



Louisiana Public Service Commission

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May 5, 2025

VIA EMAIL ONLY

RFP 25-04, Docket No. TBD, Entergy LLC, ex parte. In re: Request for approval to implement a portfolio of Demand Response programs.

To all LPSC qualified outside counsel:

Enclosed please find a Request for Proposals ("RFP") for an **outside counsel** 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 Thursday, June 5, 2025. Selection of consultants is anticipated to take place at the Commission's June 2025 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 25-04
LOUISIANA PUBLIC SERVICE COMMISSION
REQUEST FOR PROPOSALS (“RFP”)
May 5, 2025

DOCKET NO. TBD, Entergy Louisiana, LLC, ex parte. In re: Request for approval to implement a portfolio of Demand Response programs.

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 counsel**, who will assist Commission Staff in the review of Entergy Louisiana, LLC’s (“ELL” or the Company”) anticipated upcoming filing seek Commission authorization to implement a Demand Response portfolio.

Consideration of qualifying bids received in response to RFP 25-04 are anticipated to be on the Commission’s June 2025 Business and Executive Session. 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 bid as non-conforming.

I. Overview

ELL submitted a pre-filing notice letter to the Commission on April 25, 2025 indicating the Company’s intent to file an application seeking to implement a portfolio of demand response programs, a tariff providing customer incentive levels, and associated costs recovery treatment by the end of May 2025. Per the notice letter, the Company anticipates the testimony of three witnesses in support of the application, will seek approval pursuant to the Commission’s General Order dated May 25, 2021,¹ and anticipates proposing several Demand Response (“DR”) offerings that collectively target multiple customer classes. ELL also indicates the desire for Commission approval in the first Quarter of 2026.

Applicants will be assisting Commission in-house Staff (Legal, Utilities, and Auditing Divisions) and an outside consultant in reviewing the Company’s request and providing a recommendation to the Commission.

II. Scope of Representation

In assisting Staff, Applicants will review the application (including the direct testimony of three witnesses, any supporting documentation, and associated cost models); assist in the drafting of data requests and review responses thereto; potentially participate in informal meetings with Staff

¹ See Docket No. R-35136, LPSC, ex parte. In re: Rulemaking to Determine Need for Rate Schedules and Programs Offering Demand Response Products, Development of such Rate Schedules and Programs, Determination of Customer participation in such programs, Allocation and Recovery of program costs, and whether such programs shall be mandatory or voluntary for utilities as set forth in Section 3 of the rule adopted in General Order dated March 7, 2019 (Docket No. R-34948). (“DR Order”)

and ELL, Staff and Intervenors, or Staff, ELL, and Intervenors; assist in drafting a recommendation(s), including testimony, to the Commission regarding the Company'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. Applicants shall assume this matter will result in a contested proceeding.

Additionally, the Applicant shall be available to participate in, and lead, 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.

In addition to reviewing the proposed portfolio, Applicant shall also ensure the proposed DR portfolio adheres to the Commission's DR Order.

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, including setting internal deadlines if necessary to ensure all work is completed timely. Please note that the use of ChatGBT or any other AI type platform is strictly prohibited when performing the scope of services contained herein.

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.

III. Period of Representation

The time period estimated to complete the Scope of Representation is approximately 8-10 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'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 handling cases on regulatory issues, including the presentation of witnesses on direct examination, cross examination of adverse witnesses, conducting discovery, and the taking of appeals. Applicants shall also have a working knowledge of the Commission's ratemaking and jurisdictional issues; applicable Commission regulations; and experience in all aspects of electric utility ratemaking proceedings, including 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, and all related studies and calculations and prior cost recovery filings with the LPSC.

Applicants shall also have experience with DR, with preference being experience with DR within Louisiana under the Commission's DR Order.

Applicants shall be qualified and prepared to assist in drafting expert testimony with respect to all of the issues addressed in this RFP and which are likely to arise in the proceeding and be qualified and prepared to assist in rendering expert testimony regarding:

- (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 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;
- (4) the Commission's DR Order, current DR programs offered by ELL and other electric utilities; and
- (5) appropriate mechanisms, allocation among customer classes and rate design.

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 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 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:

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Kathryn H. Bowman
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602 North Fifth Street (Galvez Building) (70802)
P.O. Box 91154
Baton Rouge, Louisiana 70821-9154
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Email: kim.obrian@la.gov
kathryn.bowman@la.gov

To be considered, all proposals must be received on or before **Thursday, June 5, 2025 by 4:30 pm**. Selection of consultants is anticipated to take place at the Commission’s June 2025 Business and Executive Session, which is currently scheduled for June 18, 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.