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LA PUBLIC SERVICE COMM
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VIA ELECTRONIC MAIL

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Metairie, Louisiana 70005

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District 2 – Baton Rouge
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Commissioner Foster L. Campbell
District 5 - Shreveport
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Commissioner Davante Lewis
District 3 – New Orleans
1450 Poydras Street, Suite 1402
New Orleans, Louisiana 70112

Re: LPSC Agenda Exhibit 2, November 18, 2026 Business & Executive Session; In Re: Notice of Proceeding regarding Determination and Evaluation of Private Use Electrical Networks in Order to Enable Generation to Serve New Large Loads Looking to Locate in Louisiana; LPSC Docket No. R-37905

Dear Commissioners:

On behalf of Powering Prosperity, a national 501(c)(4) public policy organization dedicated to advancing pro-growth, pro-build energy policies that expand America's electric power infrastructure, increase generating capacity, and encourage private investment in energy development, we respectfully submit this letter regarding the Louisiana Public Service Commission's ("LPSC") Final Proposed Rules for Private Use Electrical Networks ("PENs") issued by Commission Staff on November 4, 2026.

As an organization working across the country to advance policies that reduce government created barriers to the energy infrastructure investment needed to address America's growing demand for electricity, Powering Prosperity was encouraged to see the Commission's original effort to establish a workable framework for PENs in Louisiana. We viewed this proceeding as an

important opportunity for Louisiana to create a straightforward and transparent pathway for private capital to help meet the state's rapidly growing electricity needs.

Unfortunately, we are concerned that the Commission Staff's most recent proposed rule moves considerably away from that objective. Rather than establishing a practical and commercially viable pathway for private investment, the Final Proposed Rules have become increasingly complex, restrictive, and administratively burdensome. The 11-page Initial Staff Proposal of August 14, 2026, has given way to a 30- page Final Proposed Rule that is smothered with red tape and saturated in uncertainty. The cumulative effect is a framework that, as currently drafted, erects unnecessary and artificial barriers to the "narrow" purpose of the Rule as defined by Staff in its August 14, 2026, Initial Proposal: the creation of a "limited additional avenue to serve new large load customers." What was narrow has become unworkable.

Importantly, PENs should not be viewed as a replacement for the traditional regulated utility model. Rather, they represent a complementary opportunity to bring additional private capital, generation resources, and infrastructure into the state's energy system. Allowing private developers and large energy users to finance and develop appropriate energy infrastructure can help accelerate the availability of power, place project-specific investment risks on willing participants and reduce the pressure on utility capital plans and the existing ratepayers who ultimately support them. These opportunities exist across multiple generation technologies, including natural gas, nuclear, and renewable resources.

Powering Prosperity recognizes and supports the Commission's responsibility to maintain system reliability, protect existing utility customers, and establish appropriate regulatory oversight. However, those objectives should be pursued through reasonable safeguards that preserve the underlying purpose of the framework, rather than through requirements that effectively discourage its use. Considering a PEN only applies to new load, that the PEN would pay for its own generation, that interconnection for export would be governed by existing and robust MISO rules and engineering standards, it is inexplicable why there are so many unnecessary burdens being put on a PEN, from the application through continued operation.

Accordingly, we respectfully encourage the Commission to reconsider the cumulative requirements of the November 4 Final Proposed Rules and return to the more workable framework contemplated in Staff's original proposal, incorporating reasonable clarifications and safeguards that protect the public interest without unnecessarily restricting participation, such as the cost causation principles Power Prosperity enumerated in its September 25, 2026, Responses to LPSC's Follow Up Questions. Powering Prosperity also agrees with the concerns brought forward by the Louisiana Energy Users Group (LEUG), Louisiana Chemistry Association (LCA), and the Louisiana Mid-Continent Oil & Gas Associate (LMOGA) in their letter filed on November 16, 2026 and support the rule modifications requested. Louisiana should not adopt a framework that

creates the appearance of an opportunity for private investment while imposing conditions that make that opportunity commercially unworkable. At a time when the state needs more generation, more infrastructure, and more private capital, the Commission should ensure that its rules encourage the very investment Louisiana is seeking to attract. A framework that is technically available, but commercially impractical does little to inspire investor confidence.

Powering Prosperity appreciates the Commission's consideration of the concerns laid out in this letter and the work done by this Commission thus far to address the state's current energy needs. We hope that the Commission will return to the August 14, 2026, Initial Staff Proposal with the limited clarifications and adjustments proposed by Powering Prosperity in our rule redlines filed on September 25, 2026 as the basis for a Louisiana PEN framework. That will ensure the opportunity for large customers to make investments under the PEN framework is not simply available in theory, but genuinely workable and attractive in practice.

Respectfully submitted,



Gordon Polozola
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