

# Louisiana Public Service Commission



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

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Deputy Undersecretary

March 23, 2023

## VIA EMAIL

***RFP 23-13, Docket No. U-36697, Entergy Louisiana, LLC, ex parte. In re: Application for approval of an alternative market-based mechanism process seeking to secure up to 3,000 MW of solar resources, including certification of those resources, expansion of the Geaux Green Option Rider, and approval of a new renewable tariff.***

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, April 12, 2023. Selection of consultants is anticipated to take place at the Commission's April 2023 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 read "Kathryn Bowman".

Kathryn Bowman  
Executive Counsel

Encl.

cc.: Brandon M. Frey, Executive Secretary  
Arvind Viswanathan, Staff Attorney

**RFP-23-13**  
**LOUISIANA PUBLIC SERVICE COMMISSION**  
**REQUEST FOR PROPOSALS**  
**March 23, 2023**

*Docket Nos. U-36697, Entergy Louisiana, LLC, ex parte. In re: Application for approval of an alternative market-based mechanism process seeking to secure up to 3,000 MW of solar resources, including certification of those resources, expansion of the Geaux Green Option Rider, and approval of a new renewable tariff.*

The Louisiana Public Service Commission (“Commission” or “LPSC”), in accordance with the requirements of the LPSC's General Order dated November 10, 2014, regarding the selection of contract employees (“Contract Order”) issues this Request for Proposals seeking an **outside consultant** to assist Commission Staff in the review and analysis of Entergy Louisiana, LLC’s (“ELL” or the “Company”) above referenced application.

Deviations from the requirements contained herein, or conditional bid amounts, shall result in rejection of the proposal as non-conforming. Consideration of qualifying proposals received are anticipated to be on the Commission’s April 2023 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.

**I. Overview**

On March 13, 2023, ELL filed the above referenced application seeking Commission certification of up to 3,000 MW of solar resources and for at least a portion of those resources to be eligible for inclusion in the Company’s Geaux Green Option Rider (“Rider GGO”) approved by the Commission in Order No. U-36190. In its application, ELL indicates there is a need for additional capacity as well as high demand from Commercial & Industrial customers seeking to align their electric energy consumption with environmental and sustainability goals.

ELL indicates this application will be submitted in two phases, with the March 13<sup>th</sup> filing being the first phase. Per the application, ELL anticipates phase two will provide specific information detailing the request for an alternative market-based mechanism to support the addition of up to 3,000 MW of solar resources; specific information to support the certification of those resources; the request for a portion of those resources to support the expansion of the portfolio supporting Rider GGO, the proposal for a new renewable tariff, proposed cost recovery treatment for the additional resources, and approval of the new renewable tariff.

Notice of Entergy’s application was published in the Commission’s Official Bulletin dated March 17, 2023 for a 15-day intervention period. As of the issuance of this RFP, there has been one intervention from the Louisiana Energy Users Group.

## **II. Scope of Representation**

In assisting Staff, Applicants will review the phase one application (including the direct testimony of two witnesses, any supporting documentation, and associated cost models); review the phase two application (including the direct testimony of two witnesses, any supporting documentation, and associated cost models); draft data requests and review responses thereto for both phases; potentially participate in informal meetings with Staff and ELL, Staff and Intervenors, or Staff, ELL, and Intervenors; assist in drafting a recommendation(s), including testimony, to the Commission regarding ELL's request; 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 and motions related thereto; and review and analyze potential stipulation terms. This Scope of Representation contemplates a contested matter; therefore, any bid proposal should reflect the same.

Additionally, the Applicant shall be available to participate in meetings, conference calls, status conferences, hearings, and other conferences with the Commission and its Staff, as well as attending any Business and Executive Session(s) that Staff deems necessary. The scope of work provided herein shall continue through the conclusion of the docket, including Commission consideration of the request at a B&E, or B&Es.

All proposals shall include an outline of a plan of action for conducting the review of the application, 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 requirement of this RFP, including experience with reviewing riders as a cost recovery mechanism.

## **II. Period of Representation**

The time period estimated to complete the review and analysis is approximately 6-8 months. This is merely an estimate and as such the Commission makes no representations as to the accurateness of the Period of Representation. This estimate is based upon the timing requirements found in Commission's General Order dated September 20, 1983 ("1983 GO").<sup>1</sup> Pursuant to the 1983 GO, requests for certification thereunder should be considered by the Commission within 120 days of filing. Therefore, Applicant should be prepared, and willing, to accomplish its review and testimony within a timeframe that allows Commission consideration within 120 days of filing.

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<sup>1</sup> LPSC General Order dated September 20, 1983, In re: *In the Matter of the Expansion of Utility Power Plant, Proposed Certification of New Plant by the Louisiana Public Service Commission*, amended by LPSC General Order dated May 27, 2009, In re: *Possible modifications to the September 20, 1983 General Order to allow: (1) for more expeditious certifications of limited-term resource procurements; and (2) an exception for annual and seasonal liquidated damages block energy purchases.*

### **III. Minimum Requirements**

To qualify, all Applicants must have requisite knowledge of the topics listed in this RFP, 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 practice, similar practice before this or other regulatory agencies, and knowledge of Louisiana ratemaking standards and regulatory law.

Applicants shall at a minimum be experienced in analyzing the operations, books, and records of utility companies, particularly investor-owned utilities, for the purpose of setting just and reasonable rates, including but not limited to, calculation of rate base, rates of return, capital structure, formula rates, costs recovery via riders, and all related studies and calculations and prior costs recovery filings with the LPSC.

Applicants shall be qualified and prepared to 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, including but not limited to:

- (1) a detailed understanding of the major functional areas of a regulated investor-owned electric utility;
- (2) appropriate accounting standards and practices for electric public utilities, public utility accounting, and generally accepted auditing standards;
- (3) the LPSC and FERC approved cost-of-service cost methodologies for electric utilities;
- (4) the basic components and requirements of ELL's Formula Rate Plan, including cost of capital, capital structure, cost of debt, cost of equity, and rates of return, as well as currently approved riders;
- (5) the cost allocation methodologies for the allocation of investments and expenses among affiliates, including the relationship of the holding company to its subsidiary operating companies, the transfer of investment and costs between operating companies, and the provision of services among affiliates;
- (6) appropriate mechanisms, allocation among customer classes and rate design;
- (7) the Commission's 1983 General Order, as amended; and
- (8) applicable Commission Dockets and/or Orders applicable to ELL, including but not limited to, the approval of ELL's GGO Rider, approved in Order No. U-36190, and ELL's pending Integrated Resource Planning, in Docket No. I-36181.

#### **IV. Estimate of Cost**

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. 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.

#### **V. 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.

#### **VI. 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.

## **VII. 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 a B&E, if such action is found by the LPSC to be in the public interest. Pursuant to the Contract General Order, 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.

## **VIII. 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](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 **Wednesday, April 12, 2023**. Selection of consultants is anticipated to take place at the Commission's April 2023 Business and Executive Session, which is currently scheduled for April 26, 2023. Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.