

Louisiana Public Service Commission



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Executive Counsel

March 18, 2021

JOHNNY E. SNELLGROVE, JR
Deputy Undersecretary

VIA EMAIL

RFP 21-05 – Docket No. S-35916, Entergy Louisiana, LLC, ex parte. In re: Application for Authorization to Implement a Green Pricing Option, Rider GPO and Rider LVGPO, and Related Relief.

To all LPSC qualified consultants:

Enclosed please find a Request for Proposals (“RFP”) for **independent technical consultant** issued by the Louisiana Public Service Commission for the above referenced docket. If your firm is interested in submitting a proposal, please review the RFP carefully to determine whether your firm meets the specific requirements to qualify for this representation. All Proposals must include a showing that your firm possesses the requisite qualifications and experience to represent the Commission in this matter. Also, please note that all Proposals, including the **original, plus (2) two copies, and an electronic copy must be received on or before Thursday, April 8, 2021 at 4:30 p.m.** Selection of consultants is anticipated to take place at the Commission’s April 2021 Business and Executive Session.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "KHB", written over a white background.

Kathryn H. Bowman
Executive Counsel

Enclosure

cc: Brandon M. Frey, Executive Secretary
Melissa W. Frey, Deputy General Counsel

RFP 21-05
LOUISIANA PUBLIC SERVICE COMMISSION
REQUEST FOR PROPOSALS (“RFP”)
March 18, 2021

DOCKET NO. S-35916 – Entergy Louisiana, LLC – Application for Authorization to Implement a Green Pricing Option, Rider GPO and Rider LVGPO, and Related Relief.

The Louisiana Public Service Commission (“Commission” or “LPSC”), in accordance with the requirements of the LPSC General Order dated November 10, 2014 regarding the selection of contract employees to represent the Commission (the “Contract Order”), issues this Request for Proposals (“RFP”) to **outside consultants** who will assist the Commission in its review of Entergy Louisiana, LLC’s (“ELL” or the “Company”) Application for authorization to implement Two Green Pricing Options, Rider GPO and Rider LVGPO, and related relief (“Application”).

This request conforms with the directives of Louisiana Public Service Commission General Order dated November 10, 2014 which provides in pertinent part that “contract attorneys and consultants shall be retained by the Commission only in those instances in which the Commission has determined that such is necessary for the Commission to fulfill its constitutional mandate, due either to insufficient available manpower within existing Commission staff, or the necessity of specific areas of expertise not represented within existing Commission staff.”

I. Overview

On March 9, 2021, ELL filed its Application pursuant to General Order dated July 1, 2019 (Docket No. R-34738) seeking authorization to implement two new renewable options whereby the Company’s end-use customers can match some or all of their monthly electricity usage with renewable energy credits (“RECs”) that are generated and/or purchased by ELL and retired on the customer’s behalf. ELL’s application will be published in the Commission’s Official Bulletin dated March 19, 2021 to provide notice of the Docket and to allow for intervention.

Per ELL’s Application, and pre-filed testimony, the request for approval of these green pricing options would allow customer’s annual energy usage be associated with the production of energy from renewable resources, which, in turn, would allow a customer to state that they are reducing their Scope 2 emissions¹ by 25%, 50%, or 100% of their electricity use each month. Through either the GPO or LVGPO rider, an end-use customer would pay a premium in addition to the standard charges paid by the customer under their applicable rate schedules and riders.

II. Scope of Representation

Applicants will assist in-house Staff (counsel, auditing, and utilities) with its analysis of ELL’s Application to establish new green pricing options through Riders GPO and LVGPO. Such

¹ Scope 2 emissions as emissions resulting from the use/purchase of electricity, heat, steam or cooling.
https://www.epa.gov/sites/production/files/2016-03/documents/electricityemissions_3_2016.pdf.

assistance includes, but is not limited to: reviewing the filing, pre-filed direct testimony, and accompanying support; assist in drafting, reviewing, and responding to discovery; assist in preparing direct and cross-answering testimony; aid in drafting pleadings and motions; appear at hearings and open meetings; participate in depositions; assist with trial preparations, including assistance with drafting cross examination of witnesses; review and analyze stipulation terms; and, participate in/conduct informal meetings with the parties and Commissioners as necessary. All proposals shall include an outline of a plan of action for conducting the review of ELL's request, including the activities described above.

The Commission and its Staff shall have the right to determine how the tasks will be carried out. In addition, all proposals shall be accompanied by a professional firm resume indicating the qualifications and experience necessary to meet the requirements of this RFP. Deviations from the requirements contained herein, or conditional bid amounts may result in rejection of the bid as non-conforming.

