



# Louisiana Public Service Commission

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December 16, 2024

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Executive Secretary

KATHRYN H. BOWMAN  
Executive Counsel

JOHNNY E. SNELGROVE, JR  
Deputy Undersecretary

## VIA EMAIL ONLY

***RFP 24-11, Docket U-37442, Entergy Louisiana, LLC, ex parte. In re: Application for approval of quantification and treatment of costs incurred associated with Commission Special Order Nos. 22-2020, 28-2020, 43-2020, and 44-2020.***

To all LPSC qualified consultants:

Enclosed please find a Request for Proposals (“RFP”) for an **outside consultant** issued by the Louisiana Public Service Commission for the above anticipated docket. If your firm is interested in submitting a proposal, please review the RFP carefully to ensure you adhere to the requirements contained therein, as well as to determine whether your firm meets the specific requirements of the RFP. All Proposals must include a showing that your firm possesses the requisite qualifications and experience to represent the Commission in this matter. Please note that deviations from the requirements contained in the RFP, or conditional bid amounts, shall result in the rejection of a proposal as non-conforming.

All Proposals, including the original, plus (2) two copies, and an electronic copy must be received on or before Monday, January 6, 2025. Selection of consultants is anticipated to take place at the Commission’s January 2025 Business and Executive Session.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be "KB", with a long horizontal line extending to the right.

Kathryn Bowman  
Executive Counsel

Encl.

cc.: Brandon M. Frey, Executive Secretary  
Justin Bello, Staff Attorney

**24-11**  
**LOUISIANA PUBLIC SERVICE COMMISSION**  
**REQUEST FOR PROPOSALS (“RFP”)**  
**December 16, 2024**

*Docket No. U-37442, Entergy Louisiana, LLC, ex parte. In re: Application for approval of quantification and treatment of costs incurred associated with Commission Special Order Nos. 22-2020, 28-2020, 43-2020, and 44-2020.*

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 (the “Contract Order”) to represent the Commission, issues this Request for Proposals (“RFP”) for **outside consultants** to assist Commission Staff in its participation in Entergy Louisiana’s (“ELL” or the Company”) request for approval of the Company’s method for quantifying the costs incurred as a result of Commission Special Orders associated with the COVID-19 pandemic, as well as the proposed cost treatment.

Consideration of qualifying proposals is anticipated to be on the Commission’s January 2025 Business and Executive Session (“B&E”). Should an Applicant be selected at the Commission’s B&E, this RFP and the Applicant’s proposal shall constitute the contract between the parties, including all terms and conditions. The Commission will not accept new terms, conditions, or proposals once an Applicant has been retained.

**Please note, deviations from the requirements contained herein, or conditional bid amounts, shall result in rejection of the proposal as non-conforming.**

**I. Overview**

On November 14, 2024, ELL filed the instant application seeking Commission approval of a specific methodology and cost recovery of costs incurred as a result of Commission Special Order Nos. 22-2020, 28-2020, 43-2020, and 44-2020 (“Special Orders”). These Special Orders were issued to prohibit disconnections of customers for non-payment, prohibited the charging of late fees on unpaid balances accrued during the suspension of disconnects, and then to allow utilities to resume disconnections and late fees after July 16, 2020. Special Order 44-2020 detailed the protocols for reinstating late fees and service disconnections and reaffirmed that a regulatory asset should be created for all expenses incurred from the suspension of disconnections and collection of late fees imposed due to the Special Orders.

Per ELL’s application, the Company incurred \$47,782,770 in order to ensure compliance with the Commission’s Special Orders, which can be broken down into lost revenue associated with the suspension of late fees, incremental bad-debt incurred attributable to non-payment balances for electric services, and the amount of lost gas revenue attributable to non-payment balances.

Commission Order No. U-36350-C approved a funding mechanism for ELL wherein the Company was authorized to take advantage of certain low-interest, shorter-term debt for the benefit of customers. In approving this funding mechanism, the Commission required any net earnings to

fund additional outside right-of-way vegetation management activities, to credit against the Company's COVID-19 regulatory asset, and to the extent available, credit to the Company's accumulated provision for property insurance (minor storm) reserve account. The current balance of accrued interest earnings exceeds the amount of COVID-19 related expenses for which the Company is seeking certification in this application. If approved in the instant docket, ELL will drawdown those accrued funds to fully offset the Company's COVID-19 expenses.

