LA PUBLIC SERVICE COMM
NOV 16 2026 PM01:57

EXHIBIT 1

ATTACHMENT A

RULES GOVERNING THE AUTHORIZATION AND OPERATION OF PRIVATE USE ELECTRICAL NETWORKS

LOUISIANA PUBLIC SERVICE COMMISSION

RULES GOVERNING THE AUTHORIZATION AND OPERATION OF PRIVATE USE ELECTRICAL NETWORKS

PURPOSE

The purpose of this General Order is to establish rules, standards, and procedures governing the authorization, construction, and operation of Private Use Electrical Networks ("PUENs") within the State of Louisiana, in order to enable generation to serve new large industrial and digital loads seeking to locate in Louisiana while preserving the Commission's regulatory authority, protecting existing ratepayers from cost shifts and stranded-cost exposure, and maintaining the safety, reliability, and adequacy of the electric utility system within the state.

AUTHORITY

Article IV, Section 21 of the Louisiana Constitution of 1974 provides the Commission with the following authority:

> **Powers and Duties.** The Commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by Law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by Law.

Consistent with the above authority, the Commission has adopted rules and regulations through Commission Orders that apply to utilities in general, and in some instances, electric utilities specifically. The blanket authority to regulate public utilities granted above; however, is not absolute, as it is subject to the following limitations regarding utilities owned, operated, or regulated by a political subdivision:

> **Limitation.** The Commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This paragraph shall not apply to safety regulations pertaining to the operation of such utilities.

Further, the Louisiana Supreme Court has repeatedly held that the above-referenced provision gives the Commission exclusive, plenary power to regulate all common carriers and public utilities. Furthermore, acts or omissions of the Legislature cannot subtract from the Commission's power. *Global Tel Link, Inc. v. Louisiana Public Service Commission*, 97-0645, pp. 6-7 (La. 1/21/98), 707 So. 2d 28, 33; *Bowie v. Louisiana Public Service Commission*, 627 So. 2d 164 (La. 1993).

SECTION 101. DEFINITIONS

As used in this General Order, the following terms shall have the meanings ascribed:

1. "Applicant" means any person, entity, or group of entities that files an application with the Commission for confirmation of a Private Use Electrical Network under this General Order.

2. "Commission" means the Louisiana Public Service Commission.

3. "PUEN~~Contiguous~~ Property" means contiguous, adjacent or lawfully controlled property utilized by the PUEN. ~~a single, undivided tract or parcel of real property, or multiple tracts or parcels that share a common boundary or are connected without interruption by intervening land owned or controlled by unrelated third parties.~~

4. "Dedicated Capacity" means the percentage of the total nameplate generating capacity (measured in megawatts) of all generation resources, including storage resources, within the PUEN that is contractually and physically committed to serving the electrical requirements of the Identified Load Customer(s) within the Network Boundary, as specified in Section 201.

5. "Dedicated Energy" means the percentage of the total energy output (measured in MWhs) of the generation resources within the PUEN that is contractually and physically committed to serving the electrical requirements of the Identified Load Customer(s) within the Network Boundary, as specified in Section 201.

6. "Identified Load Customer" means a specific, identified end-use consumer of electricity whose load is to be served by the PUEN within its Network Boundary and who is identified by name, location, and projected load in the PUEN confirmation application. An Identified Load Customer must be an industrial entity, to include digital load such as data centers, with a minimum connected load of not less than the threshold specified in the Minimum Load Threshold provision of Section 201 of this General Order.

7. "Interconnected Utility" means the jurisdictional electric public utility whose service territory encompasses the geographic area in which the PUEN is located and with which the PUEN maintains or proposes to maintain an electrical interconnection as allowed by this rule.

8. "Network Boundary" means the clearly delineated physical and electrical boundary of the PUEN ~~Contiguous~~ Property that is owned, leased, or otherwise lawfully controlled by the Applicant, the PUEN Generation Owner or Operator and/or the Identified Load Customer(s), or ~~an~~ affiliates thereof, that comprises~~s~~ the PUEN.

9. "New Load" means electrical load (a) associated with a new facility, new or expanded industrial process, or new data center of an Identified Load Customer(s) that: (i~~a~~) does not, as of the date of the PUEN Confirmation Application, receive electric service from a jurisdictional public utility other than back-up type power (stand-by, backup, supplemental, maintenance) for self-generation ; and (ii~~b~~) represents a new addition to electric demand within the State of Louisiana; or (b) is currently served by self-generation and only obtains back-up type power (stand-by, backup, supplemental, maintenance) from a jurisdictional public utility.

