

LOUISIANA PUBLIC SERVICE COMMISSION

DOCKET NO. R-37905

LOUISIANA PUBLIC SERVICE COMMISSION,
EX PARTE

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.

THE LOUISIANA PUBLIC SERVICE COMMISSION STAFF'S NOTICE OF PROCEDURAL SCHEDULE AND FIRST REQUEST FOR INFORMATION

I. INTRODUCTION

This docket was initiated by the Louisiana Public Service Commission ("Commission" or "LPSC") pursuant to a directive at the April 15, 2026 Business and Executive Session ("B&E").

At that B&E, Vice Chairman Coussan issued a directive, which was unopposed, as follows:

A Louisiana State Task Force created by SR 195 has been studying, *inter alia*, policies regarding energy self-generation, industrial microgrids, and expedited permitting in the state of Louisiana. Discussion at the task force also included: 1) potential statutory changes to ensure that Louisiana has the electrical generation needed to attract new large loads to Louisiana, and 2) more recently, how microgrids could serve these large loads.

Incidentally, SB 490 has now been introduced in the 2026 Regular Session proposing "private use electrical networks" to enable construction of generation to support large industrial and digital infrastructure projects.

The LPSC is actively participating in the task force meetings and has provided pertinent information garnered from relevant prior LPSC rulemaking proceedings including its position memorialized in Docket R-35462 that certain situations created by some utility customers could create stranded costs and the potential for increased costs to all other customers.

Nevertheless, “private use electrical networks” were not directly addressed in Docket R-35462 and should be given due consideration. As the agency with a constitutional mandate to regulate electric public utilities, I direct Staff to open a docket to evaluate “private use electrical networks” to enable generation to serve new large load looking to locate in Louisiana. Further, I direct staff to work with the already retained counsel and consultant in Docket No. R-35462 under the remaining budgets therein.

On April 22, 2026, the Commission Staff issued a Notice of Proceeding establishing this Docket No. R-37905, *In re: Determination and evaluation of private use electrical networks in order to enable generation to serve new large loads looking to locate in Louisiana*. Notice of the proceeding was published in Official Bulletin # 1374, dated April 24, 2026. Timely interventions were filed on behalf of the Alliance for Affordable Energy ("Alliance"), the Association of Louisiana Electric Cooperatives ("ALEC"), Cleco Power LLC ("Cleco Power"), Entergy Louisiana, LLC ("ELL"), the Louisiana Energy Users Group ("LEUG"), Southwest Louisiana Electric Membership Corporation (“SLEMCO”); Amplify Louisiana, LLC (“Amplify”); Environmental Defense Fund (“EDF”); Southern Renewable Energy Association (“SREA”) and 1803 Electric Cooperative, Inc. (“1803”). The Pelican Institute for Public Policy (“Pelican”) and Pointe Coupee Electric Membership Corporation ("Pointe Coupee") were each granted leave to intervene out of time.

II. ESTABLISHMENT OF PROCEDURAL SCHEDULE

The Staff establishes the following procedural schedule for the determination and consideration of private use electrical networks in this docket:

- June 18, 2026 Staff Issues First Request for Information¹
- July 17, 2026 Responses to First Set of Requests for Information Due
- August 14, 2026 Staff Issues Draft Rule
- August 28, 2026 Technical Conference (10 a.m. in the Natchez Room)
- September 25, 2026 Comments on Draft Rule and/or on Issues Raised at Technical Conference Due
- October 30, 2026 Staff Issues Final Rule
- November 18, 2026 Commission Considers Rule at Business and Executive Session

Only timely comments and responses from interested stakeholders that have intervened in this proceeding will be considered. Interventions must be filed in order to submit comments. Interested stakeholders who are not yet intervenors can file motions to intervene simultaneously with comments or responses to the Staff’s requests for information.

III. FIRST REQUEST FOR INFORMATION

The Staff requests written responses, comments, and input to its First Request for Information as set forth below by July 17, 2026.

1. What is your understanding of “private use electrical networks?” How did you derive this understanding? In providing your understanding explain how the boundaries of the “network” would be defined and whether you believe that network should be allowed to transfer power outside of the network directly to other retail customers, and if so, by what manner.
2. If “private use electrical networks” were to be allowed in Louisiana, how should “private use electrical network” be defined? What specific parameters should be in place in defining “private use electrical networks?” Please be sure to address the following:

¹ The Staff will issue subsequent rounds of Requests for Information as necessary.

