BEFORE THE

LOUISIANA PUBLIC SERVICE COMMISSION

IN RE: **APPLICATION OF ENTERGY LOUISIANA, LLC FOR CERTIFICATION OF GENERATION AND TRANSMISSION RESOURCES AND FOR OTHER RELIEF PURSUANT TO THE COMMISSION'S *LIGHTNING INITIATIVE***	**)** **)** **)** **)** **)** **)**	**DOCKET NO. U-_____**

DIRECT TESTIMONY

OF

TROY R. HEYTENS

ON BEHALF OF

ENTERGY LOUISIANA, LLC

PUBLIC REDACTED VERSION

MARCH 2026

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EXHIBITS

I. INTRODUCTION AND BACKGROUND

Q1. PLEASE STATE YOUR NAME, POSITION, AND BUSINESS ADDRESS.

A. My name is Troy R. Heytens. I am employed by Entergy Louisiana, LLC ("ELL") as Director of Hyperscale Strategy Execution. My business address is 4809 Jefferson Highway, Jefferson, LA 70121.

Q2. ON WHOSE BEHALF ARE YOU TESTIFYING?

A. I am submitting this testimony to the Louisiana Public Service Commission ("Commission") on behalf of Entergy Louisiana, LLC ("ELL" or the "Company").

Q3. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND PROFESSIONAL EXPERIENCE.

A. I received a Bachelor of Arts degree in Chemistry from Macalester College in Saint Paul, Minnesota in 2000. I received a Master of Science degree from the United States Navy Post-Graduate School in 2003, and an MBA from The University of Maryland in College Park, Maryland in 2007.

I began my employment with Entergy in September 2012, holding leadership positions in the Capital Projects organization at the Waterford 3 nuclear plant and later in a capital projects group in Entergy's Transmission function. I was named Director of Corporate Planning in 2016. In April 2021, I became Director of Commercial Operations in Entergy's System Planning Organization. Prior to my employment with Entergy, I served as a commissioned officer in the United States Navy, and later worked for the Department of Navy's Nuclear Propulsion Program in Washington, D.C.

In my positions at Waterford 3 and within the Transmission group, I was responsible for leading a team of engineers, project managers, construction managers, and others in developing and implementing large-scale capital projects. I was responsible for ensuring projects were completed safely and with quality, that cost and schedule commitments were met, and for ensuring risks were effectively managed.

In my position as Director of Corporate Planning from 2016 through 2021, I was responsible for maintaining the financial forecast of Entergy Corporation and its subsidiaries, including: maintaining and evaluating revenue, expense, and investment forecasts, performing financial analysis, modeling ratemaking mechanisms for Entergy subsidiaries, and ensuring Entergy's financial forecast supported its externally published outlooks for earnings and credit.

In my role as Director of Commercial Operations from April 2021 to April 2025, I was responsible for Entergy's back-office gas and power settlements group, for leading commercial efforts related to long-term power purchase contracts and power plant acquisitions, and for leading the market testing of capacity resource additions on behalf of Entergy's utility operating companies.

Q4. PLEASE DESCRIBE YOUR CURRENT RESPONSIBILITIES

A. In my current role as Director of Hyperscale Strategy and Execution, I am responsible for ensuring ELL's investments for Evest, LLC ("Evest" or the "Customer") are completed safely, on time, at the lowest reasonable cost, and that execution risks are effectively managed. This includes ensuring that effective program oversight and controls are in place, required decisions are made timely, and both the Customer and

our internal management are kept informed and appraised of execution status. I also am the primary execution point of contact for the Customer with the ability to coordinate and address issues across functions and access an open line of communication with senior management. Finally, I am responsible for generating monthly reports related to the Customer, sponsoring and leading monthly project management forums, and assisting with required audits/accountings.

Q5. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?

