

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NO. U-34796-D

SOUTH ALEXANDER DEVELOPMENT I, LLC, ET AL EX PARTE

Docket No. U-34796, In re: Petition for Reservation of Capacity under Entergy Louisiana, LLC's Rate for Renewable Energy Pilot Purchases on an Expedited Basis.

(Decided at the Commission's Business and Executive Session held March 17, 2021.)

(Amends Order Nos. U-34796, U-34796-A, U-34796-B and U-34796-C)

I. OVERVIEW

The Louisiana Public Service Commission ("LPSC" or "Commission"), in Order No. U-34796 dated July 12, 2018, granted South Alexander Development I, LLC; South Alexander Development II, LLC; South Alexander Development III, LLC; South Alexander Development IV, LLC; South Alexander Development V, LLC; South Alexander Development VI, LLC; South Alexander Development VII, LLC; South Alexander Development VIII, LLC; South Alexander Development IX, LLC; South Alexander Development X, LLC; South Alexander Development XI, LLC; and South Alexander Development XII, LLC (collectively "Petitioners") authority to individually own and operate separate solar photovoltaic generation units (each referred to individually herein as "Generation Project"). These Generation Projects are located at separate sites in various parishes throughout Louisiana in the Entergy Gulf States Louisiana, L.L.C. Legacy service area ("EGSL Legacy Area") and the Entergy Louisiana LLC Legacy service area ("ELL Legacy Area").

Order No. U-34796 reserves for Petitioners a total of twenty-nine and a half (29.5) MW of capacity with each individual Petitioner obtaining a reservation of a specific amount not to exceed four (4) MW under Entergy Louisiana, LLC's ("ELL") Standard Offer Tariff Option for Renewable Resources ("Schedule REP") pursuant to Section 3.1.2 of the Renewable Energy Pilot Program Implementation Plan (the "Renewable Pilot Implementation Plan").¹ Of the total MW of capacity authorized, nineteen (19) MW is located within the EGSL Legacy Area, and ten and a half (10.5) MW is located within the ELL Legacy Area, all of which fall within the respective Renewable Energy Cap under §III.D of ELL's Schedule REP.

In accordance with the capacity limits established in the Renewable Pilot Implementation Plan, and the decision to maintain those limits for each of the Legacy Areas in the Entergy Business Combination², Schedule REP allows up to thirty (30) MW of qualifying renewable resources to be

¹ LPSC General Order dated December 9, 2010 (Docket No. R-28271 Subdocket B).

located in the EGSL Legacy Area and up to thirty (30) MW of qualifying renewable resources to be located in the ELL Legacy Area to sell energy to ELL at a price of \$.03/kWh above avoided cost, subject to a floor of \$.06/kWh and a ceiling of \$.12/kWh. Although the Renewable Pilot Implementation Plan provides that the selection criteria to limit the capacity will be based on when the projects will be commissioned, Petitioners’ reservation of twenty-nine and a half (29.5) MW allocated among the individual Generation Projects was authorized provided that it met certain conditions as set forth in Order No. U-34796. Similar reservations were granted to Rain CII Carbon LLC in Commission Order No. U-33034 and Eco Services Operations Corp. in Commission Order No. U-34595. The current purchases pursuant to Schedule REP in the Legacy EGSL service area and the capacity reserved in the Legacy ELL service area are shown in table below:

ELL Schedule REP Capacity Limits

	Total	Purchased	Reserved	Currently Available	South Alexander Reservation ³
EGSL Legacy	30 MW	5.84 ⁴	19 MW ⁵	5 MW	19 MW
ELL Legacy	30 MW	24 MW ^{6,7}	5.5 MW	0	10.5 MW
Total	60 MW	29.84 MW	24.5 MW	5.0 MW	29.5 MW

The individual Generation Projects initially approved in Order No. U-34796 for each of the individual Petitioners are described in particular as follows:

South Alexander Development I, LLC: Two (2) MW solar photovoltaic generation unit, located in Livingston Parish, and within the service area of Legacy ELL, and having a projected commercial operation date of June 30, 2019;

South Alexander Development II, LLC: Two (2) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018;

² Attachment A, Paragraph (G)(6) of LPSC Order No. U-33244-A dated September 14, 2015.
³ Order No. U-34796 dated July 12, 2018 granted South Alexander 1, et al. a total 29.5 MW reservation of capacity, most recently revised in Order No U-34796-C dated August 12, 2020.
⁴ Order No. S-35182 dated July 2, 2019 approved the interconnection agreement between ELL and Eco Services Operations Corp corresponding to the reservation granted to Eco Services Operations Corp of up to 6 MW in Order No. U-34595.
⁵ Order No. U-34595 dated September 20, 2017 granted Eco Services Operations Corp a 6 MW reservation of capacity.
⁶ Order No. S-32568 dated November 29, 2012 granted Entergy’s request to purchase 4.5 MW from Lafourche Sugars, LLC and Order No. S-33604 dated July 22, 2015 granted Rain CII Carbon, LLC’s request to sell 15 MW under Schedule REP.
⁷ Order No. S-35850 dated February 24, 2021 approved the interconnection agreement between ELL and South Alexander I, LLC corresponding to the reservation granted to South Alexander I, LLC of up to 6 MW initially granted in Order No. U-34796 and most recently revised in Order No. U-34796-C.

South Alexander Development III, LLC: Two and a half (2.5) MW solar photovoltaic generation unit, located in Iberville Parish, and within the service area of Legacy ELL, and having a projected commercial operation date of June 30, 2019;

South Alexander Development IV, LLC: Two (2) MW solar photovoltaic generation unit, located in St. Martin Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of June 30, 2019;

South Alexander Development V, LLC: Four (4) MW solar photovoltaic generation unit, located in Tangipahoa Parish, and within the service area of Legacy ELL, and having a projected commercial operation date of December 31, 2018;

South Alexander Development VI, LLC: Two (2) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018;

South Alexander Development VII, LLC: Two (2) MW solar photovoltaic generation unit, located in Tangipahoa Parish, and within the service area of Legacy ELL, and having a projected commercial operation date of June 30, 2019;

South Alexander Development VIII, LLC: One (1) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018;

South Alexander Development IX, LLC: Two (2) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018.

South Alexander Development X, LLC: Four (4) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018.

South Alexander Development XI, LLC: Two (2) MW solar photovoltaic generation unit, located in St. Landry Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of June 30, 2019.

South Alexander Development XII, LLC: Four (4) MW solar photovoltaic generation unit, located in Calcasieu Parish, and within the service area of Legacy EGSL, and having a projected commercial operation date of December 31, 2018.

