

# Louisiana Public Service Commission



POST OFFICE BOX 91154  
BATON ROUGE, LOUISIANA 70821-9154  
[lpsc.louisiana.gov](http://lpsc.louisiana.gov)

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Executive Counsel

December 14, 2021

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Deputy Undersecretary

## VIA EMAIL

**RFP 21-32 Docket No. R-35394, Louisiana Public Service Commission, ex parte. In re: Proceeding to Examine Options Pertaining to Pole Viability, Pole Attachments, and all Areas that may Affect the Reliability and Sustainability of Louisiana's Electric Utility Distribution Grid.**

To all LPSC qualified consultants:

Enclosed please find a Request for Proposals ("RFP") for an **independent engineering 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 Wednesday, January 12, 2022 at 4:30p.m. Selection of consultants is anticipated to take place at the Commission's January 2022 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 that reads "Kathryn Bowman" with a stylized initial "KB" below it.

Kathryn H. Bowman  
Executive Counsel

Encl.

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

**RFP 21-32**  
**LOUISIANA PUBLIC SERVICE COMMISSION**  
**REQUEST FOR PROPOSALS (“RFP”)**  
**December 14, 2021**

***DOCKET NO. R-35394, Louisiana Public Service Commission, ex parte, In re: Proceeding to Examine Options Pertaining to Pole Viability, Pole Attachments, and all Areas that may Affect the Reliability and Sustainability of Louisiana’s Electric Utility Distribution Grid.***

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”), issues this Request for Proposals (“RFP”) seeking an **independent engineering consultant** who will assist Commission Staff in the drafting of rules for the above referenced docket.

**Deviations from the requirements contained herein, or conditional bid amounts may result in rejection of the bid as non-conforming. Consideration of qualifying bids received in response to RFP 21-32 are anticipated to be on the Commission’s January 2022 Business and Executive Session (“B&E”).**

**I. Overview**

This docket was initiated by a Commission directive, and published in the Commission’s Official Bulletin dated October 18, 2019 as an “X” docket. Such dockets are considered investigatory in nature, and do not allow for intervention. After Staff concluded its initial investigation, it was recommended that the docket be converted to a “R” or rulemaking docket. Pursuant to a Commission directive, Docket No. X-35394 was converted to Docket No. R-35394, and published in the Commission’s Official Bulletin dated April 30, 2021, with several parties intervening. As Staff has continued its review in this docket, the determination has been made that an engineering consultant is necessary to complete the review and drafting of potential rules to ensure the stated goals of the Commission are achieved.

Docket No. X-35394 was opened to respond to issues being reported and discovered regarding Louisiana’s electric distribution grid and the infrastructure that makes up that grid. More specifically, Louisiana residents expressed concerns and issues involving aging utility poles and unmaintained wires, as well as difficulties in reaching resolutions when an issue in their community involves a utility pole. Utilities themselves have demonstrated areas of potential improvement in communication, coordination, and overall collaboration regarding utility poles and distribution grid maintenance. The Commission’s directive initiating this rule-making was for Staff to investigate the myriad of issues and work collaboratively with utilities and other interested stakeholders to develop rules that will ensure that Louisiana has a sustainable, reliable, and safe electric utility distribution grid.

## **II. Scope of Representation**

Applicants will be assisting Commission in-house Staff (Legal, Utilities, and Auditing Divisions) in the drafting and implementation of rules that will promote the increased reliability, accountability, and sustainability of the electric distribution grid in Louisiana. Specifically, Applicants will assist with formulating rules relative to pole inspection and identification, the possibility of using alternate pole materials and undergrounding, vegetation management policies, as well as issues surrounding pole attachments.

Assistance will include, but not necessarily be limited to: the review and analysis of policies, procedures, and data from regulated utilities relative to its distribution system; review policies, procedures, and data from other jurisdictions – both state and federal – relative to utility distribution systems; preparing, reviewing, and responding to data requests; review of comments filed by any party; participating in technical conferences; conducting site visits; preparing technical analysis as requested by Staff; assisting with the drafting of a Staff recommendation, including rules and regulations; defend, participate and testify any proposed rules; ensuring that any rules and regulations issued by the Commission conform with national regulatory standard for regulated utilities; and attendance and testifying at the Commission’s Business and Executive Sessions as needed. The scope of representation will go through a Commission vote on this matter.

The Commission’s stated goals for this rulemaking include: 1) requiring regulated utilities have policies in place that ensure the proper inspection and identification of distribution poles; 2) implement policies to promote the use of alternative pole materials or potential undergrounding of the distribution system, depending on cost-benefit analysis to ratepayers; 3) ensure that all regulated utilities have in place vegetation management policies that would increase the resiliency of the distribution system in Louisiana; 4) improve communication between pole owners and pole attachers; 5) establish timelines for the removal and replacement of abandoned or stranded poles; 6) require or incentivize pole owners and pole attachers to collaborate on selecting a single party for the removal and replacement of distribution poles; and 7) other policies that would advance the reliability, accountability, and sustainability of the electric distribution grid in Louisiana.

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.

## **III. Period of Representation**

The time period estimated to complete the Scope of Representation is 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 qualify, all Applicants must have requisite knowledge of the topics listed below, in addition to those provided in Commission General Order dated November 10, 2014. *The Commission's Contract Order requires Applicants to be pre-qualified by the Commission in order to be eligible.*

Applicants shall, at a minimum, be qualified and prepared to assist in drafting rules relative to pole viability as outlined above, answer questions with respect to all of the issues addressed in this RFP, and be qualified and prepared to render testimony at a technical conference and/or a B&E regarding the same. In addition to the above, Applicants must have requisite knowledge of:

- 1) The Commission's General Order dated September 4, 2014 (Pole Attachment Order); and
- 2) Applicable state and federal regulations, including but not necessarily limited to NERC and FCC regulations associated with placement, safety, reliability and replacement of electric utility poles.

Further, Applicants must be a licensed engineer. Applicants must be licensed and in good standing with all applicable engineering licensing and certification boards. Applicants must be able to provide technical advice regarding industry standards and widely accepted industry practices regarding pole viability as outlined above. Consideration will be given for experience and knowledge of distribution system standards, as well as utility regulation.

#### **V. Estimate of Costs**

All proposals shall include fees and direct costs associated with Applicant's services described above. Applicants responding to this RFP shall quote their rates on an hourly basis, and shall submit a total budget, separating professional fees from direct costs. Along with providing the above, Applicants should provide an overview of the estimated costs in the summary of the bid proposal.

Applicants shall only be allowed to charge for actual hours of work performed and costs incurred. 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. In addition, Applicants shall disclose matters in which they currently represent clients before the Commission. Potential employment could include, but should not 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 shall 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 General Order regarding the selection of contract employees, the LPSC has the right to accept any offer and does not have to accept the lowest bid amount. 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:

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  
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 **January 12, 2022 at 4:30 p.m.** Selection of consultants is anticipated to take place at the Commission's January 2022 Business and Executive Session, which is tentatively scheduled for **January 25, 2022**. Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.