A. Yes. A list of my prior testimony is attached as Exhibit TRH-1.

Q6. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. My testimony supports the Application by describing the robust procedures that ELL has implemented to plan to supply service to the Evest data center (the "Evest Project"), inform its negotiations with the Customer, and to mitigate execution risks. These processes include a coordinated planning process for developing an integrated supply solution that includes both new transmission infrastructure and new generating resources needed to serve Evest Project.[1] In the newly created role of Director of Hyperscale Strategy Execution, I serve as a dedicated, cross-functional coordination and oversight point for the ELL operational functions or "pillars" responsible for project execution (1) New Gas Generation Capital Projects, (2) Transmission Capital

[1] As set forth in the Application, the Evest Project is a new [redacted] hyper-scale data center that the technology company, Meta Platforms, Inc. (through its wholly owned subsidiary, Evest LLC), plans to build in Richland Parish, Louisiana.

Projects; (3) Renewable and Energy Storage Project Development; and, (4) Nuclear Operations. In addition, ELL has implemented an internal governance structure above these functions, the Executive Steering Committee ("ESC"), which I lead.

Finally, I will serve as a central coordination point for the Customer. The purpose of these processes implemented for this group of projects is to provide real-time project monitoring and the ability to anticipate and address any execution issues which may arise. These processes and coordination, internally and with the Customer, have already, and will continue to mitigate the risks of project planning and execution for the resources necessary to support service to the Evest Project, specifically, delays and cost overruns. In other words, ELL has adopted and implemented robust processes to mitigate risks to other customers, ELL, and Evest, weighing in favor of approval of the Application.

II. PLANNING AND SCHEDULE PROCESS

Q7. WHAT IS ELL'S TYPICAL PROCESS FOR SERVING INTERCONNECTION AND SERVICE REQUESTS FROM LARGE LOAD CUSTOMERS?

A. Over the past decades, ELL has had numerous large customers request incremental electrical service for new facilities or expansions with specific power requirements and requested in-service date and ramp up schedules. Over time, ELL has developed and implemented a robust, repeatable process to study those requests. Some of those studies do not materialize, while others turn into projects like the Evest Project.

Q8. DID YOU USE THIS APPROACH IN THE CONTEXT OF THE LAIDLEY PROJECT AND LATER THE EVEST PROJECT?

A. Yes, and the approach needed to evolve due to the Customer's unique requirements.

Q9. WHY DID ELL'S PLANNING AND STUDY PROCESS FOR THE LAIDLEY PROJECT AND, LATER, THE EVEST PROJECT EVOLVE?

A. The process that ELL has relied upon when evaluating new interconnection requests from large load customers was based on the underlying assumption that the load associated with that new customer would not require new generation facilities to be added to the system in order to serve the increased total system load. As a result, the study and planning process around large load interconnection requests was inherently transmission focused.

That process was sufficient until in 2023 and 2024, ELL and the other operating companies began engaging with large load customer prospects—*i.e.* data center customers who had load requirements more than 1GW, a high-capacity factor, and a requirement for "speed to market" (hereinafter "Data Centers" or "Data Center Customers"). During the same time period, as a result of load growth, changes to market rules related to calculating capacity reserves, retirements and other factors, ELL did not have sufficient excess generation capacity to take on Data Center Customers of this size without adding additional generation resources. In this context, ELL recognized that developing solutions for these types of customers would require an integrated supply solution including both new transmission infrastructure to serve and new generating resources to provide the energy and capacity needed to serve all of its

customers. The need for this new approach was driven by the fact that the preexisting methodology, based on the underlying assumption that new transmission is required but new generation is not, did not hold true in the context of these kinds of projects.

As explained in the testimony of Company witnesses Laura Beauchamp and Daniel Kline, seeking to serve the Evest Project using transmission alone was not viable because it would expose ELL customers to unreasonable costs and risks. As explained in detail by Mr. Kline, the size of the load, the concentration of that load, and the nearly around-the-clock operations of these facilities required an integrated transmission and generation solution in order to ensure reliable service, to maintain the reliability of the broader bulk electric system, and to protect ELL's other customers from unreasonable cost impacts.

All of these considerations, taken together, make clear to ELL that an integrated planning process for transmission and supply was required.

