

cc: JB

STATE OF LOUISIANA
BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION

IN RE INTEGRATED RESOURCE)
PLANNING ("IRP") PROCESS FOR)
ENTERGY LOUISIANA, LLC PURSUANT) **DOCKET NO. I-37764**
TO THE CORRECTED GENERAL ORDER)
NO. R-30021, DATED APRIL 20, 2012)
)

**JOINT MOTION TO COMPEL ENTERGY LOUISIANA, LLC
TO ENGAGE IN A MANDATORY DISCOVERY PROCESS**

Dated: April 17, 2026

Shannon Fisk
Jacob Elkin
Earthjustice
48 Wall Street, 15th Floor
New York, NY 10005
sfisk@earthjustice.org
jelkin@earthjustice.org

*On Behalf of the Alliance
for Affordable Energy*

Joshua Smith
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
joshua.smith@sierraclub.org

On Behalf of the Sierra Club

Paul Arbaje
Union of Concerned Scientists
200 East Randolph Street, Suite 5151
Chicago, IL 60601
PArbaje@ucs.org

*On Behalf of the Union
of Concerned Scientists*

Whit Cox
Southern Renewable Energy Association
11610 Pleasant Ridge Road, Suite 103 #
176
Little Rock, AR 72223
(501) 701-0874
whit@southernrenewable.org

*On Behalf of the Southern Renewable
Energy Association*

Hand

INTRODUCTION

On January 21, 2026, Entergy Louisiana, LLC (“ELL”) filed its data assumptions to be used in the Integrated Resource Planning (“IRP”) process (“ELL IRP Data Filing”), as required by the Louisiana Public Service Commission (“Commission”) Corrected General Order in Case No. R-30021 (“IRP Rules”). ELL’s IRP Data Filing states that “The purpose of this presentation is to provide an overview of the scope and assumptions of ELL’s upcoming Integrated Resource Plan (IRP) with an expected filing of the Final IRP Report in May 2027.”¹ Subsequently, ELL has filed multiple applications for the certification of new generation, storage, and transmission resources in Docket Nos. U-37853 and U-37882, seeking approval of approximately 6,786 MW of new baseload generation, including nine (9) 754 megawatt Combined Cycle Combustion Turbine (“CCCT”) generators.² The ELL IRP Data Filing mentioned none of the nine proposed CCCT generators.³ These filings in Docket Nos. U-37853 and U-37882 indicate that the data and assumptions contained in ELL IRP Data Filing are no longer accurate, and likewise indicate that most of the data and assumptions contained in (or otherwise relevant to) these filings regarding load growth anticipations and generation addition expectations were withheld from the ELL IRP Data Filing in January.

¹ ELL IRP Data Filing at 3.

² U-37853, ELL Application at 3 (“ELL seeks authorization to construct the Proposed Generators, two 754 megawatt ...[CCCT] units to assist with the Company’s base supply needs.”); U-37882, ELL Application at 16 (“With respect to generation and capacity resources, ELL is proposing to construct seven new 1x1 CCCT generators, each of which will have a nameplate capacity of 754 MW for a combined addition of 5,278 MW of new baseload generation, as well as three separate battery storage resources.”)

³ ELL IRP Data Filing at 10, slide 8. When asked at the March 6, 2026 Stakeholder Meeting whether the two CCCT generators proposed in Docket No. U-37853 were included in Slide 8 as part of ELL’s “Total Planned CCCT,” ELL could not provide an answer, and ELL made no mention at the Stakeholder Meeting of the CCCT generators that it would go on to propose in Docket No. U-37882.

On March 6, 2026, ELL held a Stakeholder Meeting in Docket No. I-37764,⁴ concerning ELL's IRP process. During this meeting, ELL refused to engage in a collaborative process or provide stakeholders with a reasonable opportunity to provide input into the development of the utility's IRP, as required by the IRP Rules. For instance, when stakeholders asked ELL staff if the load growth projections provided to stakeholders included the announced Hyundai steel facility, ELL staff initially stated they did not know. Stakeholders then asked if the load growth scenario was the only one to be used, and ELL clarified that the data provided is the "lowest" load forecast but did not provide a reference case nor a high case. ELL committed to providing that data well before the written input date for stakeholder comments (i.e., April 24, 2026). Stakeholders further asked ELL if there are other generation resources they will 'bake in' to the model that aren't included in the data provided to stakeholders. ELL responded that if there are, they can include them in a supplemental filing. However, ELL has not made any supplemental IRP filing as of this date.

