

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

SCR 5

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By: Senators Malone, Bryles, Glover, Hendren, Higginbothom, Hill, Horn, J. Jeffress, Whitaker  
By: Representatives Edwards, Abernathy, Adcock, Bolin, Borhauer, Boyd, Burris, Childers, Clemons,  
Cook, Cowling, Dangeau, Davenport, Dunn, Elliott, R. Green, Hardwick, Harrelson, J. Johnson, Kenney,  
Key, Lamoureux, Ledbetter, W. Lewellen, Mahony, Maloch, M. Martin, McDaniel, Nichols, Petrus,  
Pickett, Pyle, Ragland, Reep, Roebuck, Rosenbaum, Sample, Saunders, Sullivan, Thyer, Wells

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**SENATE CONCURRENT RESOLUTION**  
REQUESTING THE FEDERAL ENERGY REGULATORY  
COMMISSION TO REJECT THE LOUISIANA PUBLIC SERVICE  
COMMISSION'S COMPLAINT IN FEDERAL ENERGY  
REGULATORY COMMISSION DOCKET NO. EL01-88-000.

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**Subtitle**

REQUESTING THE FEDERAL ENERGY REGULATORY  
COMMISSION TO REJECT THE LOUISIANA  
PUBLIC SERVICE COMMISSION'S COMPLAINT IN  
FEDERAL ENERGY REGULATORY COMMISSION  
DOCKET NO. EL01-88-000.

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WHEREAS, the provision of safe, reliable, and reasonably-priced  
electric power to the Arkansas ratepayers of Entergy Arkansas, Inc., is a  
vital concern of the Arkansas General Assembly; and

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WHEREAS, the high front-end capital costs of certain coal and nuclear  
electric generating units built in Arkansas by Entergy Arkansas, Inc. have  
been paid through the rates of the Arkansas ratepayers of Entergy Arkansas,  
Inc.; and

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WHEREAS, the Louisiana Public Service Commission has filed a complaint  
with the Federal Energy Regulatory Commission in Docket No. EL01-88-000 that



1 is an attempt to take from Entergy Arkansas, Inc.'s Arkansas ratepayers the  
2 current and future economic benefits of those lower-cost coal and nuclear  
3 electric generating units and transfer those lower-cost benefits to certain  
4 Louisiana ratepayers; and

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6 WHEREAS, the Louisiana Public Service Commission's complaint is also  
7 attempting to persuade the Federal Energy Regulatory Commission to compel  
8 Entergy Arkansas, Inc.'s Arkansas ratepayers to pay a significant part of the  
9 uneconomically high costs of the Vidalia hydro-electric generating unit built  
10 in Vidalia, Louisiana for the use of Louisiana ratepayers but providing no  
11 power or benefit to Arkansas ratepayers; and

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13 WHEREAS, it is unjust, unreasonable, and unconscionable to allow the  
14 Louisiana Public Service Commission to now convert for the use of Louisiana  
15 ratepayers the lower-cost benefits of Entergy Arkansas, Inc.'s coal and  
16 nuclear generating units for which Arkansas ratepayers have paid; and

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18 WHEREAS, it is equally unjust, unreasonable, and unconscionable to  
19 require Entergy Arkansas, Inc.'s ratepayers to contribute to the  
20 uneconomically high costs of the Vidalia hydro-electric generating unit that  
21 provides no benefits for Arkansas ratepayers; and

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23 WHEREAS, the Arkansas Public Service Commission has vigorously  
24 litigated and defended the interests of Entergy Arkansas, Inc.'s Arkansas  
25 ratepayers for the past several years before the Federal Energy Regulatory  
26 Commission in an attempt to defeat the Louisiana Public Service Commission's  
27 unfair complaint; and

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29 WHEREAS, the Arkansas Public Service Commission has advised this  
30 General Assembly that if the Louisiana Public Service Commission is  
31 successful in its complaint, approximately six hundred fifty-one thousand  
32 (651,000) Entergy Arkansas, Inc., Arkansas ratepayers could be required to  
33 pay in the next five (5) years additional costs of up to one billion dollars  
34 (\$1,000,000,000), causing the rates of Entergy Arkansas, Inc.'s Arkansas  
35 ratepayers to be increased by as much as 20% to 25%; and

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1           WHEREAS, a rate increase of such magnitude could have a devastating  
2 financial impact on Entergy Arkansas, Inc.'s Arkansas ratepayers, the  
3 Arkansas economy, and Arkansas' economic development efforts,  
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5 NOW THEREFORE,

6 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE  
7 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
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9           That the General Assembly urges the Federal Energy Regulatory  
10 Commission to protect the interests of Entergy Arkansas, Inc.'s Arkansas  
11 ratepayers and the economic future of Arkansas by rejecting the Louisiana  
12 Public Service Commission's complaint.  
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14           BE IT FURTHER RESOLVED that the General Assembly recognizes and  
15 commends the Arkansas Public Service Commission for its vigorous litigation  
16 efforts over the past three (3) years in its attempt to defeat the Louisiana  
17 Public Service Commission's unconscionable Federal Energy Regulatory  
18 Commission complaint against the economic interests of Entergy Arkansas,  
19 Inc.'s Arkansas ratepayers.  
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21           BE IT FURTHER RESOLVED that upon the adoption of this Resolution, a  
22 copy shall be sent by the Secretary of the Senate to the Commissioners of the  
23 Federal Energy Regulatory Commission in Washington, D.C.  
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