Q10. PLEASE DESCRIBE WHAT WAS DIFFERENT ABOUT THE STUDY PROCESS ELL USED FOR PLANNING AROUND THE LAIDLEY PROJECT AND, LATER, THE EVEST PROJECT.

A. Other than differences as to scope (*i.e.* the combination of a transmission and generation planning process in general), the most significant difference in approach concerned the early and frequent involvement of individuals and leaders from Entergy

Services, LLC's ("ESL")[2] Transmission and Generation development and execution teams. These individuals were embedded into the planning process at early stages so that they could provide real-time input on lead times for equipment, materials, and labor, thereby ensuring that the planning process incorporated realistic timelines and cost estimates.

One feature of Data Center projects is the tendency towards iterative planning. That was the experience of ELL in its discussions with Evest. But because of the decision to embed personnel from ESL's development and execution teams into the planning process, discussions around those different iterations were informed by realistic discussions around lead times for major equipment, the feasibility of the project schedule, and cost estimates. Working this way ultimately resulted in execution plans with clear commitments—what, when, and how—within the Customer agreement, setting clear expectations for what would be completed and by when.

Q11. DOES EMBEDDING EXECUTION TEAMS EARLY IN THE PLANNING PROCESS REDUCE DOWNSTREAM COST AND SCHEDULE RISKS? IF SO, HOW?

A. Embedding execution teams early in the planning process reduces downstream cost and schedule risks by preventing delays, misalignment, and poor coordination that can lead to changes in schedule or cost estimates.

[2] Entergy Services, LLC is a subsidiary of Entergy Corporation that provides technical and administrative services to the Entergy Operating Companies ("EOCs"). The Entergy Operating Companies include ELL; Entergy Arkansas, LLC; Entergy Mississippi, LLC; Entergy New Orleans, LLC; and Entergy Texas, Inc.

Execution teams provide critical oversight from the outset, ensuring planning decisions—such as procurement timing, resource allocation, and design changes—are made with full visibility into cost and schedule implications. Their presence helps anticipate downstream challenges, flagging lead time, and permitting, procurement, design, and construction risks in real time. This proactive approach minimizes inefficiencies and the risk of cost increases or change orders, especially in complex capital projects where timing is critical.

Q12. CAN YOU POINT TO ANY EXAMPLES OF HOW THIS APPROACH ADDED VALUE DURING THE PLANNING PROCESS FOR THE LAIDLEY PROJECT AND/OR EVEST PROJECT?

A. Yes, for both the Laidley Project and the Evest Project, the timely identification of availability of long-lead procurement or other activities has mitigated risks related to the project schedule. For example, in both cases, embedding execution teams enabled ELL to identify specific options for the Customer to consider funding via long-lead Contribution in Aid of Construction ("CIAC") agreements to preserve the ability of ELL to meet the Customer's requested in-service dates. Specific examples where this approach yielded benefits include ordering transmission and generation equipment (breakers, autotransformers, Power Island Equipment), property acquisition due diligence, project development/scoping, and transmission line routing studies.

Additionally, in both the Laidley and Evest Projects, the customer's facility design iterations resulted in several revisions to the ELL's planned Transmission and Generation investments. For example, as related to the Laidley Project, ELL studied

three different scenarios (one with multiple iterations) to account for Laidley, LLC's needs as negotiations progressed.[3] The approach ELL took in those negotiations (which it replicated for negotiations surrounding the Evest Project) enabled ELL to quickly adjust to changes in Evest's requirements.

Q13. DID THIS STUDY PROCESS INFLUENCE THE COMMERCIAL TERMS FOR THE LAIDLEY PROJECT AND, LATER, THE EVEST PROJECT? IF SO, HOW?

A. Yes, the study process proceeded in parallel with and informed important commercial terms, such as pricing and schedule milestones.

Q14. DO YOU BELIEVE THAT ELL'S ADOPTION OF THESE REVISED PLANNING PROCEDURES HAS YIELDED A REASONABLE AND FEASIBLE TIMELINE FOR ELL TO EXECUTE EVEST PROJECT?

A. Yes.

III. EXECUTION

Q15. DOES ELL HAVE A TRACK RECORD OF DEVELOPING MAJOR CAPITAL PROJECTS SUCCESSFULLY?