- a. Whether “private use electrical networks” should be limited to those that serve large load industrial needs, and if it should be so limited, how those limits should be defined including, but not limited to, whether there should be a size limitation, and if a size limitation is proposed, please provide specificity on the size measure to be utilized, *i.e.* acreage, load size, etc.;
 - b. Whether “private use electrical networks” should only be available to new large loads to protect ratepayers against being left with stranded and/or high cost generation and transmission that was procured to serve the current load on the system if existing load were allowed to exit the system;
 - c. Whether to be qualified as a “private use electrical network,” assets would need to be committed exclusively to serving a particular customer or customers, or whether some lesser commitment should be deemed qualifying, like 50 percent, or some other percentage;
 - d. Whether all assets comprising a “private use electrical network” would have to be located on contiguous property under one owner, or whether there can be more than one owner and locations of assets on non-contiguous tracts of land with required transmission for service;
 - e. Whether a “private use electrical network” could involve one industrial owner of generation who is allowed to enter into contracts for sale to other industrial owners without the need for transmission as between those parties and without the need for co-ownership or a lease arrangement for such arrangements.
3. Do you support the implementation and recognition of “private use electrical networks” in Louisiana as per your understanding of them expressed above? Why or why not?
 4. Please explain in detail all benefits and/or detriments you believe would result for Louisiana customers if “private use electrical networks” were recognized in Louisiana. Please provide quantifications if possible.
 5. Do you believe that stranded costs may result from the implementation of “private use electrical networks” in Louisiana? If the answer is "yes," please provide a narrative description of those stranded cost risks and quantify if possible. If the answer is no, please explain why.
 6. Do you believe that “private use electric networks” as per your understanding expressed above would violate the current retail service rights of any public utility in Louisiana? Why or why not? Please cite specific authorities supporting your position.
 7. Should a “private use electrical network” be entitled to backup, standby, reliability or other services from any public utility in Louisiana? Please explain why or why not. If a public utility does provide such services to a “private use electrical network,” either because it is required to or is willing to, how should those services be priced? Should that pricing account for system requirements to be able to withstand large surges of load upon the sudden loss of “private use electrical network” generation in a manner different than has

been accounted for with prior standby services not designed for such large loads. Please explain whether your responses are consistent with the regulatory principles of cost causation and just and reasonable rates to all customers.

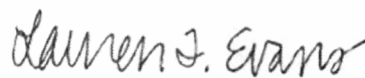
8. Are you aware of other jurisdictions that allow “private use electrical networks” either as per your understanding or some other understanding. If so, please provide a narrative explanation of the programs and citations to relevant legislation, regulatory dockets or orders.
9. Please state whether the term “private use electrical network” has a recognized engineering, electrical, operational, or planning meaning. If your answer is yes, please provide a detailed explanation of that meaning and identify all sources relied upon. If your answer is no, please explain why the term does not have such a recognized meaning and identify any engineering, electrical, operational, planning, regulatory, or industry concepts that are most analogous. In your response, please address:
 - a. Whether a “private use electrical network” can be distinguished from traditional customer-owned facilities located behind a retail meter;
 - b. Whether a “private use electrical network” can be distinguished from a public utility transmission and distribution system from an engineering or operational perspective;
 - c. The types of electrical facilities that would typically comprise a “private use electrical network,” including generation, transmission, distribution, substations, protection systems, control systems, energy storage facilities, and load;
 - d. Whether there are engineering, reliability, operational, protection, or interconnection characteristics that should be required in order for a system to qualify as a “private use electrical network”;
 - e. Whether the electrical boundaries of a “private use electrical network” can be objectively identified and, if so, how those boundaries would be determined; and
 - f. Whether any IEEE, NERC, FERC, state regulatory, utility planning, or other industry standards, definitions, or guidance documents recognize concepts similar to a “private use electrical network.” If so, please provide citations and explain their relevance.
10. Under current Louisiana regulatory treatment, a customer may generally self-supply electricity using generation that it owns or leases, while third-party sales of electricity to retail customers may be subject to public utility regulation. In your response please address:

- a. Whether current ownership or lease requirements applicable to customer-sited generation create material financial, accounting, tax, financing, operational, or other impediments to the development of large industrial, manufacturing, digital infrastructure, or data center projects in Louisiana;
- b. If so, describe those impediments in detail and quantify them where possible;
- c. Whether Louisiana should permit a third party to own generation and sell electricity directly to one or more customers located within a qualified “private use electrical network” without being regulated as a public utility;
- d. If the answer to subsection (c) is yes, what specific criteria, limitations, or conditions should apply before such an exemption is granted;
- e. Whether any such exemption should be limited to new load, large load, industrial load, data center load, or other specific categories of customers;
- f. What protections, if any, should be implemented to protect existing utility customers from stranded costs, cost shifting, revenue erosion, or other adverse impacts;
- g. Whether any minimum investment, load size, duration of service commitment, dedicated-use requirement, or contractual obligation should be required as a condition of any exemption; and
- h. Whether other states have adopted similar exemptions or frameworks. If so, please identify those jurisdictions and provide citations to the relevant statutes, regulations, orders, or policies.

Respectfully submitted,

Noel J. Darce (Bar No. 1813)
Dana M. Shelton (Bar No. 24643)
Justin A. Swaim (Bar No. 36693)

OF
FISHMANHAYGOOD LLP
201 St. Charles Avenue, 46th Floor
New Orleans, Louisiana 70170
Telephone: 504.556.5252



Lauren Temento Evans (Bar No. 35576)
Deputy General Counsel
Louisiana Public Service Commission
602 N. Fifth Street, Galvez Bldg., 12th Fl.
Baton Rouge, Louisiana 70802
Ph. 225-342-5703
Email: Lauren.Evans@la.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon all parties of record by email, properly addressed, on this 18th day of June, 2026.

Lauren J. Evans

LAUREN EVANS

**Service List for R-37905
as of 6/18/2026**

Commissioner(s)

Jean-Paul P. Coussan

Mike Francis

Davante Lewis

Foster L. Campbell

Eric Skrmetta

LPSC Staff Counsel

Lauren Evans, Deputy General Counsel

LPSC Staff

Donnie Marks, LPSC Utilities Division

Robin Pendergrass, LPSC Auditing Division

Thomas Broady, LPSC Auditing Division

LPSC Consultant

R. Lane Sisung

United Professionals Company

3850 North Causeway Blvd., Suite 1930

Metairie, LA 70002

Email: lane@sisung.com

Fax: (504)544-7701; Phone: (504)544-7724

Julie Viviano

United Professionals Company

3850 North Causeway Blvd., Suite 1930

Metairie, LA 70002

Email: julie@sisung.com

Fax: (504)544-7701; Phone: (504)544-7711

Jake Chapman

United Professionals Company

3850 North Causeway Blvd., Suite 1930

Metairie, LA 70002

Email: jake@sisung.com

Fax: (504)544-7730; Phone: (504)544-7701

Jonathan Bourg

United Professionals Company

3850 North Causeway Blvd., Suite 1930

Metairie, LA 70002

Email: jbourg@sisung.com

Fax: (504)544-7702; Phone: (504)544-7728

LPSC Special Counsel

Dana Shelton

FishmanHaygood LLP

201 St. Charles Avenue, 46th Floor

New Orleans, LA 70170

Email: dshelton@fishmanhaygood.com

Fax: ; Phone: (504)556-5252

Noel Darce

FishmanHaygood LLP

201 St. Charles Avenue, 46th Floor

New Orleans, LA 70170

Email: ndarce@fishmanhaygood.com

Fax: ; Phone: (504)556-5252

Justin A. Swaim

FishmanHaygood LLP

201 St. Charles Avenue, 46th Floor

New Orleans, LA 70170

Email: jswaim@fishmanhaygood.com

Fax: ; Phone: (504)556-5252

Intervenor :

Cleco Power LLC

John O. Shirley
Phelps Dunbar, LLP
II City Plaza
400 Convention Street, Suite 1100
Baton Rouge, LA 70821
Email: john.shirley@phelps.com
Fax: (225)376-9197; Phone: (225)376-0288

Paul F. Guarisco
Phelps Dunbar, LLP
400 Convention Street, Suite 1100
Baton Rouge, LA 70802-4412
Email: paul.guarisco@phelps.com
Fax: (225)381-9197; Phone: (225)376-0241

Taylor J. Boudreaux
Phelps Dunbar, LLP
II City Plaza, 400 Convention Street, Ste 1100
Post Office Box 4412
Baton Rouge, LA 70821
Email: taylor.boudreaux@phelps.com
Fax: (225)381-9197; Phone: (225)376-0241

