



**ENTERGY CORPORATION
CODE OF CONDUCT FOR RETAIL MARKETING**

I. Scope

This code of conduct has been developed to meet the changing retail energy marketplace. Entergy Corporation reserves the right to make appropriate modifications to this code of conduct. This code of conduct applies to persons engaged in the marketing and sale of products and services to the retail customers of a Regulated Utility.

II. Definitions

"Aggregate Customer Information" shall mean data in the possession of a Regulated Utility that relates to a group of customers and from which individual customer identities and characteristics have been removed.

"Confidential Customer Information" shall mean information regarding an individual customer that a Regulated Utility has obtained from the customer regarding (i) the price, quantity, type, or destination of a Regulated Service provided to the customer, or (ii) information regarding the customer's billing, payment or credit history for Regulated Services. Confidential Customer Information shall not include Customer ID Information.

"Customer ID Information" shall mean the name, address, and telephone number of a customer of a Regulated Utility.

~~Proprietary Information~~ shall mean information other than Confidential Customer Information and Customer ID Information that, if disclosed to nonaffiliates, could result in financial, competitive or other harm to Entergy Corp. or any of its subsidiaries.

"Public Information" shall mean information, and analysis based on information, that is available in the public domain.

"Regulated Service" shall mean a service for which the Regulated Utility holds an exclusive obligation to serve a customer under state law or a service for which there is no other supplier able to serve the customer, such as the provision of transmission or distribution services.

"Regulated Utility" shall mean Entergy Services, Inc., Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., Entergy New Orleans, Inc., System Energy Resources, Inc., System Fuels, Inc., and Entergy Operations, Inc.

"Transmission Information" shall mean information regarding (i) the transmission facilities owned, controlled or operated by a Regulated Utility, or (ii) a customer or potential customer of unbundled transmission service that is eligible to receive service under Entergy Services' FERC-filed transmission tariff.

"Unregulated Affiliate" shall mean any subsidiary of Entergy Corp. that is not a Regulated Utility.

III. General

- A. A Regulated Utility shall not condition the prices, quantity, quality, or any other term of a Regulated Services provided to its customers on the purchase by such customers of a product or service of an Unregulated Affiliate.
- B. In competing to service the load of its franchised customers, a Regulated Utility shall compete as vigorously with an Unregulated Affiliate as it would with a nonaffiliate supplier.

IV. Sharing of Information

A. Customer ID Information

A Regulated Utility may provide Customer ID Information to an Unregulated Affiliate or a nonaffiliate upon its request in accordance with the following:

1. The Regulated Utility may provide such information without the consent of the customer if the Customer ID Information for that customer is published in the local telephone directory or otherwise is in the public domain.
2. If the Customer ID Information for a customer is not published in the local telephone directory or otherwise in the public domain, the Regulated Utility shall not release that information without obtaining the customer's consent.
3. A Regulated Utility may establish procedures and charges for the release of Customer ID Information, but any such procedures or charges also shall apply on a nondiscriminatory basis to any Unregulated Affiliate.
4. If a Regulated Utility provides Customer ID Information to an Unregulated Affiliate, it shall provide the information to nonaffiliates upon request.

B. Confidential Customer Information

1. A Regulated Utility shall not disclose Confidential Customer Information to any person without the prior consent of the customer.
2. At the request of the customer, a Regulated Utility shall disclose Confidential Customer Information to any person designated by the customer as authorized to receive such information.

C. Aggregate Customer Information

1. Transfer to an Unregulated Affiliate

a. A Regulated Utility may transfer Aggregate Customer Information to an Unregulated Affiliate provided that a Regulated Utility shall disclose such information to any nonaffiliate upon request.

b. The Unregulated Affiliate shall, if required by law or regulation, compensate the Regulated Utility for such Aggregate Customer Information.