Petitioners sought and received approval for these reservations prior to making significant financial investments in the construction and operation of the approximately twenty-nine and a half (29.5) MW of Generation Projects located in various parishes throughout Louisiana. In its application, the Petitioners stated that they were ready, willing and able to commit financial resources to the Generation Projects by making the necessary investment and otherwise moving forward with the Generation Projects, provided that the Commission granted the request for reservation of capacity.

Prior to the Commission's approval in Order No. U-34796, Petitioners obtained financing for their respective Generation Projects subject to and pending completion of executed purchase power agreements under ELL Schedule REP. Engineering and interconnection studies were being pursued for each of the Generation Projects in coordination with ELL. Order No. U-34796 noted that depending on the outcome of the engineering and interconnection studies, it is possible that alternative sites within the respective EGSL Legacy and ELL Legacy Areas may be utilized for one or more of the individual Generation Projects if needed to increase grid stability. Further, that in the event it became necessary to utilize an alternative site for any of the Generation Projects, the respective Petitioner would submit a notice filing with the LPSC in this docket confirming the new site location and that it falls within the same Legacy EGSL or Legacy ELL service area as the original site described herein and in the Petition, with such notice to be filed within fifteen (15) days of determination of any such change in site.

According to the Petition for Reservation of Capacity, the Generation Projects will generate approximately 150–300 construction jobs utilizing Louisiana workers and provide state sales tax and property tax revenues. Petitioners indicated that they anticipated the following schedule for the Generation Projects ("Project Schedule"), subject to the timing of the ELL interconnection studies and the Commission's approval of the Petition: start of construction by July 1, 2018 and commercial operation by December 31, 2018 for the Generation Projects of South Alexander Development II, V, VI, VIII, IX, X, and XII, and start of construction by January 1, 2019 and commercial operation by June 30, 2019 for the Generation Projects of South Alexander Development I, III, IV, VII, and XI.

Order No. U-34796-A dated February 14, 2019 grants an extension of the construction commencement deadline, previously established in Commission Order No. U-34796, to July 1, 2019 (or not later than January 1, 2020), for Generation Projects VI, VIII, IX, and XII. Further, it grants an extension of the commercial operation deadline, also previously established in Order No. U-34796, to December 31, 2019 (or not later than June 30, 2020), for Generation Projects VI, VIII, IX, and XII.

Order No. U-34796-B dated October 11, 2019 grants an extension of the construction commencement deadline, previously established in Commission Order No. U-34796, to not later than January 1, 2020 for Generation Projects IV and XI. Further, it grants an extension of the

commercial operation deadline, also previously established in Order No. U-34796, to not later than June 30, 2020 for Generation Projects I, II, III, IV, V, VII, X, and XI.

Order No. U-34796-C dated August 12, 2020 grants an extension of the commercial operation deadline, previously established in Commission Order No. U-34796 and amended in Commission Order No. U-34796-B, to not later than December 31, 2020 for Generation Projects I, II, V, and X. Further, it grants an extension of the commercial operation deadline, also previously established in Order No. U-34796 and amended in Order No. U-34796-B, to not later than June 30, 2021 for Generation Projects III and VII. Further, it grants an extension of the construction commencement deadline, previously established in Order No. U-34796 and amended in Order Nos. U-34796-A and B, to not later than June 30, 2021 for Generation Projects IV, VI, VIII, IX, XI, and XII. Finally, it grants an extension of the commercial operation deadline, also previously established in Order No. U-34796 and amended in Order Nos. U-34796-A and B, to not later than December 31, 2021 for Generation Projects IV, VI, VIII, IX, XI, and XII.

II. COMMISSION AUTHORITY

The LPSC has jurisdiction pursuant to Louisiana Constitution Article IV Section 21 which states, in part:

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.

III. PROCEDURAL HISTORY

Petitioners filed the Petition on April 3, 2018. The Executive Secretary docketed and published notice of the Petition in the Commission's Official Bulletin dated April 6, 2018 for an intervention period of fifteen (15) days. The Louisiana Energy Users Group ("LEUG") and ELL were the only intervenors. ELL filed a Petition for Late Intervention on April 30, 2018. The matter was assigned to Administrative Law Judge Steve Kabel and set for a status conference on May 21, 2018. ELL's Petition for Late Intervention was granted on May 10, 2018. After receiving consent of the parties, Petitioners submitted an Unopposed Motion to Continue Status Conference and the matter was continued without date in anticipation of resolution at the Commission's June 20, 2018 B&E. On June 1, 2018, Staff issued and filed into the proceeding a Proposed Order. The matter was considered at the Commission's June 20, 2018 Business and Executive Session ("B&E")

pursuant to Rule 57 Commission's Rules of Practice and Procedure in accordance with a prepared motion agreed to by the parties and the Proposed Order was adopted and issued as Order No. U-34796 on July 12, 2018.

On December 26, 2018, Petitioners filed a Notice of Site Changes and Merger of Petitioners and Status Report on Projects ("Notice"). On December 27, 2018, Petitioner entities VI, VIII, IX and XII ("First Extension Petitioners") filed a Request for Extension of Time and Capacity Reservation ("First Extension Request"). Pursuant to Order No. U-34796, the Commission published notice of the First Extension Request in the Commission's Bulletin dated December 28, 2018 for a fifteen (15) day intervention period. This matter was placed on the Supplemental Agenda for the January 16, 2019 B&E, issued January 11, 2019, at the request of (then) Vice Chairman Francis. The intervention period expired January 14, 2019. There were no additional interventions. Commission Staff issued its Staff Recommendation on Extension of Time and Capacity Reservation ("Staff Recommendation on First Extension Request") on January 15, 2019. The matter was considered at the Commission's January 16, 2019 B&E where the Commission adopted the Staff's recommendation. Order No. U-34796-A issued February 14, 2019 reflects the Commission's vote.

On June 28, 2019, Petitioner entities I, II, III, IV, V, VII, X, and XI ("Second Extension Petitioners") filed a Request for Extension of Time and Capacity Reservations ("Second Extension Request"). Pursuant to Order No. U-34796, the Commission published notice of the Second Extension Request in the Commission's Bulletin dated July 26, 2019 for a twenty-five (25) day intervention period. There were no additional interventions. This matter was placed on the Agenda for the Commission's September 11, 2019 B&E. Commission Staff issued its Staff Recommendation on Second Extension of Time and Capacity Reservation ("Staff Recommendation on Second Extension Request") on September 4, 2019. The matter was considered at the Commission's September 11, 2019 B&E where the Commission adopted the Staff's recommendation. Order No. U-34796-B issued October 11, 2019 reflects the Commission's vote.

