

# LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER U-37143

ENTERGY LOUISIANA, LLC, EX PARTE.

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*Docket No. U-37143, In re: Request for exemption under the Commission's General Order dated October 10, 2013 (the Transmission Siting Order) regarding the West Bank 230kV Transmission Project.*

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(Decided at the March 26, 2025 Business and Executive Session.)

## **ORDER**

### **I. Nature of the Case**

In this proceeding, Entergy Louisiana, LLC., ("ELL") seeks from the Louisiana Public Service Commission ("Commission") an exemption and/or certification of the West Bank 230kV Transmission Project. The exemption and/or certification is sought in accordance with the Commission's General Order dated October 10, 2013 (the Commission's Transmission Siting Order).<sup>1</sup> After negotiations, the parties to the proceeding reached a settlement which was presented at a stipulation hearing in accordance with Rule 6 of the Commission's Rules of Practice and Procedure.

On March 22, 2024, ELL filed its Application for Exemption and/or Certification of the West Bank 230kV Transmission Project in accordance with Louisiana Public Service Commission General Order Dated October 10, 2023, along with direct testimony and exhibits (the "Application"). The Application was published in the Commission's Official Bulletin on March 28, 2024. Timely intervention was filed by the Louisiana Energy Users Group ("LEUG"). On May 6, 2024, Commission Staff filed an Objection Without Prejudice, and LEUG filed a Statement of Objection. A Notice of Assignment was issued on May 14, 2024.

After discovery and analysis, the parties reached a consensual resolution of this matter. On February 11, 2025, a "Joint Motion for the Scheduling of Hearing on Uncontested Stipulated Settlement Agreement" including testimony and the "Uncontested Stipulated Settlement Agreement" ("Stipulated Settlement") was filed in this docket. A stipulation hearing was convened on March 13, 2025. ELL presented the testimony of Ryan Jones. The Commission Staff presented the testimony of Lane Sisung. LEUG does not oppose the settlement. The Stipulated Settlement resolves all issues in this proceeding.

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<sup>1</sup> See LPSC General Order, Docket No. R-36199 (Sept. 10, 2024) (*In re: Review and Possible Modification of the Commission's General Order dated October 10, 2013 Governing Transmission Certification and General Siting*).

## II. Jurisdiction and Applicable Law

The Commission exercises jurisdiction over common carriers and public utilities in Louisiana pursuant to Article IV, Section 21(B) of the Louisiana Constitution, which states:

The commission shall regulate all common carriers and public utilities and have such other regulatory 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. Stipulated Settlement

On February 11, 2025, ELL and Commission Staff, pursuant to Rule 6 of the Commission's Rules of Practice and Procedure, filed the *Joint Motion for Scheduling of Hearing on Uncontested Stipulation Settlement Agreement* ("Joint Motion"), including Uncontested Stipulated Settlement Term Sheet, Settlement Testimony from R. Lane Sisung for Staff, and Settlement Testimony from Ryan D. Jones on behalf of ELL, and LEUG's non-opposition to the Stipulated Settlement. A hearing on the Settlement was held before Administrative Law Judge ("ALJ") Joy Guillot on March 12, 2025. At the hearing, the Parties introduced testimony and documentary evidence in support of the Stipulated Settlement. ALJ Guillot issued the *Report of Proceedings and Submission of Stipulation for Consideration by Commissioners* on March 13, 2025. The Settlement resolves all issues in this proceeding. Terms of the Stipulated Settlement are:

1. Under the Commission's General Order dated October 10, 2013 in Docket No. R-26018 (the "2013 Siting Order")<sup>2</sup> and its General Order dated September 10, 2024 in Docket No. R-36199 (the "2024 Siting Order"),<sup>3</sup> the construction, completion and siting of the portfolio of projects that comprise the West Bank 230kV Project will serve the public convenience and necessity and be in the public interest and are therefore approved, including principally the following Project components described in the Application and supporting testimony of Company witness Catherine Ward:
  - a. Commodore 230/500kV Substation;
  - b. Waterford 230kV Substation Upgrade;

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<sup>2</sup> See General Order (Oct. 10, 2013), *In Re: Determination as to Whether the Commission Should Issue a General Order Asserting Jurisdiction Over the Certification of Utility Transmission Projects and the Determination of Whether Those Projects Are in the Public Interest* ("2013 Siting Order"), Docket No. R-26018.

<sup>3</sup> See General Order (Sept. 10, 2024), *In re: Review and Possible Modification of the Commission's General Order dated October 10, 2013 Governing Transmission Certification and General Siting* ("2024 Siting Order"), Docket No. R-36199. The 2024 Siting Order was adopted by the LPSC while ELL's Application was already pending. This Uncontested Settlement does not endorse or represent any position by any signatory as to which version of the Siting Order applies to the Application; rather, the Staff and ELL agree that the LPSC should approve the Application, under the terms of this Uncontested Settlement, under and to the extent each Siting Order is applicable to the Application.