During the Stakeholder Meeting, ELL's representatives also announced that ELL would not agree to engage in discovery in the IRP docket.⁵ ELL based this refusal on the inaccurate claim that Rule 63 of the Rules of Practices and Procedures of the Louisiana Public Service Commission ("Commission Rules") prohibits discovery in IRP cases. ELL's legal premise is faulty, and the Alliance for Affordable Energy, Union of Concerned Scientists, Sierra Club, and Southern Renewable Energy Association (collectively, "Movants") urge ELL to engage in a discovery process to ensure robust development of the most economic and reliable resource plan. Specifically, Movants request the opportunity to ask in writing—and receive time-bound, written

⁴ As of the date of filing, the parties in interest in this proceeding include the Movants; Entergy Louisiana, LLC; the Louisiana Energy Users Group; and the Conservative Energy Network.

⁵ ELL has also failed to respond to Staff's February 20, 2026 data requests in this docket within Staff's request, and has also not responded to data requests that were sent by the Louisiana Energy Users Group on January 27, 2026.

responses to—questions seeking clarification or explanation about specific details in ELL’s data assumptions and ELL’s future filings in this docket, along with questions seeking identification or production of sources or analyses supporting ELL’s assumptions or data. As explained below, such opportunity is necessary to ensure that parties to this proceeding are fully informed about ELL’s analyses and assumptions and to enable full engagement in this collaborative process, particularly since ELL has withheld relevant information from its IRP Data Filing that was made in this docket in January.

ARGUMENT

IRP cases are governed by the Commission’s Corrected General Order in Case No. R-30021 (“IRP Rules”). The IRP Rules do not preclude discovery, and in fact explicitly anticipate that parties will engage in discovery. Section 10(e) provides that

Each IRP Process, as contemplated by this section will be docketed as a Staff-level proceeding beginning with the letter ‘I’. An Administrative Law Judge will only be assigned in the event of a discovery or procedural dispute, or if so ordered by the Commission, at which time the docket would convert to a ‘U’ docket.”⁶

There cannot be a discovery dispute without opportunity to engage in discovery, and Entergy’s claimed exemption from discovery would inappropriately render Section 10(e)’s language meaningless. Section 10(e) can therefore only be interpreted as permitting and anticipating discovery in IRP cases.

Without a discovery process, the broader goals of the Commission’s IRP Rules would also be frustrated. The Commission intended the IRP Rules to “encourage a collaborative working process with stakeholders,” and the Commission recognized that stakeholder involvement should be “a collaborative process that will provide valuable insight regarding the

⁶ LPSC Corrected General Order, Docket No. R-30021, April 18, 2012. Section 10(e).

utility's IRP."⁷ In order for this process to be truly collaborative and generate fully-informed input from stakeholders, it is imperative for stakeholders to be able to seek clarification, explanation, and identification of supporting materials. Already in this docket, ELL's refusal to timely respond to discovery in this proceeding and serve responses on all parties pursuant to Commission Rule 65 has hindered the ability of the parties to develop informed written recommendations pursuant to Event 4 in the IRP Rules, and thus has hindered the parties' ability to effectively participate in this proceeding. ELL's refusal to respond to discovery is particularly egregious in light of the fact that ELL has also refused to be forthcoming with data assumptions in its IRP Data Filing.

Commission Rule 63 does not exempt IRPs from formal discovery. That rule merely states what code should apply in adjudicatory proceedings before administrative law judges ("ALJs").⁸ It in no way limits discovery to ALJ-level proceedings. In fact, discovery is commonly permitted in other Staff-level proceedings not before ALJs. For instance, utilities have responded to discovery requests in expedited, Staff-level dockets related to specific debt issuances,⁹ and in Staff-level applications for recognition as regulated public utilities.¹⁰ Thus, the fact that IRP dockets are Staff-level proceedings unless there are discovery or procedural disputes does not preclude engaging in discovery. This is further evidenced by the fact that the Southwestern Electric Power Company and Cleco Power LLC both recently responded to data requests in their ongoing IRP processes, in Docket Nos. I-37811 and I-37765 respectively.

⁷ *Id.* at Sections 1, 10(f)(iv).