A. Yes. Over the past decade, ELL has developed and executed numerous large-scale transmission and generation projects. This includes the Ninemile 6 Combined Cycle

[3] *See* ELL's Direct Testimony of Daniel Kline (December 5, 2024), *In re: Application of Entergy Louisiana, LLC for Approval of Generation and Transmission Resources Proposed in Connection with Service to a Significant Customer Project in North Louisiana, Including Proposed Rider, and Request for Timely Relief*, Docket No. U-37425, at pp. 24-35.

Power Plant ("NM6"), the J. Wayne Leonard Power Station ("JWLPS"), the Lake Charles Power Station ("LCPS"), and the Lake Charles Transmission Project. I will note that several of these projects were developed simultaneously (specifically JWLPS and LCPS).

Q16. DOES ELL HAVE AN OVERALL PROCESS AND APPROACH TO THE EXECUTION OF CAPITAL-INTENSIVE PROJECTS? WHAT APPROACH DOES IT PLAN TO TAKE FOR THE EVEST PROJECT?

A. Yes, ELL has formal policies, procedures, and guidelines for developing and executing large-scale capital projects.

Entergy's Project Delivery System ("PDS") Policy, Standards, and Guidelines process, which has been in place for over 10 years, supports consistency and certainty in project delivery outcomes, and includes robust risk management practices to identify and mitigate risks to project execution. This is the same structure used for the construction of NM6, JWLPS, and LCPS using an EPC contractor in conjunction with the Company's management team.

Given the magnitude of the Evest Project and the Company's existing infrastructure for construction and project management, the Company determined that it would be appropriate to follow this same approach here. This application of this process to particular aspects of Evest Project is discussed at more length in the testimony of Company witnesses Norman Grunden and Daniel Kline.

Q17. WHAT OTHER MAJOR CAPITAL PROJECTS DOES ELL HAVE PLANNED DURING THE TIME PERIOD FOR EXECUTING THE EVEST PROJECT?

A. ELL has planned the following major capital projects during this time period:

- Laidley Project.
    - Franklin Farms 1 & 2
    - Waterford 5
    - Transmission Improvements
- Waterford 6 CCCT (if approved)
- Westlake CCCT (if approved)
- Bogalusa West Solar (planned site for battery energy storage system ("BESS") project included in this Application)
- Cypress Harvest Solar (if approved) (planned site for BESS project included in this Application)
- Babel to Webre 500kV Transmission Line (if approved)
- Amite South Transmission Projects (if approved)

Q18. DOES ELL HAVE THE CAPACITY TO SUCCESSFULLY EXECUTE THE EVEST PROJECT IN ADDITION TO THESE OTHER PROJECTS?

A. Yes. ELL has a robust capacity of engineering, procurement, construction, and oversight resources in place to execute the overall portfolio of capital investments including the Evest Project scope.

Q19. YOUR ROLE AS DIRECTOR OF HYPERSCALE STRATEGY EXECUTION IS NEW. WHY WAS YOUR ROLE CREATED?

A. The scope and complexity of the Evest Project in combination with the Laidley Project, as well as the speed of development demanded by the customer, prompted the Company to create this position to provide a dedicated, cross-functional resource for project monitoring and anticipating and addressing any execution issues related to these Projects. In this role, I manage the execution risks that arise from projects like the Evest Project through coordinating and engaging with the operational "pillars" related to the Evest Project.

Q20. DESCRIBE THE RELEVANT OPERATIONAL "PILLARS" ASSOCIATED WITH PROJECT EVEST.

A. There are four relevant operational "pillars" related to Project Evest : (1) New Gas Generation Capital Projects, which has operational responsibility for executing the development of the CCCTs necessary for the Evest Project; (2) Transmission Capital Projects, which has responsibilities concerning the, El Dorado – Smalling 500kV Transmission Line, the West Fork Creek to St. Landry Switching Station 500kV line and switching station, and the interconnection facilities for the Evest Project; (3) the Renewable and Energy Storage Project Development team, which has execution responsibilities related to the BESS projects that are expected to be developed in conjunction with the project; and (4) Nuclear Operations for power uprates at Waterford 3 and, if ultimately pursued by the Company, River Bend Station.