10. "Private Use Electrical Network" or "PUEN" means an integrated system of generation resources, energy storage facilities (if any), and related electrical facilities (including wiring, transformers, switchgear, protective relaying, and distribution or transmission infrastructure) that meets all of the following criteria:

(A) The system is located entirely within a Network Boundary;

(B) Not less than the Dedicated Capacity serving the electricity requirements of one or more Identified Load Customer(s) constituting New Load;

(C) Electricity is delivered exclusively through Privately Owned Electric Facilities that are not part of the transmission or distribution system of a jurisdictional public utility;

(D) The Identified Load Customer(s) does not own the electric generation that serves it but instead has entered a binding contract with the PUEN Operator for the output and delivery of the Dedicated Capacity and energy needed to serve its load; and

(E) The system has received a Confirmation of Qualification from the Commission pursuant to Section 301 of this General Order.

11. "Privately Owned Electrical Facilities" means electric generation, including energy storage, transmission, distribution, substation, switching, protective relay, and related equipment and infrastructure that is owned and operated by the PUEN Operator or the Identified Load Customer and that is not part of the facilities of a jurisdictional electric public utility, and is not interconnected with and takes no service from the public electric system, except as may be allowed by these rules.

12. "PUEN Operator" means the entity(s) that owns and/or operates the electrical generation, including energy storage.~~, and is responsible for the day-to-day operation and maintenance of the PUEN.~~

13. "RTO" means a Regional Transmission Organization or Independent System Operator, including but not limited to the Midcontinent Independent System Operator, Inc. (MISO) or the Southwest Power Pool (SPP), as applicable to the geographic area in which the PUEN is located.

SECTION 201. ELIGIBILITY CRITERIA AND LIMITING CIRCUMSTANCES

1. General Limitation. A PUEN shall be authorized only in narrowly defined circumstances. Confirmation of a PUEN is not available as of right; it requires a specific showing by the Applicant that all eligibility criteria set forth in this Section 201 are met, subject to case-by-case review and approval by the Commission. Authorization of an application shall subject the PUEN to regulation by the Commission only as expressly provided in this rule.

2. New Load Requirement. A PUEN shall serve only New Load as defined in Section 101(9). The PUEN shall not be used to serve load that, as of the date of the application for confirmation, is receiving electric service from a jurisdictional public utility other than back-up power as referenced in Section 101(9). Nothing in this rule however shall preclude any existing load from pursuing consideration of an application filing with the LPSC for consideration of a power supply proposal on an individual case basis.

3. Minimum Load Threshold. The aggregate connected load of the Identified Load Customer(s) to be served by the PUEN shall be not less than five ~~fifty~~ megawatts (5~~0~~ MW) ~~with an expected and verified load factor of at least 80 percent at the time of initial confirmation~~. No PUEN shall be confirmed as qualified to serve an aggregate load below this threshold.

4. Dedication Requirement. The Dedicated Capacity and Dedicated Energy of all generation resources within the PUEN shall be primarily (51% or more) dedicated to serving the electricity requirements of the Identified Load Customer(s) within the Network Boundary. For purposes of this requirement:

(A) Capacity dedicated to fulfilling the capacity needs of the Identified Load Customer(s) must be at least fifty one ~~eighty-five~~ percent (51~~85~~%) of total nameplate generating capacity on an annual basis;

(B) Energy and Ancillary Services available for export to the wholesale electricity market in accordance with Section 203 shall not exceed forty nine ~~thirty~~ percent (49~~30~~%) of total electricity generated from the Dedicated Capacity; and

(C) Compliance with the dedication requirement shall be attested to at the time of confirmation and demonstrated on an ongoing annual basis through reporting required under Section 401.

5. Single-Purpose Limitation. A PUEN shall serve only the Identified Load Customer(s) named in the confirmation application. The PUEN shall not provide retail electric service to the general public, to residential customers, or to commercial or industrial customers who are not Identified Load Customers named in the confirmation.

