SRC”) shall be constituted in accordance with paragraph 8 of Council Rule 45 and shall consist of the Council Chief of Staff, the CURO Chief of Staff, the Council Deputy Chief of Staff, the Council Research Officer, and the Council Fiscal Officer.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the schedule to be adhered in the selection of said Investigator is as follows:

1. RFQ Issued – May 25, 2018;
2. RFQ responses to be received by 5:00 PM CST – June 8, 2018; and
3. Selection Review Committee Report to the Council – June 21, 2018

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That in accordance with paragraph 1 of Council Rule 45, the Council authorizes the issuance and

advertisement of a Request for Qualifications (“RFQ”) for an Investigator to receive and review the materials received in conjunction with this investigation. Said investigator shall also be empowered by the Council to administer oaths and subpoena witnesses and records to the same extent as the Council as provide in the Home Rule Charter and the Code of the City of New Orleans.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,**  
That once appointed by the Council, the Investigator shall have 30 days to investigate and submit a full report to the Council. The Investigator shall attach every document reviewed, a transcript of every sworn statement taken, a list identifying every witness interviewed, every contract, the Entergy New Orleans internal investigation, and all other materials used in the course of the investigation.

**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,**  
That the cost of retaining the Investigator, and any and all costs or expenses associated with the Investigator’s pursuit of this matter, be borne completely and wholly by Entergy and not by ratepayers in the City of New Orleans.

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

**YEAS:**

**NAYS:**

**ABSENT:**

**AND THE RESOLUTION WAS ADOPTED.**

