

ADDENDUM 1

RFP 473-21-00009- Rebid

REQUEST FOR PROPOSALS FOR CONSULTING SERVICES RELATING TO ELECTRIC EMERGENCY OPERATIONS PLANS AND WEATHER EMERGENCY PREPAREDNESS REPORTS

Introductory Note:

The Public Utility Commission of Texas (PUCT) is seeking the services of a consultant to review, analyze and make recommendations on electric power system emergency operations plans, the preparedness of the system to operate under extreme weather conditions, and revisions to associated regulations.

Senate Bill 3 approved during the 87th legislative session amended Utilities Code § 186.007 and now requires the PUCT to assess emergency operations plans and submit weather emergency preparedness reports on power weatherization preparedness to the lieutenant governor, the speaker of the house of representatives, and members of the legislature by September 30th of even-numbered years. The first report is due September 30, 2022. Text for Senate Bill 3 can be found at: <https://capitol.texas.gov/BillLookup/Text.aspx?LegSess=87R&Bill=SB3>.

The bill also allows, but does not require, the commission to submit annual reports for the summer and winter seasons if industry standards or other factors warrant an additional report to the legislature. These additional reports, if filed, must be submitted by March 1 and September 1 respectively.

The PUCT initiated Project 51841, *Review of 16 TAC § 25.53 Relating to Electric Service Emergency Operations Plans*, to conduct a formal rulemaking to enact the provisions of Senate Bill 3. Revisions to the regulations will be required and will be based on the contractor's review of emergency operations plans on file with the PUCT and with the Electric Reliability Council of Texas. The rulemaking is anticipated to be completed by February 2022.

The PUCT is issuing this Request for Proposal (RFP) for a contractor to review, analyze, and make recommendations on the entirety of emergency operations plans filed by power generation companies, electric utilities, electric cooperatives that own generation in Texas, municipally owned utilities, and retail electric providers (collectively entities).

Questions and Answers (RED):

- 1) Is there an estimate on the number of individual utility entities that will be required to submit emergency preparedness plans to the PUCT for review/approval? From a budgeting standpoint I am needing to estimate the number of hours it would take to review the plans.

Answer

Approximately 850 plans.

- 2) Regarding eligibility related to conflicts of interest (Article 11.2 Prohibition on Transactions with Parties Adverse to the PUCT.) (below);
Our department handles a large number of contracts for training and technical assistance for numerous cities, and municipal water and electric districts across the state. Would our contract work with these entities disqualify us from eligibility for this RFP since those entities are all regulated by the PUCT?

“Contractor agrees that during the term of this contract and any extensions or renewals thereof, it will neither provide contractual services nor enter into any agreement, oral or written, to provide services to a person or organization that is regulated or funded by the PUCT or that has interests that are directly or indirectly adverse to those of the PUCT. The PUCT may waive this provision in writing if, in the PUCT’s sole judgment, such activities of the Contractor will not be adverse to the interests of the PUCT.”

Answer

The PUC would consider changing the language in the conflicts provision to account for other contracts that do not create an actual conflict of interest. Proposers for whom this may be an issue should state relevant facts about their pre-existing or anticipated contracts to allow the PUC to evaluate whether an actual conflict of interest exists. Additionally, Proposers who would desire or insist upon a modified conflicts provision should propose edits to the conflicts provision in the RFP, as described in Section 7.F. of the RFP.