6. Islanded Load Requirement. The Identified Load Customer(s) served by a PUEN shall not be allowed to ~~connected to or~~ receive electric service ~~of any type~~ from the public electric system other than back-up type power (stand-by, backup, supplemental, maintenance) as authorized in this rule. ~~No Identified Load Customer within a PUEN shall take backup, standby, supplemental, maintenance, or any other form of electric service from a jurisdictional public utility or through the transmission or distribution facilities of such utility.~~ This requirement shall not prohibit the PUEN's generation resources from maintaining an interconnection with the Interconnected Utility ~~solely~~ for the export of surplus electricity to the wholesale market, as provided in Section 203.

7. Back-Up Power. Back-up type power (stand-by, backup, supplemental, maintenance) shall be made available to a PUEN by the interconnected utility at cost-of-service based rates that do not shift costs to other ratepayers. The PUEN may also obtain such back-up type power through the wholesale market as a market participant in an RTO with any use of the public grid subject to cost-of-service based rates.

SECTION 202. PROPERTY~~, CONTIGUITY~~ AND NETWORK BOUNDARY REQUIREMENTS

1. PUEN ~~Contiguous~~ Property Requirement. All generation, storage, transmission, distribution, and load-serving facilities constituting the PUEN shall be located on PUEN ~~Contiguous~~ Property as defined in Section 101(3).

2. Single Ownership or Control. The PUEN ~~Contiguous~~ Property on which the PUEN is located shall be owned, leased, or otherwise lawfully controlled by the Applicant, the PUEN Generation Owner or Operator and/or the Identified Load Customer(s), or affiliates thereof, that comprise the PUEN.~~owned, leased, or otherwise lawfully controlled by a single entity.~~

3. Network Boundary Delineation. The Applicant shall, as part of its confirmation application, file with the Commission:

(A) A metes-and-bounds description or recorded plat of the PUEN ~~Contiguous~~ Property constituting the Network Boundary;

(B) A single-line electrical diagram showing all generation resources, distribution/transmission infrastructure, switching equipment, protective relays, customer delivery points, and Points of Common Coupling within and at the boundary of the PUEN; and

(C) Evidence of legal right (ownership, lease, or servitude) to occupy and use the PUEN ~~Contiguous~~ Property for the siting and operation of the PUEN.

SECTION 203. INTERCONNECTION FOR EXPORT SERVICE AND BACK-UP POWER

1. Permissible Interconnection. A PUEN may maintain an interconnection with the Interconnected Utility ~~solely~~ for export of surplus electricity to the wholesale market administered by the applicable RTO, subject to the Limitations on Export provision of this Section 203, and also for back-up type power (stand-by, backup, supplemental, maintenance) as provided in Section 201(7), provided that the PUEN solely bears the entire cost of that interconnection as determined by the RTO.

2. Limitations on Export. Surplus electricity generated within the PUEN and exported beyond the Network Boundary:

(A) Shall be delivered only into the wholesale electricity market administered by the applicable RTO;

(B) Shall not be sold, delivered, wheeled, or otherwise provided directly to any retail customer or end user outside the Network Boundary;

(C) Shall not exceed, on a rolling twelve-month basis, forty nine ~~thirty~~ percent (4930%) of the PUEN's total net generation (measured in MWh); and

(D) Shall be subject to applicable FERC, RTO, and Commission rules governing wholesale market participation and transmission service.

SECTION 204. PROHIBITION ON RETAIL SALES AND DELIVERIES OUTSIDE THE NETWORK

1. No Retail Sales. A certified PUEN shall not sell, deliver, distribute, wheel, or otherwise provide electric service at retail to any person or entity that is not an Identified Load Customer named in the PUEN's Confirmation of Qualification.

2. No Third-Party Retail Customers. The PUEN shall not extend its distribution facilities, grant interconnection, or otherwise enable any person or entity outside the Network Boundary to receive electric service from the PUEN at retail rates.

3. Limited Wholesale Export. As provided in the Limitations on Export provision of Section 203, surplus generation may be exported to the wholesale market administered by the applicable RTO, subject to the quantitative limits and conditions specified therein. Such wholesale sales do not constitute retail service.

SECTION 301. APPLICATION, CONFIRMATION OF QUALIFICATION, AND COMMISSION APPROVAL PROCESS

1. Confirmation of Qualification Required. No person or entity shall construct, operate, or energize a PEUN within the jurisdictional boundaries of the Commission without first obtaining a Confirmation of Qualification issued by the Commission pursuant to this Section 301.