On June 5, 2020, South Alexander Development I, LLC; South Alexander Development II, LLC; South Alexander Development III, LLC; South Alexander Development IV, LLC; South Alexander Development V, LLC; South Alexander Development VI, LLC; South Alexander Development VII, LLC; South Alexander Development VIII, LLC; South Alexander Development

IX, LLC; South Alexander Development X, LLC; South Alexander Development XI, LLC; and South Alexander Development XII, LLC (collectively “Third Extension and Renewal Petitioners”), filed a Petition for Extensions and for Renewals of Capacity Reservations (“Petition for Third Extension and Petition for Renewal”) requesting an extension of capacity reservations for Generation Projects I, II, III, V, VII, and X and a renewal of capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII. Notice of the Petition for Third Extension and Petition for Renewal was published in the Commission’s Bulletin dated June 12, 2020 for a fifteen (15) day intervention period. No additional parties intervened. This matter was placed on the Agenda for the Commission’s July 15, 2020 B&E. Commission Staff issued its Staff Recommendation on Petition for Third Extension and Petition for Renewals of Capacity Reservations (“Staff Recommendation on Third Extension and Renewal Request”) on July 6, 2020. The matter was considered at the Commission’s July 15, 2020 B&E where the Commission adopted the Staff’s recommendation. Order No. U-34796-C issued August 12, 2020 reflects the Commission’s vote approving the extensions and renewals.

On December 30, 2020, South Alexander Development II, LLC; South Alexander Development III, LLC; South Alexander Development IV, LLC; South Alexander Development VI, LLC; South Alexander Development VII, LLC; South Alexander Development VIII, LLC; South Alexander Development IX, LLC; South Alexander Development X, LLC; South Alexander Development XI, LLC; and South Alexander Development XII, LLC (collectively “Fourth Extension Petitioners”) submitted a Fourth Request for Extension of Time and Capacity Reservations (“Fourth Extension Request”) seeking an extension of the commercial operation deadline for Generation Projects II and X from December 31, 2020 to December 31, 2021, an extension of the commercial operation deadline for Generation Projects III and VII from June 30, 2021 to December 31, 2021, and an extension of the construction commencement and commercial operation deadlines for Generation Projects IV, VI, VIII, IX, XI, and XII from June 30, 2021 and December 31, 2021 to December 31, 2021 and June 30, 2022, respectively. ALJ Kabel issued a notice reassigning this matter to Judge Guillot on January 4, 2021. Notice of the Fourth Extension Request was published in the Commission’s Official Bulletin dated January 8, 2021 for a 15-day intervention period. The Alliance for Affordable Energy filed an intervention. On January 26, 2021, Judge Guillot issued a Notice of Assignment. On January 28, 2021, Fourth Extension Petitioners filed a proposed form of Order in this matter as Exhibit B to the Fourth Extension

Request. No Intervenor expressed opposition to the Fourth Extension Request. On March 5, 2021, Staff issued its Staff Recommendation on Fourth Request for Extension of Time and Capacity Reservations (“Staff Recommendation on Fourth Extension Request”) recommending that the Commission adopt the Proposed Order attached as Attachment A and grant the Fourth Extension Request subject to terms and conditions.

IV. ORDER NO. U-34796

Order No. U-34796 provides the following:

On motion of Chairman Skrmetta, seconded by Vice Chairman Francis, and unanimously adopted the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57. On motion of Chairman Skrmetta, seconded by Commissioner Campbell, the Commission voted to adopt the draft order agreed to by the parties and filed into the record approving the request by Petitioners for a total reservation of twenty-nine and a half (29.5) MW of the capacity under the Entergy Louisiana, LLC Standard Offer Tariff Option, with 19 MW to be located in the Legacy EGSL service area and 10.5 MW to be located in the Legacy ELL service area, to be allocated among the various Petitioners as provided for herein, for Renewable Resources under §3.1.2 of the Commission’s Renewable Energy Pilot Program Implementation Plan subject to the following conditions:

If construction of any of the individual Generation Projects has not commenced within six (6) months of the anticipated date provided for in the Project Schedule—July 1, 2018 for the Generation Projects of South Alexander Development II, V, VI, VIII, IX, X, and XII (or not later than January 1, 2019) and January 1, 2019 for the Generation Projects of South Alexander Development I, III, IV, VII, and XI (or not later than July 1, 2019)—the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to January 1, 2019 or July 1, 2019, as applicable, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.

If commercial operation of any of the individual Generation Projects has not been reached within six (6) months of the anticipated date as provided for in the Project Schedule—December 31, 2018 for the Generation Projects of South Alexander Development II, V, VI, VIII, IX, X, and XII (or not later than June 30, 2019) and June 30, 2019 for the Generation Projects of South Alexander Development I, III, IV, VII, and XI (or not later than December 30, 2019)—the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown prior to June 30, 2019 or December 30, 2019, as applicable, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.

The Generation Projects otherwise meet the requirements of the current Schedule REP – Rate for Renewable Energy Pilot Purchases by Entergy Louisiana, LLC.

This reservation to Petitioners shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$0.3/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Pilot Implementation Plan; (b) waive the requirement that Petitioners’ Generation Projects meet the requirements for “new” renewable generation pursuant to the Renewable Pilot Implementation Plan; or (c) alter ELL’s obligation to accept a maximum of thirty (30) MW of qualifying renewable resources located in the EGSL Legacy service area and a maximum of thirty (30) MW of qualifying renewable resources located in ELL Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.

V. NOTICE OF SITE CHANGES AND MERGER OF PETITIONERS

In their Notice, Petitioners provided the notice as required by Order No. U-34796 that site changes were being made. Order No. U-34796 contemplates that some of the site locations for the respective Generation Projects may change as work proceeded on engineering and interconnection studies for the Generation Projects in coordination with ELL, and required that notice be filed with the LPSC in such event to confirm that the new site remains within the same Legacy ELL or EGSL service area. As provided in the Notice, as Petitioners worked through the engineering and interconnection issues in coordination with ELL, it became apparent that certain site changes were necessary. Petitioners worked with ELL to resolve feasibility issues associated with the initial sites. The Notice includes the chart below reflecting all site changes that have been determined as of the Notice filing. All of the Generation Project sites remain within the originally designated Legacy ELL or Legacy EGSL service areas and the overall number of MW of capacity in each of the Legacy ELL and Legacy EGSL service areas remains unchanged.

