

QUESTIONS AND ANSWERS

RFP #2016-003

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

REQUEST FOR PROPOSALS

Consulting Services

	Questions	Answers
1.	The Commission's web site provides a schedule that appears to address the authority issue. <i>Has a complete procedural schedule been established for Docket 16-241? If so, could you provide a copy? If not, how likely is it that a procedural schedule will be issued before April 29, 2016, the due date for proposals under this RFP?</i>	1. A procedural schedule for the second phase of Docket DE 16-241 will not be established before April 29, 2016.
2.	The RFP mentioned that the scope of work is dependent on whether it is determined that the Commission has the authority to approve cost recovery as proposed by Eversource. We'd like to know (a) <i>whether there is a procedural schedule for the proceeding beyond May 12th, and (b) if we should expect it to change depending upon the outcome of the jurisdictional issue?</i>	2.a. The schedule does not currently extend beyond May 12, 2016. Whether a schedule that goes beyond May 12 will be developed depends on the Commission's rulings in the first phase of the docket.
3.	Eversource's filing requests a decision from the New Hampshire Public Utilities Commission (Commission) by October 1, 2016. For the purposes of submitting a proposal, <i>can prospective bidders assume that all activities under this RFP will be completed by October 1, 2016?</i>	3. No.
4.	<i>What is the time and location for the bidders' conference that is to be scheduled for April 22, 2016? Can attendance be telephonically, or is in person attendance required?</i>	4. The bidder conference will commence at 2:00 p.m. at the offices of the Commission, 21 S. Fruit Street, Suite 10, Concord NH. Participation may be by telephone if arrangements are made with Staff in advance, but the quality of the telephone connection cannot be guaranteed.
5.	The RFP states that <i>"Given that the economic, environmental and cost recovery issues raised by Eversource in its filing will be addressed by the Commission only if it rules in the affirmative on the question of legal authority, bidders should be aware that the recovery of costs related to the services requested below is expressly conditioned on such affirmative ruling. In the event the Commission rules in the affirmative, the consultant chosen will be expected to assist Staff in its assessment of the Eversource petition."</i> In its January 19, 2016 order in IR 15-124, the Commission stated that any proceeding to consider <i>"the petition in separate phases. In the first phase, the Commission would review briefs submitted by the petitioner EDC, Staff, and other parties regarding whether such capacity procurement is allowed under New Hampshire law. If the Commission were to rule against the legality of such</i>	5. The consultant will not be expected to begin work until the first phase of Docket DE 16-241 is completed and it is determined that a second phase will commence.

	<p><i>acquisition, the petition would be dismissed. If the Commission were to rule in the affirmative regarding the question of legality, it would then open a second phase of the proceeding to examine the appropriate economic, engineering, environmental, cost recovery, and other factors presented by the actual proposal. This second phase would involve the usual procedural features of discovery, testimony, rebuttal testimony, and cross-examination, provided in any adjudicative proceeding before the Commission.” Please confirm that the selected consultant(s) under this RFP would not commence any activities under the scope of work until after the Commission has ruled on the legal issues in phase one, and payment for its services is approved.</i></p>	
6.	<p>The RFP scope of work seeks an independent quantitative assessment of the highest resource options. Eversource’ filing states that it received seven proposals for new natural gas facilities for electric generation. <i>Will the selected consultant(s) review those seven offers or a subset thereof, or will the selected consultant(s) be required to analyze additional proposals beyond those received by Eversource?</i></p>	<p>6. The Eversource petition states that the EDCs received seven bids, some of which included multiple options. The RFP states that the consultant will be expected to assess the highest ranked options for both the Algonquin and Tennessee pipelines, which are likely to number no more than six per pipeline. The consultant will not be asked to assess additional proposals beyond those received by the Eversource EDCs.</p>
7.	<p>The RFP states that “the consultant agrees to maintain confidential all commercially sensitive information to which it has access until such time as it is instructed otherwise by the Commission”. The RFP also states that “at the conclusion of the work, the consultant will make available to the Commission copies of work papers and source documents as requested”. <i>Will there be provisions to provide confidential treatment for all commercially sensitive information analyses and documents prepared or produced by the selected consultant(s)?</i></p>	<p>7. The Commission expects that, to the greatest extent possible, all information utilized by the consultant or documents prepared or produced by the consultant will be fully available to the public. With limited exceptions, a consultant wishing to keep any information from the public will be expected to file a motion with the Commission requesting and justifying confidential treatment of such information. Even if the information is determined to be confidential, the consultant will be expected to share that information with parties to the docket subject to a commercially reasonable confidentiality agreement prepared by the consultant, with the exception of Commission Staff and the Office of the Consumer Advocate who receive confidential information as a right.</p>
8.	<p><i>Can one of more consulting firms join together to submit one common proposal?</i></p>	<p>8. A consulting firm may work with other consultants or consulting firms as subcontractors to perform the totality of the scope of work, and submit one “common” proposal. The</p>

		NHPUC will contract with and only pay the primary consulting firm. The NHPUC will not pay subcontractors directly.
9.	<i>Will you be providing a Certificate of Vote form, as required on page 6 of RFP #2016-003, or can you point us to the correct location to obtain it? Does the Certificate of Vote form require a Corporate Seal?</i>	9. Commission Staff will work with the selected consultant to develop a certificate of vote appropriate to the selected consultant's form of business and particular circumstances. The NHPUC does not require a corporate seal unless a corporation is required to utilize one for some independent reason.
10.	<i>Is there a contract available for review beyond Attachment C?</i>	10. The NHPUC does not understand this question.