

Louisiana Public Service Commission

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October 20, 2022

VIA EMAIL

RFP 22-25 Docket TBD, Pattern Energy, ex parte. In re: Application for Certification of the Southern Spirit Transmission Project.

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 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, November 9, 2022 at 4:30 p.m. Selection of consultants is anticipated to take place at the Commission’s November 2022 Business and Executive Session.

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

Sincerely,



Kathryn Bowman
Executive Counsel

Encl.

cc.: Brandon M. Frey, Executive Secretary
Lauren T. Evans, Deputy General Counsel

RFP 22-25
LOUISIANA PUBLIC SERVICE COMMISSION
REQUEST FOR PROPOSALS (“RFP”)
October 20, 2022

DOCKET TBD, Pattern Energy, ex parte. In re: Application for Certification of the Southern Spirit Transmission Project.

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”) to **outside consultants** who will assist Commission Staff in the review of the upcoming application by Pattern Energy (“Pattern Energy” or the “Company”). This application will request certification of the Southern Spirit Transmission Project, consisting of a new High Voltage Direct Current (“HVDC”) +/- 525 kV transmission line beginning in northwest Louisiana, at the Texas border, and extend approximately 400 miles to Mississippi. Pattern Energy has indicated the anticipated filing will occur by December 31, 2022.

Pattern Energy seeks this approval in accordance with the Commission’s General Order dated October 10, 2013 which requires advanced notice and certification for any transmission facility that is owned or controlled by an independent transmission company and will be located in whole or in part within the State of Louisiana.¹

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 22-25 are anticipated to be on the Commission’s November 2022 Business and Executive Session (“B&E”).

I. Overview

Pattern Energy is a renewable energy and infrastructure development company that develops, constructs, owns, and operates wind and solar generation, transmission, and energy storage facilities. Pattern Energy developed the first HVDC transmission line in California, and has developed other transmission lines throughout the United States, and worldwide. For more about Pattern Energy, please see <https://patternenergy.com/about/>.

The Southern Spirit Transmission Project (“Project”) is a new transmission line under development by Pattern Energy to connect regional grid systems – the Electric Reliability Council of Texas (“ERCOT”) with energy markets in the southeastern United States. Per the Company, the Project will facilitate a valuable connection to diverse energy resources and provide significant reliability benefits throughout both regions, where there is currently no connection between these two regions. As indicated above, the Project will begin near the Texas border in northwest

¹ Docket No. R-26018, LPSC, ex parte. In re: Determination as to whether the Commission should issue a General Order asserting jurisdiction over the certification of utility transmission projects and the determination of whether these projects are in the public interest.

Louisiana and extend approximately 400 miles to eastern Mississippi. The Project will connect into ERCOT by way of the Rusk to Panola transmission project in partnership with Garland Power & Light and will connect to southeastern markets at strategic locations.

Per the Company, a siting study has been obtained by Burns & McDonnell, Inc., which has evaluated rights of way, land use, and environmental considerations in connection with the Project, and which supports the selection of Pattern Energy's preferred route.

In preliminary conversations with Pattern Energy, the Commission's approval may or may not be necessary for the Project based upon requirements within Commission General Order dated October 10, 2013; however, out of an abundance of caution, Pattern Energy anticipates filing this request for certification in order to provide specific Project information to the Commission and allow the Commission to make the determination on whether certification is necessary.

II. Scope of Representation

The scope of representation consists of assisting Staff in the review of Pattern Energy's certification 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 recommendation, 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 the application. The scope of the work shall continue through the conclusion of the certification docket(s) 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.

III. Period of Representation

The time period estimated to complete the Scope of Representation is approximately 4-6 months.² 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. 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, similar practice before this or other regulatory agencies, in addition to the Applicant's knowledge and experience regarding Louisiana resource acquisitions, certifications, regulatory law, and ratemaking principles.

Applicants shall be familiar with and have experience involving transmission construction, certification and cost-allocation as well as the operation of the LPSC requirements applicable to LPSC-jurisdictional electric utilities, including state and federal jurisdictional and regulatory compliance issues related to transmission planning and construction. Applicants shall, in addition to those requirements expressed above, be qualified and prepared to render expert testimony regarding and have knowledge of:

- 1) Public interest criteria for approval and monitoring of electric generating and transmission facilities;
- 2) Construction, design and operation of transmission facilities;
- 3) NERC, SERC, SPP, MISO, and any other applicable standards associated with bulk electric transmission facilities to be located within Louisiana;
- 4) Environmental criteria associated with the design and construction of bulk electric transmission facilities;
- 5) Appropriate accounting standards and practices applicable to the Southern Spirit Transmission Project;
- 6) Cost allocation methodologies for the allocation of investment and expenses among affiliates and utilities, including the relationship of a parent company to its subsidiary operating companies; the transfer of investment and costs among affiliates and utilities, and the provision of services among affiliates and utilities;

² Applicants should refer to the procedures found in the General Order dated October 10, 2013 (Order No. R-26018), with particular attention to Section XII-Procedure as a statement from Staff is required within 45 days of publication of the application, and Section X-Commission Action as the Commission should use best efforts to act on an application within 90 days, if uncontested.

- 7) Applicable utility tariffs, including, but not necessarily limited to SPP and MISO tariffs;
- 8) Principles associated with resource acquisitions and the competitive process, including but not limited to analyzing utility resource needs and whether the considered resource(s) is able to meet those needs, particularly for renewable/solar resources; and
- 9) SPP and MISO tariffs, rules and planning processes, generally, and specifically related to resource adequacy planning processes and use of zonal resource credits.

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 in order to provide the 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.

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. 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 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
Fax: (225) 342-5610
Email: kim.obrian@la.gov and kathryn.bowman@la.gov

To be considered, an original, two copies, and the electronic copy of the proposal must be received on or before **Wednesday, November 9, 2022 at 4:30 p.m.** **Selection of consultants is anticipated to take place at the Commission's November 2022 Business and Executive Session, which is currently scheduled for November 17, 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.