Project	Original Site Location	Changed Site Location
South Alexander Development I, LLC	Legacy ELL Livingston Parish GPS Coordinates: 30.448444, -90.572464	None
South Alexander Development II, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.229800, -93.103067	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.145756, -93.220662
South Alexander Development III, LLC	Legacy ELL Iberville Parish GPS Coordinates: 30.194745, -91.179834	Legacy ELL Lincoln Parish GPS Coordinates: 32.531128°, -92.771465°
South Alexander Development IV, LLC	Legacy EGSL St. Martin Parish GPS Coordinates: 30.319100, -91.855140	Legacy EGSL West Baton Rouge Parish GPS Coordinates: 30.468553°, -91.240250°
South Alexander Development V, LLC	Legacy ELL Tangipahoa Parish GPS Coordinates:	Legacy ELL Livingston Parish GPS Coordinates:

Project	Original Site Location	Changed Site Location
	30.422228, -90.443217	30.448444, -90.572464
South Alexander Development VI, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.163811, -93.269856	Legacy EGSL St. Landry Parish GPS Coordinates: 30.539951°, -91.966937°
South Alexander Development VII, LLC	Legacy ELL Tangipahoa Parish GPS Coordinates: 30.778908, -90.530389	Legacy ELL Lincoln Parish GPS Coordinates: 32.531128°, -92.771465°
South Alexander Development VIII, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.247, -93.493	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.230454°, -93.008021°
South Alexander Development IX, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.229928, -93.033350	Legacy EGSL St. Martin Parish GPS Coordinates: 30.320118°, -91.848794°
South Alexander Development X, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.127106, -93.209044	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.145756, -93.220662
South Alexander Development XI, LLC	Legacy EGSL St. Landry Parish GPS Coordinates: 30.436136, -92.097386	Legacy EGSL West Baton Rouge Parish GPS Coordinates: 30.468553°, -91.240250°
South Alexander Development XII, LLC	Legacy EGSL Calcasieu Parish GPS Coordinates: 30.152394, -93.273075	Legacy EGSL Iberia Parish GPS Coordinates: 29.995224°, -91.892611°

Petitioners also included in the Notice that because the site location changes have resulted in a number of the original Generation Projects being located together at the same sites, Petitioners determined that a number of the Petitioners would merge such that there will only be eight (8) Generation Projects and Petitioner entities following the mergers rather than the original twelve (12). However, there would be no assignment or transfer agreements or transactions with respect to any of the capacity reservations as a result of the mergers. The only change being made is that certain Petitioner entities would merge into other Petitioner entities resulting in the capacity reservations of the non-surviving Petitioner entities being held by the surviving Petitioner entities.

The charts below show the anticipated mergers for each of the Petitioner entities and Generation Projects within the service areas for Legacy ELL and Legacy EGSL.

LEGACY ELL PROJECTS				
Merged Project Names / Legacy ELL	Includes Original Projects	Total MW	Project Location	Initial Commence Construction Deadline
South Alexander Development I, LLC	I, V	6.00	30.448444, 90.572464	- 1/1/2019
South Alexander Development III, LLC	III, VII	4.5	32.531128°, 92.771465°	- 7/1/2019
Total MW		10.5 MW		

LEGACY EGSL PROJECTS				
Merged Project Names / Legacy EGSL	Includes Previous Projects	Total MW	Project Location	Initial Commence Construction Deadline
South Alexander Development IV, LLC	IV, XI	4.0	30.468553°, 91.240250°	- 7/1/2019
South Alexander Development VI, LLC	Not Merged	2.0	30.539951°, 91.966937°	- 1/1/2019
South Alexander Development VIII, LLC	Not Merged	1.0	30.230454°, 93.008021	- 1/1/2019
South Alexander Development IX, LLC	Not Merged	2.0	30.320118°, 91.848794°	- 1/1/2019
South Alexander Development X, LLC	II, X	6.0	30.145756, 93.220662	- 1/1/2019
South Alexander Development XII, LLC	Not Merged	4.0	29.995224°, 91.892611	- 1/1/2019
Total MW		19.0 MW		

VI. FIRST EXTENSION REQUEST

In the First Extension Request filed December 27, 2018, First Extension Petitioners acknowledged that January 1, 2019 was the required date pursuant to Order No. U-34796 by which Generation Projects VI, VIII, IX, and XII were required to commence construction, or otherwise file a request for extension of the capacity reservation for good cause. Additionally, as of January 1, 2019, Generation Projects VI, VIII, IX, and XII would have the following in progress: electrical engineering; geotechnical soil testing; topographical analysis; property survey; solar tracker slope tolerance design, analysis and approval; legal work; purchase orders for major equipment; and, a binding EPC Agreement for construction. However, actual physical construction of the generation solar equipment on Generation Projects VI, VIII, IX, and XII would not have commenced by January 1, 2019, but was anticipated by April 1, 2019. First Extension Petitioners requested that the Commission grant an extension of the construction commencement and commercial operation

dates and the corresponding capacity reservations for Generation Projects VI, VIII, IX, and XII. First Extension Petitioners asserted as good cause for the extension complexities experienced in modifying ELL's distribution interconnection process to better accommodate this magnitude of solar resources, through which Petitioners and ELL had worked diligently and cooperatively.

First Extension Petitioners further requested that the Commission grant an extension of the construction commencement deadline to July 1, 2019 for Generation Projects VI, VIII, IX, and XII such that if construction of the individual Generation Projects had not commenced within six (6) months of the anticipated July 1, 2019 date (or not later than January 1, 2020), the reserved capacity shall be released unless the respective Petitioner submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to January 1, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension.

Further, First Extension Petitioners requested that the LPSC grant an extension of the commercial operation deadline to December 31, 2019 for Generation Projects VI, VIII, IX, and XII such that if commercial operation of any of the Generation Projects has not been reached within six (6) months of the anticipated December 31, 2019 date (or not later than June 30, 2020), the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for each Generation Project for good cause shown prior to June 30, 2020, in which case the capacity will not be released until the LPSC has ruled on the request for extension.

