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Via Electronic Mail Only

Daniel Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429

**Re: Docket No. DE 19-197; Electric and Natural Gas Utilities
Development of a Statewide, Multi-use Online Energy Data Platform**

Dear Chairman Goldner:

In Order No. 26,776 (Feb. 23, 2023), the Commission provided recommendations for improving the draft RFP for the development of software to integrate utility back-end processes with the proposed data platform. "After due consideration of these recommendations," the Commission authorized the Governance counsel to "proceed with issuance and selection of a winning proposal." Order No. 26,776 at 3.

On behalf of the Governance Council, I write with the Council's responses to the Commission's recommendations and how the Council revised the RFP.

Before addressing the Commission's specific recommendations, note that the intent of this RFP is to select a consultant to review the utilities back-end designs and how the utilities will provide data to the data sharing hub. This is not the RFP for the hub itself. A separate RFP for the delivery of the hub and its interfaces with the Utilities' back-end designs is currently under draft by the Governance Council but will not be issued for some time.

Also note that the draft Statement of Work reviewed by the Commission included a Scope of the Engagement that followed a detailed discussion of the historical background and platform design which could create confusion for the bidders in their initial review. To clarify this Scope, the Council added a summary of the Scope of the Engagement at the beginning of the Statement of Work.

Turning to the Commission's recommendations at page 2 of Order No. 26,776, the Council has the following responses.

1. "Provide a table of contents and make the document easily navigable."

The Council did not believe adding another table of contents is necessary.

Each section of the RFP package included an individual table of contents, and the bidders have access to an RFP website that provides the equivalent of an outline of the entire package, including instructions and links to the specific documents. The website serves to organize the materials and obviates the need for an overall RFP package Table of Contents as was provided with the draft submittal to the Commission.

The Council also updated the RFP with specific guidelines for the bidders' submissions which provided a stepwise and concise set of response sections to be included in the bidders' proposals.

2. "More discussion of process would be helpful to understand the parties' interaction with the New Hampshire Governance Council and the interaction between the parties. Consider how the parties will divide up the tasks."

Recall that this RFP is only for hiring a consultant to review the Utilities' plans for back-end designs and how they will provide data to the Data Sharing hub.¹ With that in mind, the RFP's Statement of Work, Section 4 Scope of Engagement, did include a stepwise process for the chosen consultant to work with the Utilities and provide a report to the Governance Council. This report is expected to be completed before the RFP for the hub is issued to ensure design of the hub incorporates any suggestions from the Consultant selected in this RFP.

Finding merit in the Commission's recommendation, the Council updated the RFP to include a high-level Gantt chart of the overall project with the expected timeline for the Consultant to perform their review and file a report. The Council thought this schedule was sufficiently detailed to ensure the efficient division of labor and coordination among parties *at this particular stage*. The RFP has also been updated to include a

¹The Settlement Agreement in this docket provided that the utilities are to "utilize a RFP process to hire a consultant to review for the Council the Utility proposals for Back-End Integration and construction of Utility-Specific APIs for consideration as the Settling Parties balance the needs of the Platform and the NH Utility Back-End Integration." Settlement Agreement, Exhibit 1, at 13.

designated project manager who will serve as the point person for the Consultant to ensure all work is properly coordinated.

Once the hub RFP is issued and a vendor is selected, the Governance Council will develop a more detailed project plan for the implementation phase. However, the Council is not yet at the implementation stage, and so it did not believe further project planning details were necessary for this first RFP.

3. "Tie the high-level project goals to the detailed software modifications."

Again noting that this RFP is only to hire a consultant to review the utilities' plans for back end designs, the intention of this provision was to give the parties and the Commission independent assurances on the reasonableness of the utilities' back-end integration designs, which have the potential to be complex and costly.

No software modifications to the platform hub or to existing utility systems were contemplated within this scope of work in this first RFP. The Statement of Work did include a discussion of the historical background and a high-level design overview in Sections 2 and 3 to give context for the Utility back-end designs. Of course, the RFP for the delivery of the hub and the interfaces to the Utility back-end designs will include software deliverables.

4. "Coordination of the project to include more detail, with a designated project manager on the utility side coordinating the flow of information to the winning bidder."

The RFP has been updated to include a designated project manager who will serve as the point person for the consultant to ensure all work is properly coordinated. The utilities' normal RFP processes will be used, including how the Council will communicate with bidders.

5. "A monetarily driven points system for evaluation could clarify for bidders the critical components."

The Council developed an evaluation matrix for the selection process, but initially did not contemplate sharing that with the Commission as making it public could compromise the selection process. In response to this recommendation, the Council, first, added to the RFP package the considerations that will govern the consultant evaluation, but not a detailed evaluation matrix. Second, attached is the evaluation matrix that the Council will use as part of the selection process, which matrix has been

marked confidential in its entirety to protect the integrity of the RFP evaluation. The evaluation matrix will be share with counsel for the parties to this docket.

By this letter the Council seeks confidential treatment of the evaluation matrix because it is "confidential, commercial, or financial information" that is protected from disclosure by RSA 91-A:5, IV and Puc 203.08. Disclosing the precise evaluation matrix may affect the reliability of the bidding process, an interest warranting confidential treatment. See Order No. 26,422 at 4 (Nov. 6, 2020) ("The disclosure of project cost and savings information has the potential to negatively impact the results of the City of Concord's competitive solicitation for an LED conversion vendor").

6. "Clarify how Eversource and the remaining utilities will coordinate the software development."

The Statement of Work included a discussion of the historical background and a high-level design overview in Sections 2 and 3 to give context for the utility back-end designs. And, of course, a separate RFP for the delivery of the hub and the interfaces to the utility back-end designs will be issued later this year. The Council believed this separate RFP was the logical place to include more detailed descriptions of the software deliverables and a discussion of how the various parties will coordinate the work to provide the overall platform deliverables and ongoing support.

7. "Provide a mechanism that ensures critical input by external users of the software."

The later RFP for the hub will include input from the Third-Party Use Survey currently being commissioned by the Council, an education and outreach effort for use of the platform, and the ongoing support of the platform which envisions incorporation of ongoing feedback from external users of the platform.

The Council strongly agreed with the Commission's desire to incorporate input from users into the design of the hub. However, that is more relevant to the later RFP for the hub, rather than the current RFP to select the consultant on back-end designs.

8. "A draft Gantt chart would be useful in illustrating the project flow and iterations of anticipated deliverables, identifying responsibilities and scheduled interactions between utilities."

As mentioned above, the Council found this to be a sound recommendation and included a high-level Gantt chart with the RFP.

The Council also intends to prepare a more complex Gantt chart for the hub development, which will include a single project manager that will coordinate the

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activities amongst the utilities and Governance Council. This chart will be included as part of the RFP for the hub design.

The Governance Council appreciates the Commission's thoughtful recommendations.

Attached are copies of the Confidential Evaluation Matrix and the various documents that comprise the final RFP as sent to potential bidders (a table of contents is attached to this letter).

Sincerely,

A handwritten signature in black ink, appearing to read "M. Sheehan", written in a cursive style.

Michael J. Sheehan

Attachments

Cc: Service List

REQUEST FOR PROPOSAL
Consultant-NH Energy Data Platform: Backend Review

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