

January 24, 2025

Via Fax 225-342-0877 & UPS Delivery

Ms. Krys (Kris) Abel
Business Technology Supervisor
Louisiana Public Service Commission
Galvez Building, 12th Floor
602 North Fifth Street
Baton Rouge, Louisiana 70802

Re: *In Re: Rulemaking to Research and Evaluate Customer-Centered Options for all Electric Customer Classes as well as Other Regulatory Environments (LPSC Docket No. R-35462)*

Dear Ms. Abel:

I have enclosed an original and three copies of Entergy Louisiana, LLC's Motion for Commission Guidance and Consideration. Please file this Motion into the record in accordance with the fax filing procedures of the Louisiana Public Service Commission. A check for \$25.00 is enclosed to cover the fax filing fee. Please return a date stamped copy to me in the enclosed, self-addressed envelope.

If you have any questions, please do not hesitate to call me. Thank you for your courtesy and assistance with this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Rosenbloom', with a long horizontal flourish extending to the right.

D. Skylar Rosenbloom

DSR/jlc

Enclosures

cc: Official Service List R-35462 (*via electronic mail*)

**BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION**

**IN RE: RULEMAKING TO RESEARCH)
AND EVALUATE CUSTOMER-)
CENTERED OPTIONS FOR ALL)
ELECTRIC CUSTOMER CLASSES AS)
WELL AS OTHER REGULATORY)
ENVIRONMENTS.)**

DOCKET NO. R-35462

**ENTERGY LOUISIANA LLC’S MOTION FOR
COMMISSION GUIDANCE AND CONSIDERATION**

NOW BEFORE THE COMMISSION, through undersigned counsel, comes movant Entergy Louisiana, LLC (“ELL” or the “Company”), which, pursuant to Rule 15 of the Commission’s Rules of Practices and Procedures, respectfully submits this Motion for Commission Guidance and Consideration (the “Motion”). ELL respectfully suggests that this docket, *In re: Rulemaking to Research and Evaluate Customer Centered Options for All Electric Customer Classes as Well as Other Regulatory Environments* (the “CCO Docket”), has successfully completed its stated objectives and, after more than five years, has run its course.¹ Notwithstanding the success of the CCO Docket, Louisiana Public Service Commission (“LPSC” or the “Commission”) Staff, at the insistence of a handful of industrial customers who potentially stand to benefit to the certain detriment of all other customers, is now pursuing a more detailed inquiry into new regulatory paradigms, an undertaking that is well outside the bounds contemplated by the Commission when the docket was first opened and contrary to the interests of Louisiana electricity customers and the state itself. In light of the extensive and onerous requests

¹ Per LPSC Staff Phase 2 Report dated December 30, 2024; “The LPSC Staff (“Staff”) was directed to research customer-centered options for all electric utility customers and to recommend a plan for how to ensure those customers are the focus in Louisiana. The docket was also designed to consider any proposals not already being addressed in other dockets, as well as other options that may mitigate increased rates for Louisiana ratepayers.”

for information Staff was compelled to issue as part of the Phase 2 Report issued December 30, 2024 in pursuit of this ill-advised inquiry, the Company respectfully seeks renewed guidance from the Commission as to whether such inquiry is appropriate given the previously identified scope, objectives, and limitations of this rulemaking docket. In support of its Motion, ELL avers as follows:

Genesis of the CCO Docket

The CCO Docket was established with Staff's Notice of Proceeding filed on January 9, 2020 in response to a directive of former Commissioner Greene issued at the Commission's December 18, 2019 Business and Executive ("B&E") Session. Commissioner Greene's directive was issued following an oral report by Commission Staff and testimony from various stakeholders in Docket No. S-34226, *Status of Electric Rates in Louisiana: Where Are We and Where are We going?* As noted in Staff's Notice of Proceeding the directive ultimately was unopposed but only following discussion and comments among the Commissioners at the December 18, 2019 B&E.