VII. ORDER NO. U-34796-A

Having considered the First Extension Request, the reasons set forth therein, Order No. U-34796, and the fact that the First Extension Request was unopposed, Commission Staff recommended that the Commission grant an extension for Generation Projects VI, VIII, IX and XII. Staff's recommendations are detailed in its Staff Recommendation on First Extension Request, which was adopted by the Commission and reflected in Order No. U-34796-A. Order No. U-34796-A states as follows:

1. Petitioners have stated in the Notice that physical construction of the generation solar equipment at the project sites for Generation Projects I, II, V, and X has commenced as of January 1, 2019, thus satisfying the requirement to commence construction set out in Order No. U-34796 for those Generation Projects. If construction of the individual Generation Projects has not commenced within six (6) months of the anticipated date provided for in the Project Schedule - January 1, 2019, for Generation Projects I, III, IV, VII and XI (or not later than July 1, 2019) and the revised Project Schedule - July 1, 2019, for the Generation Projects VI, VIII, IX and XII (or not later than January 1, 2020) - the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to July 1, 2019, or January 1, 2020, as applicable, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.
2. If commercial operation of any of the individual Generation Projects has not been reached within six (6) months of the anticipated date as provided for in the Project Schedule - December 31, 2018, for II, V, X, (or not later than June 30, 2019); June 30, 2019, for Generation Projects I, III, IV, VII, and XI (or not later than December 31, 2019); and the revised Project Schedule December 31, 2019, for Generation Projects VI, VIII, IX and XII (or not later than June 30, 2020) - the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown prior to June 30, 2019, December 31, 2019, or June 30, 2020, as applicable, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.
3. The Generation Projects otherwise meet the requirements of the current Schedule REP – Rate for Renewable Energy Pilot Purchases by Entergy Louisiana, LLC.
4. This reservation to Petitioners shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$0.3/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Pilot Implementation Plan; (b) waive the requirement that Petitioners’ Generation Projects meet the requirements for “new” renewable generation pursuant to the Renewable Pilot Implementation Plan; or (c) alter ELL’s obligation to accept a maximum of thirty (30) MW of qualifying renewable resources located in the EGSL Legacy service area and a maximum of thirty (30) MW of qualifying renewable resources located in ELL Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.
5. This Order is effective immediately.

VIII. SECOND EXTENSION REQUEST

In the Second Extension Request filed June 28, 2019, the Second Extension Petitioners requested that the Commission grant an extension of the construction commencement date, and corresponding capacity reservations, for Generation Projects IV and XI and extension of the

commercial operation dates, and corresponding capacity reservations, for Generation Projects I, II, III, IV, V, VII, X, and XI.

Second Extension Petitioners acknowledged that Order No. U-34796 required Generation Projects I, II, V and X to reach commercial operation by not later than June 30, 2019, or otherwise file a request for extension of the capacity reservation for good cause prior to June 30, 2019. Generation Projects I, II, V and X commenced construction on schedule by January 1, 2019. Second Extension Petitioners asserted that Generation Projects I, II, V and X are the most advanced of the Generation Projects towards completion and interconnection and will provide guidance for subsequent interconnection work on the other Generation Projects. Second Extension Petitioners requested that the Commission grant an extension of the commercial operation date and the corresponding capacity reservations for Generation Projects I, II, V and X. Second Extension Petitioners asserted as good cause for the extension complexities experienced in modifying ELL's distribution interconnection process to better accommodate this magnitude of solar resources, through which Second Extension Petitioners and ELL had worked diligently and cooperatively.

Second Extension Petitioners then acknowledged that Order No. U-34796 required Generation Projects III and VII to commence construction by not later than July 1, 2019 and to reach commercial operation by not later than December 31, 2019, or otherwise file a request for extension of the capacity reservation for good cause prior to July 1, 2019 or December 31, 2019, as applicable. Second Extension Petitioners asserted that Generation Projects III and VII were on track to commence construction by the July 1, 2019 deadline, which LPSC Staff later confirmed with counsel for Second Extension Petitioners. However, Second Extension Petitioners anticipated that more time would be necessary to reach commercial operation due to the fact that the interconnection work for Generation Projects III and VII is dependent on the interconnection process that is still being developed in coordination with ELL on Generation Projects I, II, V and X, referenced above. Second Extension Petitioners requested that the Commission grant an extension of the commercial operation deadline and corresponding capacity reservations for Generation Projects III and VII. Second Extension Petitioners asserted as good cause for the extension complex interconnection work and dependency on the interconnection process developed on other Generation Projects.

Second Extension Petitioners then acknowledged that Order No. U-34796 required Generation Projects IV and XI to commence construction by not later than July 1, 2019 and to

reach commercial operation by not later than December 31, 2019, or otherwise file a request for extension of the capacity reservation for good cause prior to July 1, 2019 or December 31, 2019, as applicable. However, the current site location for Generation Projects IV and XI was experiencing difficulty with changes in loan guarantee criteria, which impacted necessary financing. Second Extension Petitioners requested that the Commission grant an extension of the construction commencement and commercial operation dates, and the corresponding capacity reservations, for Generation Projects IV and XI. Second Extension Petitioners asserted as good cause for the extension the changes in loan guarantee criteria.

Second Extension Petitioners requested an extension of the construction commencement deadline to not later than January 1, 2020 for Generation Projects IV and XI such that if construction of either Generation Project IV or XI had not commenced by January 1, 2020, the reserved capacity shall be released unless the respective Petitioner submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to January 1, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension.

Second Extension Petitioners further requested an extension of the commercial operation deadline to not later than June 30, 2020 for Generation Projects I, II, III, IV, V, VII, X and XI such that if commercial operation of any of the individual Generation Projects had not been reached by June 30, 2020, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for each Generation Project for good cause shown prior to June 30, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension.

IX. ORDER NO. U-34796-B

After considering the Second Extension Request, the reasons set forth therein, Order Nos. U-34796 and U-34796-A, and the fact that the request was unopposed, Commission Staff recommended that the Commission grant an extension for Generation Projects I, II, III, IV, V, VII, X and XI. Staff's recommendations are detailed in its Staff Recommendation on Second Request for Extension of Time and Capacity Reservation (Corrected) filed September 4, 2019 ("Staff Recommendation on Second Extension Request"), which includes Second Extension Request Exhibit A as an attachment and was adopted by the Commission and reflected in Order No. U-34796-B as follows:

1. Petitioners assert that physical construction of the generation solar equipment at the project sites for Generation Projects I, II, V, and X has commenced as of January 1, 2019 thus satisfying the requirement to commence construction set out in Order No. U-34796 for those Generation Projects. Further, that physical construction of the generation solar equipment at the project sites for Generation Projects III and VII has commenced as of July 1, 2019, thus satisfying the requirement to commence construction set out in Order No. U-34796-A for those Generation Projects. If construction of the individual Generation Projects has not commenced prior to January 1, 2020 for Generation Projects IV, VI, VIII, IX, XI, and XII, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to January 1, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.
2. If commercial operation of any of the individual Generation Projects has not been reached prior to June 30, 2020, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown prior to June 30, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension. The request for extension will be published in the Official Bulletin, along with a deadline for interventions.
3. The Generation Projects otherwise meet the requirements of the current Schedule REP – Rate for Renewable Energy Pilot Purchases by ELL.
4. This reservation to Petitioners shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$0.3/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Pilot Implementation Plan; (b) waive the requirement that Petitioners’ Generation Projects meet the requirements for “new” renewable generation pursuant to the Renewable Pilot Implementation Plan; or (c) alter ELL’s obligation to accept a maximum of thirty (30) MW of qualifying renewable resources located in the EGSL Legacy service area and a maximum of thirty (30) MW of qualifying renewable resources located in ELL Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.

