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Via Email & FedEx Overnight

April 15, 2019

Ms. Ms. Terri Lemoine Bordelon
Records Division
Louisiana Public Service Commission
Galvez Building, 12th Floor
602 North Fifth Street
Baton Rouge, LA 70802


In Re: Rulemaking Regarding Alternative Methods of Financing. (LPSC Docket R-35142).

Dear Ms. Bordelon:

Please find attached my response to the LPSC Request for Proposal ("RFP") for outside independent counsel issued March 29, 2019 in the above-referenced Docket. The original plus five (5) copies will be overnighted to you by Federal Express on Tuesday April 16th, 2019.

Thank you for your attention to this matter.

Respectfully submitted,


Royal Alexander

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LOUISIANA PUBLIC SERVICE COMMISSION
REQUEST FOR PROPOSAL ("RFP")

***DOCKET NO. R-35142**– In Re: Rulemaking Regarding Alternative Methods of Financing and the Approvals Necessary Under the Commission’s March 18, 1994 and November 13, 1996 General Orders.*

The Louisiana Public Service Commission (the “Commission” or “LPSC”), in accordance with the requirements of the LPSC’s General Order dated August 4, 2004, regarding the selection of contract employees to represent the Commission (“Contract Order”), issues this Request for Proposals (“RFP”) to **outside contract attorneys** to assist the Commission in researching and analyzing alternative financing methods and how those methods can be a useful tool for the Commission and regulated entities in the future. Staff opened a new docket for these purposes on March 14, 2019.

I. Overview

The Louisiana Public Service Commission has determined that it is prudent to research, analyze and evaluate alternative financing methods and how those methods can be a useful tool for the Commission and regulated entities in the future.

Such alternative methods of acquiring assets and financing could provide timely infrastructure solutions to entities that must replace infrastructure but don’t possess the funds to afford upgrades, who need immediate facility upgrades, who understand that owning the infrastructure is often not prudent or feasible, whose risks in performance are overwhelming, who need full-proof reliability and durability, who are driven by an ROI, who have other pressing needs for limited funds and who seek the lowest long-term cost in making the needed infrastructure upgrades. A beneficial approach to such an alternative financing method is that the entity is not required to purchase any product or pay for installation—materials, installation, maintenance and upgrades are all covered. Such parties are essentially investors that invest in modern infrastructure whether replacing something old or part of something new. To ensure the given assets perform, the interested party pays for them to be maintained and continuously upgraded to keep them reliable, safe and efficient. Such financing partner would ideally only invest in top-of-the-line assets, designed, installed and serviced by notable experts.

As such, this business model would involve implementing a mutually agreed upon usage-based rate schedule.

II. Scope of Representation

Applicant will assist in-house Staff counsel and any other outside consultants retained by the Commission in conducting the research, analysis and evaluation of the alternative financing methods used and how those methods can be a useful tool for the Commission and regulated entities in the future. The applicant will be expected to assist in the preparation of discovery and other tasks normally associated with the rule-making process and participate in technical conferences with interested parties and any intervenors. Applicant will also be assisting Staff and outside consultants in the conduct of interviews, site visits and other activities involved in the process of research, analysis and evaluation, the preparation of any report and recommendation made to the Commission, assisting in the preparation of any proposed order, meeting with Commissioners and attending the Commission's Business and Executive Session on the date the docket associated with this proceeding is heard.

Action Plan

Our scope of representation will involve meeting with and assisting Staff counsel and any outside consultant retained by the Commission in formulating an issues list to be addressed in this docket. We will then participate in all necessary discovery, site visits, technical conferences, conferences with Commissioners and attend and participate in any Open Sessions during which the issues in this docket will be heard. Upon completion of discovery, we will assist Staff counsel and any retained consultant in the timely preparation of a final Report and Recommendation for consideration by the Commission, and the preparation and implementation of a Final Order.

Phase One: Review all models, methods, procedures and business practices of parties who may potentially provide alternative methods of financing. Meet with Staff counsel and any outside consultant to identify issues, establish a procedural schedule and action plan for the docket and review any and all interventions. Estimated time: 2-3 months.

Phase Two: Coordinate with Staff counsel and any outside consultant, prepare Data Requests, conduct site visits, issue agendas and coordinate technical conferences, conduct and complete all discovery. Research, investigate and compare other companies in the market-place who may provide alternative financing. Estimated time: 2-3 months.

Phase Three: Meet with Staff counsel and any outside consultant to consider and develop a succinct, streamlined version of the methods, practices and procedures and prepare a proposed Staff Report and Recommendation for Comment. Estimated time: 2-3 months.

Phase Four: Confer with Commissioners on findings contained in Staff Report and Recommendation and the bases for Staff Recommendations. Prepare for and attend

Open Session for consideration of Staff's Report and Recommendation. Assist Staff in preparation of Final Order. Estimated time: 2-3 months.

III. Period of Representation

The time period ("Period of Representation") estimated to complete the scope of representation is approximately 12 months.

IV. Minimum Requirements

Our firm meets and exceeds the minimum requirements set forth in the referenced RFP, including, but not limited to, having a working knowledge of the Louisiana Public Service Commission's rulemaking and jurisdictional issues; applicable Commission regulations; full understanding and ability to analyze the information and analysis sought in the application; and, the Commission's purpose and goal in seeking this information, evaluation, analysis and procedure.

