



# **PUBLIC SERVICE COMMISSION**

## **REQUEST FOR INFORMATION (RFI)**

### **FERC TRANSMISSION RATE PROCEEDINGS CONSULTATION SERVICES**

**RFI NUMBER: PSC#12.09.21**

**Issue Date: December 13, 2021**

#### **NOTICE**

A Prospective Bidder that has received this document from a source other than eMarylandMarketplace (eMMA) <https://procurement.maryland.gov> should register on eMMA. See **Section 1.9**

**MINORITY BUSINESS ENTERPRISES ARE ENCOURAGED TO  
RESPOND TO THIS REQUEST FOR INFORMATION.**

## **1.0 General Information**

### **1.1 Purpose of RFI**

The Maryland Public Service Commission (Commission) and Office of People’s Counsel (OPC) are soliciting information regarding technical consulting services to review Maryland utilities’ Federal Energy Regulatory Commission (FERC) transmission rate proceedings, including annual formula rate updates and Federal Power Act (FPA) section 205 filings by Transmission Owners (TOs) and Transmission Service Companies (Transcos). The Commission and OPC request that respondents demonstrate their experience and understanding regarding FERC procedural matters, expertise in utility finance consulting, and ability to identify and value issues impacting the Commission and ratepayers arising from formula rate transmission proceedings. In most instances, transmission rate-related filings include voluminous information that must be inspected and responded to within a very short time period.

Currently, the Commission and OPC internal teams and staff monitor some, but not all of the transmission rate filings at the FERC, and believe that—with the procurement of consulting services—blanket monitoring of nearly all such filing can be achieved.

The objectives for this RFI are to:

- 1) Understand the market availability for transmission rate consulting services, with regard to inspection of formula rate and FPA section 205 filings, as well as the qualifications of potential consultants; and
- 2) Solicit feedback from the market regarding:
  - a. Industry best practices applicable to the scope of this request
  - b. Project finance and delivery method recommendations; and procurement and implementation schedule estimates

The information, data, comments, or reactions obtained may be used as research for a future solicitation. This RFI does not constitute an Invitation for Bid, Request for Proposal or Informal Request for Bid or Proposal and is not to be construed as a commitment by the Commission.

Response to this RFI is not mandatory to be considered for any future solicitation or RFP. If the Commission decides to issue a solicitation for commodities or services, the procurement will be conducted in accordance with Maryland State Procurement laws, regulations, and guidelines.

## **1.2 Contact and Response Information**

The procurement officer is the point of contact for this RFI. Please submit responses to the procurement officer by the deadline specified in the RFI Schedule. Please reference the Solicitation Number and Title. You may submit your response by mail or email to the procurement officer at:

Address: Maryland Public Service Commission  
6 Saint Paul Street, 16<sup>th</sup> Floor  
Baltimore, MD 21202  
Attention: Devan Perry, Procurement Officer

Title: FERC Transmission Rate Proceedings Consultation Services  
RFI No.: PSC#12.09.21

Email: [devan.perry1@maryland.gov](mailto:devan.perry1@maryland.gov)

## **1.3 Assistance to Individuals with a Disability**

Contact the procurement officer, as soon as possible, if an individual with a disability needs assistance with the RFI, including any events in the RFI Schedule, so reasonable accommodations can be made.

## **1.4 Scope and Deliverables**

The Commission and OPC are interested in a consulting firm to inspect TO and Transco transmission filings, including annual formula rate updates and FPA section 205 filings, as they are delivered to the Commission or filed with the FERC. Additionally, the firm must be able to inspect filings and assess the need for formula rate challenges and protects by ratepayer representatives. The Commission and OPC are interested in learning more about a consultant's ability to promptly examine and assess all filings by all TOs and Transcos whose rates affect Maryland ratepayers.