X. PETITION FOR THIRD EXTENSION AND PETITION FOR RENEWAL

In the Petition for Third Extension Request and Renewal filed June 5, 2020, Third Extension and Renewal Petitioners requested that the Commission grant an extension of the commercial operation deadline, and corresponding capacity reservations, for Generation Projects I, II, V, and X, and an extension of the commercial operation deadline, and corresponding capacity reservations, for Generation Projects III and VII. Third Extension and Renewal Petitioners further requested that the Commission grant a renewal of the capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII.

Third Extension and Renewal Petitioners acknowledged that Order No. U-34796-B required Generation Projects I, II, V, and X to reach commercial operation by June 30, 2020, or otherwise file a request for extension of the capacity reservation for good cause prior to June 30, 2020. Generation Projects I, II, V, and X commenced construction on schedule by January 1, 2019. Third Extension and Renewal Petitioners asserted that Generation Projects I, II, V, and X are the most advanced of the Generation Projects towards completion and interconnection and will provide guidance for subsequent interconnection work on the other Generation Projects. Third Extension and Renewal Petitioners requested that the Commission grant an extension of the commercial operation date and the corresponding capacity reservations for Generation Projects I, II, V, and X asserting as good cause for the extension delays associated with COVID-19.

Third Extension and Renewal Petitioners then acknowledged that Order No. U-34796-B required Generation Projects III and VII to reach commercial operation by June 30, 2020, or otherwise file a request for extension of the capacity reservation for good cause prior to June 30, 2020. Generation Projects III and VII timely commenced construction on schedule by July 1, 2019. Third Extension and Renewal Petitioners asserted that the interconnection study work and engineering is ongoing in coordination with ELL. Third Extension and Renewal Petitioners requested that the Commission grant an extension of the commercial operation deadline and corresponding capacity reservations for Generation Projects III and VII asserting as good cause for the extension delays associated with COVID-19.

Third Extension and Renewal Petitioners requested an extension of the existing commercial operation deadline for Generation Projects I, II, V, and X to December 31, 2020 such that if commercial operation of Generation Projects I, II, V, or X is not reached by December 31, 2020, the reserved capacity shall be released unless the respective Petitioner submitted a request for an extension of the capacity reservation for such General Project for good cause prior to December 31, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension.

Third Extension and Renewal Petitioners further requested an extension of the existing commercial operation deadline for Generation Projects III and VII to June 30, 2021 such that if commercial operation has not been reached by June 30, 2021, the reserved capacity shall be released unless the respective Petitioner has submitted a request for extension of the capacity

reservation for each Generation Project for good cause shown prior to June 30, 2021, in which case the capacity will not be released until the Commission has ruled on the request for extension .

Third Extension and Renewal Petitioners requested that the Commission grant a renewal of the capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII acknowledging that Order Nos. U-34796-A and B required Generation Projects IV, VI, VIII, IX, XI, and XII to commence construction by January 1, 2020, and to reach commercial operation by June 30, 2020, or otherwise file a request for extension of the capacity reservation for good cause prior to July 1, 2019 or December 31, 2019, as applicable. Third Extension and Renewal Petitioners further acknowledged that Generation Projects IV, VI, VIII, IX, XI, and XII did not meet the commence construction deadline of January 1, 2020 as previously anticipated, and an extension of time was not submitted prior to January 1, 2020 as set forth in the LPSC's last extension approval in Order U-34796-B.

Third Extension and Renewal Petitioners asserted that plans for Generation Projects IV, VI, VIII, IX, XI, and XII continue to be in place, including financing approvals, and work on interconnection studies is ongoing in coordination with ELL. However, commencement of construction is being staged to follow the Generation Projects I, II, III, V, VII, and X and delays on those Generation Projects due to COVID-19 have likewise resulted in delays in Generation Projects IV, VI, VIII, IX, XI, and XII.

Third Extension and Renewal Petitioners noted that the sites for Generation Projects VIII and IX changed to the same site as Generation Project XII. Generation Projects VIII, IX, and XII were merged into a single merged project for interconnection efficiency. The sites for Generation Projects VIII and IX continue to be within the Legacy EGSL service area as originally planned and approved for capacity reservations.

Third Extension and Renewal Petitioners requested a renewal of the capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII asserting as good that the Generation Projects have been planned to follow the other Generation Projects, which are continuing to advance toward completion.

Third Extension and Renewal Petitioners requested a renewal of the capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII with a construction commencement deadline of June 30, 2021 and a commercial operation deadline of December 31, 2021 such that if any of the Generation Projects has not commenced construction by June 30, 2021 or has not reached

commercial operation by December 31, 2021, the reserved capacity shall be released unless the respective Petitioner submitted a request for an extension of the capacity reservation for such Generation Project for good cause prior to June 30, 2021 or December 31, 2021, as applicable, in which case the capacity will not be released until the Commission has ruled on the request for renewal.

XI. ORDER NO. U-34796-C

After considering the Petition for Third Extension and Petition for Renewal, and the reasons set forth therein; Order Nos. U-34796, U-34796-A, and U-34796-B; and, the fact that this request is unopposed, Staff recommended that the Commission grant an extension of the commercial operation deadline for Generation Projects I, II, V and X to December 31, 2020; an extension of the commercial operation deadline for Generation Projects III and VII to June 30, 2021; and a renewal of capacity reservations for Generation Projects IV, VI, VIII, IX, XI, and XII, all subject to certain terms and conditions. Staff's Recommendation on Petition for Third Extension and Petition for Renewals of Capacity Reservations filed July 6, 2020 ("Staff Recommendation on Third Extension and Renewal Request"), which includes a Proposed Order as Attachment A, was adopted by the Commission and reflected in Order No. U-34796-C as follows:

1. Petitioners assert that physical construction of the generation solar equipment at the project sites for Generation Projects I, II, V, and X has commenced as of January 1, 2019 thus satisfying the requirement to commence construction set out in Order No. U-34796 for those Generation Projects. If commercial operation of any of these individual Generation Projects has not been reached by December 31, 2020, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown on or before December 31, 2020, in which case the capacity will not be released until the Commission has ruled on the request for extension.
2. Petitioners assert that physical construction of the generation solar equipment at the project sites for Generation Projects III and VII has commenced as of July 1, 2019, thus satisfying the requirement to commence construction set out in Order No. U-34796-A for those Generation Projects. If commercial operation of any of these individual Generation Projects has not been reached by June 30, 2021, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown on or before June 30, 2021, in which case the capacity will not be released until the Commission has ruled on the request for extension.

