



# Louisiana Public Service Commission

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June 13, 2024

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Executive Secretary

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Executive Counsel

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Deputy Undersecretary

## VIA EMAIL

***RFP 24-06, Docket U-36625, Entergy Louisiana, LLC, ex parte. Application for approval of the Entergy Future Ready Resilience Plan (Phase 1).***

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 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, July 22, 2024. Selection of consultants is anticipated to take place at the Commission’s August 2024 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

**24-06**  
**LOUISIANA PUBLIC SERVICE COMMISSION**  
**REQUEST FOR PROPOSALS (“RFP”)**  
**June 13, 2024**

*Docket No. U-36625, Entergy Louisiana, LLC, ex parte. Application for Approval of the Entergy Future Ready Resilience Plan (Phase 1).*

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 engineering consultants** to assist Commission Staff in its monitoring and review of Entergy Louisiana’s (“ELL” or the Company”) implementation of resilience projects approved by the Commission in Order No. U-36625.

Consideration of qualifying proposals is anticipated to be on the Commission’s August 2024 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 December 19, 2022, ELL filed an application seeking approval of a proposed \$5 billion accelerated electric grid hardening investment. After working through the Commission’s docketed process, ELL filed a Motion for Approval of a Framework, which proposed was a subset of the Company’s original application. The Framework consisted of approximately \$1.9 billion in projects that focused on substation, transmission, and distribution projects on ELL’s grid, as well as approximately \$88 million in transmission dead end structures. ELL’s Framework proposes projects over a five-year period, beginning in 2024 and continuing through 2028.

Also included in the Framework is monitoring by the Commission, through support of a qualified engineering consultant, during the implementation of the Grid Hardening Projects. As outlined in Order No. U-36625 and its attachments, the anticipated monitoring will include pre-construction review of general design standards, flood mitigation, and wind loading specifications, along with certain data and information being provided by ELL to the Commission’s qualified engineer during the implementation process.

## **II. Scope of Representation**

Any interested engineering consultant should review and familiarize itself with Order No. U-36625 prior to submitting a bid proposal in response to RFP 24-06. The anticipated scope of services is outline in the Framework filed by the Company on April 15, 2024 in Docket No. U-36625, and approved in Order No. U-36625. The scope of services anticipated will include, but not be limited to: the review project data regarding implementation of projects within the Resilience Plan at regular intervals throughout implementation but no less than quarterly; meet with ELL's implementation team to discuss said data; review pre-construction general design standards, flood mitigation specifications, and wind-loading specifications of projects within the Resilience Plan; conduct pre-construction reviews and submit any questions or concerns to ELL; conduct periodic field inspections of a subset of projects within the Resilience Plan; review reports filed by ELL after any Major Event Days (as defined by the Institute of Electrical and Electronics Engineers 1366-2012 standard); participate in meetings and/or calls – as necessary – with Commissioners or Commission Staff regarding the ongoing implementation monitoring; be available to speak at a B&E – when requested – to provide an update on the ongoing implementation monitoring; and assist Commission Staff in any discrepancies, issues, or concerns that may arise associated with ELL's implementation of the projects within the Resilience Plan.

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 6 years. 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 ratemaking standards, and regulatory law.

Applicants shall be qualified and prepared to render expert testimony regarding the topics in this RFP at B&E. Applicants shall also have a working knowledge of LPSC rulemakings and jurisdictional issues, and have, at a minimum, knowledge of:

1. Commission Order No. U-36625, and all requirements associated with monitoring contained therein;
2. Familiarity with just and reasonable costs and prudent investments associated with providing reliable and quality service as recommended by NARUC.
3. A detailed understanding of the major functional areas of a regulated electric utility, particularly an investor-owned.
4. MISO tariffs, rules and planning processes, generally, and specifically related to resource adequacy planning processes and use of zonal resource credits.

Further, Applicants must be, or have on staff, a licensed engineer. Such engineer shall 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 transmission grids, and maintenance thereof, as outlined above. Consideration will be given for experience and knowledge of transmission system standards, as well as utility regulation and cost allocation methodologies.

#### **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.

Commission Staff is of the opinion that this RFP does not violate the Hammett Act,<sup>1</sup> which prohibits the consideration of price/fee when selecting architects, engineers, landscape architects or land surveyors. The Louisiana Public Service Commission is a constitutionally created independent regulatory agency, and as such is not required to adhere to the State's standard process for public contracts when seeking to hire outside consultants or counsel. The Commission has adopted its own rules for hiring consultants or outside counsel, which is memorialized in Commission General Order dated November 10, 2014. This solicitation, while seeking engineering services, is seeking an opinion associated with the review of documents and the monitoring of implementation of projects, but is not seeking engineering services for capital outlay projects.

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<sup>1</sup> See La. R.S. 38:2318.1

## **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, 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, July 22, 2024**. Selection of consultants is anticipated to take place at the Commission's August 2024 Business and Executive Session, which is currently scheduled for August 14, 2024. Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.