- c. Waterford – Commodore 230kV Transmission Line;
- d. Right-of-Way Acquisition for the Waterford – Commodore 230kV and 500 kV Transmission Lines (including the generalized substation-to-substation corridor proposed by the Company for the new Waterford – Commodore 230kV line); and
- e. Iberville – Commodore 230kV Line Rebuild.

And, further, undertaking the construction of each of those Project components would therefore be prudent, serves the public convenience and necessity, and meets the conditions of certification in accordance with the 2013 Siting Order, the 2024 Siting Order, and other applicable Commission orders.

2. The generalized siting of the West Bank 230kV Project is appropriate, and its construction is a reasonable and cost-effective solution to provide reliable electric service as a result of the contracted and forecasted load growth in the Amite South region as described in the Company’s Application consistent with the 2013 Siting Order and the 2024 Siting Order.
3. The actual retail revenue requirement associated with the prudently incurred costs of the West Bank 230kV Project, an estimate of which is provided by Company witness Ryan Jones in his Direct Testimony in support of the Application, is deemed eligible for recovery by the Company through the appropriate recovery mechanism at the time that the components of the West Bank 230kV Project are placed in service.
4. The Commission approval should in no manner serve as a determination of the prudence of the final costs of the West Bank 230kV Project. The Company has an ongoing obligation to prudently manage the West Bank 230kV Project, including but not limited to ongoing construction and costs and whether to continue the investment. The certification of the West Bank 230kV Project is not a determination of prudence of the final costs of the Project but rather only a determination that the prudently incurred costs of the project are eligible for recovery from customers. The estimates provided in the Application are only current Class 3 estimates, and the final costs will be submitted in the normal ratemaking process.
5. ELL will file with the Commission semi-annual reports pursuant to and consistent with the terms of Section VI (Construction Reporting) of the Commission’s 2024 Siting Order, without conceding and/or addressing whether the 2024 Siting Order applies to this docket in lieu of the Commission’s 2013 Siting Order.
6. ELL recently filed an application for certification of the West Bank 500kV Project (Docket No. U-37467). Additionally, ELL will soon be filing an application for certification of the remaining components of Phase 2 of the Amite South Transmission Project (“ASTP”) (on the East Bank of the Mississippi River). In those two dockets, LEUG will be able to continue to conduct reasonable discovery

regarding the projected new block loads that give rise to the need to construct Phases 1 and 2 of the ASTP. ELL commits that, to the extent LEUG's data requests in those two dockets requests the same information requested in LEUG 3-1 and 5-4 in this docket, ELL will not assert any objection(s) other than those it asserted in response to LEUG 3-1 and 5-4, and, subject to and without waiving those objections, ELL will respond to such data requests to the same extent and in a similar manner in which it has responded to LEUG 3-1 and 5-4 (including ELL's addenda responses thereto).

ELL's responses and updates/addenda thereto will be designated and treated as Highly Sensitive Protected Material ("HSPM") and will be produced only to the appropriate Reviewing Representatives in accordance with the Confidentiality Agreement in effect and executed in those dockets. The addendum responses and any attachments thereto shall be treated as HSPM in accordance with the applicable provisions of the Confidentiality Agreement, including but not limited to the terms regarding duplication of HSPM files.

After discovery in those two dockets has concluded (concerning the West Bank 500kV Project and ASTP Phase 2), ELL commits to produce on a semi-annual basis (by February 1 and August 1 of each year through the later of 2027 or until the West Bank 230kV Project is completed and placed in-service if after 2027) an updated version of the spreadsheet attached to Addendum 2 to ELL's Response to LEUG 3-1 in this docket (including all categories of information provided in that spreadsheet). The updated version of the spreadsheet will be provided on a supplemental basis and as additional addendum responses to LEUG 3-1 in this docket as if discovery in this docket were still ongoing (but this provision should not be construed to hold open this docket in any manner after a final order of the LPSC is issued). Such addendum responses will be designated and treated as HSPM and will be produced only to the appropriate Reviewing Representatives in accordance with the Confidentiality Agreement in effect and executed in this docket. The addendum responses and any attachments thereto shall be treated as HSPM in accordance with the applicable provisions of the Confidentiality Agreement, including but not limited to the terms regarding duplication of HSPM files. The updated version of the spreadsheet will also include the following information:

Identify the volume of new Block Loads that have come on-line and will be served by the West Bank 230kV Project, including:

- a. the aggregate number and MW volume of new Block Loads that have come on-line within the previous six months that will be served by the West Bank 230 kV Project; and
  - b. whether the load is located on the West Bank or East Bank of the Mississippi River.
7. The Uncontested Settlement as a whole is reasonable, should be approved by the Commission, and is in the public interest.
8. This Uncontested Settlement will be effective and enforceable upon approval by the Commission. The LPSC Staff, the Company, and LEUG agree to promptly file this Uncontested Settlement and to cooperate and take reasonable steps to jointly request the approval of this Uncontested Settlement by the Commission.