Q21. DESCRIBE YOUR FORMAL RELATIONSHIP AS THEY RELATE TO EACH OF THESE OPERATIONAL "PILLARS."

A. For purposes of executing the Laidley Project and Evest Project, these teams and pillars report to their functional management in operations. Additionally, these teams and pillars are dedicated to executing these projects on ELL's behalf, and I serve as their primary point of contact at ELL.

Q22. WHAT KINDS OF EXECUTION RISKS ARISE FROM A PROJECT LIKE THE EVEST PROJECT?

A. The projects ELL will execute to serve the Customer have a number of generation and transmission-related execution risks, not unlike those faced by other projects ELL has implemented. A non-exhaustive list of these typical risks include:

- Transmission: Acquiring the required Right of Way and property, obtaining the necessary environmental permits, and risks of Material and Labor Cost Escalation (including tariff risk).
- Gas Generation: Obtaining the required permits, Construction Labor Availability, Material Price Escalation (including tariff risks).

Q23. WHAT STEPS HAS ELL TAKEN TO MANAGE EXECUTION RISK RELATED TO THE EVEST PROJECT?

A. When possible, ELL has sought to reduce and mitigate execution risks before they ever occur. Examples of key risk mitigation activities include:

- ELL developed a project plan consistent with ELL's standardized project management framework and ethos by selecting standardized generation resources and mature transmission technologies.
- ELL has identified and established site control for the new Generation facilities and submitted them into the MISO ERAS study process (as discussed in greater detail by Mr. Kline).
- ELL has secured long-lead equipment for the Generation and Transmission investments to provide increased certainty on the individual component schedules.
- ELL has completed Transmission line routing studies, to provide additional clarity of the lengths of the line and the permitting and right-of-way requirements.
- ELL has chosen a standard CCCT design (the same design being used in conjunction with the Laidley Project) and a single consortium of EPC contractors. This will allow ELL to leverage a mature CCCT design that has been validated through prior projects, which reduces engineering uncertainty, streamlines procurement processes, and aids the development of an informed construction schedule for the facilities. Additionally, lessons learned from earlier builds can be directly applied in real time to subsequent projects, a process that ELL successfully utilized while constructing JWLPS and LCPS.
- ELL's transmission strategy relies on using mature, well-understood designs and engineering standards. ELL has also developed strong relationships with qualified suppliers and vendors. Consistency of design and supply enables predictable construction and cost schedules, will facilitate the application of risk management

processes throughout the project lifecycle, and will assist ELL's efforts to improve coordination and ensure compliance with regulatory and reliability requirements.

- Finally, ELL has also sought to manage those risks by creating a new Operating Company-led execution framework for managing Data Center Customer projects. A portion of this framework involved creating my role and related oversight and governance structure to provide ongoing programmatic oversight and governance over projects to support service to the Evest Project (and the Laidley Project).

Q24. HOW DOES YOUR ROLE HELP MANAGE EXECUTION RISK AND HOW DOES THAT RELATE TO CONTROLLING COSTS?

A. Each operational pillar has its own dedicated execution team and established methods for managing execution risk within its respective scope of responsibility. These teams also have resources committed to delivering individual components. However, the success of supporting the service to Evest Project depends on these components fitting together seamlessly. My role is to provide oversight and governance above these existing structures, ensuring alignment and that each element of the project remains on track to meet its cost and schedule commitments.

In large-scale projects, every decision—procurement timing, resource allocation, design changes—has cost implications. A disciplined execution process ensures these decisions are made with full visibility, reducing inefficiencies and avoiding costly change orders. Further, programmatic oversight strengthens cost control by providing a structured, holistic approach to evaluating risks, approving change orders, and updating estimates as circumstances evolve.

