

**RESOLUTION**

**NO. R-20-112**

**CITY HALL: May 7, 2020**

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

**REVISED APPLICATION OF ENTERGY NEW ORLEANS, LLC FOR A  
CHANGE IN ELECTRIC AND GAS RATES PURSUANT TO COUNCIL  
RESOLUTIONS R-15-194 AND R-17-504**

**RESOLUTION AND ORDER TO EXTEND THE FILING DEADLINE FOR THE  
FORMULA RATE PLANS AS APPROVED IN R-19-457**

**DOCKET NO. UD-18-07**

**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**, 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**, on July 31, 2018, ENO filed its initial *Application of Entergy New Orleans, LLC for a Change in Electric and Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and For Related Relief* (“Initial Rate Filing”); and

**WHEREAS**, in a letter dated August 15, 2018, Roderick K. West, Entergy Group President of Utility Operations, explained that ENO had decided to withdraw its Initial Rate Filing, explaining that the decision to withdraw the Initial Rate Filing was in “response to the thoughtful feedback that Entergy New Orleans has received from members of the Council of the City of New Orleans and Council’s legal and technical Advisors, particularly with regard to the need to develop a better path toward a single rate structure for all customers of Entergy New Orleans, both those residing on the East Bank of New Orleans and those residing in Algiers” and noted that ENO would refile the rate case in September; and

**WHEREAS**, on September 21, 2018, ENO refiled its rate case, *Revised Application of Entergy New Orleans, LLC for a Change in Electric and Gas Rates Pursuant to Council Resolutions R-15-194 and R-17-504 and For Related Relief* (“Revised Application”); and

**WHEREAS**, on October 4, 2018, the Council adopted Resolution R-18-434 establishing a procedural schedule to allow the parties to this proceeding to rigorously investigate the Revised Application, conduct discovery, file testimony, and otherwise establish a record upon which the Council could rely to make a determination as to the proper rates to be charged by ENO; and

**WHEREAS**, the Council reviewed the Revised Application, the positions of the parties, and the evidence presented in the voluminous record certified in this proceeding; and

**WHEREAS**, on November 7, 2019, the Council adopted Resolution R-19-457 (“Rate Case Resolution”) and approved the April 2020 filing deadline for ENO’s electric and gas formula rate plans; and

**WHEREAS**, on March 11, 2020, Mayor LaToya Cantrell filed a Mayoral Proclamation of a State of Emergency Due to COVID-19 in Civil District Court (“Emergency Declaration”). The

Emergency Declaration provides for the suspension of “the provisions of any regulatory ordinance prescribing the procedures for conduct of local business, or the orders, rules, or regulations of any local agency, if strict compliance with the provisions of any ordinance, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;” and

**WHEREAS**, on March 13, 2020, Council President Helena Moreno suspended meetings in the Council Chambers through the end of March “in response to the public health challenges related to COVID-19;” and

**WHEREAS**, on March 16, 2020, Mayor Cantrell issued a Mayoral Proclamation to Promulgate Emergency Orders During the State of Emergency Due to COVID-19 (known as the “Stay-At-Home Order”) requiring among other things that residents stay at home except when engaged in essential activities; and

**WHEREAS**, on April 15, 2020, Mayor Cantrell extended the Stay-At-Home Order until 6:00 a.m. on May 16, 2020; and

**WHEREAS**, on April 29, 2020, the Council received a motion from ENO requesting a 60 day extension of the filing deadline for the electric and gas formula rate plans; and

**WHEREAS**, the Council recognizes that in light of the current crisis, it is in the public interest to extend the filing deadline for the electric and gas formula rate plan Evaluation Reports;

**NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS**, That ENO’s request for extension is approved, and the deadline for the first Evaluation Reports pursuant

to Rider Schedule EFRP-5 and Rider Schedule GFRP-5 (“Rider Schedules”) is hereby extended from April 30, 2020 to June 29, 2020.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That consistent with the extension of the filing deadline for the Evaluation Reports, the deadline for parties to review the Evaluation Reports as described in Section II.B.2 of the Rider Schedules is extended from July 15, 2020 to September 15, 2020 or 75 days after filing whichever is longer. If any of the parties should detect an error(s) (as distinguished from a regulatory issue(s)) in the application of the principles and procedures contained in Section II.C of the rider schedules, such error(s) shall be formally communicated in writing to the Company and/or other Parties by September 15, 2020. Each such indicated error shall include documentation of the proposed correction.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF THE NEW ORLEANS,** That consistent with the extension of the filing deadline for the Evaluation Report and, except where there is an unresolved dispute, the Rate Adjustments initially filed, or such corrected Rate Adjustments as may be determined pursuant to the terms of Rider Schedules, shall become effective for bills rendered on and after the first billing cycle for the following month of November 2020.

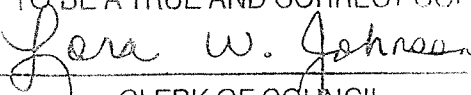
**THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF, AND RESULTED AS FOLLOWS:**

**YEAS:** Banks, Brossett, Giarrusso, Gisleson Palmer, Moreno, Nguyen, Williams - 7

**NAYS:** 0

**ABSENT:** 0

**AND THE RESOLUTION WAS ADOPTED.**

THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
  
CLERK OF COUNCIL