## **II. Scope of Representation**

This scope of representation anticipates Applicants will review the application, along with testimony and exhibits; draft and assist in the drafting of data requests; analyze data responses; participate in formal status conferences, pre-trial conferences, depositions, and hearings (whether contested or stipulation); draft and prepare pre-filed testimony in support of Staff's ultimate recommendations, together with exhibits supporting the pre-filed testimony; review and respond to any rebuttal testimony; assist in preparing any necessary direct and cross-answering testimony; assist in trial preparation, including cross-examination of witnesses and drafting pleadings, motions, and exceptions related thereto; review and analyze potential stipulation terms; and assist in drafting briefing sheets and orders of the Commission, as necessary. Additionally, Applicants shall be available to participate in informal conference calls, meetings and conferences with the Commission and Staff as well as attending any B&Es related to any certification proceedings arising from the RFP. The scope of the work shall continue through the conclusion of the docket through Commission vote, regardless of whether said vote is the result of a stipulated agreement or contested hearing recommendation.

All proposals shall include an outline of a plan of action for this scope of representation. However, 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.

All proposals shall include: 1) a summary outlining the proposal, including the cost estimate; 2) an outline of a plan of action for this scope of representation; and 3) a professional firm resume, including the Applicant's qualifications and experience necessary to meet the requirements of this RFP. This shall be one proposal to the Commission.

The Commission and its Staff reserve the right to determine how tasks under this RFP will be carried out, including setting internal deadlines to ensure the proceeding moves along in an orderly fashion. **Deviations from the requirements contained herein, or conditional bid amounts shall result in reject of the bid as non-conforming.**

## **III. Period of Representation**

The time period estimated to complete the Scope of Representation will last approximately 8 months. However, this is merely an estimate and the Commission makes no representation as to the accuracy of the Period of Representation.

#### IV. Minimum Requirements

To qualify, all Applicants must have requisite knowledge of the topics listed below, in addition to those provided in the Commission's Contract Order. Consideration will be given to factors which indicate degrees of competence such as the amount of practical experience in the field of public utility, similar experience before this or other regulatory agencies, in addition to the Applicant's knowledge and experience regarding Louisiana resource acquisitions, certifications, ratemaking standards, and regulatory law.

Applicants shall at a minimum be experienced in drafting and rendering expert testimony, and cross-answering testimony, be able to be cross-examined with respect to all of the issues addressed in this RFP, which are likely to arise in these proceedings, and be qualified and prepared to render expert testimony regarding the topics in this RFP at a hearing and/or B&E.

Applicants shall also have a working knowledge of LPSC rulemakings and jurisdictional issues, and have, at a minimum, knowledge of:

1. The Commission's Special Orders pertaining to prohibitions on disconnections and the charging of late fees during the COVID-19 pandemic;
2. Commission Docket No. U-36350, specifically ELL's request, and the Commission's approval, of the use of short-term low interest debt for customer's benefit;
3. Familiarity with just and reasonable costs and prudent investments associated with providing reliable and quality service as recommended by NARUC.
4. LPSC rules on affiliate transactions and cost recovery mechanisms, ELL's current rate structure, and the Commission's General Order dated November 6, 1997 in Docket No. U-21497 regarding fuel cost recovery;
5. Appropriate accounting standards and practices for electric utilities, especially those for investor-owned utilities; and
6. A detailed understanding of the major functional areas of a regulated electric utility, particularly an investor-owned.

#### V. Estimate of Costs

**Applicants shall provide an overview of the estimated costs in the summary of the bid proposal.** All proposals shall include fees and direct costs (expenses) in order to provide the services described above. For an Applicant's fees, the quote shall be based upon an hourly basis, which shall be included with any proposal submitted. All cost proposals shall submit a total budget, separating professional fees from direct costs.

If selected, Applicants shall only be allowed to charge for actual hours of work performed and costs incurred. Further, once selected, an Applicant's hourly 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. Potential conflicts could include, but are not to be limited to, employment with regulated utilities, affiliates of regulated utilities, consumer advocacy groups, or any other party that comes before the Commission. 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 to the Commission 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. Pursuant to La. R.S. 45:1180, ELL is the ultimate responsible party for payment of services provided pursuant to this RFP; therefore, timely submittal of invoices to the Commission facilitates timely payments to Applicant.

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 its B&E, if such action is found by the LPSC to be in the public interest. Pursuant to the General Order regarding the selection of contract employees, the LPSC has the right to accept proposals 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 (non-bound), and e-mail an electronic copy** of the proposal to:

Kimberly N. O'Brian  
Kathryn H. Bowman  
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: [kim.obrian@la.gov](mailto:kim.obrian@la.gov)  
[kathryn.bowman@la.gov](mailto:kathryn.bowman@la.gov)

To be considered, an original, two copies, and the electronic copy of the proposal must be received on or before **Monday, January 6, 2025**. Selection of consultants is anticipated to take place at the Commission's January 2025 Business and Executive Session, which is tentatively scheduled for January 15, 2025. Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.