III. Period of Representation

This RFP covers a period of representation of approximately 12 months. This is merely an estimate and the Commission makes no representations as to the accuracy of the Period of Representation.

IV. Minimum Requirements

To be considered, all Applicants must meet the following minimum requirements in addition to those provided in this Commission's General Order dated November 10, 2014. Consideration will be given to factors which indicate degrees of competence such as the amount of practical experience in the field of public utility practice, and similar practice before this or other regulatory agencies, in addition to the bidder's knowledge of Louisiana ratemaking standards and regulatory law. Applicants shall be qualified and prepared to draft and render expert testimony, and be cross-examined, with respect to all of the issues addressed in this RFP and which are likely to arise in the proceeding.

Applicants shall have a working knowledge of Louisiana Public Service Commission rulemakings and jurisdictional issues and applicable Commission and federal regulations. Applicants shall also, at a minimum, have knowledge of:

- 1) The Commission's General Order No. 2 dated July 1, 1921 requiring all regulated public utilities to maintain tariffs on file with the Commission, as well as the "filed rate" doctrine.
- 2) The Commission's General Order dated March 12, 1974 prohibiting "promotional practices" by public utilities.
- 3) The Commission's General Order dated April 20, 2012 (Corrected) (Docket No. R-30021) regarding electric utilities filing Integrated Resource Plans.

- 4) The Commission's General Order dated July 1, 2019 (Docket No. R-34738) providing requirements for all jurisdictional electric utilities when filing tariffs, rate schedules and rate riders with the Commission.
- 5) Midcontinent Independent System Operator ("MISO") tariffs, rules and planning processes, generally.
- 6) Electric utility ratemaking and general issues such as accounting standards and practices; and
- 7) General familiarity with Green Tariff programs and products offered by public utilities.

V. Estimate of Costs

All Applicants responding to the Request for Proposal shall quote their rates on an hourly basis and shall also submit a total, not to exceed budget, which shall separate professional fees from costs. Along with providing the above, Applicants should provide an overview of the estimated costs in the summary of the bid proposal.

However, Applicants shall only be allowed to charge for actual hours of work performed and costs incurred. Once selected, an Applicant's rates and budget shall not be altered except by formal approval of the Commission.

VI. Conflict of Interest

Applicants shall prominently and separately disclose current, as well as past employment, which could possibly result in a conflict of interest. In addition, Applicants shall disclose matters in which they currently represent clients before the Commission.

VII. Billing Guidelines

As required by the November 10, 2014 General Order, all bills will be rendered monthly and shall specifically identify and describe all work performed, the person performing such work, the time and charge for such work, and shall additionally show the total amount billed to date and the authorized original estimate. Bills will be rendered in strict accordance with the Commission's guidelines. Expenses shall also be separately disclosed with proof of such expenses attached.

Expenses, where applicable, shall be reimbursed at state authorized rates as specified in the Travel Policies and Procedures Memorandum issued by the State of Louisiana, Division of Administration in effect at the time such expenses are incurred ("Allowable Expenses"). Any expenses that exceed the Allowable Expenses shall be borne by the contract employee and shall not be reimbursed by either the Commission, or the correspondent utility, unless otherwise specified by the Commission.

VIII. Reservation of Rights

The LPSC reserves the right to reject any and all proposals, to amend and/or supplement this RFP at any time, and to consider proposals or modifications thereof received at any time prior to LPSC vote at Open Session, if such action is found by the LPSC to be in the public interest. Pursuant to the Contract Order regarding the selection of contract employees, the LPSC has the right to accept other than the lowest offer with regard to price. In addition, there is also no assurance, express or implied, that an award will necessarily be made pursuant to this RFP.

IX. Submission of Proposals

Interested parties should submit the **original (hard copy), 2 copies, and e-mail an electronic copy** of the proposal to:

Kathryn H. Bowman
Executive Counsel
Louisiana Public Service Commission
602 North Fifth Street (Galvez Building) (70802)
P.O. Box 91154
Baton Rouge, Louisiana 70821-9154
Phone: (225) 342-9888
Fax: (225) 342-5610
Email: kathryn.bowman@la.gov

To be considered, an original, two copies, and the electronic copy of the proposal must be received on or before **Thursday, April 8, 2021 at 4:30 p.m.** **Selection of consultants is anticipated to take place at the Commission's April 2021 Business and Executive Session, which is currently scheduled for April 14, 2021.** Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.