9. Except as expressly stated herein, this Uncontested Settlement shall have no precedential effect in any other proceedings involving issues similar to those resolved herein and shall be without prejudice to the right of any party to take any position on any such similar issues in future proceedings, including FRP proceedings, base rate proceedings, rulemakings or in other regulatory proceedings or appeals therefrom. Other than in a proceeding to approve, implement, administer, or enforce a requirement of this Uncontested Settlement, the Uncontested Settlement shall not be admissible in evidence against either the Staff, ELL or LEUG, and the terms of this Uncontested Settlement may not be used as an admission of any sort in any proceeding whatsoever except to approve or enforce the terms of this Uncontested Settlement. Nothing stated herein is intended to prohibit parties from continuing to cite to final Orders of the Commission, which Orders are the best evidence of their meaning and evidentiary or precedential value (if any).

#### **IV. Commission Consideration**

This matter was considered at the Commissions March 26, 2025 Business and Executive Session. Vice Chairman Skrmetta made the following motion: I move to approve the uncontested stipulated settlement which will approve a portfolio of projects referred to as the Westbank 230 KV Project. But, I want to provide some context to the public for why the Commission approves projects like these.

Two days ago, President Trump and Governor Landry, joined by other Louisiana leaders and Hyundai Motor Group, announced from the Oval Office that Hyundai Motor Group has made a groundbreaking decision to invest \$5.8 billion in a new manufacturing facility in Louisiana. This first-of-its-kind site marks Hyundai's inaugural North American steel facility, establishing a fully integrated, made-in-America supply chain to support its automotive manufacturing operations across the United States.

The ultra-low carbon steel production plant will be located on approximately 1,700 acres in Donaldsonville, Louisiana, anchoring the RiverPlex MegaPark on the Westbank of the Mississippi River in Ascension Parish. At approximately 17,000 acres, RiverPlex is the largest undeveloped tract along the deep-water segment of the Mississippi River. Hyundai Steel Company (HSC), a member of Hyundai Motor Group, is expected to create more than 1,300 direct new jobs with an average salary of \$95,000. Louisiana Economic Development estimates the project will result in about 4,100 indirect new jobs, for a total of 5,400 potential new jobs in the Capital Region.

With this announcement and the previously announced Meta investment, Louisiana is Winning and winning big. I want to thank Governor Landry for his leadership in positioning Louisiana for this moment. I also want to commend the LPSC and my fellow commissioners for our part in preparing Louisiana for this moment. Projects like Hyundai Steel would not be possible without the LPSC's oversight and approval of infrastructure projects like the Westbank 230kv Project. Not only does Louisiana need transmission investment to attract projects like these, but we also need an adequate supply of reliable and affordable generation. Through the Integrated Resource Planning process and our certification proceedings over the last decade, Louisiana is able

to offer reliable and affordable power that is attractive to companies like Hyundai and others. In fact, the most recent Energy Information Administration report, December 2024 data, indicated that Louisiana had the lowest industrial rates in the nation. I want to underscore it: this enormous Hyundai investment in our state is a direct result of both our proactive approach to investment in our electric grid and also the competitiveness of our industrial rates. I am ready to roll up my sleeves and keep advancing the infrastructure needed to support Louisiana's economic development opportunity while ensuring cost-based, affordable rates for all residential, commercial and industrial customers.

After discussion, on motion of Vice Chairman Skrmetta, seconded by Chairman Francis, and unanimously adopted, the Commission voted to accept the Uncontested Stipulated Settlement filed into the record on February 11, 2025.

**IT IS THEREFORE ORDERED THAT:**

- 1) The Uncontested Stipulated Settlement filed into the record on February 11, 2025 is accepted; and
- 2) This order is effective immediately.

**BY ORDER OF THE COMMISSION**  
**BATON ROUGE, LOUISIANA**  
April 24, 2025



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

**BRANDON M. FREY**  
**SECRETARY**

/S/ MIKE FRANCIS  
**DISTRICT IV**  
**CHAIRMAN MIKE FRANCIS**

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

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

/S/ DAVANTE LEWIS  
**DISTRICT III**  
**COMMISSIONER DAVANTE LEWIS**

/S/ JEAN-PAUL P. COUSSAN  
**DISTRICT II**  
**COMMISSIONER JEAN-PAUL P. COUSSAN**