The discussion and comments by and between the Commissioners during that meeting, prior to the vote to issue the directive, were extensive and helped frame the purpose and direction of the CCO Docket that would follow. Significantly, Commissioner Skrmetta outlined his view of the proper limits of the CCO Docket, framing it in this manner:

We have to look out for all Louisiana consumers. I'm going to tell you what this isn't. This extension or -- of this contract **is not about deregulation or establishment of open market access. Any interpretation of that effect is an error across the board by the press and by anyone in any industrial or commercial or residential world.** Any open access for one class of consumer would likely cause immediate rate increases across the board for other classes. (Emphasis added)²

² See, LPSC B&E Transcript for the December 18, 2019 Open Session, pages 73-74.

Viewed in light of this explicit guidance, it is clear that to pursue Staff's currently proposed inquiry into concepts of partial or full retail open access would go beyond what the LPSC intended -- and that this docket instead should be closed at this point rather than require utilities, Staff and the Commission to commit significant resources and time to produce and review the extensive analysis required to respond to Staff's Sixth and Seventh Requests for Information. Indeed, multiple data points demonstrate the correctness of Commissioner Skrmetta's views, perhaps summarized best by the Wall Street Journal article published in 2021 concluding that customers in Texas have paid \$28 billion more as a result of deregulation and similar outcomes in other states that have chosen to deregulate.³

It also is critical to understand that Louisiana is in the midst of seeking to capture a significant growth opportunity in the industrial sector. Uncertainty regarding the utility rate structure would disrupt this opportunity by creating significant uncertainty that potential large customers will not find acceptable. Losing jobs and revenues—and raising rates for all customers except the privileged very large few—is not an outcome that the Commission should countenance.

Finally, despite these significant consequences, if the Commission is inclined to undertake a detailed study of the effects on Louisiana electric customers of deregulation or the establishment of open market access whether that be limited to only certain industrial customers or all customer

³ Tom McGinty & Scott Patterson, *Texas Electric Bills were \$28 Billion Higher Under Deregulation*, The Wall Street Journal (February 24, 2021), available at <https://www.wsj.com/articles/texas-electric-bills-were-28-billion-higher-under-deregulation-11614162780>. Consumers in other states have also paid significantly more due to deregulation. See, e.g., Susan M. Baldwin, *Are Consumers Benefiting from Competition? An Analysis of the Individual Residential Electric Supply Market in Massachusetts: 2021 Update*, An Official Website of the Commonwealth of Massachusetts (March 2021), available at [https://www.mass.gov/doc/2021-competitive-electric-supply-report/download.._noting_that_Massachusetts_residential_customers_paid_\\$426_million_more_in_a_five_year_period_as_a_result_of_deregulation.](https://www.mass.gov/doc/2021-competitive-electric-supply-report/download.._noting_that_Massachusetts_residential_customers_paid_$426_million_more_in_a_five_year_period_as_a_result_of_deregulation.)

classes,⁴ it should first obtain estimates of the significant time and costs that will be incurred by the LPSC Staff and regulated utilities to study and implement such a scheme including that detailed cost-of-service information requested by Staff needed in order to facilitate unbundling of retail electric rates necessary for a competitive, restructured market. Given the recent experiences of other retail choice states, the Commission should also carefully assess the significant resource adequacy and economic development risks and harms that will arise from merely pursuing such a study even if the Commission ultimately concludes that these market structures are not in the public interest.

CCO Docket Has Delivered Customer Centered Options

The depth and breadth of customer centered initiatives that have been implemented as a result of this docket, whether implemented through this docket or identified here and addressed in other dockets, is significant:

Type of Customer Option and/or Issue	Status
Aggregator of Retail Customers	<ul style="list-style-type: none"> • Pending in LPSC Docket No. R-35135
Annual Reporting Obligations for Electric Utilities	<ul style="list-style-type: none"> • Complete: addressed in Phase 1 order in LPSC Docket No. R-35462
Demand Response (“DR”)/Interruptible Service	<ul style="list-style-type: none"> • DR Rule adopted in LPSC Docket No. R-35136 • ELL has received approval for three new demand response/interruptible options since the CCO Docket was initiated. (Rider MVDR approved in LPSC Docket No. U-35443 and Riders EIO and IES approved in LPSC Docket No. U-35385) • ELL is also in the process of conducting a demand response RFP that seeks a variety of new DR options for customers.⁵

⁴ Deregulation, retail open access, customer choice, and open market access are all terms that have been used by various stakeholders at one time or another throughout this docket to represent the same concept and can generally be thought of to be interchangeable as far as their meaning.