Respondents must provide information that demonstrates an ability to prepare reports analyzing voluminous technical and financial material related to a variety of filings, rate changes, proposed changes in protocols, rate of return (ROR) changes, depreciation changes, and other section 205 filings. Respondents may consider or propose a phased structure for recommending consulting services; such as:

- Phase 1 – Inspection of Annual Updates (including discovery associated with formal challenges and protests)
- Phase 2 – Identifying material issues of fact as a basis for protests
- Phase 3 – Assisting with FERC Settlement Judge Procedures
- Phase 4 – Preparation of trial testimony

In a phased structure, we would expect a Phase 2 proposal would likely include a proposal that includes Phases 1 and 2, and likewise, a Phase 4 proposal would include Phases 1, 2, and 3, specifically addressing the ability to monitor, respond to, and provide recommendations related to:

- 1) Formula rate updates / protocol changes
  - a. Assess whether discovery is needed
  - b. Assess whether challenges/protests is recommended
- 2) Section 205 filings
  - a. Identify material issues of fact that could be subject to protest
  - b. Demonstrate capabilities of inspecting and making recommendations within the short (21 day) period for filing protest

### **1.4.1 Additional Scope of Work Under Consideration**

The Commission is also evaluating and interested in receiving information related to a potential Phase II, III, and IV.

Phase I: Inspection

Phase II: Developing Discovery

Phase III: Drafting protest, review testimony, settlement

Phase IV: Trial

### **1.5 RFI Schedule**

EVENT	DATE
RFI issued	12/13/21
Deadline for Submission of Questions and Requests for Clarification by 4:00 PM Local time.	12/20/21
Amendment with Responses to Questions and Requests for Clarification issued approximately (if required)	12/27/21
Deadline for Submission of Responses by 4:00 PM Local time.	01/03/22

All dates are subject to change at the discretion of the Commission.

### **1.6 Questions and Requests for Clarification**

Please submit any questions or requests for clarifications about this RFI in writing to the procurement officer by the deadline for submission of questions and requests for clarification identified in the RFI Schedule. The preferred method of submission is email.

Two types of questions generally arise. One type of question may be answered by directing the questioner to a specific section of the RFI, and the procurement officer may answer these

questions over the telephone. The other type of question may be more complex and may require a written amendment to the RFI. The procurement officer will make that decision.

Please direct any questions or requests for clarification to the procurement officer by the deadline for submission of responses identified in the RFI Schedule, **section 1.5**.

### **1.7 Notice Provided – State Procurement Website**

This RFI and any related amendment and notices will be posted on the eMaryland Marketplace (eMMA) website at: <https://emma.maryland.gov/>

### **1.8 Respondents Responsible for All Preparation Costs**

Respondents are responsible for all costs associated with the preparation, submittal, and presentation of their response to this RFI.

### **1.9 E-Maryland Marketplace Advantage Registration**

Registration is not required to respond to this RFI.

If a formal competitive solicitation is issued, the solicitation will be posted on eMMA. Individuals and business entities interested in being placed on the State Bidders List must complete the registration process. For information on becoming registered on EMMA, please visit <https://procurement.maryland.gov/business-community/>.

## **2.0 Instructions to Respondents**

### **2.1 Information Requesting**

The Commission and OPC are requesting information that would demonstrate a consultant or firm's ability to provide the following:

1. General description of company or firm and experience with related projects
2. Estimated price/cost for each phase (1-4)
3. Schedule for time to complete and frequency of reports for each phase (1-4)
4. Scope/ description of the type of work and deliverables offered during each phase (1-4)

## **2.2 Response Instructions/ Format**

Respondents are asked to provide a response in the following format:

- A. Title Page
- B. Introduction
- C. Technical Response
- D. Suggested Cost Estimate
- E. Any additional relevant information

## **2.3 Submission Instructions**

Each respondent must submit their RFI response in accordance with the stipulations and instructions provided herein. Respondent assumes full responsibility for the timely delivery of the response to the designated location.

Each respondent must submit their clearly labeled RFI response to Devan Perry by mail or email no later than 4:00 PM Local Time on January 3, 2022.