



September 12, 2024

Clerk of Council
City Hall - Room 1E09
1300 Perdido Street
New Orleans, LA 70112

In Re: RESOLUTION AND ORDER ESTABLISHING A DOCKET AND OPENING A
RULEMAKING PROCEEDING TO ESTABLISH RULES FOR COMMUNITY SOLAR
PROJECTS

Dear Clerk of Council:

Please find attached the Greater New Orleans Housing Alliance (GNOHA) comments for the above mentioned docket. Please accept this filing into the official record.

Thank you for your assistance. If you have any questions or concerns, don't hesitate to contact me at 504224.8301 or amorris@gnoha.org.

Sincerely,

Andreanecia M. Morris, President

**Before the
Council of the City of New Orleans**

**RESOLUTION AND ORDER
ESTABLISHING A DOCKET AND
OPENING A RULEMAKING
PROCEEDING TO ESTABLISH RULES
FOR COMMUNITY SOLAR
PROJECTS**

**(Docket No. UD-18-03)
September 13, 2024**

**COMMENTS OF THE GREATER NEW ORLEANS HOUSING ALLIANCE ON
COMMUNITY SOLAR RULES**

The Greater New Orleans Housing Alliance (“GNOHA”) respectfully files these comments in response to Council Resolution No. R-24-310, requesting intervenor comments regarding the City’s Community Solar Rules and Entergy’s implementation documents.

Form CSG-4, Section 4.8: Annual recertification of low-income subscribers

Community solar represents an important opportunity for New Orleans residents who struggle with high utility bills and do not have the opportunity to benefit from rooftop solar. New Orleanians who experience extreme housing and energy burdens deserve programs that not only address immediate housing instability, but also create long-term energy security. We urge the Council to ensure that programs like this are not disincentivizing self-sufficiency. Therefore, GNOHA strongly recommends that low-income subscribers not be subjected to onerous annual recertification.

Residents that struggle with economic instability have plenty of hoops to get through. It is likely that if recertification is required every year, that the additional paperwork and effort will cause lost subscriptions and add further administrative burden for this group of residents who are already struggling. We are not aware of any successful community solar program in the country that requires such constant administrative effort on behalf of its participants. Unfortunately, low-

income residents are not likely to see a shift in their income year over year that would disqualify them from the Low-Income credit rate.

We recommend a simple change, to strike the language requiring Subscriber Organizations to re-certify Low-Income Subscriber status by May 1 of each year. If the Council is concerned that the credit will be abused, a five-year recertification cycle would be more reasonable than the current annual requirement.

Another way the Council could address the challenges of recertification would be to apply other approaches to qualifying residents under this credit rate. One example is to automatically qualify any resident account located in low-income census tracts. The purpose of these programs is to improve residents' ability to pay their bills. Entergy has other data that may help identify customers who could benefit from these programs without shifting the burden to the customers who are already struggling.

Annual recertification for low-income subscribers is overly onerous and unnecessary, and recertification is not required in many jurisdictions with successful community solar programs. The significant attrition that will occur with every step of additional paperwork should outweigh presumptive concerns about potential abuse. If recertification is done via low-burden approaches like geographical eligibility (e.g. automatically approving any customers who live in low-income census tracts), frequent re-certifications are less of an issue, but that approach hasn't been approved in New Orleans.

A Lawrence Berkeley National Labs report indicates that low-income certification fraud accounted for only 0.5% of cases.¹ This suggests the Council does not need to create barriers in the interest of protecting customers. Indeed, the best protection of both customers and programs is ensuring customers can participate and remain stable.

¹https://live-lbl-eta-publications.pantheonsite.io/sites/default/files/income_verification_strategies_berkeley_lab.pdf

Community Solar Rules, Section XIII: Customer Protections

GNOHA also encourages the Council to include additional consumer protections to the Council's rule. Confidence and trust in a new program like this requires guardrails to ensure residents are not subject to bad actors in a new industry. The following items should be added:

Clauses to be added to Section XIII of the Community Solar Rules:

- *Subscriber Organizations and marketers will not employ flat fees beyond the monthly cost for the solar energy credited to the electric bill, such as termination fees, sign-up fees, and security deposits.*
- *Contract summary disclosure should be maximum 2 pages in minimum 12-point typeface, in a language understood by the customer. It should allow the customer to terminate early without penalty and clearly state how to cancel the contract. It should explain how the subscription can be moved to another address or transferred to a different subscriber. It should also clearly show the expected bill savings percentage rate.*
- *Marketers must ascertain the primary language of their potential or actual subscribers and offer documents in a language they understand.*
- *Contracts, contract summaries and disclosures shall be available both electronically and on paper.*
- *Marketers must consider methods for reaching out to and enrolling households that are unbanked, lack credit cards and / or have low credit scores, and/or have no internet access.*

Conclusion

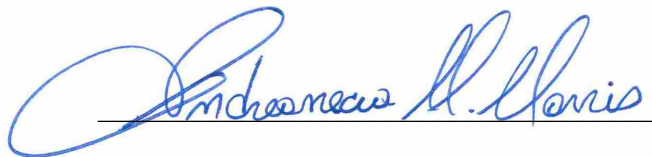
GNOHA respectfully submits these comments for the Council's consideration as they work to finalize rules that will make energy security accessible to all New Orleans residents.

Before
The Council of the City of New Orleans

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PROJECTS (Docket No. UD-18-03)**

CERTIFICATE OF SERVICE

I do hereby certify that I have, this, September 13, 2024 served the foregoing correspondence upon all other known parties of this proceeding by electronic mail.

A handwritten signature in blue ink, reading "Andreanecia M. Morris", is written over a horizontal line.

Andreanecia M. Morris

President, Greater New Orleans Housing Alliance