



May 11, 2020

**Via Electronic Mail**

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In Re: RESOLUTION AND ORDER ESTABLISHING ADOCKET AND  
OPENING A RULEMAKING PROCEEDING TO ESTABLISH RENEWABLE  
PORTFOLIO STANDARDS  
DOCKET NO. UD-19-01

Dear Ms. Johnson:

Please find enclosed the Alliance for Affordable Energy 's letter in the above-mentioned docket. Please file the attached communication and this letter in the record of the proceeding. As a result of the remote operations of the Council's office related to COVID-19, AAE submits this letter electronically and will submit the requisite original and number of hard copies once the Council resumes normal operations, or as you direct. AAE requests that you file this submission in accordance with Council regulations as modified for the present circumstances. If you have any questions, please do not hesitate to contact me.

Thank you for your time and attention,

Sincerely,

Logan A Burke

Executive Director

Alliance for Affordable Energy

BEFORE THE  
COUNCIL OF THE CITY OF NEW ORLEANS

**IN RE: A RULEMAKING PROCEEDING  
TO ESTABLISH  
RENEWABLE PORTFOLIO  
STANDARDS**

**DOCKET NO. UD-19-01  
May 11, 2020**

In this New Orleans City Council rulemaking proceeding to establish renewable portfolio standards (Docket UD-19-01), the Energy Future New Orleans Coalition (“EFNO Coalition” or “EFNO”) respectfully submits this letter to the parties in advance of the first Technical Conference. Pursuant to Resolution R-20-104, the Advisors to the New Orleans City Council are directed to schedule this conference by June 15, 2020.

First, the EFNO Coalition believes it is important to state the principles that guide the development of any climate action policy, but especially this renewable portfolio standard and proceeding. EFNO proposes review and adoption of the following principles to the work going forward in Docket UD-19-01.

- Mitigate climate change by reducing emissions of carbon dioxide, methane, nitrogen oxide, and fluorinated gases.
- Improve air quality by reducing co-pollutants that include particulate matter (PM10 and PM 2.5), ammonia, sulfur dioxide, carbon monoxide, volatile organic compounds.
- Lower energy cost burdens to no more than 10% of total household annual income in New Orleans.
- Provide protections, as well as economic and local health benefits, for low-income customers & disadvantaged businesses in New Orleans.
- Increase sustainable energy business activity in New Orleans.
- Increase efficiency in New Orleans.
- Increase renewable energy in New Orleans.
- Increase preparedness and improve responsiveness to the impacts of climate change
- Commit to equity and transparency in process and outcomes.
- Align parallel proceedings (e.g., rate cases, power plant proposals, IRP).

Furthermore, while Resolution R-20-104 provides Council direction to the parties to work toward a set of regulations framed by a 100% Renewable and Clean Portfolio Standard by 2040 and includes other goals and priorities, there is little direction as to the framework of each working meeting. For this reason, the parties working together as EFNO recommend the following items for discussion at the technical conferences over the course of the procedural schedule. Some of these items should be resolved at the first meeting to smooth the process, while others may require attention at future meetings.

### **Item 1: Discovery Rights**

The development of a well-considered standard to reduce GHG emissions is necessarily data-driven. The very reason for committing to such a standard arises from the application of emissions data that illustrate the impacts of GHG emissions on our climate and public health and the changes that are to come. According to Resolution R-20-104 at page 13, the New Orleans City Council is most interested in gaining information on a standard which includes “a mandatory requirement that ENO [Entergy New Orleans, LLC] achieve 100% net zero emissions by 2040.” To develop this requirement, the parties must be on the same page in terms of a starting place on the emissions of existing resources, the relative challenges and opportunities inherent in the implementation of a standard, and other key data currently held only by the utility. While the Alliance for Affordable Energy has filed a single set of requests for information in Docket 19-01, which were answered by Entergy, there are currently no instructions for discovery rights among the parties. Typically, such instructions are set out in a Council Resolution, including a timeline for responses. Lacking such instructions in this docket, EFNO recommends that discovery rights be taken up at the first technical conference.

In anticipation of the first technical conference, the EFNO Coalition has attached to this letter some requests for information to Entergy.

### **Item 2: Open Access Data Room for Stakeholders and Participants**

In order to smooth the meetings process and improve stakeholder participation, a Data Room should be created to share documents related to the development of the portfolio goals, including responses to requests for information, and any materials used in technical conferences. If a party submits data for consideration, it must be added to the “data room” one week in advance of discussion in a technical conference.

### **Item 3: Plan for Disputes**

In Resolution R-20-104, the City Council put forward its intention to approve a 100% Renewable and Clean Portfolio Standard. The parties will undertake the challenge of developing the regulations to achieve this standard. There may be disputes among the parties in the course of this proceeding. Since there is not a Hearing Officer assigned to this Docket, the EFNO Coalition recommends discussing a plan for resolving disputes at the first technical conference. EFNO

further recommends that measures be established to preserve and report dissenting opinions on incremental decisions and recommendations.