⁵ For additional information regarding the ELL DR RFP, see: <https://spofossil.energy.com/ENTRFP/SEND/2024ELLDemandResponsePrograms/Index.htm>.

Type of Customer Option and/or Issue	Status
Distributed Energy Resources	<ul style="list-style-type: none"> • ELL has received approval for its Power Through backup generation offering (Rider UODG approved in LPSC Docket No. U-36105)
Electric Vehicles/Transportation Electrification	<ul style="list-style-type: none"> • LPSC Docket No. R-36131 has addressed rules for Commission oversight of Electric Vehicle Charging Stations in Phase 1 and is considering additional rules in Phase 2 • ELL has received approval for Rider DA in LPSC Docket No. U-36959, and another option (Rider CI) remains pending in that proceeding.
Electronic Filing	<ul style="list-style-type: none"> • Pending in LPSC Docket No. R-35819
Market Based Mechanism (MBM) Order Modifications	<ul style="list-style-type: none"> • Complete: addressed in the order LPSC Docket No. R-34247
Notices of Rate Increases	<ul style="list-style-type: none"> • Pending in LPSC Docket No. R-34490
Periodic Reporting of Utility Companies’ Outside Attorneys and Consulting Expenses	<ul style="list-style-type: none"> • Complete: addressed in Phase 1 Order in LPSC Docket No. R-35462
Renewable Energy Credit (REC) Value	<ul style="list-style-type: none"> • Complete: addressed in Phase 1 Order in LPSC Docket No. R-35462
Renewable Options	<ul style="list-style-type: none"> • ELL has received approval for five new renewable options since the CCO docket was initiated. (Riders GPO and LVGPO approved in LPSC Docket No. U-35916, Rider GGO approved in LPSC Docket No. U-36190, and Riders GGL and GZ approved in LPSC Docket No. U-36697)
Sleeved PPAs	<ul style="list-style-type: none"> • Complete: a Rule allowing “Wholesale Pass-through Sleeved PPAs” was approved in the Phase 1 Order in LPSC Docket No. R-35462.⁶

This expansive list of new rules and ongoing dockets touches on a wide variety of topics, and each item on the list remains within the topical bounds of this docket as expressed when it was established by the Commission – things that benefit *all* customers. The same cannot be said for the topics that Staff has recently determined to study in this Docket in the absence of clarification regarding the scope of the Docket.

⁶ See LPSC General Order 08-01-2024 (R-35462) for a definition of “Wholesale Pass-through Sleeved PPA.”

**Staff’s Investigation Turns to Deregulation and Retail Open Access Options
Proposed by Large Industrial Customers**

Despite the above-described guidance given in 2019 at the time this effort was initiated, Staff has now turned its attention to investigating certain proposals involving limited or full retail open access, largely based on vague proposals from a singular industry trade group, the Louisiana Energy Users Group (“LEUG”), consisting of approximately twenty-five companies with industrial facilities in Louisiana. In its Phase 2 Report issued on December 30, 2024, Staff outlined the final topics for investigation in this docket. They are as follows:

- LEUG’s proposal for Enhanced Combined Heat and Power (“CHP”) Options referred to by Staff as LEUG’s Cogeneration Access Option⁷;
- LEUG’s proposal for Energy Displacement Sleeved Purchase Power Agreements (“PPAs”);
- LEUG’s proposal for Industrial Customer Market Option or retail open access which would presumably be limited to large industrial customers; and
- Full retail open access

Although LEUG’s proposals for the Enhanced CHP Option and Energy Displacement Sleeved PPAs were to be considered in Staff’s Phase 2 Report, Staff has determined these LEUG proposals are akin to limited open access in terms of their design and potential impact on other customers and 1:1 full retail credit net metering, respectively which are now to be considered in a third and final Phase of this docket alongside full retail open access.