In addition to this high-level coordination, I am directly integrated within each pillar, which creates a mechanism for early issue identification and resolution. In short, I provide eyes and ears within and across different workflows. This integration allows me to spot problems quickly and assess how they may impact timelines across multiple pillars, enabling timely interventions and reducing the risk of cascading delays.

Q25. YOU MENTIONED EARLIER THAT IN YOUR ROLE YOU ARE ALSO RESPONSIBLE FOR COMMUNICATION WITH BOTH THE CUSTOMER AND INTERNAL MANAGEMENT.

A. Yes. Beyond execution oversight, my role includes coordinating communications and delivering clear, consolidated status updates to the ESC, ensuring transparency and confidence in progress. I am also responsible for leading coordination and engagement with the Customer regarding ELL's development and execution of the resources necessary to support service to serve the Evest Project.

Q26. WHAT IS THE EXECUTIVE STEERING COMMITTEE AND DESCRIBE HOW YOUR ROLE INTERFACES WITH ITS MEMBERS.

A. Governance and oversight of this project is provided by the project portfolio's ESC, which is comprised of a group of key leaders and stakeholders whose organizations directly support the successful completion of the project. The ESC provides project oversight and strategic direction; monitors and provides direction relating to project performance, key risks and value drivers that may impact the project risk profile; and provides guidance and support. The ESC convenes approximately monthly.

The ESC is chaired by the President and CEO of ELL. Other key leaders are the Executive Vice President and Chief Operating Officer, the Vice President, Capital Projects – New Generation, the Vice President, Power Development, and the Vice President, Capital Projects – Power Delivery.

My responsibility is to ensure that ESC is appropriately made aware of ongoing developments and challenges, all so that timely decisions can be made, and resources can be deployed or re-deployed as needed.

Q27. WHY IS IT IMPORTANT TO HAVE SOMEONE COORDINATING DIRECTLY WITH THIS CUSTOMER ON AN ONGOING BASIS?

A. A dedicated point of contact provides a direct line for communicating updates or changes, enabling faster decisions and smoother internal approvals when priorities shift or new needs arise. Ongoing coordination ensures the Customer stays engaged and informed, which is especially critical given the scale and complexity of their project. It helps build trust and alignment across all phases.

IV. REPORTING

Q28. YOU DESCRIBED YOUR ROLE IN REPORTING AND COORDINATING INTERNALLY AT ELL. IN YOUR ROLE, WILL YOU BE INVOLVED IN ELL'S COMPLIANCE WITH EXTERNAL REPORTING REQUIREMENTS RELATED TO THE STATUS AND PROGRESS OF PROJECT EVEST?

A. Yes. As ELL's internal coordination and project management lead, as well as the lead cross-functional point of contact for the Customer, I will be involved in ensuring that

accurate and timely reports related to Evest Project's status and progress are generated and shared with the Customer and the Commission.

Q29. WHAT KIND OF EXTERNAL REPORTING OF PROJECT PROGRESS AND EXECUTION IS ELL REQUIRED TO PROVIDE UNDER THE CONTRACT WITH EVEST?

A. The CIAC agreement with the Customer requires ELL to provide regular, detailed status reports on the progress of ELL's investments necessary to facilitate service to the Customer. Additionally, ELL and the Customer will hold a regular project management forum to ensure alignment and timely communication of updates. Finally, ELL is required to provide the customer with information on actual costs incurred to facilitate the Customer's audit rights under the contract.

Q30. DOES ELL INTEND TO PROVIDE ADDITIONAL REPORTING TO THE COMMISSION?

A. Yes. ELL proposes to provide reporting along the lines identified in the Commission's August 29, 2025 Order approving ELL's application for approval of the Laidley Project, which contemplates quarterly updates to Commission Staff on the status of the generation, transmission, and, in this instance, battery projects (including the project schedule, costs, business issues, safety reports, environmental compliance, and other

associated activities) being built in order to support providing service to the Evest Project, all as set forth in exhibit TRH-2.[4]

V. CONCLUSION

Q31. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

[4] *See* Final Stipulated Settlement Term Sheet, *In re: Application for approval of generation and transmission resources in connection with service to a single customer for a project in North Louisiana*, Docket No. U-37425, at ¶ 10 & Attachment 1.