Intervenor :

Louisiana Energy Users Group

Randy Young

Kean Miller, LLP

400 Convention Street, Suite 700 (70802)

Post Office Box 3513

Baton Rouge, LA 70821-3513

Email: Randy.Young@keanmiller.com

Fax: (225)388-9133; Phone: (225)387-0999

Carrie R. Tournillon

Kean Miller, LLP

400 Convention Street, Suite 700 (70802)

Post Office Box 3513

Baton Rouge, LA 70821-3513

Email: carrie.tournillon@keanmiller.com

Fax: (504)585-3051; Phone: (504)585-3056

Gordon D. Polozola

Kean Miller, LLP

400 Convention Street, Suite 700 (70802)

Post Office Box 3513

Baton Rouge, LA 70821-3513

Email: gordon.polozola@keanmiller.com

Fax: (225)388-9133; Phone: (225)387-0999

Intervenor :

1803 Electric Cooperative, Inc.

Kyle C. Marionneaux
Marionneaux Kantrow, LLC
10202 Jefferson Highway, Building C
Baton Rouge, LA 70809
Email: kyle@mklawla.com
Fax: (225)757-1709; Phone: (225)769-7473

Brian W. Hobbs
1803 Electric Cooperative, Inc.
4601 Bluebonnet Blvd.
Baton Rouge, LA 70809
Email: brian.hobbs@1803electric.coop
Fax: ; Phone: (405)831-5615

Ron Repsher
1803 Electric Cooperative, Inc.
4601 Bluebonnet Blvd.
Baton Rouge, LA 70809
Email: ron.repsher@1803electric.coop
Fax: ; Phone: (405)831-5615

John N. Grinton
1803 Electric Cooperative, Inc.
4601 Bluebonnet Blvd.
Baton Rouge, LA 70809
Email: john.grinton@1803electric.coop
Fax: ; Phone: (225)457-1803

Intervenor : **Association of Louisiana Electric
Cooperatives, Inc. (ALEC)**

Kyle C. Marionneaux
Marionneaux Kantrow, LLC
10202 Jefferson Highway, Building C
Baton Rouge, LA 70809
Email: kyle@mklawla.com
Fax: (225)757-1709; Phone: (225)769-7473

Kara B. Kantrow
Marionneaux Kantrow, LLC
10202 Jefferson Highway, Building C
Baton Rouge, LA 70809-3183
Email: kara@mklawla.com
Fax: (225)757-1709; Phone: (225)769-7473

H. Barlow Holley
Marionneaux Kantrow, LLC
10202 Jefferson Highway, Building C
Baton Rouge, LA 70809
Email: barlow@mklawla.com
Fax: (225)757-1709; Phone: (225)769-7473

Intervenor : Southern Renewable Energy Association

Simon Mahan
Southern Renewable Energy Association (SREA)
11610 Pleasant Ridge Road, Suite 103 #176
Little Rock, AR 72223
Email: simon@southernwind.org
Fax: ; Phone: (337)303-3723

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

Intervenor : Southwest Louisiana Electric Membership Corporation

Theodore G. Edwards IV
Davidson, Meaux, Sonnier, McElligott, Fontenot,
Gideon & Edwards
900 S. College Road
Suite 100
Lafayette, LA 70503
Email: gedwards@davidsonmeaux.com
Fax: (337)237-3676; Phone: (337)237-1660

Christopher J. Piasecki
Davidson, Meaux, Sonnier, McElligott, Fontenot,
Gideon & Edwards
900 S. College Road
Suite 100
Lafayette, LA 70503
Email: cpiasecki@davidsonmeaux.com
Fax: (337)237-3676; Phone: (337)237-1660

Hoa Nguyen (Paralegal)
Davidson, Meaux, Sonnier, McElligott, Fontenot,
Gideon & Edwards
900 S. College Road
Suite 100
Lafayette, LA 70503
Email: hnguyen@davidsonmeaux.com
Fax: ; Phone: (337)237-1660

Wayne Phillips
SLEMCO
PO Box 90866
Lafayette, LA 70509
Email: wayne.phillips@slemco.com
Fax: (337)896-2542; Phone: (337)896-5384

Intervenor :

Entergy Louisiana, LLC

Lawrence J. Hand Jr.
Entergy Louisiana, LLC
4809 Jefferson Highway
Mail Unit L-JEF-357
Jefferson, LA 70121
Email: lhand@entergy.com
Fax: (504)840-2681; Phone: (504)840-2528

