

October 31, 2022

By Electronic Mail

Ms. Lora Johnson, CMC
Clerk of Council
Room 1E09, City Hall
1300 Perdido Street
New Orleans, LA 70112

**RE: RESOLUTION AND ORDER ESTABLISHING RULEMAKING TO CONSIDER
SAVINGS TARGETS AND PROGRAM DESIGN FOR ENERGY EFFICIENCY,
CONSERVATION, DEMAND RESPONSE AND OTHER DEMAND-SIDE
MANAGEMENT PROGRAMS AS WELL AS CUSTOMER-OWNED DISTRIBUTED
ENERGY RESOURCES AND BATTERY STORAGE
Docket No. UD-22-04**

Dear Ms. Johnson,

Please find a filing from the National Audubon Society in the above mentioned docket. Please file the attached communication and this letter in the record of the proceeding. If you have any questions, do not hesitate to contact me.

Thank you for your time and attention,

Sincerely,

A handwritten signature in black ink, appearing to be 'Brent Newman', written in a cursive style.

Brent Newman
Director of Policy
Audubon Delta

**BEFORE THE
COUNCIL OF THE CITY OF NEW ORLEANS**

IN RE: RESOLUTION AND)	
ORDER ESTABLISHING RULEMAKING)	
TO CONSIDER SAVINGS TARGETS AND)	DOCKET UD-22-04
PROGRAM DESIGN FOR ENERGY)	
EFFICIENCY, CONSERVATION, DEMAND)	
RESPONSE AND OTHER DEMAND-SIDE)	OCTOBER 31, 2022
MANAGEMENT PROGRAMS AS WELL)	
AS CUSTOMER-OWNED DISTRIBUTED)	
ENERGY RESOURCES AND BATTERY)	
STORAGE)	

COMMENTS OF NATIONAL AUDUBON SOCIETY

DOCKET NO. UD-22-04

Intervenor National Audubon Society respectfully submits these comments regarding Resolution R-22-413, heard by the New Orleans City Council (“the Council”) on September 15, 2022, commencing Docket UD-22-04. In our view, this docket and others recently opened by the Council represent a massive opportunity to better regulate Entergy New Orleans with the customer in mind, bringing innovative approaches for energy management and conservation to Orleans Parish, with an eye to a more resilient and environmentally-friendly grid, with multiple benefits for our residents. In our comments below, we will offer some suggestions regarding alignment of Council dockets, and making the most of such a massive opportunity.

**I. DUE CONSIDERATION OF THE ISSUES RAISED BY THIS PROCEEDING
REQUIRES MORE TIME**

New Orleans and Louisiana are fortunate to have a host of advocates, academic institutions, and subject matter experts at hand, ready to lend their expertise and innovative approaches to the challenges that we face as a region on the edge of impacts from climate change and fluctuating costs of energy. Dockets such as this represent an opportunity to bring the best and the brightest to the table and develop policies and programs that are cutting-edge and designed with an eye to a more sustainable and successful future for our city. With that in mind, we would encourage the

Council to amend the procedural schedule for this docket, allowing for more time for intervenors or interested parties to assemble policy changes and programs that will really meet the Council's goals. A 30-day window to design and suggest programming that could revolutionize New Orleans' energy management is not long enough, and the potential for savings merits more time to formulate meaningful plans and design them for implementation.

We also would like to raise the issue of siloed-off policymaking. We at Audubon and our other partners in the Energy Future New Orleans coalition have commended the Council, CURO, and the advisors for opening innovative dockets such as this one and others in recent years that advance the resiliency and diversify the portfolio of our energy resources for the better, and more affordable. In this docket and others governing reliability metrics, post-Ida recovery, and the Renewable and Clean Portfolio Standard, the Council has identified means to empower our residents with a people-first mentality, and a more holistic look at Entergy as a regional entity. As we've stated before, the status quo that New Orleanians have come to expect from the utility is unacceptable, and we are heartened to see the Council demanding more.

However, the problems that exist and the solutions to address them should be viewed as an integrated whole. More time and effort should be invested in ensuring that administrative economy does not become an uncoordinated and piecemeal approach to addressing systemic issues.

Across all dockets, including resilience and storm-hardening, Entergy seeks to continue making money from the inefficiencies and business decisions they choose, over the well-being of our residents. To that end, we encourage the Council to work through the dockets and identify how best to align the mechanisms that would align for optimized regulation of the utility. The ongoing effort to perform a management audit will be integral to this effort, and will have great potential for informing future regulatory action. Questions that should be asked and answered include: Does the utility have adequate qualified staff in place to develop and deliver world-class energy efficiency and energy management programs? Has the utility placed and acted on a strong leadership commitment to helping customers save and manage energy?

Across all dockets, including resilience and storm-hardening, Entergy seeks to continue making money from the inefficiencies and business decisions they choose, over the well-being of our residents.

II. DEMAND-SIDE MANAGEMENT WORKING GROUP

As mentioned, New Orleans and Louisiana are rich in energy innovation, and in folks who care very much about our region and our neighbors. We encourage the Council to tap that resource by forming a Demand-Side Management Working Group to periodically assess DSM programming and potential, while bringing in a greater diversity of solutions. In Arkansas, Audubon

participates in the “Parties Working Collaboratively” working group with Entergy Arkansas which informs the work of the Arkansas Public Service Commission. This group brings together energy and policy professionals and advocates from across Arkansas to address energy efficiency measures holistically with an eye to innovation, and as a result Arkansas has a greater bench of folks to review energy efficiency proposals, assess funding for energy efficiency programming, and review the performance of regulatory measures.

We recommend that the Council follow suit, and institute such an advisory group. The advisory group should include a budget to ensure that all key stakeholder voices can be represented. With the world-class academic institutions in New Orleans and Louisiana, as well as the passionate energy efficiency advocates across the region, a lot of great measures could be presented for Council approval and enactment, tapping the knowledge base and financial resources at hand.

III. CLOSING

In summary, we ask that the Council continue to grow the table of parties involved in these processes, recognizing the potential for residents that these programs and their continued innovation offer. We ask that the Council recognize current programming for what it is: a baseline, and a status quo that can only be improved.

Finally, we ask that the Council continue to identify cross-cutting issues of reliability and resilience across dockets, and deal with those in a more holistic fashion instead of piecemeal. Only a total-systems approach to regulatory oversight can ensure that residents of New Orleans and ratepayers for Entergy New Orleans are truly getting a prudent and reasonable return on their hard-earned investments through rates. Only with an integrated approach can the Council ensure that prudent management decisions and spending are aligned with a vision of a more affordable, more reliable, more resilient, and more equitable New Orleans.

National Audubon Society
Audubon Delta

**In Re: Resolution and Order Establishing Rulemaking to Consider Savings Targets and
Program Design for Energy Efficiency, Conservation, Demand Response and Other
Demand-Side Management Programs as well as Customer-Owned Distributed Energy
Resources and Battery Storage
DOCKET UD-22-04**

I hereby certify that I have this 31st day of October, 2022, served the required number of copies of the foregoing correspondence upon all other known parties of this proceeding, by USPS or electronic mail.

A handwritten signature in black ink, appearing to be 'Brent Newman', written over a horizontal line.

Brent Newman
Audubon Delta