AFFIDAVIT

STATE OF LOUISIANA

PARISH OF JEFFERSON

NOW BEFORE ME, the undersigned authority, personally came and appeared, **TROY R. HEYTENS**, who after being duly sworn by me, did depose and say:

That the above and foregoing is his sworn testimony in this proceeding and that he knows the contents thereof, that the same are true as stated, except as to matters and things, if any, stated on information and belief, and that as to those matters and things, he verily believes them to be true.

Troy R. Heytens

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 20 DAY OF MARCH, 2026

NOTARY PUBLIC

My commission expires: at death

Lawrence J. Hand Jr.
Bar 23770 / Notary 82178
Notary Public in and for the
State of Louisiana.
My Commission is for Life.

Listing of Previous Testimony Filed by Troy R. Heytens with the Commission

DATE	TYPE	SUBJECT MATTER	DOCKET NO.
6/16/2015	Direct	Description of the Lake Charles Transmission Project	U-33645
5/12/2023	Direct	Description of model agreements used by ELL for PPAs and acquisitions of solar generation resources.	U-36697

Sample Proposal

Monitoring Procedures and Reports
Related to the Evest/Meta Projects

1. Monitoring Procedures and Reports

The Company shall submit quarterly progress reports concerning the Planned Generators,[1] the Transmission Facilities,[2] and the Battery Storage[3] (collectively, the "ELL Generation, Transmission, and Battery Projects") to the Staff and all intervenors in this docket by May 15, 2027, August 15, 2027, November 15, 2027, and February 15, 2028, and by those dates of each subsequent year. Even if the contents of the reports contain information that is identified as confidential, they shall contain a non-confidential summary. Any quarterly report containing information that is designated confidential or proprietary by ELL or its Customer, vendors, consultants, or contractors may be submitted on a confidential basis to the Staff and to appropriate reviewing representatives of intervenors that have executed a confidentiality agreement in this docket, and a public redacted version of such report shall be filed in the docket and served upon all parties. If requested by Staff, the Company, or intervenors, a conference call or in-person meeting will be scheduled to request clarifications and discuss issues related to the quarterly progress reports. The Staff will use its best efforts to acknowledge receipt of the report, in writing, and provide any questions regarding the report within 30 days of the submission of the quarterly monitoring report. The Company also shall provide to the Staff additional informal reports within 10 days of any

[1] The phrase "Planned Generators" is defined as the seven Combined Cycle Combustion Turbine ("CCCT") generators being built in connection with the referenced Customer Projects.

[2] The phrase "Transmission Facilities" is defined to mean the 500 kV line from the West Fork Creek Substation to the St. Landry Switching Station, the St. Landry Switching Station, and the new line bay to be constructed at the West Fork Creek Substation.

[3]The "Battery Storage" is defined to mean the Cypress Harvest BESS to be constructed in Iberville Parish and the Bogalusa West BESS to be constructed in Washington Parish.

significant developments impacting the progress of the projects occurring between the required formal quarterly reports. The Company will arrange for the Staff to undertake site visits at least quarterly, or as otherwise requested by the Staff.

2. Quarterly Report Elements

The quarterly progress monitoring reports shall include the following information.

Summary of Status of ELL Generation, Transmission, and Battery Projects Schedule

An overview of major items accomplished (such as construction or procurement activities) with respect to the ELL Generation, Transmission, and Battery Projects:

1. Description of any changes to planned activities (or milestones) that have implications for project schedule or task sequencing;
2. Overall project schedule status including changes to the projected project timeline and estimated completion dates, including a completion percentages (broken down by engineering, procurement, and construction) compared to previous estimates, and updated substantial completion estimated date; and,
3. A Project Gantt Chart, or equivalent, showing updated project milestones.

The information in this section shall be sufficiently detailed to understand the relationship between the current schedule and the original schedule, including any changes to major project milestones.