3. For Generation Projects IV, VI, VIII, IX, XI, and XII, if construction of any of the individual Generation Projects has not commenced prior to June 30, 2021, and/or commercial operation of any of the individual Generation Projects has not been reached prior to December 31, 2021, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause shown on or before June 30, 2021, or December 31, 2021, respectively, in which case the capacity will not be released until the Commission has ruled on the request for extension.
4. All requests for extension will be published in the Official Bulletin, along with a deadline for interventions.
5. The Generation Projects must otherwise meet the requirements of the current Schedule REP – Rate for Renewable Energy Pilot Purchases by ELL.
6. This reservation to Petitioners shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$0.3/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Pilot Implementation Plan; (b) waive the requirement that Petitioners’ Generation Projects meet the requirements for “new” renewable generation pursuant to the Renewable Pilot Implementation Plan; or (c) alter ELL’s obligation to accept a maximum of thirty (30) MW of qualifying renewable resources located in the EGSL Legacy service area and a maximum of thirty (30) MW of qualifying renewable resources located in ELL Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.
7. This Order amends and supersedes Order No. U-34796-B.
8. This Order is effective immediately.

XII. FOURTH EXTENSION REQUEST

In its filing on December 30, 2020, Fourth Extension Petitioners seek an extension of the commercial operation deadline for Generation Projects II, III, VII, and X to December 31, 2021. If commercial operation of any of the individual Generation Projects has not been reached by December 31, 2021, the reserved capacity shall be released unless the respective Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause on or before December 31, 2021, in which case the capacity will not be released until the LPSC has ruled on the request for extension.

Fourth Extension Petitioners also seek an extension of the commence construction deadline for Generation Projects IV, VI, VIII, IX, XI, and XII to December 31, 2021 and the commercial operation deadline for Generation Projects IV, VI, VIII, IX, XI, and XII to not later than June 30, 2022. If construction for any of the individual Generation Projects has not commenced prior to December 31, 2021 or commercial operation of any of the individual Generation Projects has not been reached by June 30, 2022, the reserved capacity shall be released unless the respective

Petitioner has submitted a request for an extension of the capacity reservation for such Generation Project for good cause on or before December 31, 2021 or June 30, 2022, as applicable, in which case the capacity will not be released until the LPSC has ruled on the request for extension.

Submitted with the Fourth Request for Extension are: an Affidavit from Robert Schmidt, President of the Fourth Extension Petitioners; Exhibit A, a chart that provides a list and description of all of the Generation Projects, including the Legacy ELL/EGSL service area, parish location, size in MW, merger status and the current and proposed new deadlines for construction commencement and commercial operation as applicable; and Exhibit B, a Proposed Order.

Exhibit A to the Fourth Request for Extension proposes as follows:

Projects	Legacy ELL/EGSL	Location	Total MW	Commence Construction Deadline (not later than)	Commercial Operation Deadline (not later than)
Original Projects: I/V (Merged Project I)⁸	Legacy ELL	Livingston Parish GPS Coordinates: 30.448444, - 90.572464	6.0	January 1, 2019	December 31, 2020
Original Projects: II/X (Merged Project X)	Legacy EGSL	Calcasieu Parish GPS Coordinates: 30.145756, - 93.220662	6.0	January 1, 2019	December 31, 2021
Original Projects: III/VII (Merged Project III)	Legacy ELL	Lincoln Parish GPS Coordinates: 32.531128, - 92.771465	4.5	July 1, 2019	December 31, 2021
Original Projects: IV/XI (Merged Project IV)	Legacy EGSL	West Baton Rouge Parish GPS Coordinates: 30.468553, - 91.240250	4.0	December 31, 2021	June 30, 2022
Original Project: VI (Not Merged)	Legacy EGSL	St. Landry Parish GPS Coordinates: 30.539951, - 91.966937	2.0	December 31, 2021	June 30, 2022
Original Projects: VIII/IX/XII (Merged Project XII)	Legacy EGSL	Iberia Parish GPS Coordinates: 29.995224, - 91.892611	7.0	December 31, 2021	June 30, 2022

A. Generation Projects II/X (Merged South Alexander Development X, LLC)

Fourth Extension Petitioners seek an extension of the commercial operation deadline, and the corresponding capacity reservations, for Generation Projects II and X. Pursuant to LPSC Order No. U-34796-C, Generation Projects II and X were required to reach commercial operation by

⁸ This Project was completed in December 2020 and an Interconnection Agreement between South Alexander 1, LLC and ELL was approved by the Commission in Order No. S-35850 dated February 24, 2021.

December 31, 2020, or otherwise file a request for extension of the capacity reservation for good cause prior to December 31, 2020. The instant Fourth Extension Request was timely filed on December 30, 2020. Fourth Extension Petitioners submit that Generation Projects II and X are located in Calcasieu Parish in the vicinity of Lake Charles, Louisiana, and commenced construction on schedule by January 1, 2019. Fourth Extension Petitioners further submit that progress of Generation Projects II and X was delayed by Hurricanes Laura and Delta, which inflicted severe damage to electric transmission and distribution systems in the Lake Charles area and also materially impacted the ability to conduct work and operations in the Lake Charles area over numerous months. Therefore, additional time is necessary to complete work on Generation Projects II and X.

Fourth Extension Petitioners state that good cause exists for an extension and seek an extension of the existing commercial operation deadline for Generation Projects II and X to December 31, 2021.