It is undisputed that the various proposals raised by LEUG are designed to be solely available to LEUG members and are not “customer-centered options for all customer classes.”⁸ There can also be no doubt that LEUG has failed to provide any information, analyses, or reasoning that would suggest that pursuing these proposals is likely to be in the public interest or to benefit *all* customers, particularly those beyond the select few members of LEUG. Rather, as ELL and

⁷ See p. 18 of Staff’s Phase 2 Report.

⁸ Staff’s Notice of Proceeding, quoting former Commissioner Greene.

other stakeholders demonstrated in earlier filings in this docket, these kinds of open access proposals provide benefits to only a select few at the expense of all other customers. Finally, as Staff noted in its Phase 2 Report, the ultimate goal of LEUG and its members, the ability to secure generation from sources other than a LPSC-jurisdictional utility, is already available for industrial customers as well as other customers for that matter. For example, all LPSC-jurisdictional customers can directly own or co-own behind-the-meter generation facilities or lease on-site generation from another entity, which Staff addresses in its Phase 2 Report.⁹ There are also various federal and Commission policies in place that govern these types of arrangements and customers continue to pursue new opportunities for on-site generation including with renewable energy resources.¹⁰

Despite LEUG’s failure to clear what should be a minimum threshold issue of whether these proposals have any reasonable prospect of being in the public interest, Staff will investigate LEUG’s self-serving industrial open access proposals unless the Commission provides updated guidance. To that end, Staff has issued two separate Requests for Information (“RFIs”). These RFIs are far-ranging in scope and exceedingly burdensome. And while the RFIs are nominally directed to all parties, the vast majority of the requests—and certainly the most burdensome and intensive to answer—are directed to or only answerable by LPSC-jurisdictional utilities. Most significantly, one of the requests seeks a hypothetical cost of service (“COS”) study in which all costs are to be categorized into generation, transmission, and distribution and all administrative, general, and common costs are to be allocated to facilitate unbundling of all rates. This exercise

⁹ “Industrial customers are currently utilizing a method of co-owning or leasing a cogeneration facility by which the power of one cogeneration facility can be share among other industrial customers without either entity becoming [a] LPSC jurisdictional [utility].” See Staff’s Phase 2 Report, p. 8.

¹⁰ See, e.g., *Petition For Jurisdictional Determination* filed on behalf of Golden Beams Power LLC on April 22, 2024, in LPSC Docket No. U-37184.

requires significant resources and several months of work. This endeavor that would cost hundreds of thousands of dollars and possibly as much as a million dollars *per utility* and represent an enormous diversion of resources that utilities instead could and should be using on pursuits that are more productive and that, unlike this one, benefit all utility customers, not just a privileged few.

To fully respond to the Sixth and Seventh set of RFIs posed by Staff will require a significant investment of time and money by responding utilities, including electric cooperatives. Look no further than Staff's request that jurisdictional utilities provide a hypothetical unbundled COS study. As noted above, a traditional COS study serves as the basis for a utility's rate case and is developed over several months and requires thousands of hours of effort and hundreds of thousands of dollars of expense for the Company, with similar levels of investment required by each utility.

However, the burden will not rest simply with the responding utilities. In this instance, the effort is far more involved because a COS supports ratemaking for *existing bundled* base rates, not the unbundling of all rates to support retail open access and individual customers choosing other suppliers. The Commission and Commission Staff will need to evaluate and analyze the responses to these RFIs, including the unbundled COS studies. Considering that Staff's analysis of a single utility's normal COS study in a rate case can take months, attempting to simultaneously analyze a more complex and involved unbundled COS study from each jurisdictional utility could completely monopolize Staff and its consultants, gridlocking the Commission and preventing it from addressing other pressing issues facing a state in the midst of an historic economic boom as discussed below. And these considerable efforts and expenses would all be undertaken for the purpose of utilities and the Commission "proving a negative" on limited industrial open access

proposals which have not been shown to have any reasonable prospect of being in the public interest or beneficial to all customers. Just as these limited industrial open access proposals seek to benefit a select few at the expense of all other customers, the current approach to examining these proposals does the same by foisting the costs and burden of analyzing these proposals and their detrimental impact upon the State of Louisiana upon utilities, this Commission, and its Staff and consultants, and the consumers collectively who will ultimately end up paying for these efforts via their monthly electric bills. ELL respectfully suggests that it would be fundamentally unreasonable, unfair to utility customers broadly, and a waste of time and resources to pursue investigation of these matters further.

