

Entergy Services, LLC 639 Loyola Avenue (70113) P.O. Box 61000 New Orleans, LA 70161-1000

Tel 504 576 6571 Fax 504 576 5579

Timothy S. Cragin Assistant General Counsel Legal Services - Regulatory

March 25, 2019

By Hand Delivery

Lora W. Johnson, CMC, LMCC Council Utilities Regulatory Office City of New Orleans City Hall, Room 6E07 1300 Perdido Street New Orleans, LA 70112

Re: Entergy New Orleans, LLC's Payment in Settlement of the Council's

Show Cause Proceeding Initiated on October 31, 2018 Pursuant to

Council Resolution No. R-18-474

Dear Ms. Johnson:

Enclosed please find a copy of correspondence to Erin Spears, Chief of Staff for the Council Utilities Regulatory Office transmitting a check made payable to the order of the City of New Orleans in the amount of \$5,000,000.00 in full and final settlement of the Council of the City of New Orleans' (the "Council's") Show Cause Proceeding initiated on October 31, 2018, pursuant to Council Resolution No. R-18-474. Also enclosed is a copy of the check. Please file this into the record and return a date stamped copy to our courier.

Thank you for your assistance with this matter.

Sincerely,

Timothy S. Cragin

Enclosure

cc (via email): Council President Jason Rogers Williams (At-Large)

Council Vice-President Helena Moreno (At-Large)

Councilmember Joseph I. Giarrusso (District "A")

Councilmember Jay H. Banks (District "B")

Ms. Lora W. Johnson, CMC, LMCC March 25, 2019 Page 2 of 2

Councilmember Kristin Gisleson Palmer (District "C")
Councilmember Jared C. Brossett (District "D")
Councilmember Cyndi Nguyen (District "E")
Council Utilities Regulatory Office: Attention: Ms. Erin Spears
City Attorney: Sunni LeBeouf, Esq.
Clinton A. Vince, Esq.



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By Hand Delivery

Erin Spears, Chief of Staff Council Utilities Regulatory Office City of New Orleans City Hall, Room 6E07 1300 Perdido Street New Orleans, LA 70112

Re: Entergy New Orleans, LLC's Payment in Settlement of the Council's

Show Cause Proceeding Initiated on October 31, 2018 Pursuant to

Council Resolution No. R-18-474

Dear Ms. Spears:

Enclosed please find, for further handling by the Council, a check from Entergy New Orleans, LLC ("ENO") made payable to the order of the City of New Orleans in the amount of \$5,000,000.00 in full and final settlement of the Council of the City of New Orleans' (the "Council's") Show Cause Proceeding initiated on October 31, 2018, pursuant to Council Resolution No. R-18-474. This settlement payment is being made pursuant to the Settlement Agreement entered into between ENO and the Council, which Settlement Agreement was approved by the Council at its February 21, 2019 Council meeting pursuant to Council Resolution R-19-78, which also directed Council Staff to consult with the Department of Finance and the City Attorney to establish a protected escrow account under the sole control of the Council for the purpose of depositing the one-time settlement payment.

As provided for in David Ellis's January 30, 2019 settlement letter to the Council, which is referenced in, attached to and adopted in Council Resolution R-19-78, this settlement payment is subject to and conditioned upon ENO's express reservation of rights with regard to the legal and regulatory positions it has advanced in this proceeding, and acceptance of this settlement payment represents the Council's acknowledgement that neither ENO nor the Council will be deemed to have approved, accepted, agreed to, or consented to any legal or regulatory argument, position, principle, or policy asserted by the other party, and, except as otherwise expressly provided for in the settlement, nothing in the settlement will be considered precedent in future legal or regulatory proceedings.

We would like to thank the Council for working with ENO to resolve this matter without the need for extensive, costly litigation and we look forward to working with the Council to Ms. Erin Spears Settlement Payment March 25, 2019 Page 2 of 2

address the many important issues facing our City, and to help secure a better, brighter future for the people of New Orleans.

Sincerely,

Timothy S. Cragin

Settlement Check Received By:

Signature

ERIN SPEARS, CURO Chief of Staff

Printed Name and Title

## Enclosure

cc (via email): Council President Jason Rogers Williams (At-Large)

Council Vice-President Helena Moreno (At-Large)

Councilmember Joseph I. Giarrusso (District "A")

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Councilmember Kristin Gisleson Palmer (District "C")

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Councilmember Cyndi Nguyen (District "E")

Council Utilities Regulatory Office: Attention: Ms. Erin Spears

City Attorney: Sunni LeBeouf, Esq.

Clinton A. Vince, Esq.

Invoice Date	Payment Message	Gross Amount	Discount Taken	Paid Amount
03/14/2019	i i	5,000,000.00	0.00	5,000,000.00
			invoice part	invoice parc

Supplier Number 381205		Name CITY OF NEW ORLEANS	Total Discounts 0.00	Check Amount 5,000,000.00
Check No 1058825	<b>Date</b> 03/15/2019	Total Gross Amount 5,000,000.00	Discounts Taken 0.00	Total This Page 5,000,000.00

"VERIFICATION BOX" (TO RIGHT OF ARROW. HOLD BETWEEN THUMB AND FOREFINGER, OR BREATHE ON IT, COLOR WILL DISAPPEAR, THEN REAPPEAR)
THIS CHECK CLEARS USING POSITIVE PAY

Entergy

JPMorgan Chase Bank, N.A

Syracuse, NY

50-937 / 213

Date 03/15/2019

1058825

6029-09

\*\*\*\*FIVE MILLION AND XX/100 DOLLAR \*\*\*\*

ESI as paying agent on behalf of Entergy Corporation and its subsidiaries

Pay Amount

**\$5,000,000.00\*\*\*** (VOID AFTER 60 DAYS)

Pay CITY OF NEW ORLEANS
To The PO BOX 52828 (RQ)
Order of NEW ORLEANS, LA 70152

Executive Vice President and Chief Financial Officer

SECURITY FEATURES INCLUDED DETAILS ON BACK

Steven contral

Vice President and Treasurer