

RESOLUTION

(AS AMENDED)

NO. R-24-137

CITY HALL: April 4, 2024

BY: COUNCILMEMBERS MORENO, MORRELL, HARRIS, GREEN AND THOMAS

RESOLUTION AND ORDER CLARIFYING COMMUNITY SOLAR RULES

DOCKET NO. UD-18-03

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” or “Company”) is a public utility providing electric and natural gas service to all of New Orleans; and

WHEREAS, the Council has repeatedly expressed support for the efficient use of clean, sustainable technology to improve the quality of life for citizens and businesses; and

WHEREAS, the Council wishes to expand the renewable options available to New Orleans residents, particularly those who are unable to participate in the Net Energy Metering (“NEM”) program; and

WHEREAS, on March 28, 2019, the Council adopted Resolution No. R-19-111, establishing the Community Solar Rules, and subsequently amended those Rules in Resolution Nos. R-19-390, R-22-76, and R-23-507; and

WHEREAS, in Resolution R-23-507, the Council directed ENO to submit a Compliance Filing with 1-) a revised Form CSG-4 – Standard Offer Power Purchase Agreement and 2-) a revised Rate Schedule CSGF – Community Solar Generating Facilities; and

WHEREAS, ENO submitted the Compliance Filing on January 12, 2024, including the required revised Form CSG-4 as well as two different options for the revised Rate Schedule, a new Form CSG-APP that combines Forms CSG-1 – Program Application and CSG-2 – Interconnection Application, an update flow chart reflecting the new Form CSG-APP, and a new Form CSG-RPAR – Request for Pre-Application Report; and

WHEREAS, the two options related to the revised Rate Schedule are as follows:

Option 1 – a Subscriber credit calculation consistent with the methodology used under Schedule NEM (Net Metering), which grants a kWh credit for each excess solar-generated kWh sent to the grid minus non-bypassable riders and franchise fees and excludes the value of any demand charges, for residential and non-residential customers.

Option 2 – utilizes the methodology described in Option 1 for residential customers but employs a new methodology for non-residential customers. Non-residential customers would receive a retail rate credit calculated based on both the applicable retail energy-related revenue and demand-related revenue by rate schedule and the corresponding kWh value, exclusive of non-bypassable riders and franchise fees, that approximates the full-retail rate; and

WHEREAS, in R-23-507, the Council stated its desire to ensure that “Subscribers that do not qualify as a Low-Income Subscriber shall be revised to be the full retail rate;” and

WHEREAS, the Council believes that it is important to allow Parties the opportunity to comment on the Rate Schedule options presented in the Compliance Filing; and

WHEREAS, in its Compliance Filing, ENO requests that Council decide between the two options for the revised Rate Schedule and accept the changes made to Form CSG 4; and

WHEREAS, Section X, subsection 3 of the Community Solar Rules as adopted in Resolution R-23-507 requires the Council provide guidelines for acceptable methods for Subscriber Organizations to verify Low-Income Customer status; and

WHEREAS, under the Rules, a Low-Income Customer is defined as “a Customer whose gross annual household income is at or below sixty percent (60%) of the Area Median Income for the year of subscription or who is certified for any federal, state, or local assistance program that limits participation to households whose income is at or below sixty percent (60%) of the Area Median Income;” and

WHEREAS, the Department of Housing and Urban Development (“HUD”) utilizes median family income for the New Orleans-Metairie area as a guide for eligibility in assisted housing programs; and

WHEREAS, the Louisiana Housing Corporation utilizes State estimated median income to determine eligibility in the Low-Income Home Energy Assistance Program (“LIHEAP”); and

WHEREAS, the Council believes that it is in the public interest to ensure that income is not an unjust barrier to participation in this program; thus, the Council has determined that proof of income via W-2 form or tax return for the previous calendar year demonstrating income at or below 60% of median family income for the New Orleans-Metairie area according to the most recent guidelines available through HUD, at or below 60% of the estimated median income for the State according to the most recent guidelines available through the Louisiana Housing

Corporation, or enrollment in either an assisted housing program or LIHEAP are acceptable methods for a Subscriber Organization to verify Low-Income Customer status; **NOW THEREFORE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That Parties shall submit comments regarding the Rate Schedule options and the CSG-4 form presented in the Compliance Filing no later than Friday, May 10, 2024.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS, That proof of income via W-2 form or tax return for the previous calendar year demonstrating income at or below 60% of median family income for the New Orleans-Metairie area according to the most recent guidelines available through HUD, at or below 60% of the estimated median income for the State according to the most recent guidelines available through the Louisiana Housing Corporation, or enrollment in either an assisted housing program or LIHEAP shall be accepted by a Subscriber Organization to verify Low-Income Customer status.

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

YEAS: Giarrusso, Green, Harris, King, Moreno, Morrell, Thomas - 7

NAYS: 0

ABSENT: 0

AND THE RESOLUTION WAS ADOPTED.

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