2. Discretionary Transfer

If Aggregate Customer Information has not been transferred to an Unregulated Affiliate, the Regulated Utility nevertheless may, but is not required to, provide such information to nonaffiliates upon request.

3. Charges

A Regulated Affiliate may assess a non-discriminatory charge for Aggregate Customer Information that is provided to a nonaffiliate.

D. Public Information

1. Transfer to an Unregulated Affiliate

a. A Regulated Utility may transfer Public Information to an Unregulated Affiliate.

b. If an Unregulated Affiliate receives Public Information from a Regulated Utility, it shall, if required by law, compensate the Regulated Utility for such information.

2. Discretionary Transfer

A Regulated Utility may, but is not required to, provide Public Information to nonaffiliates upon request.

3. Charges

A Regulated Affiliate may assess a non-discriminatory charge for Public Information that is provided to a nonaffiliate.

E. Proprietary Information

1. Nothing in these guidelines shall be interpreted to require a Regulated Utility to provide information it deems proprietary to any person, whether affiliated or nonaffiliated.

2. Notwithstanding subsection E(1), to the extent a Regulated Utility does provide Proprietary Information to an Unregulated Affiliate, and the information relates to the provision of Regulated Services to the Regulated Utility's franchised customers, the Regulated Utility shall disclose such Proprietary Information to a nonaffiliate upon request.

3. If an Unregulated Affiliate receives Proprietary Information from a Regulated Utility, it shall, if required by law, compensate the Regulated Utility for such information.

F. Methods of Information Disclosure

1. When a Regulated Utility discloses information to an Unregulated Affiliate, and this code of conduct requires that the information also be disclosed to nonaffiliates upon request, the Regulated Utility shall provide notice to nonaffiliates of the availability of the information.

2. The Regulated Utility may, in determining the appropriate method(s) of notice and disclosure to nonaffiliates, weigh the benefits of ease of access to the customer with the cost burdens of the medium used to provide notice and to make such information available.
3. Any conditions placed on the disclosure of information to nonaffiliates shall be reasonable and nondiscriminatory (i.e., shall apply to nonaffiliates and Unregulated Affiliates alike).

G. Transmission Information

The rules applicable to the transfer of Transmission Information to persons engaged in the wholesale merchant function are contained in the code of conduct filed with the FERC in compliance with Order 889. To the extent this Code of Conduct conflicts with the code of conduct filed in compliance with Order 889, the latter shall control.

H. Information Provided to EPMC

The rules applicable to the transfer of information to EPMC are contained in the code of conduct filed with the FERC in compliance with the FERC's order approving EPMC's request for market-based rate authority. To the extent this Code of Conduct conflicts with the code of conduct filed in compliance with such request for market-based rate authority, the latter shall control.

V. Customer Referrals

- A. A Regulated Utility may suggest to a customer that it contact (or be contacted by) an Unregulated Affiliate if:
 1. The customer has indicated an interest in a product or service, and

2. The Regulated Utility does not imply that the Unregulated Affiliate is the only qualified supplier of the product or service or otherwise promote the Unregulated Affiliate or its products.
- B. Unless the customer consents to the referral being kept confidential, a Regulated Utility that contacts its Unregulated Affiliate in order to convey a customer referral shall disclose that referral to nonaffiliates upon request.
 - C. If the customer requests that it be referred to a nonaffiliated provider of a product or service, the Regulated Utility shall refer that customer to nonaffiliates providing such products or services that have requested the Regulated Utility to disclose to customers making such requests the fact that it offers such product or service.

VI. Officers and Directors

Nothing in this code of conduct shall prohibit an officer or director of Entergy Corporation or any of its subsidiaries from performing his or her supervisory or fiduciary duties, provided that, in performing such duties, the officer or director does not provide information that is subject to Section III of this code of conduct to employees of an Unregulated Affiliate that are engaged in the marketing of products or services to retail customers or, if such information is provided to such persons, the information must be disclosed to nonaffiliates upon request in accordance with this code of conduct.