Patrick A. Sullivan
Entergy Louisiana, LLC
4809 Jefferson Highway
Mail Unit L-JEF-357
Jefferson, LA 70121
Email: psulli2@entergy.com
Fax: (504)840-2681; Phone: (504)840-2528

Colby Bowens
Entergy Services, LLC
4809 Jefferson Highway
Mail Unit L-JEF-357
Jefferson City, LA 70121
Email: cbowens@entergy.com
Fax: ; Phone: (504)840-2528

Matthew T. Brown
Entergy Services, LLC
639 Loyola Avenue
Mail Unit L-ENT-26E
New Orleans, LA 70113
Email: mbrow12@entergy.com
Fax: (504)576-5579; Phone: (504)576-4645

D. Skylar Rosenbloom
Entergy Services, LLC
639 Loyola Avenue
Mail Unit L-ENT-26E
New Orleans, LA 70113
Email: drosenb@entergy.com
Fax: (504)579-5579; Phone: (504)576-2603

Intervenor :

Alliance for Affordable Energy

Alaina DiLaura
Alliance for Affordable Energy
4505 S. Claiborne Ave.
New Orleans, LA 70125
Email: alaina@all4energy.org
Fax: ; Phone: (504)208-9761

Logan Atkinson Burke
Alliance for Affordable Energy
4505 S. Claiborne Avenue
New Orleans, LA 70125
Email: Logan@all4energy.org
Fax: (504)313-3478; Phone: (504)208-9761

Lauren Nagel
Alliance for Affordable Energy
4505 S. Claiborne Ave.
New Orleans, LA 70125
Email: regulatory@all4energy.org
Fax: ; Phone: (504)208-9761

Intervenor : Environmental Defense Fund

Harry J Vorhoff
Plauche & Carr LLP
450 Laurel Street, Ste. 1850
Baton Rouge, LA 70801
Email: Harry@plauchecarr.com
Fax: ; Phone: (225)256-4028

Megan K. Terrell
Plauche & Carr LLP
450 Laurel Street, Ste. 1850
Baton Rouge, LA 70801
Email: Megan@plauchecarr.com
Fax: ; Phone: (225)256-4028

Kahlida Lloyd
Environmental Defense Fund
2021 Lakeshore Drive Suite 210
New Orleans, LA 70122
Email: klloyd@edf.org
Fax: ; Phone: (504)289-6190

Liz Russell
Environmental Defense Fund
2021 Lakeshore Drive Suite 210
New Orleans, LA 70122
Email: lwrussell@edf.org
Fax: ; Phone: (504)289-6190

Intervenor : **Amplify Louisiana, LLC.**
Kayla Bertucci
People Who Think
4250 LA-22 Suite 7A
Mandeville, LA 70471
Email: kayla@peoplewhothink.com
Fax: ; Phone: (985)377-7436

Intervenor : **Pelican Institute for Public Policy**
Melissa Landry
400 Poydras st., Suite 900
New Orleans, LA 70130
Email: melissa@pelicaninstitute.org
Fax: ; Phone: (504)500-0506

Laurie Adams
400 Poydras St., Suite 900
New Orleans, LA 70130
Email: laurie@pelicaninstitute.org
Fax: ; Phone: (504)500-0506

Erin Bendily
400 Poydras St., Suite 900
New Orleans, LA 70130
Email: erin@pelicaninstitute.org
Fax: ; Phone: (504)500-0506

Daniel Erspamer
400 Poydras St., Suite 900
New Orleans, LA 70130
Email: daniel@pelicaninstitute.org
Fax: ; Phone: (504)500-0506

Intervenor : Pointe Coupee Electric Membership Corporation

Jennifer J. Vosburg
Jennifer J. Vosburg, LLC
P.O. Box 956
New Roads, LA 70760
Email: jjv@jenniferjvosburg.com
Fax: (225)618-4370; Phone: (225)240-2282

Craig Magruder
Pointe Coupee Electric Membership Corporation
2506 False River Drive
New Roads, LA 70760
Email: cmagruder@pcemc.org
Fax: ; Phone: (225)718-0928

Amanda H. McDuff
Pointe Coupee Electric Membership Corporation
2506 False River Drive
New Roads, LA 70760
Email: amcduff@pcemc.org
Fax: ; Phone: (225)638-3751