Our firm and its members have extensive experience in the representation of the PSC regarding the subject matter, policies and procedures in the above-referenced Request for Proposal. The undersigned is currently authorized and approved to serve as outside contract counsel to assist and represent the Commission in such matters. Further, we have worked on numerous dockets on behalf of the Commission including but not limited to the following dockets: MISO Monitoring, CLECO/Macquarie sale (U-33434); CLECO/NRG Merger (U-34794); Greater Ouachita Water Co., (X-34345); Aggregated Retail Customers/Demand Response (ARCs) Rulemaking (R-34948); Entergy Business Combination (U-33782); Long Term Natural Gas Hedging (R-32975), Long Term Natural Gas Hedging Stabilization Pilot Program (U-34735); CLECO Gas Hedging Application (U-34617); Pole Attachments (U-34688); ITC/Entergy (U-32538); Best Practices (catastrophic storms) (R-32786); CLECO IRP (I-34693); ENTERGY IRP (I-34694); SWEPCO IRP (I-34715); Deactivation Rules (R-34407); Entergy Vinton Public Power Authority (U-34332); SWEPCO Wind Catcher (U-34619), Status of Electric Rates in Louisiana (S-34426); and Double Leveraging and Tax Structure Issues (R-34029).

V. Estimate of Fees and Costs

It is anticipated that the scope of representation and work plan set forth hereinabove will require a maximum total of 185 hours at an hourly rate of \$250.00 per hour. It is further anticipated that costs and/or expenses incurred in connection with these efforts will not exceed \$3,000.00. Accordingly, the total proposed budget for the services of this firm as outside contract attorneys consists of the following respective fees and costs:

Fees:	185 hours @ \$250.00 per hour	\$46,250.00
Costs/Expenses:		\$ 3,000.00
Total Fees and Costs:		\$49,250.00

VI. Conflict of Interest

We are aware of no current or past representation which could result in a conflict of interest, and no member of this firm currently represents any interested clients or affiliated parties before the Commission.

In the event you or any member of the Staff need any additional information or clarification of the contents of this Proposal, please do not hesitate to contact me at your convenience.

We appreciate the opportunity to respond to the above-referenced Request for Proposal and look forward to being of service to the Commission and Staff.

Respectfully Submitted,


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Royal Alexander was born and raised in Shreveport, Louisiana. He is one of the twelve children of Mrs. A.G. Alexander, Jr. ("Flo") and the late Mr. A.G. "Ladd" Alexander, Jr. Royal graduated from Southfield High School College Prep in Shreveport in 1985. He then attended and graduated from Louisiana State University-Shreveport in 1990 with a B.A degree in Political Science where he served as president of the Student Government Association and was a two-time recipient of the LSUS-Outstanding Political Science Major Award.

After graduation from college, Alexander moved to Washington, D.C. to begin working in the Office of the late U.S. Congressman Clyde C. Holloway, serving as a Legislative Assistant handling numerous legislative issues. In 1993, Royal left the office of Congressman Holloway to attend law school at Oklahoma City University School of Law, where he served on *Law Review* as well as being chosen out of several hundred students to compete against other law schools on the Benton National Moot Court Team. He was also a member of the law school's intramural Moot Court Team. After graduation from law school in 1996, he clerked for U.S. District Judge Rebecca F. Doherty of the Western District of Lafayette, Louisiana. After his clerkship with Judge Doherty, Royal was hired by the Lafayette and New Orleans law firm of Jeansonne & Remondet, working in the Lafayette and Shreveport offices from 1998-2002. His practice consisted of insurance defense, liability coverage issues, and commercial litigation.

In 2003-04, Royal served as an Administrative Law Judge (ALJ) for the state of Louisiana. In 2004, he left service to the state as an ALJ to become Chief of Staff to U.S. Congressman Rodney Alexander (R-LA) (no relation), overseeing all staff and helping direct fundraising, policy, legislation, appropriations and constituent services. Royal left the office of Congressman Alexander to run for, defeat the incumbent, and succeed in making the runoff in the 2007 statewide runoff for Attorney General of Louisiana. In 2008, after the AG race, Royal became an in-house attorney for Deep South Surplus Inc., the Managing General Agent (MGA) of Clarendon National Insurance Company, handling commercial auto and general liability litigation. In 2012, Royal rejoined his long-time law partners, Craig Smith and Richard John, at the Law Firm of Smith & John, creating the *Royal Alexander Law Firm* and expanding his criminal defense, plaintiff and business practice to include utility law.

Mr. Alexander has worked on numerous dockets on behalf of the Louisiana Public Service Commission including but not limited to the following dockets: MISO Monitoring, CLECO/Macquarie sale (U-33434); CLECO/NRG Merger (U-34794); Greater Ouachita Water Co., (X-34345); Aggregated Retail Customers/Demand Response (ARCs) Rulemaking (R-34948); Entergy Business Combination (U-33782); Long Term Natural Gas Hedging (R-32975), Long Term Natural Gas Hedging Stabilization Pilot Program (U-34735); CLECO Gas Hedging Application (U-34617); Pole Attachments (U-34688); ITC/Entergy (U-32538); Best Practices (catastrophic storms) (R-32786); CLECO IRP (I-34693); ENTERGY IRP (I-34694); SWEPCO IRP (I-34715); Deactivation Rules (R-34407); Entergy Vinton Public Power Authority (U-34332); SWEPCO Wind Catcher (U-34619), Status of Electric Rates in Louisiana (S-34426); and Double Leveraging and Tax Structure Issues (R-34029).

Royal has been named a *Top Attorney* by SB Magazine in 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018. He is a constitutional law scholar who frequently lectures on state and federal constitutional and statutory issues.