2. Case-by-Case Review. Each application for Confirmation of Qualification shall be evaluated by the Commission on its individual merits. Satisfaction of the eligibility criteria in Section 201 shall be a necessary, but not a sufficient, condition for confirmation. The Commission retains discretion to deny, condition, or limit any confirmation based on considerations of the public interest, system reliability, and protection of ratepayers.

3. Application Contents. An application for a Confirmation of Qualification shall contain, at minimum, the following:

(A) The legal name, address, and organizational structure of the Applicant and the proposed PUEN Operator;

(B) The identity of each Identified Load Customer, including a description of the customer's business and projected electrical load (MW and annual MWh);

(C) Evidence demonstrating that the load to be served constitutes New Load, as defined in Section 101(9);

(D) A complete description of the proposed PUEN, including the type, capacity, and fuel source of each generation resource; any energy storage resources; all transmission and distribution infrastructure; and all ancillary equipment;

(E) The Network Boundary documentation required by the Network Boundary Delineation provision of Section 202;

(F) Demonstration of compliance with the at least 5185% Dedicated Capacity requirement ~~and 70% Dedicated Energy requirement~~ under the Dedication Requirement provision of Section 201;

(G) Any proposed Interconnection Agreement with the Interconnected Utility, or evidence that negotiations are underway with a proposed schedule for completion;

~~(H) A cost-shift analysis demonstrating that the proposed PUEN will not result in an unreasonable shift of costs or stranded investment to the Interconnected Utility's remaining ratepayers;~~

~~(I)~~(H) Evidence of the Applicant's financial capability and technical qualifications to construct and operate the PUEN;

~~(J)~~(I) A proposed operating protocol and emergency response plan; and

~~(K)~~(J) Such other information as the Commission or its Staff may require.

4. Notice and Opportunity to Be Heard. Upon the filing of an application for a Confirmation of Qualification:

(A) The Commission shall provide notice of the application in the Commission's Official Bulletin;

(B) Intervenors shall have not less than twenty five ~~sixty~~ (2560) days from the date of notice to file comments, protests, or petitions to intervene;

(C) The Commission may, at its discretion, convene a technical conference or evidentiary hearing; and

(D) The Interconnected Utility shall have standing as a party in any proceeding on the application.

5. Standards for Approval. The Commission shall grant a Confirmation of Qualification only upon finding that:

(A) The proposed PUEN satisfies all eligibility criteria set forth in Section 201;

(B) The proposed PUEN satisfies the property~~, contiguity,~~ and boundary requirements of Section 202;

(C) The proposed PUEN will not result in an unreasonable cost shift or stranded-cost burden on the Interconnected Utility's remaining ratepayers;

(D) Adequate provisions have been made for interconnection for export and/or back-up power in accordance with Sections 201 and 203~~ and 205~~;

(E) The Applicant has demonstrated the financial and technical capability to construct, operate, and maintain the PUEN; and

(F) Confirmation that the PUEN is consistent with the public interest.

6. Conditions of Confirmation. The Commission may attach such conditions to a Confirmation of Qualification as it deems necessary to protect the public interest.

7. Amendments. Any material change to the PUEN after confirmation—including but not limited to the addition of new Identified Load Customers, expansion of the Network Boundary, or material increase in generating capacity—shall require a supplemental application and Commission approval prior to implementation.

8. The Commission shall use best efforts to render a decision on an application within 90 days if uncontested and 180 days if contested.

SECTION 401. REPORTING, METERING, AND ONGOING COMPLIANCE OBLIGATIONS

1. External Metering. The PUEN Operator shall install and maintain metering at the point of generator interconnection with the Interconnected Utility to measure electricity delivered to the wholesale market or provided as back-up power. Such external metering shall be of sufficient accuracy and reliability to support the reporting obligations of the Section 401.

2. Internal Metering. The PUEN Operator shall install and maintain metering at each customer delivery point within the PUEN to measure electricity delivered to each Identified Load Customer, and at each generation resource to measure net output. Such internal metering shall be of sufficient accuracy and reliability to support the reporting obligations of this Section 401.