Commission Guidance Required on Further Action in the CCO Docket

As detailed above, the CCO Docket has resulted in numerous rules and policy determinations by the Commission and a myriad of new options available to ELL's customers. Based upon the extensive discussions held leading up to the directive opening this docket, these significant accomplishments have amply satisfied the original intent and goals of this docket. Responding to and Staff evaluation of overly burdensome, time- and expense-intensive discovery requests will likely grind Commission business to a halt during a critical time, namely, a long-awaited economic resurgence for the State of Louisiana in which the Commission will play a vital role. Faced with these prospects, ELL respectfully seeks guidance from the Commission as to whether the inquiry contemplated by Staff in its Phase 2 Report is consistent with the Commission's policy objectives. Considering the current economic opportunities before the State of Louisiana, and the disruption of these opportunities that uncertainty in the fundamental tenets of regulation would create, continuing with this docket as proposed by Staff, including the extensive discovery sought in the Sixth and Seventh sets of RFIs, is not only contrary to the

Commission’s policy objectives and the public interest, but also jeopardizes the current economic opportunity before the State.

The remaining topics identified by Staff to be investigated are all solutions in search of a problem.¹¹ Louisiana’s electricity rates are highly competitive across all customer classes and continue to be among the lowest in the United States. This includes the State’s industrial rates, which are competitive enough that numerous significant energy users are choosing to locate their business operations in Louisiana over other states and existing customers are expanding their operations. These trends are illustrated most profoundly by the hyper-scale data center recently announced by Meta Platforms, Inc. to be located in Richland Parish. The Louisiana Economic Development (“LED”) agency indicates that this data center will consist of a \$10 billion investment with the potential for more than 1,500 new jobs as well as approximately 5,000 construction jobs.¹² More recent announcements indicate that companies are set to invest billions more for a new steel plant,¹³ other data centers,¹⁴ and other investments.¹⁵ According to the LSU Center for Energy Studies 2025 Gulf Coast Economic Outlook, there has been \$258 billion of total energy manufacturing investment announced along the Gulf Coast, and an impressive **55 percent** of that investment chose to locate in Louisiana. That such power intensive operations have been

¹¹ As noted in above, industrial customers already have multiple options for securing generation from sources other than LPSC-jurisdictional utilities within the existing regulatory framework. See Staff’s Phase 2 Report, pp. 8-10.

¹² See <https://www.opportunitylouisiana.gov/news/meta-selects-northeast-louisiana-as-site-of-10-billion-artificial-intelligence-optimized-data-center-governor-jeff-landry-calls-investment-a-new-chapter-for-state>, accessed January 13, 2025.

¹³ *Hyundai plans \$6B Steel Mill in Louisiana*, New Orleans City Business, January 9, 2025.

¹⁴ See, e.g., *West Feliciana Parish Council Approves Location for \$12 Billion AI Data Center*, January 7, 2025, available at <https://www.brproud.com/news/local-news/west-feliciana-parish/west-feliciana-parish-council-approves-location-for-12-billion-ai-data-center/>, accessed January 13, 2025.

¹⁵ These other investments include significant investments from LEUG members, such as Air Products’ \$4.5 billion Clean Energy Complex (<https://www.airproducts.com/energy-transition/louisiana-clean-energy-complex>) and CF Industries’ \$2 billion Ammonia Production Facility (<https://www.opportunitylouisiana.gov/news/cf-industries-proposes-new-2-billion-low-carbon-ammonia-production-facility-in-ascension-parish>)

choosing to locate in Louisiana clearly indicates that the current electric utility regulatory environment and competitive rates are a significant competitive advantage for the state or, at an absolute minimum, not a competitive disadvantage. Staff's continued pursuit of investigation into potential deregulation and retail open access options is a fruitless and costly exercise in cultivating solutions for problems which simply do not exist in Louisiana.