ELL Generation, Transmission, and Battery Projects Budget Status

Each report shall provide a table that identifies: (a) the original cost estimate; (b) expenditures to date; (c) estimated future spending; (d) cost estimate revisions (due to change orders or other reasons); and (e) any budget variance. These data will be broken down as: (a) EPC payments; (b) Other vendors/expenses; (c) Entergy labor; (d) Indirect costs; (e) Allowance for Funds Used During Construction ("AFUDC"); (f) project contingency; (g) tax changes impacting project costs; (h) contingencies; (i) transmission

interconnection to switchyard; and, (j) other costs (including change orders identifying the reasons) for the change and the resulting cost implications, project financing issues, credit rating reports and changes for the Customer and its parent, and presentations to credit rating agencies for the Customer and its parent).

Business Issues

This section shall provide for the identification of other business issues pertinent to the ELL Generation, Transmission, and Battery Projects. It shall include, but not be limited to, material business disputes with contractors, force majeure issues, labor problems or disputes, supply chain issues, and any issues or problems associated with local government, permitting, or the local community. This report shall also include (1) any important amendments to the EPC contracts and the status of Customer's performance of its obligations under its agreements with the Company; (2) identification and information regarding any litigation or threatened litigation related to the project; (3) any legislation (federal, state or local) that may affect the completion schedule or costs of the project; (4) any disputes with the Customer that trigger the dispute resolution procedures of the Electric Service Agreement or the Contribution in Aid of Construction Agreement; (5) a narrative description of any business relationship issues/concerns with the Customer or its parent that are pertinent to the ELL Generation, Transmission, and Battery Projects; and (6) documentation of whether the requisite Parent Guaranties or other security collateral have been supplied in final executed form, whether the amounts secured by those Guaranties are equal to the Company's expenditures in furtherance of the ELL Generation, Transmission, and Battery Projects, and, if the amounts secured are not equal to the Company's expenditures, an explanation of why they are not.

Transmission

The Company shall provide an update of the status of construction, costs, estimated completion timelines, permitting issues; ROW acquisition issues, testing requirements and status of any other issues affecting the timely completion and costs of the Transmission Facilities.

Safety

The Company shall provide, in each progress report, tables reporting the recordable incident rate ("IR") and lost workday injury and illness rate ("LWDII") information for the project or similar information relating to work-related safety statistics. This will be provided by month and cumulatively for the entire construction period for the Company, the EPC contractor(s), and other project contractors and subcontractors.

Environmental Compliance

The progress report shall identify any environmental permitting or compliance issues that arise and that could affect the ELL Generation, Transmission, and Battery Projects. Environmental issues discussed in this section shall include any permit modifications or new requirements. In addition, the Company shall report on new environmental laws or regulations that have been adopted or officially proposed in the Federal Register and the costs of the associated environmental compliance that have the potential to affect the ELL Generation, Transmission, and Battery Projects.

Additional Matters

In addition to the information described above, the quarterly report shall include an Executive Summary highlighting progress on the ELL Generation, Transmission, and Battery Projects, significant changes to the project plan and other notable developments. To the extent not provided elsewhere, the Company shall include the following information in its report:

(1) updates on the Company's forecasted cost of natural gas;

(2) material changes in the cost to complete the ELL Generation, Transmission, and Battery Projects

(3) material changes to routing or scope of work, impacts on landowners, changes in the voltage of the lines, and/or changes in the types of poles or towers to be used or the type of equipment used in substations;

(4) material incremental changes in the cost of environmental compliance; and,

(5) an affirmation as to whether continuing construction of the ELL Generation, Transmission, and Battery Projects remains in the public interest.

3. Project Completion Report

Within 120 days after the completion of the in-service date of the Transmission Facilities Projects, ELL shall file a report with the Commission showing the date of completion of the Transmission Facilities Projects, and the total time to construct the Transmission Facilities Projects. The report shall include a detailed statement of the actual costs to each participant to complete the Transmission Facilities Projects, including the cost of AFUDC, cost of land acquisition/rights of way, and the estimated rate effects. For purposes of this report, "actual costs" refers to the costs estimated by the utility and relied upon by the Commission in the certification docket to site and complete the Transmission Facilities Projects.