⁸ Commission Rule 63, titled "Forms of Discovery Permitted/Limitations," reads in its entirety: "Formal discovery shall be conducted in adjudicatory proceedings in accordance with the Louisiana Code of Civil Procedure but may be limited at the discretion of the administrative law judge. Requests for admission are specifically disallowed, unless propounded with the prior express consent of the administrative law judge."

⁹ See Staff Order, Docket No. S-34624, Dec. 15, 2017. Pp. 5-6.

¹⁰ See Staff Order, Docket No. S-35709, July 2, 2021. Pp. 2-3.

Furthermore, when the Commission has intended to limit discovery, it has done so explicitly. For instance, Commission Rule 6(F) plainly states that “[d]iscovery shall not be permitted during the Stipulated Settlement process, except by permission of the ALJ upon a showing of good cause.” Likewise, in the Commission’s October 19, 2018 General Order in Docket No. R-34407, in which the Commission created procedures for utility decisions to retire or to deactivate existing generating facilities, the Commission explicitly stated that “there will be no formal discovery allowed.”¹¹ Importantly, unlike IRP dockets, the dockets created pursuant to Docket No. R-34407 do not “permit intervention” and do not “result in any Commission action, including but not limited to reviewing the prudence of the utility’s deactivation or retirement decision,” with the dockets existing for “recordkeeping and initial notice purposes only.”¹² Thus, the Commission had reason to prohibit discovery in such dockets, and the Commission did not have reason to do so in IRP dockets.

CONCLUSION AND PRAYER FOR RELIEF

Because the Commission’s Corrected General Order in Docket No. R-30021 contemplates discovery by the parties and ELL has provided no sound basis for refusing to participate in discovery, Movants respectfully request the Commission to order ELL to provide time-bound (i.e., within 10 days), written responses to written questions seeking clarification or explanation about specific details in ELL’s data assumptions and ELL’s future filings in this docket, along with questions seeking identification or production of sources or analyses supporting ELL’s assumptions or data.

¹¹ LPSC General Order, Docket No. R-34407, Oct. 19, 2018. P. 10.

¹² *Id.* at pp. 7, 10.

The Movants also request that the Commission direct ELL to make a supplemental IRP Data Filing with accurate and up to date data assumptions (i.e., Event 2 in the IRP Rules), including the load growth, generation, and transmission assumptions set forth in ELL's recent applications for the certification of new generation, storage, and transmission resources in Docket Nos. U-37853 and U-37882.

Because Entergy's actions in this proceeding, including Entergy's withholding of relevant data assumptions, Entergy's refusal to engage in discovery in this proceeding, and Entergy's refusal to make a supplemental IRP Data Filing with accurate data assumptions, thus far have hindered stakeholders' ability to develop informed written recommendations pursuant to Event 4 in the IRP Rules, Movants further request the Commission to extend the deadline for filing written comments pursuant to Event 4 by at least 45 days from the initially proposed date of April 24, 2026, with corresponding adjustments to all following events. Additionally, the Movants request that the revised deadline for the Event 4 Stakeholder comments be at least 30 days after the date that ELL makes a supplemental IRP Data Filing with updated data assumptions.

The Movants further request that the Commission assign an Administrative Law Judge to establish and conduct necessary proceedings (including a procedural schedule) for the disposition of this Motion in a timely manner.

April 17, 2026

Respectfully submitted,



Shannon Fisk
Jacob Elkin
Earthjustice
48 Wall Street, 15th Floor
New York, NY 10005
(215) 717-4522
Fax: (212) 918-1556
sfisk@earthjustice.org

*On Behalf of Alliance for
Affordable Energy*



Joshua Smith
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
joshua.smith@sierraclub.org

On Behalf of the Sierra Club



Paul Arbaje
Union of Concerned Scientists
200 East Randolph Street, Suite 5151
Chicago, IL 60601
(617) 716-6314
PARbaje@ucs.org

*On Behalf of the Union
of Concerned Scientists*



Whit Cox
Southern Renewable Energy Association
11610 Pleasant Ridge Road, Suite 103 # 176
Little Rock, AR 72223
(501) 701-0874
whit@southernrenewable.org

*On Behalf of the Southern Renewable
Energy Association*

STATE OF LOUISIANA
BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION

<i>IN RE INTEGRATED RESOURCE PLANNING</i>	)	
<i>("IRP") PROCESS FOR ENTERGY</i>	)	
<i>LOUISIANA, LLC PURSUANT TO THE</i>	)	DOCKET NO. I-37764
<i>CORRECTED GENERAL ORDER NO.</i>	)	
<i>R-30021, DATED APRIL 20, 2012</i>	)	
	)	