3. Annual Compliance Report. On or before March 31 of each calendar year, the PUEN Operator shall file with the Commission an Annual Compliance Report containing:

(A) Total generation (MWh) by each generation resource within the PUEN for the preceding calendar year;

(B) Total electricity (MWh) delivered to each Identified Load Customer;

(C) Total electricity (MWh) exported to the wholesale market;

(D) Demonstration of continued compliance with the at least 51% ~~85%~~ Dedicated Capacity ~~and 70% Dedicated Energy~~ requirement under the Dedication Requirement provision of Section 201, calculated on both a nameplate capacity basis ~~and an annual energy output basis~~;

(E) Demonstration that the Identified Customer load complies with the size requirement of at least 5~~0~~ MWs ~~with at least an 80 percent load factor~~;

(F) A summary of any material changes to the PUEN's facilities, operating status, or personnel; and

(H) Such other information as the Commission or its Staff may require.

4. Records Retention. The PUEN Operator shall retain all metering data, operational records, and compliance documentation for a period of not less than five (5) years and shall make such records available to the Commission or its Staff upon request.

5. Right of Inspection. The Commission or its Staff shall have the right, upon reasonable notice, to inspect the PUEN's facilities, metering equipment, and records to verify compliance with this General Order and the terms of the Confirmation of Qualification.

SECTION 501. COST-ALLOCATION AND STRANDED-COST PROTECTIONS

1. Ratepayer Harmlessness Principle. The authorization and operation of a PUEN shall not result in an increase in rates or charges to the ratepayers of the Interconnected Utility. All costs associated with the generation, delivery, and internal operation of the PUEN shall be borne by the PUEN Operator and/or the Identified Load Customer(s), and not by nonparticipating ratepayers.

2. Cost-Shift and Stranded Cost Analysis. As part of the confirmation process under Section 301, the Commission shall evaluate whether the proposed PUEN will impose stranded costs or cost shifts ~~revenue shortfalls~~ on the Interconnected Utility.

3. No Cross-Subsidization. The rates charged by the Interconnected Utility for export and/or back-up ~~interconnection~~ service to a PUEN shall fully recover the cost of providing such service, such that non-participating ratepayers do not subsidize the PUEN's operations.

SECTION 502. SUNSET PROVISION

1. Biannual reports shall be provided by Commission Staff on the number and status of PUEN applications. ~~Termination of Acceptance of New Applications. No new applications for Confirmation of Qualification pursuant to this General Order will be accepted by the Commission more than five (5) years after the effective date of this General Order. Applications received within the five-year period shall continue to be processed, and Confirmations of Qualification issued pursuant to timely-filed applications shall remain in full force and effect, notwithstanding the expiration of the application period.~~

2. The Commission shall review the status of the program at 5 years and consider the need for any changes or sunset at such time. The Commission also has the authority to take any action at any time on its own motion. ~~Automatic Termination. The termination of acceptance of new applications shall be automatic unless, prior to the expiration of the five-year period, a party files a request for renewal of this General Order and the Commission, after notice and opportunity to be heard, determines that renewal of the General Order's application period would serve the public interest.~~

3. ~~Continuing Effect of Issued Confirmations.~~ Any Confirmation of Qualification issued by the Commission ~~prior to the expiration of the application period~~ shall remain valid and enforceable in accordance with its terms, and the PUEN Operator's obligations under this General Order shall continue in full force and effect for the duration of the confirmation, regardless of whether the Commission makes any future changes to or sunsets this rule. ~~application period has expired.~~

SECTION 601. EFFECTIVE DATE, SEVERABILITY, AND RESERVATION OF AUTHORITY

1. Effective Date. This General Order shall become effective upon publication in the Commission's Official Bulletin.

2. Severability. If any provision of this General Order, or the application thereof to any person, entity, or circumstance, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this General Order, which shall be given effect without the invalid provision or application.

[*The remainder of this page is intentionally left blank*]

3. Reservation of Authority. The Commission expressly reserves the authority to amend, modify, supplement, or repeal this General Order, in whole or in part, at any time upon appropriate notice and proceedings, as the Commission deems necessary in the public interest.

4. Pending Applications. Applications filed prior to the effective date of any amendment to this General Order shall be evaluated under the version of this General Order in effect at the time of filing, unless the Commission orders otherwise.

ISSUED BY ORDER OF THE LOUISIANA PUBLIC SERVICE COMMISSION

Baton Rouge, Louisiana
_____~~August 14~~, 2026