While the current state of Louisiana's economic boom demonstrates that further efforts in this rulemaking are unnecessary, that does not mean that this rulemaking is harmless or without cost. The planned and ongoing major investments by energy intensive industries are undoubtedly encouraged by the stable and constructive regulatory environment in the state and competitive electric rates. Continued investigation into the possibility of deregulation and retail open access raises significant uncertainty about whether the current regulatory environment will remain in place and whether the factors leading to companies making multi-billion dollar investments today will endure in the future. Replacing this predictable and certain regulatory environment with uncertainty about potential market design changes that may take years to evaluate and implement is very likely to have a chilling effect on further investment in Louisiana as potential investors hold capital or choose to deploy it elsewhere until the future regulatory landscape becomes more certain. The current economic resurgence the Louisiana is experiencing could be snuffed out just as quickly as it arrived.

Embarking upon a detailed investigation of retail open access in a manner that goes beyond the previously expressed scope limitations for this docket would also present significant questions and create challenges for the future of resource adequacy and technology. Because of its significance to economic prosperity and to the health and well-being of people, resource adequacy is a responsibility that electric utilities take seriously, and because of the continuous investment

and long-lead times involved, resource adequacy requires constant minding and a long-term view to achieve. To support resource adequacy and to ensure that utilities plan accordingly, the Commission has adopted rules including its recent Final MCO Rule¹⁶ adopted June 2024 and requiring electric cooperatives to prepare integrated resource plans (“IRPs”). Further, ELL has begun the process of identifying capacity solutions that are needed six years down the line, which address both expected load growth and assumed unit deactivations for the benefit of all customers. If the Commission determines that this rulemaking should continue on with the analyses and data requested by Staff to support retail open access, ELL seeks guidance from the Commission as to whether the Company’s ongoing work to ensure resource adequacy under the status quo regulatory framework should continue during the pendency of this rulemaking or if instead these efforts should pause or even cease in an effort to minimize potential stranded costs in the future.

As to resource technology, this Commission has expressed significant interest in developing new nuclear resources.¹⁷ Further pursuit of retail open access of any type, limited or full, is directly counter to any efforts to develop new nuclear resources for Louisiana in the future. In the event of full deregulation, the utility operating companies, including ELL, would be required to divest of all generation and would no longer have an interest or ability to develop or construct any type of resource, let alone a nuclear facility. In the proposals advocated for by LEUG, whereby limited retail open access is provided for a select group of large industrial customers, the remaining residential and commercial customer base of the LPSC-jurisdictional utilities would not support further development of any nuclear resources. Plainly put, any foray into eventual deregulation of

¹⁶ LPSC General Order No. 7-16-2024 (R-36263) dated July 16, 2024.

¹⁷ See, *e.g.*, LPSC Docket No. X-36987.

the electric utility industry, whether full or limited, undermines the future of new nuclear in Louisiana.

Finally, it is worth reiterating that retail open access, in all its forms, has been a failure where it has been implemented. As noted in the Company's filings earlier in this proceeding, while a handful of large and highly sophisticated industrial customers may have benefitted in some jurisdictions, the clear evidence shows that other customers, particularly residential customers, have been significantly harmed. Retail open access in these jurisdictions has not resulted in the promised savings to all customer classes and innovation. Instead, prices have continued to outpace regulated markets,¹⁸ promised innovation has not materialized,¹⁹ abuses and predatory practices have occurred,²⁰ and resource adequacy problems have resulted.²¹ Louisiana and Louisianians deserve better.

¹⁸ See footnote 3, *supra*.