**AFFIDAVIT OF LOGAN BURKE IN SUPPORT OF JOINT MOTION TO COMPEL
ENTERGY LOUISIANA, LLC
TO ENGAGE IN A MANDATORY DISCOVERY PROCESS**

Comes the Affiant, Logan Burke, after being duly sworn, and hereby states as follows:

1. I am the Executive Director of the Alliance for Affordable Energy, an intervening party in this proceeding.
2. I attended Entergy Louisiana, LLC's ("ELL") March 6, 2026 Stakeholder Meeting as a representative of the Alliance for Affordable Energy. At the March 6 Stakeholder Meeting, ELL's representatives stated their belief that discovery is not permitted in Integrated Resource Planning ("IRP") dockets, and that any written questions submitted by stakeholders would not be answered in writing prior to ELL's IRP Report.
3. To date, the Alliance for Affordable Energy has not received any written responses to data requests that other parties have filed in this proceeding.
4. At the March 6, 2026 Stakeholder Meeting, in response to numerous questions raised by various stakeholders present at the meeting, ELL's representatives stated that ELL would be distributing supplemental data assumptions, but ELL has not done so to date.

5. Specifically, at the Stakeholder Meeting, ELL's representatives were asked if the load growth projections included in ELL's data assumptions included the announced Hyundai steel facility, and ELL's representatives stated that they did not know. ELL's representatives were also asked if the load growth scenario in the data assumptions was the only one ELL planned to use, and ELL's representatives stated that the data included in its data assumptions was the "lowest" load forecast, but did not provide a reference case nor a high case. ELL stated that it would provide that data before the April 24, 2026 date for stakeholder comments, but has not done so.

6. ELL's representatives were also asked whether any additional generation resources would be "baked in" to their models that were not included in their distributed data assumptions, and ELL's representatives responded that if there were any, ELL would distribute that data in a supplemental filing. ELL has not done so to date.

7. Additionally, ELL's representatives were asked whether the Combined Cycle Combustion Turbine generators proposed in Docket No. U-37853 were included in the "Total Planned CCCT" portion of ELL's 20-Year Resource Need chart in its data assumptions slides. ELL's representatives could not answer this question at the Stakeholder Meeting and have not since clarified the issue in a supplemental filing. ELL's representatives also made no mention of the generation resources that ELL would thereafter propose in U-37882.

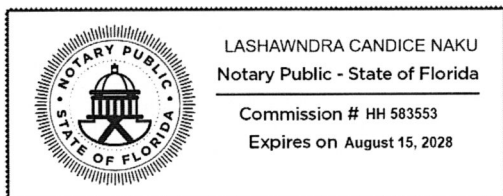
8. At the same meeting, representatives from ICF, which has been retained by ELL to perform a demand-side management ("DSM") potential study as part of ELL's IRP, presented slides related to its DSM potential study, but to date, neither ELL nor ICF has distributed those slides to stakeholders or distributed data assumptions and inputs related to the DSM potential study.

9. The Alliance for Affordable Energy is also an intervening party in Southwestern Electric Power Company's ("SWEPCO") Integrated Resource Planning case, Docket No. I-37811, and in Cleco Power, LLC's Integrated Resource Planning case, Docket No. I-37765. I attest that, as a representative of the Alliance for Affordable Energy, I have received copies of SWEPCO's and Cleco's responses to other intervening parties' data requests in those proceedings.



Logan Burke 04/14/2026

Subscribed, acknowledged, and sworn to before me by Logan Burke on April 14, 2026.





Notary Public
Notary ID no.: HH 583553

Sworn to (or affirmed) and subscribed before me by means of online notarization,
this 04/14/2026 by Logan Atkinson Burke.

State of Florida
County of Seminole

___ Personally Known OR ___ ☒ Produced Identification

Type of Identification Produced DRIVER LICENSE

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2026, I served copies of the foregoing pleading on all other known parties on the Official Service List for Docket No. I-37764 via e-mail.

Alaina DiLaura

Alaina DiLaura
LPSC Policy Coordinator
Alliance for Affordable Energy
4505 S. Claiborne Ave.
New Orleans, LA 70125
(225) 339-9394
alaina@all4energy.org