B. Generation Projects III/VII (Merged South Alexander Development III, LLC)

Fourth Extension Petitioners seek an extension of the commercial operation deadline, and the corresponding capacity reservations, for Generation Projects III and VII. Pursuant to LPSC Order No. U-34796-C, Generation Projects III and VII were required to reach commercial operation by June 30, 2021, or otherwise file a request for extension of the capacity reservation for good cause prior to June 30, 2021. The instant Fourth Extension Request was timely filed on December 30, 2020. Fourth Extension Petitioners submit that Generation Projects III and VII are located in Lincoln Parish in the vicinity of Ruston, Louisiana, and commenced construction on schedule by July 1, 2019. Fourth Extension Petitioners further submit that work on the Generation Projects has been staged such that work on Generation Projects III and VII does not occur until after work on Generation Projects II and X. Therefore, delays on Generation Projects II and X due to Hurricanes Laura and Delta have likewise resulted in delays in Generation Projects III and VII. Further, Hurricane Laura also inflicted extensive damage to electric systems in the Ruston area and materially impacted the ability to conduct work and operations in the Ruston area over numerous months. Therefore, additional time is necessary to complete work on Generation Projects III and VII.

Fourth Extension Petitioners state that good cause exists for an extension and seek an extension of the existing commercial operation deadline for Generation Projects III and VII to December 31, 2021.

C. Generation Projects IV, VI, VIII, IX, XI, and XII (including Merged South Alexander Development IV and XII)

Fourth Extension Petitioners seek an extension of the commence construction and commercial operation deadlines, and the corresponding capacity reservations, for Generation Projects IV, VI, VIII, IX, XI, and XII. Pursuant to LPSC Order U-34796-C, Generation Projects IV, VI, VIII, IX, XI, and XII were required to commence construction by June 30, 2021, and/or reach commercial operation by December 31, 2021, or otherwise file a request for extension of the capacity reservation for good cause prior to June 30, 2021 and/or December 31, 2021, respectively. The instant Fourth Extension Request was timely filed on December 30, 2020. Fourth Extension Petitioners submit that delays on Generation Projects II, III, VII, and X due to Hurricanes Laura and/or Delta have likewise resulted in delays in Generation Projects IV, VI, VIII, IX, XI, and XII, as the work has been staged to occur in sequence. Therefore, additional time is necessary to complete work on Generation Projects IV, VI, VIII, IX, XI, and XII.

Fourth Extension Petitioners state that good cause exists for an extension and seek an extension of the existing commence construction and commercial operation deadlines for Generation Projects IV, VI, VIII, IX, XI, and XII to December 31, 2021 and June 30, 2022, respectively.

XIII. STAFF RECOMMENDATION ON FOURTH REQUEST FOR EXTENSION OF TIME AND CAPACITY RESERVATIONS

Staff filed its Staff Recommendation on Fourth Request for Extension of Time and Capacity Reservations on March 10, 2021, which states that having considered the Fourth Extension Request, and the reasons set forth therein; Order Nos. U-34796, U-34796-A, U-34796-B, and U-34796-C; and, the fact that this request is unopposed, Staff recommends that the Commission grant an extension of the commercial operation deadline for Generation Projects II, III, VII, and X to December 31, 2021 and an extension of the construction commencement and commercial operation deadlines for Generation Projects IV, VI, VIII, IX, XI, and XII to December 31, 2021 and June 30, 2022, respectively. Staff reviewed the Proposed Order submitted with the Fourth Extension Request as Exhibit B. Staff attached to its Staff Recommendation on Fourth Request for Extension of Time and Capacity Reservations, as Attachment A, a modified version

of the Proposed Order and recommended that the Commission adopt that form of Proposed Order. Staff further recommended that this matter be considered at the Commission's March 17, 2021 B&E.

XIV. COMMISSION ACTION

This matter was placed on the Agenda for consideration at the Commission's March 17, 2021 B&E. On motion of Vice Chairman Skrmetta, seconded by Commissioner Francis, and unanimously adopted, the Commission voted to accept the Staff Recommendation and adopt the Proposed Order attached as Attachment A, granting the Fourth Extension Request filed December 30, 2020, subject to the terms and conditions consistent with Commission Order Nos. U-34796, U-34796-A, U-34796-B, and U-34796-C.

THEREFORE IT IS ORDERED

1. Petitioners assert that physical construction of the generation solar equipment at the project sites for Generation Projects II and X has commenced as of January 1, 2019, thus satisfying the requirement to commence construction set out in Order No. U-34796 for those Generation Projects. If commercial operation of any of these individual Generation Projects has not been reached by December 31, 2021, the reserved capacity shall be released. Petitioners may submit a request for another capacity reservation.
2. Petitioners assert that physical construction of the generation solar equipment at the project sites for Generation Projects III and VII has commenced as of July 1, 2019, thus satisfying the requirement to commence construction set out in Order No. U-34796-A for those Generation Projects. If commercial operation of any of these individual Generation Projects has not been reached by December 31, 2021, the reserved capacity shall be released. Petitioners may submit a request for another capacity reservation.
3. For Generation Projects IV, VI, VIII, IX, XI, and XII, if construction of any of the individual Generation Projects has not commenced prior to December 31, 2021, and/or commercial operation of any of the individual Generation Projects has not been reached prior to June 30, 2022, the reserved capacity shall be released. Petitioners may submit a request for another capacity reservation.
4. Any request for another capacity reservation will be published in the Official Bulletin, along with a deadline for interventions and will be subject to Commission review and approval.
5. The Generation Projects must otherwise meet the requirements of the current Schedule REP – Rate for Renewable Energy Pilot Purchases by ELL.

- 6. This reservation to Petitioners shall not serve to: (a) extend the Commission’s pilot program standard offer pricing of \$0.3/kWh above avoided cost beyond a contract term of five (5) years allowed for in the Renewable Pilot Implementation Plan; (b) waive the requirement that Petitioners’ Generation Projects meet the requirements for “new” renewable generation pursuant to the Renewable Pilot Implementation Plan; or (c) alter ELL’s obligation to accept a maximum of thirty (30) MW of qualifying renewable resources located in the EGSL Legacy service area and a maximum of thirty (30) MW of qualifying renewable resources located in ELL Legacy service area under Schedule REP regardless of when such qualifying capacity is reserved or commissioned.
- 7. This Order amends and supersedes Order No. U-34796-C.
- 8. This Order is effective immediately

**BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA**

April 15, 2021



A handwritten signature in blue ink, appearing to read "Brandon M. Frey".

**BRANDON M. FREY
SECRETARY**

/S/ CRAIG GREENE
**DISTRICT II
CHAIRMAN CRAIG GREENE**

/S/ ERIC F. SKRMETTA
**DISTRICT I
VICE CHAIRMAN ERIC F. SKRMETTA**

/S/ FOSTER L. CAMPBELL
**DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL**

/S/ LAMBERT C. BOISSIERE, III
**DISTRICT III
COMMISSIONER LAMBERT C. BOISSIERE, III**

/S/ MIKE FRANCIS
**DISTRICT IV
COMMISSIONER MIKE FRANCIS**