¹⁹ “When many states made the decision to deregulate their electricity markets, two primary arguments were advanced in favor of the idea that increased competition would benefit end-use consumers. . . . Second, that increased market competition among suppliers would foster greater innovation across the industry, leading to breakthrough product offerings in renewable energy, energy efficiency and rate structures. . . . those prophecies remain unfulfilled.” Elin Swanson Katz & Andrew W. Minikowski, *Energy Innovation of the Future cannot Rely on Retail Choice as its Delivery Vehicle*, Utility Dive (June 10, 2019), available at <https://www.utilitydive.com/news/energy-innovation-of-the-future-cannot-rely-on-retail-choice-as-its-deliver/556493/>.

²⁰ Deceptive practices have long plagued competitive suppliers. See L.M. Sixel, *Regulators Blast Electricity Providers for Deception*, Houston Chronicle (June 28, 2018), available at <https://www.houstonchronicle.com/business/energy/article/Regulators-blast-electricity-providers-for-13035691.php> and Jim Malewitz, *Texas Regulators Eye Deceptive Electricity Pricing*, The Texas Tribune (February 11, 2016), available at <https://www.texastribune.org/2016/02/11/texas-regulators-want-crackdown-deceptive-electric/>. See also Darren Fishell, *The \$132M Electricity Rip-Off*, The Maine Monitor (February 20, 2020), available at <https://www.themainemonitor.org/private-electricity-suppliers-cost-mainers-132-million-more-than-necessary/>.

²¹ Louisiana's western neighbor also provides a stark warning of retail open access's impact on system reliability. During Winter Storm Uri, nearly two thirds of ERCOT Texas customers lost power, with millions left without power for days. Katherine Blunt & Russell Gold, *'A Failure of Texas-Size Proportions' – State Debates how to Overhaul its Power Market*, The Wall Street Journal (April 16, 2021), available at <https://www.wsj.com/articles/a-failure-of-texas-size-proportionsstate-struggles-to-overhaul-its-power-market-11618565415>. *Summer is no easier for the ERCOT grid as repeated conservation efforts are required to avoid devastating blackouts during the hottest days of the summer*. Robert Walton, *Texas Narrowly Avoids Rolling Blackouts after 2nd Conservation Plea by ERCOT this Week*, Utility Dive (July 14, 2022), available at <https://www.utilitydive.com/news/texas-avoids-rolling-blackouts-ercot-conservation-plea/627253/>.

Conclusion

The Customer Centered Options Docket sits at an important crossroads, and Commission guidance is needed as to the appropriate future course for this docket, if any. The CCO Docket has resulted in significant and far-reaching advances in Commission policy, public reporting, and more customer offerings. It has achieved its purpose of investigating and developing Commission led initiatives for the benefit of all customers. However, now Staff, at the behest of LEUG and its membership representing a select number of industrial facilities, seeks to continue this rulemaking for the sole purpose of investigating retail access options for the sole benefit of a handful of large industrial customers at the expense of all other customers. Staff's proposed investigation would require a significant investment of resources by all jurisdictional utilities and by the LPSC Staff - - and threatens to grind progress at the Commission to a halt, all at a time when the Commission has a vital role to play in facilitating investments that support Louisiana's unfolding economic resurgence. The Company respectfully requests that before the stakeholders in this docket are forced to pursue the expensive and time-consuming process of demonstrating LEUG's proposals will economically harm all but a handful of sophisticated, large industrial facilities that this Commission provide further policy guidance as to whether this docket has satisfied its intended purpose and whether it should proceed any further.

WHEREFORE, Movant, Entergy Louisiana, LLC respectfully requests that the Commission grant its Motion and provide further guidance at the February Business and Executive Session, or as soon as is reasonably practical, as to whether the CCO Docket has achieved its purpose and may be closed or whether further investigation into the few remaining proposals offered for the benefit of a handful of industrial customers at the expense of all other customers is consistent with the Commission's current policy objectives.

Respectfully submitted,

By: _____

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**ATTORNEYS FOR
ENTERGY LOUISIANA, LLC**

CERTIFICATE OF SERVICE
LPSC Docket No. R-35462

I hereby certify that the foregoing pleading was served on all parties of record listed on the Official Service List through electronic delivery.

New Orleans, Louisiana, this 24th day of January 2025.



D. Skylar Rosenbloom