UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF LOUISIANA

IN RE:	*	**NO. 05-17697**
ENTERGY NEW ORLEANS INC.	*	
	*	**CHAPTER 11**
DEBTOR	*	**SECTION "B"**
* * * * * * * *		

DEBTOR'S OPPOSITION TO APACHE'S MOTION TO SHORTEN RESPONSE TIME ON DISCOVERY

Entergy New Orleans Inc., the debtor and debtor-in-possession herein (the "Debtor" or "ENOI"), submits this Opposition to the Motion to Shorten Response Time filed by Apache Corporation ("Apache") on December 12, 2005.

1. Apache previously filed a Motion to Compel Assumption or Rejection of an Executory Contract and a Motion for Recognition and Payment of an Administrative Expense (the "Apache Motions") on November 30, 2005. After Apache initially obtained an expedited hearing set for December 7, the Apache Motions were re-set for January 11, 2006, after ENOI objected to the expedited hearing.

2. On December 12, 2005, Apache propounded to ENOI Requests for Production of Documents, Requests for Admissions, and Interrogatories (collectively, "discovery"). Apache simultaneously filed a Motion to Shorten ENOI's response time on the

discovery to ten days, making the responses due on December 23, 2005. The discovery responses would otherwise be due on January 11, 2006, the date of the hearing on the Apache Motions.

3. ENOI objects to the Motion to Shorten as being unreasonable and overly burdensome. Apache insisted on having the Apache Motions heard before ENOI can accept delivery of Apache's gas under the Apache contract. ENOI's pipeline that transports the Apache gas was damaged by Hurricanes Katrina and Rita and is not anticipated to be repaired until late January or early February. Thus, because of this force majeure, ENOI could not perform even if it assumed the contract as of the hearing date (January 11) on the Apache Motions. Thus, the timing "crunch" is of Apache's own making.

4. Moreover, the discovery requires responses from a variety of people within ENOI or Entergy Services, Inc., at different locations in Louisiana and Texas. ENOI requires a reasonable amount of time to gather the information, review it, and produce it. Ten days is not reasonable, particularly when Apache would have 20 days before the hearing to review it but ENOI would only have ten days to gather and produce it.

5. Some of the discovery requests information about the damage to, and status of, the pipeline. As of this date, ENOI has only had aerial inspections of the platforms (and any pipe that is above water). The first physical inspection of the pipeline platform is not scheduled until December 15, 2005, and it is anticipated that this inspection will likely generate information or documents potentially responsive to the discovery. ENOI may not be able to gather and produce this information within the requested shortened timeframe.

6. Nevertheless, in an effort to accommodate Apache, ENOI has offered to provide written responses to the discovery by December 23 (as requested) and to produce

requested documents on or before January 6 (five days before they are due under the Rules and five days before the hearing on the Apache Motions). Apache has not responded to ENOI's offer and, therefore, ENOI files this objection to the Motion to Shorten.

WHEREFORE, Entergy New Orleans Inc. respectfully requests that the Court deny Apache's Motion to Shorten and for such other general and equitable relief as is just and proper.

Respectfully submitted,

/s/ Nan Roberts Eitel
R. PATRICK VANCE (#13008)
ELIZABETH J. FUTRELL (#5863)
NAN ROBERTS EITEL (#19910)
TARA G. RICHARD (#26356)
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre, L.L.P.
201 St. Charles Avenue, 49th Floor
New Orleans, La. 70170
Telephone: 504-582-8000
Fax: 504-582-8583

Attorneys for Entergy New Orleans, Inc.