

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

1. **Authorization**¹

- D.C. Code § 34-801
- D.C. Code § 34-804
- 15 D.C.M.R. § 3700

2. **Minimum Need**

The Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”) requests the services of Wilson Energy Economics in Fiscal Year 2021. Wilson Energy Economics will be tasked with representing the interests of OPC (along with other participating consumer advocates) in regulatory proceedings before the Federal Energy Regulatory Commission (“FERC”) specifically pertaining to the PJM markets. Additionally, Wilson Energy Economics will also be retained to perform projects and/or tasks on an as needed basis as requested by OPC.

3. **Estimated Fair and Reasonable Price**

The total contract (“not –to-exceed”) price is \$25,000. \$15,000 of the total \$25,000 will be specifically obligated towards representing OPC’s interests before FERC, and the remaining \$10,000 will be utilized to assist OPC on an as needed basis throughout FY21.

4. **Facts That Justify a Sole Source Procurement**

- A. The Office of the People’s Counsel is an independent agency of the District of Columbia Government. By law, it is the advocate for consumers of natural gas, electric, water and landline telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the District of Columbia Public Service Commission (“PSC” or “DC PSC” or “Commission”). The Office also represents the interests of District ratepayers before federal regulatory agencies. The Office is authorized to investigate the operation and valuation of utility companies independently of any pending proceedings.
- B. The Office of the People’s Counsel already has a longstanding working relationship with Wilson Energy Economics to assist OPC in representing their interests as well as other cooperating consumer advocate affiliates before FERC. At this time, OPC needs to execute a contract to further retain the services of Wilson Energy Economics for the new fiscal year. Due to the complexity of the current on-going issues and because Wilson Energy Economics is already apprised of the tasks at hand, OPC feels confident that sole source procurement is necessary to ensure adequate representation remain consistent in overseeing the interests of DC ratepayers at this time.

C. Wilson Energy Economics provides consulting services to OPC and other Consumer Advocates Offices on issues related to the PJM Interconnection, LLC –by participating in stakeholder meetings on their behalf and advising consumer advocates on policy positions beneficial to retail electric ratepayers at PJM and the FERC. The technical tasks covered in this procurement will include, but are not limited to:

- Work on energy market reforms;
- Changes to PJM’s load forecasting methodology;
- Further work on RPM and other related issues;
- Minimum Offer Price Rule (“MOPR”) and capacity value of wind and solar energy; and
- Consideration of carbon pricing alternatives;

D. Given Wilson Energy Economics’ expertise in PJM and FERC electric matters, this consultant is uniquely qualified to assist the Office of the People’s Counsel with identifying and analyzing wholesale market and transmission planning issues and present strategies to help achieve just and reasonable electric rates for retail electric customers in the District of Columbia.

E. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to Wilson Energy Economics.

5. **Certification by the Contracting Officer**

I hereby certify that the above facts are accurate and complete.

Christopher K. Sellers
Contracting Officer

Date

DETERMINATION

Based on the above findings and in accordance with the District of Columbia procurement regulations: *DC Law: 34-804; DC Law: 34-801; and 15 D.C.M.R. §3700,*

I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the Office of the People’s Counsel.

Eric B. Scott, Esq.
Chief Operating Officer

Date

ⁱ Procurement authority is vested in the Commission pursuant to § 13(c) (2) of the Residential Real Property Seller Disclosure, Funeral Services Date Charge, and Public Service Commission Independent Procurement Authority Act of 1998 (D.C. Law 12-263). The Commission is statutorily exempt from the D.C. procurement rules as set forth in D.C. Official Code § 1-1181 et seq.

D.C. Code § 34-804, hereby established within the Public Service Commission of the District of Columbia, as established by D.C. Code § 34-801, as Office to be known as the “Office of the People’s Counsel.” The Office shall be a party, as of right, in any investigation, valuation, revaluation, or proceeding of any nature by the Public Service Commission of or concerning a public utility operating in the District of Columbia.

15 D.C.M.R. § 3700: Public Utilities and Cable Television – Public Service Commission Rules of Practice and Procedure.