#### **Item 4: Public Engagement Plan and Commitment of Resources**

In the short term of this proceeding, EFNO recommends a comprehensive plan for public engagement. This recommendation is supported by the instructions set forth in Resolution R-20-104 that provides the next six months of the procedural schedule and then moving forward as the standard is implemented over the next three decades.

#### **Item 5: Review and Adopt a Statement of Objectives for RPS Rulemaking Proceeding**

While EFNO has stated the above guiding principles for this proceeding, we recognize that not all parties may share each one. Therefore, EFNO recommends that the parties adopt a statement of objectives at the beginning of this six month process as additional guidance.

#### **Item 6: Definitions**

Resolution R-20-104 directs the parties to discuss Alternative 2, outlined in the Advisor's report of September 3, 2019 for modifications. EFNO would like to ensure that agreement on certain definitions is part of the first technical conference. There are many existing rules and regulations in New Orleans that also include lists of definitions, including the rules associated with Integrated Resource Planning, Community Solar, etc. The Council's rules associated with a new energy standard should include standardized definitions that agree with those existing regulations.

#### **Item 7: Standard Reporting Plans**

The common phrase, "you cannot manage what you do not measure," has never been more applicable. A transparent process for measuring and reporting benchmarks and progress is necessary for the City Council and the public to trust that goals are being met. Data Platforms, like that of Austin Energy<sup>1</sup>, provide a public view into a utility's progress and should play a role in New Orleans' energy standard. Such a platform should also include baseline data from well before the beginning of the implementation plan in order to follow trends. This should include some transparency into the power purchased from the MISO market, which historically provides a significant portion of New Orleans energy. Data should be provided as direct metrics (% of energy from wind, solar, gas and by MWh, etc.) and should include a tracking of GHG emissions starting from 2000. The Council may decide to add further metrics of performance to such a platform, in order to better track the overall health of the utility.

<sup>1</sup> Austin Energy Open Data Dashboard. <https://data.austintexas.gov/stories/s/Austin-Energy-Open-Data-Dashboard/82cz-8hvk/>

We look forward to collaboration with all parties during the next phase of this docket, including other items for consideration raised by additional stakeholders. We anticipate a final standard that benefits the people of our city and will make New Orleans a leader in climate action.

The Energy Future New Orleans Coalition:

350 New Orleans

Alliance for Affordable Energy

Audubon Louisiana

Deep South Center for Environmental Justice

Posigen

Sierra Club

Vote Solar

**Requests for Information:**

In the interest of transparency and efficiency, the following information would be useful for the parties at least one week in advance of the first technical conference.

1-1 Please provide Stationary Emissions data, as defined by EPA, for each facility, including CO<sub>2</sub>, Methane, NO<sub>x</sub> and SO<sub>2</sub> for years 2000-Present. Include:

- a. Emissions linked to fossil-fuel resources owned by Entergy New Orleans (included in the utility's capacity portfolio)
- b. Emissions linked to energy purchased from MISO, not from ENO-owned resources.
- c. For years pre-MISO interconnection, include purchases from non-ENO resources.
- d. Increase/decrease of emissions related to refueling outages

1-2 Please provide resource assumptions used in modeling the most recent MISO Transmission Expansion Plan for Futures I-IV.

1-3 Please provide Rooftop Solar as percentage of load (or decrement to load) along with growth assumptions. Include:

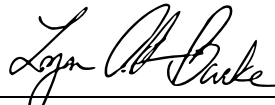
- a. High, Medium and Low average assumed growth rate
- b. Data broken out by
  - 1) Owned by Entergy New Orleans
  - 2) Owned by a third party.

1-4 : Please provide all available data related to the current Low-Income Residential Rooftop Solar Pilot, including.

- a. full program cost
- b. number of installations and capacity installed
- c. breakout by cost of installation
- d. administrative costs
- e. average annual and monthly energy production of systems installed.
- f. identification of local contractor utilized to do the work
- g. number of local jobs created by the initiative

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RULEMAKING PROCEEDING TO ESTABLISH RENEWABLE PORTFOLIO  
STANDARDS. DOCKET UD-19-01**

I hereby certify that I have on this 11th day of May 2020, served the required number of copies of the foregoing correspondence upon all other known parties of this proceeding, by USPS or electronic mail.



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Logan Atkinson Burke  
Executive Director  
Alliance for Affordable Energy

**May 11, 2020**

**RULEMAKING PROCEEDING TO ESTABLISH RENEWABLE PORTFOLIO  
STANDARDS**

**DOCKET UD-19-01**

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